

# Offley Parish Council

## PRESS RELEASE

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### **'DAVID AND GOLIATH' HOUSING FIGHT TAKEN TO PRIME MINISTER BY HERTFORDSHIRE HAMLETS.**

Offley Parish Council and fed-up residents of three small hamlets in North Hertfordshire who have been fighting for years to prevent a damaging and unneeded housing development on what was Green Belt land, have sought the intervention of Prime Minister Rishi Sunak and Levelling-Up Secretary of State Michael Gove.

They ask the Government to overturn a Local Plan policy decision by North Hertfordshire Council (NHC), taken in connivance with neighbouring Luton Borough Council (LBC), developers and landowners.

This plea comes after residents and the Parish Council have spent years presenting irrefutable evidence to the NHC Local Plan examination, sending countless letters to the two local councils, letters to the Department for Levelling Up, Housing & Communities, plus other official bodies, proving that the need for the proposed housing does not exist. But these efforts have fallen on deaf ears as both councils stubbornly stick to Luton's outdated housing figures, and other official bodies fail to act.

NHC stands to benefit hugely from the Government's New Homes Bonus, aided and abetted by developers and landowners who also stand to benefit hugely from the development.

The proposed housing, known as East of Luton (EOL), provides for 2,100 dwellings on beautiful Chilterns countryside and prime agricultural land – an increase of 950% over the current 200 houses in Cockernhoe, Mangrove Green and Tea Green - and threatening to turn a rural community into an urban extension of neighbouring Luton.

NHC included this policy in its Local Plan (2011-2031), under the discredited and about to be abolished Duty to Co-operate requirement, purely to help meet a supposed housing need from Luton, with 1,950 of the houses earmarked for this purpose. At the same time they removed the Green Belt protection from the area.

LBC's outdated housing figures are because the authority has failed to carry out a required review of its own (2011-2031) Local Plan, adopted in November 2017, which should have been started in 2019 ready for public examination in mid-2021. The Luton planning inspector stated 13 times in his final report of August 2017 the importance of this review, which three years later after adoption has still not materialised. In failing to carry out this review LBC is operating illegally as it violates Local Plan requirements, provisions in the

Town and Country Planning Act and the NPPF/PPG, all of which require reviews of Local Plans to be undertaken within five years of adoption.

Compounding this injustice, NHC has failed to put any pressure on LBC to carry out this review, precisely because it knows that LBC's true housing capacity is far in excess of that stated in Luton's Local Plan, totally undermining the case for the proposed housing at EOL. To LBC's credit, most of the housing developments in Luton are on brownfield sites, so the failure to secure this review means that the EOL rural housing, perversely, could go ahead to meet a need that is largely met on brownfield sites.

Residents wrote to the Planning Inspectorate about its failure to enforce this review resulting in the reply: *'The Planning Inspectorate's involvement with the local plan process ends when the report into the examination is issued. We have no legal authority to follow up or enforce policy requirements that are set out in an adopted local plan.'*

During the course of the Local Plan examination that took place over several years, culminating in its adoption by NHC in November 2022 campaigners presented detailed evidence to the planning inspector proving that Luton's true house building capacity was far in excess of the 8,500 stated in its Local Plan. The relevant figures are as follows:

- Luton's assessed housing need through to 2031 was 17,800 and its Local Plan states that it has capacity for only 8,500. The shortfall of 9,300 is planned to be met by a significant contribution from Central Bedfordshire Council (CBC) of 7,350 which was identified by the Luton inspector as the 'best fit' to meet the requirement on 19 sites to the north and north-west of the town. Over 1,000 of these homes have been built already and the 7,350 will be built by 2031. CBC adopted its Local Plan in July 2021. The balance of 1,950 homes is meant to come from the EOL development.
- Luton's housing need was re-assessed to 16,700 in August 2020 as a result of the UK lower household projections from the Office of National Statistics. This brought its unmet need down to 8,200.
- During the NHC Local Plan examination in December 2020 the inspector accepted a Statement of Common Ground (SOCG) from NHC, LBC, Bloor Homes and the Crown Estate that increased LBC's housing capacity to 10,903. This was based on an updated Strategic Housing Land Availability Assessment (SHLAA) of 2019. This means that nearly 4 years ago all these parties accepted that Luton's unmet housing need had reduced to  $16,700 - 10,903 = 5,797$  – more than covered by the 7,350 contribution from CBC.
- However, that SOCG also included a very clear footnote stating that Bloor Homes' consultants had identified a further 2,308 housing approvals given by LBC bringing its capacity to 13,211. The inspector only accepted the 10,903 figure because it came from 'the responsible authority' - namely LBC. However, this ignored the fact that this SOCG had been signed by the Luton Councillor then in charge of planning policy for Luton.
- Therefore in December 2020 it was known to all parties that Luton's housing capacity through to 2031 was at least 13,211. Combined with the CBC contribution of 7,350, this brought LBC's overall housing capacity to 20,561 to meet a need of 16,700. Even at that stage it was known to all that EOL was not needed.
- Housing development on Green Belt land has to meet 'exceptional circumstances' to be permitted. There were no exceptional circumstances demonstrated in December 2020. Despite this, with the adoption of the NHC Local Plan in November 2022, NHC carried on with EOL and removed the area from the Green Belt.

- Campaigners have monitored the meetings of the LBC Development Control Committee which grants planning applications, and at the NHC Local Plan adoption meeting in November 2022 they advised NHC Councillors that LBC's housing capacity had increased to 15,619, meaning that LBC had available to it total housing of nearly 23,000 to meet its need of 16,700. By October 2023, the LBC housing capacity figure had further increased to 16,868.
- The thrust of this evidence over a number of years has been borne out by the long-delayed publication by LBC of an Authority Monitoring Report (AMR) in October 2023 – the first since 2019 (meant to be yearly). This shows the actual housing build in the town and construction underway on some specific sites (but not all), will be at least 12,000 over the next few years (and significantly more through to 2031). Together with the CBC contribution this will bring housing available to LBC to at least just under 20,000 to meet its need of 16,700.

The Parish Council and residents are asking that the Government take the following steps:

- Rule that there has been no exceptional circumstance to justify the release of Green Belt land at EOL;
- Hold LBC to account, ensuring that the Council promptly and accurately updates its Local Plan as it is legally obliged to do. Also to publish a fully updated SHLAA to replace the outdated 2019 version.
- Order NHC to put any development at EOL on hold until a thorough analysis of housing availability within Luton has been done via the LBC Local Plan review.

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NB: Additional information is also supplied with this news release to include the text of the email sent to Prime Minister Rishi Sunak and Michael Gove and a detailed fact sheet with more comprehensive information.