

## CENTRAL BEDFORDSHIRE COUNCIL

At a meeting of the **SUSTAINABLE COMMUNITIES OVERVIEW & SCRUTINY COMMITTEE** held in Council Chamber, Priory House, Monks Walk, Shefford on Thursday, 18 October 2012.

### PRESENT

Cllr D McVicar (Chairman)  
Cllr A R Bastable (Vice-Chairman)

Cllrs	Mrs R B Gammons	Cllrs	J Murray
	K C Matthews		B Saunders
	Ms C Maudlin		P Williams

Apologies for Absence: Cllrs Mrs C F Chapman MBE

Members in Attendance:	Cllrs	P N Aldis	
		Mrs A Barker	Chairman of the Council
		R D Berry	
		D Bowater	Chairman of Audit Committee
		I Dalgarno	Deputy Executive
			Members for Sustainable Communities - Services
		R W Johnstone	
		D Jones	
		T Nicols	
		I Shingler	
		J N Young	Executive Member for Sustainable Communities - Strategic Planning and Economic Development

Officers in Attendance:	Mr S Andrews	–	Strategic Planning and Housing Team Leader
	Mr P Cook	–	Head of Transport Strategy and Countryside Access
	Mr R Fox	–	Head of Development Planning and Housing Strategy
	Ms C Frost-Bryant	–	Senior Planning Officer, Local Planning and Housing Team
	Mrs J Keyte	–	Head of Community Safety
	Mr J Partridge	–	Scrutiny Policy Adviser
	Ms S Wileman	–	Service Development Manager

Others in Attendance	Mr P Bateman	Framptons
	Ms K Morgan	Bedfordshire Probation Trust
	Mr T Rogers	Area Commander

Mr G Surkitt  
Ms K Sylvester-Kilroy  
Superintendent Mark Turner

Bedfordshire Fire and  
Rescue Service  
Woods Hardwick  
Old Road Securities  
Bedfordshire Police

#### SCOSC/12/44 **Members' Interests**

There were no declarations of interest of political whip in relation to any agenda item.

#### SCOSC/12/45 **Chairman's Announcements and Communications**

There were no Chairman's announcements or communications.

#### SCOSC/12/46 **Minutes**

##### **RESOLVED**

**That the Minutes of the meeting of the Sustainable Communities Overview and Scrutiny Committee held on 26 September 2012 be confirmed and signed by the Chairman as a correct record.**

#### SCOSC/12/47 **Petitions**

No petitions were received from members of the public in accordance with the Public Participation Procedure as set out in Part D2 of the Constitution.

#### SCOSC/12/48 **Questions, Statements or Deputations**

No questions, statements or deputations were received from members of the public in accordance with the Public Participation Procedure as set out in Annex 1 of Part A4 of the Constitution.

#### SCOSC/12/49 **Call-In**

The Panel was advised that no decisions of the Executive had been referred to the Panel under the Call-in Procedures set out in Appendix "A" to Rule No. S18 of the Overview and Scrutiny Procedure Rules.

#### SCOSC/12/50 **Requested Items**

The Committee was informed that a requested item had been received from Cllr Nicols relating to the draft development strategy and infrastructure requirements in the proposed urban extension north of Luton. As Cllr Nicols was not currently present the Chairman stated that the item would be considered as part of Item 11 (Minute SCOSC/53/12 refers).

**SCOSC/12/51 Community Safety Plan and Priorities (2013/14)**

The Deputy Executive Member for Sustainable Communities Services introduced a report that informed the Committee of the three priorities that had been identified for adoption by the Community Safety Partnership for 2013-14. Cllr Dalgarno emphasised that although there were three identified priorities work would continue in all other areas.

