



**PLANNING & BUILDING CONTROL**  
Tracy Harvey – Head of Planning & Building Control

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Renato Messere  
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Dear Renato,

**St Albans City and District Council Strategic Local Plan (SLP)  
Duty to Co-operate (DtC) Issues**

Thank you for your letter dated 11<sup>th</sup> April 2016 written (at officer level) on behalf of the SW Herts group of local planning authorities (LPAs) (Watford BC / Three Rivers DC / Dacorum BC / Hertsmere BC).

I apologise sincerely for the delay in my officer level response.

You will appreciate that the new approach to local planning being taken by the SW Herts Group and its timing in relation to my Council's SLP process posed us with some difficult dilemmas. The contents of your letter and its relationship to past, difficult, political level discussions on the same issues meant that we were unable to respond effectively to the (to us) surprising suggestion of officer only discussion. At the same time my Council faced the decision about how to proceed with the SLP. This had to be considered further before I was in any position to respond.

Context and background

Adopting a Local Plan in St Albans is a top priority for the Council. It is in all of our authorities' interests. It will set a clear framework to deliver significantly more jobs and housing which will contribute to the wider economic development and success of Hertfordshire over the next 15 years.

St Albans current Local Plan dates from 1994. You will be aware of the technical, political and practical challenges of developing a plan in St Albans, where nearly all undeveloped land is in the Green Belt.

Following Full Council rejection in 2012 of an earlier plan – based on a housing target of 250 houses per year – we have worked for the last four years to develop a clear and transparent process for developing the Plan, This has involved close working throughout with politicians of all parties through the Planning Policy Committee, chaired by the Council Leader, meeting monthly in public.

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The Plan has been constructed step by step. First, the underlying evidence base for the Plan was commissioned through two independent reviews – one on the Green Belt (jointly with Dacorum and Welwyn & Hatfield) and one on housing need. The methodology and outputs for this work has been in the public domain and open to public scrutiny throughout.

This allowed the development and evaluation of options for broad locations within the Plan, which were then the subject of public consultation, to which the SW authorities responded. The current housing target within the Plan – at 436 houses per year – is substantially higher than that in any previous plan and over 20% more than the original Regional Spatial Strategy. (It is also higher than any current housing target within the group of SW Herts authorities). Moreover, the Plan is designed to support early delivery of houses, with an expected average housing delivery of 623 in the next 5 years of the Plan. This includes releasing more Green Belt land for housing in the Plan period than in any of the SW Herts authorities Plans. The SLP also includes 55 Hectares of employment land at East Hemel, directly in support of the LEP SEP and the Hertfordshire Enterprise Zone. This will provide substantial opportunities for business and job growth.

As you know we have now submitted the SLP for Examination. The decision to submit was made following very careful consideration of representations made on the Publication Draft SLP by the individual LPAs that form part of your Group. We also took account of the age of current St Albans Local Plan, the Government timetable for Plan Making Intervention, Counsel's advice and all the other representations received.

Our formal response to the DtC and soundness points you are raising is now set out as part of our Local Plan Consultation 2016 analysis. This work is designed to address the summary requirements of Local Plan Regulation 22, but we have gone further in publishing a Council agreed summary response to the points put to us on key issues. A weblink to this document is provided below:

[Consultation 2016 \(Publication Draft SLP\)](#)

I also draw attention to our final published Economic Development and Employment Land Technical Report. I believe this addresses some of the issues raised by the SW Herts Group in respect of what should be our common interest in delivering the aspirations of the Local Enterprise Partnership's (LEP) Strategic Economic Plan (SEP). A weblink is provided below:

[Economic Development and Employment Land Evidence](#)

As expected the SLP Examination will start with specific consideration of the Duty to Co-operate. You will have seen the papers related to this. This gives the SW Herts Group the opportunity to pursue their concerns in depth and for my Council to respond. I suspect that the Inspector's conclusions will effectively determine how Local Plans work in Hertfordshire proceeds from this point. There may be some challenging implications for us all.

Notwithstanding Inspector Hogger's letter we still wish to continue our on-going engagement under the Duty to Co-operate and hence suggest an early meeting.

