

Appendix A7: Analysis of the Local Plan 2020-2036 Production

<https://www.hertsad.co.uk/news/tory-boycott-thwarts-local-plan-withdrawal-6617904>

St Albans Local Plan withdrawal bid fails due to Tory boycott

Published November 4th 2020

This news article was published following the planned meeting of the Planning Policy Committee on 3rd November 2020. Item 9 of the agenda was planned to consider of a report from the Planning Department (Page 33-37 of Reports Pack) recommending that the emerging Local Plan be withdrawn.

Cllr Day (Chair – Lib Dem); Cllr Davies (Vice-Chair – Lib Dem); Cllr Barrett (Lib Dem) and Cllr Tucker (Lib Dem) were present.

Cllr Curthoys (Con); Cllr Daly (Con); Cllr Daly (Con); Cllr Gibbard (Con); Cllr Newman (Con); Cllr M Packenham (Labour) and Cllr Yates (Ind) provided apologies absence.

The quorum being 6 Members, the meeting was declared inquorate and closed by the Chair.

Leader of the Conservative Group, Cllr Mary Maynard:

“The committee is increasingly seen as a waste of everyone’s time. Both Labour and the Independent Members have gone on the record saying this”

“Moreover, the Conservative members, who have been involved in planning policy for some time, are concerned about the lack of collaboration and the increasing politicisation of the Committee by the Liberal Democrat members. Irrelevant topics are being raised and discussed, whilst the elephant in the room – namely what are we going to do next about the Local Plan – is off the agenda.”

Planning Portfolio Holder and PPC Member Cllr Jamie Day (Liberal Democrats):

“There will be no delay on the withdrawal of the previous administration’s expensively failed Local Plan – it is on the agenda for November’s Cabinet following agreement at the October PPC which the Tory Members all attended.”

“The boycott was a diversionary tactic to avoid the spotlight on the failed Local Plan – the questionable decision to ignore the national Tory government’s imposition of a Strategic Rail Freight terminal on the site [housing allocation].”

Leader of the Council, Cllr Chris White (Liberal Democrats):

“There are quite a lot of things the current plan does not recognise, such as climate change and electric vehicle charging points, and we would be pushing sustainability very aggressively in any future developments.”

He said the rejected plan largely focused on sites of 500 houses or more, but any replacement would embrace smaller sites which were less obtrusive on the Green Belt.

On the subject of the strategic rail freight depot which has planning permission for the former Radlett Airfield, he remained defiant that the scheme should still be opposed, even though it was unlikely to feature in any future Local Plan as a Garden Village, which was the original intention.

“Is it still relevant given Brexit and Freeports? We’re not giving up fighting against it, and the government might now consider it an outdated idea. It is a Green Belt site, but is no longer an option for housing.”

Cllr Mary Maynard in response to Cllr White’s comments:

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“This changes the way in which Local Plans are developed, simplifying the approach and reducing the timescales involved significantly. For instance, they have removed the need to obtain Duty to Cooperate. It also seems to have given more protection to the Green Belt and asks for more focus on building densely in existing residential areas.

“The Garden Village site will have to be considered in the Local Plan if the county council as the owners of the land, brings it forward. If they don’t consider it, there could be legal action. They will need a very sound legal case to remove it. Another Green Belt review will need to be considered in the light of the White Paper and the new approach to Local Plans.”

<https://www.hertsad.co.uk/news/inspectors-raise-concerns-over-st-albans-district-council-local-plan-5212856>

St Albans Local Plan receives severe criticism from government inspectors

Published April 22nd 2020

This news article was published a week after the Council received a further post-hearings letter from the Inspectors on 14th April 2020. This was a more detailed follow up to their initial “serious concern” (letter 27th January 2021 – see below) following Week 1 Hearing Sessions on matters of legal compliance and soundness.

The scheduled Planning Policy Committee meeting on 12th May was cancelled, with a single meeting taking place 9th June.