In response to the report Members discussed the following issues in detail:-

- Whether the term 'night time economy' was appropriate. Officers commented that this was a national term.
- Whether the 17% reduction in crime between July 2011 and June 2012 was accurate. Bedfordshire Police responded that they were confident that this was accurate reflection of local performance. It was commented that a small number of residents accounted for a high number of incidents of crime. Integrated Offender Management (IOM) and partnership working has led to more targeted work on this small group of perpetrators.
- The prevalence of crime that was linked to drug or alcohol abuse.
- The multi-agency approach being used to tackle anti-social behaviour (ASB) and provide support to victims. Officers commented that an ASB risk assessment management conference had been hosted to determine the areas of highest risk and to develop a local approach. It was reported that in some cases the victims of ASB did not report it as they felt intimidated.
- Reassurances that policing in rural areas would not suffer as a result of police restructures. Bedfordshire Police responded that the continued presence of Police and Community Safety Officers (PCSOs) in rural areas showed the ongoing commitment to rural policing.
- Why Healthier Relationships Courses were being delivered specifically to male perpetrators of domestic violence. In response to questions from Members it was commented that whilst there were female perpetrators of domestic violence this was a smaller cohort and targeted work was more appropriately being undertaken with this group.
- The activity that was underway to enhance links between the Youth Offending Service (YOS) and the Community Safety Partnership (CSP). Officers commented that specific work was underway to support young offenders when they turned 18 years of age. Young offenders had considerable contact with the Youth Offending Team up to the point they turned 18 but after that support tended to cease. Work was underway through IOM to encourage engagement with young adults beyond the point at which they turn 18.
- The information that had been used to determine 'community priorities', which included a significant amount of consultation and community feedback.

In addition Cllr Murray also commented specifically on the difficulty he had communicating with Bedfordshire Police in the Dunstable area recently.

Whilst the Committee did not feel it was necessary to make a recommendation Members did ask that concerns relating to the emerging issue of metal theft be noted. It was commented that good work was being undertaken in relation to tackling metal theft and raising awareness of this issue locally and this needed to continue.

**RECOMMENDED that the Executive support the three Partnership Strategic Assessment Priorities identified for 2013-14 as follows:-**

- a. Anti-Social Behaviour (nuisance and personal)**
- b. Offending (by substance misusers and young people)**
- c. Violent offences (domestic abuse and night time economy).**

### **SCOSC/12/52 Masterplan for Land at Steppingley Road and Froghall Road, Flitwick**

The Committee received a report from the Executive Member for Strategic Planning and Economic Development that proposed a masterplan for Land at Steppingley Road and Froghall Road, Flitwick in light of public consultation. In addition Gary Surkitt, Woods Hardwick, and Peter Bateman (Framptons) who were both acting for the site promoters, Old Road Securities, explained to Members the main features of the masterplan and the outcomes of the consultation process. The Committee were also informed that two further consultation responses had been received following the publishing of the report. These responses related to the need for greater contributions towards infrastructure, including education and health, and transport. The Executive Member also stated that the masterplan was capable of delivering up to 400 homes, which was a reduction in housing numbers from the original 450 allocated in the original Site Allocations Development Plan Document.

In response to the report Members discussed the following issues in detail:-

- Whether young people had been consulted on the type of equipment to be provided in the Multi-Use Games Area (MUGA) and the extent to which young people had commented as part of the consultation. In response officers commented that the Town Council had been consulted for their views on the equipment to be provided in the MUGA. Further discussions would be undertaken on the type of equipment to be provided during the planning application stage. It was also commented that there had been limited responses from young people during the public consultation although opportunities had been made available.
- The percentage of homes that would be affordable in the development. The developer was aware of the Council's policy for 35% affordable homes. This figure would be discussed in greater detail during the planning application stage.
- Concerns that there had been no attempt made to show how the concerns and responses received through the consultation had been taken into account.
- The proposed height of properties in the development, which the developers stated would be no higher than 2 storey with space to

extended into the roof unless there was a specific structural reason for a larger building.

- The importance of ensuring effective connectivity and usage of shared space and ensuring that the two did not adversely affect one another.
- The importance of pathways being designed so as to minimise community safety concerns.
- The effective use of noise contours to minimise disruption to residents living adjacent to the railway.