To assist this meeting, and with a view to setting out my Council's view on the grounds for the DtC discussion in the forthcoming Examination hearing, I would like to respond to the substance of your letter.

As preparation for a meeting I list the points / questions we believe we should all now be considering and, crucially, clarifying at a political level:

- Those aspects where there is agreement between the SW Herts Group authorities and St Albans on specific DtC points in the SLP;
- The specific outcomes which you feel that the mutual DtC has failed to deliver and the solutions required/way forward;
- The reasoning behind, and process implications of, the SW Herts Group's decision to undertake new, very detailed, technical studies covering areas outside of their local planning authority boundaries and then putting forward (without agreement) a housing / economic market area definition that includes some potentially related areas (SADC), and excludes others (WHDC / Chilterns / cross Herts. boundary areas);
- The view to be taken now on the agreed joint technical work that preceded the SW Herts Group's new SHMA work (eg Green Belt Reviews and previous joint SHMA work) and the way that work has underpinned continuing independent local plan work by each LPA in the SW Herts Group. The implications of the apparent changed view of the SW Herts Group in respect of the need to agree levels of development need, Plan targets, and the balance of need against Green Belt constraint, on a cross boundary basis;
- The level of political commitment and cross boundary agreement, or otherwise, that exists to fully deliver the high levels of growth indicated in the new SW Herts Group studies;
- The timing of the new SW Herts Group studies in relation to the reality of differential progress to date on Local Plans. The prospects for future review / alignment of SW Herts Group Local Development Scheme timetables and Plan periods;
- The practical DtC and Local Plan process / progress issues arising from the series of counter objections on the fundamental points the SW Herts Group has raised that are now likely to arise in respect of each of the emerging Local Plans from the SW Herts Group authorities;
- The DtC implications if our SLP growth plans (which are beneficial to the west Herts / Herts / sub-regional level areas (LEP SEP East Hemel Hempstead) were prevented;
- Are there proposals for addressing Green Belt NPPF 'exceptional circumstances' across the SW Herts Group authorities and is there a recognition of the implied need for a formally agreed, consistent, joint Green Belt Review (as well as formally agreed methods of assessing development need)?

- What is the agreed, or developing view of the SW Herts Group on the appropriate balance between development need and exceptional circumstances for Green Belt change? It would appear that the view embodied in the new technical work is that the consultant studies' assessment of housing and employment land need is automatically accepted as effectively creating Local Plan targets. Furthermore the same approach appears to be advocated for SADC / the SLP? Is this, in any sense, agreed politically within or across the LPAs?
- The benefits, or otherwise, of more detailed information sharing and debate on respective demographic projections and the underlying assumptions made in those projections (as raised in your letter). (As an aside, addressing the detail of your letter, it is noted that SADC's projections are presented in a range that demonstrates how assumptions on migration and household formation can be viewed in different ways. The range of outputs includes figures that do not differ greatly from SW Herts Group consultancy studies. The real difference is about whether a top of the range figure should be automatically translate into a Plan target and how that view is agreed politically? More information about the SLP evidence and approach is at the following weblink: [http://www.stalbans.gov.uk/Images/SP\\_Housing\\_HousingGrowthForecasts\\_Oct2013\\_tcm15-38412.pdf](http://www.stalbans.gov.uk/Images/SP_Housing_HousingGrowthForecasts_Oct2013_tcm15-38412.pdf) )
- How proposals for, or outputs from, the new joint technical work and market area definitions will be discussed through established liaison arrangements (HPG / HIPP / LEP) and the implications for political ownership of DtC work and formal joint planning arrangements;
- The likely implication that the only workable solution to the current DtC dispute is a formally agreed arrangement for joint planning. Are there specific proposals for joint planning and planning areas already agreed by the SW Herts Group authorities?

My suggestion is that we have an early portfolio holder (or Leader) meeting to address the points raised above, clarify differences and reach an agreed position prior to the Inspector's hearing on 26<sup>th</sup> October 2016.

Can we please organise a date for this political meeting and possibly an earlier officer meeting to prepare the ground?

Yours sincerely



**Tracy Harvey**  
**Head of Planning and Building Control**