Recorded Minutes of the PPC Meeting held 9th June indicate:

- Questions from a local resident (put forward by Cllr Gibbard) enquiring why the scheduled PPC meeting on the 12th May was cancelled;
- Consideration of two options open to the Council:
 - (i) to seek continuation of the Examination with an updated draft Plan including appropriate Main Modifications (including the removal of Park Street Garden Village from the Radlett Aerodrome site and its replacement with a Broad Location for the SRFI) alongside the identification of alternative sites to accommodate housing need;
 - (ii) to progress work to develop a new Local Plan.
- Debate on the validity/repercussions of the Inspectors argument regarding the SRFI
- it was noted that the Council had been in possession of the Inspectors’ letter for some eight weeks, and agreement on a response was becoming imperative. Whilst the use of the Radlett Aerodrome site for a SRFI may not be supported by all, there was a pressing need to find a solution which allowed the Plan to progress. During debate the Committee broadly agreed that the draft response represented an appropriate ‘direction of travel’, and the proposal to seek to progress the Plan with Main Modifications should be supported.

The Council sent their response to the Inspectors letter on 2nd July 2020.

Recorded Minutes of the PPC Meeting held shortly after the letter was sent (7th July 2020) indicate Members of the Conservative Group challenged the recorded minutes of the 9th June meeting – expressing that their disagreement with the Council’s proposed response to the Inspectors’ letter had not been adequately reflected. Additionally, they considered that there had not been sufficient opportunity to comment on the final draft prior to it being sent. The Conservative Group PPC Leads informed the Committee that the Group intended to write to Inspectors separately to convey their views. The Chair reminded the Committee that the Inspectors had instructed that they would only consider responses made through officers.

Planning Portfolio Holder and PPC Member Cllr Jamie Day (Liberal Democrats):

“It’s extremely important that the council progresses this Local Plan so that it is able to manage the district’s growth in a sustainable and positive way.

“We are keen to deliver much needed housing in sustainable locations, but our efforts to do so are curtailed somewhat by the complexities involved.”

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"The SRFI is a central feature in the feedback received from the inspectors. The council is in the unique position of having a government-permitted strategic rail freight terminal site actively promoted by the landowner for alternative housing use."

"Over recent years, the council has made improved efforts to work with its neighbouring councils and Herts County Council to demonstrate its commitment to cooperating with our neighbouring authorities, so it's disappointing to be called out by the inspectors on that point."

"We will be responding to the inspector's letter to address the concerns raised. We had already engaged the Local Government Association to review the way that our Planning Department works and benchmark it against other local authorities to strengthen it for the future. But this review has been unavoidably delayed by the ongoing coronavirus control measures."

Labour Group Spokesperson and PPC Member Cllr Malachy Packenham:

"The rail freight site was always going to be difficult to incorporate into the Local Plan as the Park Street Garden Village."

Conservative Group Spokesperson and PPC Member, Cllr Richard Curthoys:

"We are disappointed at the planning inspectors' letter. It's clear that the many iterations of the duty to cooperate meetings between 2017 and 2019 have not been recognised."

"Furthermore, the inspectors' statement that 'a lack of objections is not an indication that duty to co-operate has been complied with' is particularly confusing."

Independent and PPC Member Cllr David Yates:

"The inspectors' letter identifies many of the dubious justifications that were attempted for the nonsensical 'Park Street Garden Village'. One has to wonder whether things would have been different if the promoter of the site had not been Hertfordshire County Council and local political parties had not been striving to outdo one another at thwarting the SRFI permission with a housing development."

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<https://www.hertsad.co.uk/news/st-albans-draft-local-plan-suspended-5205600>

St Albans draft Local Plan suspended amid 'serious concerns'

Published January 30th 2020,

following Week 1 Hearing Sessions (21st – 23rd January) on matters of legal compliance and soundness, the Inspectors wrote to the Council on January 27th citing their "serious concerns". This resulted in the cancellation of further Hearing Sessions while the Inspectors reviewed their position.