Whilst Members did not feel a recommendation was necessary it was requested that in the future more detailed responses be provided to consultation responses detailing how they had been taken into consideration and any action that was intended to be taken.

**RECOMMENDED that the Executive adopt the masterplan as technical guidance for development management purposes.**

#### SCOSC/12/53 **Draft Development Strategy for Central Bedfordshire**

The Committee were informed that in addition to the report on the draft Development Strategy a requested item had been received from Cllr Nicols and circulated to Committee Members (**Appended**). The request raised several questions relating to the draft development strategy and infrastructure requirements in the proposed urban extension North of Luton. A response to these issues was also circulated to Members of the Committee (**Appended**). To enable Members of the Committee to read and consider both the requested item and the response the meeting was adjourned.

#### **Meeting adjourned at 11.29am and reconvened at 11.40am**

Cllr Nicols raised concerns that the 4,000 homes proposed North of Luton would be provided without a 'strategic bypass' and that infrastructure would not be provided in a timely way. He suggested that rather than a new infrastructure route being provided it would be glued on to current infrastructure. Cllr Nicols commented that officers had previously indicated that there would be a spine road but that it would not be provided during the early part of the development. It was suggested that officers had also previously indicated that a mechanism for the forward funding of a strategic bypass would be designed and put in place before the housing was delivered. It was Cllr Nicols' view that a spine road/link road must be provided before the homes were delivered.

Cllr Nicols then commented on the lack of connection between the evidence base and the draft Development Strategy. Specific references were made to the absence of a Strategic Housing Market Assessment (SHMA) and a Strategic Housing Land Availability Assessment (SHLAA). Cllr Nicols commented that the document could not be viewed as a whole without the evidence base, which included the Sustainability Assessment, and this had not been provided at previous OSC meetings. He also commented that the draft Development Strategy referred to a transport modelling study (which did not identify the potential nature of a 'strategic' road), which had also not been

available when the Committee previously considered the strategy. The response provided by officers stated that these documents had been presented to the Committee in May 2012 but Cllr Nicols stated they had not been completed until June/July 2012 so could not have been available. Cllr Nicols also stated that the evidence documents were impossible to obtain, in part due to the current structure of the planning internet pages. Cllr Nicols suggested this may have affected the consultation response to the draft Development Strategy.

Cllr Nicols felt that the draft Development Strategy was too Luton centric. The infrastructure requirements focused on what was needed for Luton but did not identify the strategic corridor for his ward. It was suggested that it had been a cut and paste job.

In summary Cllr Nicols stated that there was no evidence that a strategic bypass would be built in time and to standard for 4,000 homes North of Luton. He believed that the homes would appear but the road would not. Cllr Nicols said that Cllr Young had previously stated that a series of connected estate roads would be provided for the development that could have a 20mph speed limit. Cllr Nicols did not consider this to be 'strategic' in nature. Cllr Nicols felt there were no means of funding the infrastructure that was needed and without the identification of an appropriate funding mechanism for a strategic road North of Luton, or the forward funding for that road, it could not be included in the Development Strategy.

In response to the issues raised by Cllr Nicols the Head of Development Planning and Housing Strategy commented as follows:-

- The evidence base for the Development Strategy had evolved over time in the same way as any other plan produced in the past. At some stage the Council had to go out to public consultation in order to move things along.
- The housing trajectory fulfilled the same function as a SHLAA and this was available in the public domain.
- A compendium of background information to the Development Strategy would be helpful but it would be too large in size to print. The Council made all background documents available in public and on request.
- The Sustainability appraisal had been presented to the Sustainable Communities OSC meetings on 16 May 2012 and 11 June 2012 and Members raised specific queries relating to its content. The Sustainability Appraisal provided the basis for the public consultation.
- The Head of Development Planning and Housing Strategy had not stated that the whole of the proposed road to the North of Luton would be provided upfront. It had been stated that the Council would ensure the road would be provided as a whole, not that it would be delivered upfront.
- It was positive that there was one consortium of developers for the site to the North of Luton as this would assist the process of providing infrastructure contributions. Officers did not currently know the exact detail of how much a road of a strategic nature would cost but negotiations with developers were ongoing.
- It was envisaged that a strategic road would be provided across North Luton, possibly in stages as the development proceeded but the

consortium of developers for this site were aware of the Council's expectations.