Six scheduled Planning Policy Committee meetings (10th September; 8th October; 5th November; and 10th December 2019, as well as 4th February and 7th April 2020) were cancelled.

Two took place on 7th January and 4th March 2020.

Planning Portfolio Holder, Cllr Jamie Day (Liberal Democrats):

"The inspectors' decision to cancel the examination hearings is very disappointing."

"All members of the council want to advance our Local Plan so that we can get on with the challenge of providing much-needed new housing in the district along with the infrastructure required to support it."

"This delay in our attempts to adopt a Local Plan that identifies land for future development is very frustrating for both us and our residents."

"A huge amount of work has gone into producing the draft plan, including intensive public consultations and considerable co-operation with other local authorities and interested parties."

"Once the inspectors inform us of the reasons for their decision, we will respond in detail."

Cllr David Yates (Independent):

"The sad fact is that the site's [Park Street Garden Village] inclusion was pointless as well as ill-advised."

"Two public enquiries, High Court judgements, and a succession of Secretaries of State had all concluded that a desperate national need for rail freight interchanges - and only a desperate national need for rail freight interchanges - could outweigh the harm to the Green Belt of a built development on this site."

"The district council, the Herts Advertiser, STRiFE (Stop The Rail Freight Interchange), and just about every local group had campaigned against the freight terminal for years and failed."

"I believe it's important that all councillors acknowledge that including the Park Street site for housing was a reckless and irresponsible thing to do."

Shadow Planning Portfolio Holder, Cllr Richard Curthoys (Conservative):

"It's hardly surprising this has happened. The Lib Dem minority administration cancelled every planning policy committee meeting and chose [sic] not to consult with other parties at council and to adopt a policy of secrecy on the plan, maintaining that a 'we know best' policy would suffice."

"Well now we are in a worse position than before we started. The district is still without a Local Plan and as a consequence we are vulnerable to large-scale planning applications which will be difficult to refuse."

<https://www.hertsad.co.uk/news/st-albans-local-plan-inspectors-raise-concerns-5179468>

St Albans Local Plan inspectors raise 'serious' concerns about housing document

Published July 9th 2019

The Inspectors issued further questions to the Council in a letter dated 2nd July 2019. Their key outlined that the Council had not sufficiently justified some of its policies or explain how it chose vast amounts of Green Belt land for development.

Cllr David Mitchell (Independent) and Chairman of Redbourn Parish Council:

"I have been arguing on behalf of Redbourn Parish Council that they [SADC] haven't done this work, and they said they have, and we responded, 'well, where is the evidence to back it up?' When the inspectors themselves are saying that it needs a lot more work, that is very serious."

"They [SADC] rushed to get it all done by March because they felt under pressure by government, and now it is a dog's dinner and Redbourn is the scapegoat for all the housing."

At the meeting [Planning Policy Committee meeting held Tuesday 9th July] there was a clash between former Planning Portfolio Holder Mary Maynard and her successor, Cllr Day.

She asked if the new Liberal Democrat administration intends to increase the number of affordable homes in the Local Plan and include that in the response to the inspector.

When Cllr Day said they are still working on the Corporate Plan, Cllr Maynard retorted that the Corporate Plan does not include affordable targets. Cllr Day said: "Sorry, the Corporate Plan we are working on within our group..."

Interrupting, Cllr Maynard said: "Chair, I am asking you, when you respond to the inspector, do you intend to change the targets for affordable housing in the Local Plan? It's quite a simple question. You said you would. Do you intend to? If so, what's it going to be?"

He replied: "As I said, we are still talking about it in the cabinet, so we haven't got an exact figure. I can't decide on my own. It's a cabinet decision. When we have that figure, obviously we will publish it."

Cllr Maynard addressed the room: "Can I point out to my colleagues that this is not actually a cabinet decision, it is a council decision."

The meeting chair [Cllr Day] said: "I am not going to give you a figure off the top of my head before we have discussed it in our cabinet, which we will then put forward to the council."

Cllr Maynard thanked Cllr Day for "illuminating the situation so clearly".