Cllr McVicar queried whether officers felt that development North of Luton should be removed from the strategy if a road could not be provided prior to development. Officers suggested that it would be possible to construct homes in some parts of the development without the provision of the full extent of a new road. In addition Cllr Young stated that the link road would be provided as the new estates were built. Officers had tried to provide clarity in the draft development strategy but "link road" was probably a better description of this road than "strategic bypass." Cllr Young stated it was his opinion that there had not been a fundamental change in the plan in relation to this link road. The road would be provided in its entirety across the course of the development plan but it was very unlikely that it would be provided in entirety before the homes were constructed. As an example Cllr Young stated that the first part of the development could be a rail freight interchange. This would enable a dual section of road from West of the M1 towards the East in order to link with that interchange. Further links would come forward as other parts of the development were completed. Cllr Young guessed that it would be impossible for the Council to forward fund the length of the proposed road and that it would not be right for the Council to do this. The size of the proposed development would be sufficient to ensure the construction of the road.

In response Cllr Nicols stated that whilst he did not expect a bypass to be provided before the housing was delivered he did expect the mechanism for the funding of the road to be in place otherwise the strategy should not be agreed. He also stated that if the road was no longer considered to be a "bypass" the draft Development Strategy should be amended to reflect the change in terminology. The draft Development Strategy also referred to both a 'spine road' and a 'bypass'.

In response Cllr Young stated that as a result of feedback from OSC he would consider amending the terminology from 'bypass' to 'link road' throughout the Development Strategy. In addition the Head of Development Planning and Housing Strategy stated that the funding mechanism for the road would be Section 106 contributions. The preference would be to tie this into one S106 agreement but it may require several. It was stated that the Council would ensure the delivery of the entire route across the life of the plan.

Cllr Shingler commented that the M1/A6 link road should be a strategic bypass and not a series of link roads through the estates. He suggested that the link should be provided before the homes were completed. Cllr D Jones also raised concerns that the Development Strategy set out planned development up to 2031. If the road was not completed until 2031 it would be unacceptable. Cllr D Jones also commented on the need for further consideration of the combined impact of North Houghton Regis and North Luton urban extensions upon traffic in the villages. Cllr Young clarified that whilst the road would be delivered within the lifetime of the plan that did not mean it would not be delivered until 2031.

Councillor Barker stated that a significant number of homes had been proposed in the Wixams Southern Expansion area and that a masterplan for the area had identified proposals for a Country Park. Cllr Barker felt that it was critical that this Country Park be provided immediately in order to prevent the encroachment of the Wixams towards Houghton Conquest. Further clarification was also required as to how and where this park would be provided. Cllr Barker also stated that all of the comments of Houghton Conquest Parish Council had not been included in the consultation responses. Additional concerns relating to access, transport, development in Stewartby, drainage and sewerage had also been raised. In response the Strategic Planning and Housing Team Leader stated that the masterplan stage would be the appropriate time to discuss when and where a Country Park would be provided. The plan for this area included the Country Park as an essential part of the development, which should be provided at an early stage.

Councillor Aldis stated that he felt the proposed actions in response to the key issues raised in the consultation were inadequate. He also queried whether the Development Strategy would put a restriction on the types of retail development permitted in some areas and whether the Council had a definition of 'sustainable development'. In response the Strategic Planning and Housing Team Leader stated that there was a retail policy currently in place that expressed a preference for 'A' class retail before other uses. This policy would be enhanced in the final strategy. Officers were currently working through the proposed actions to the consultation responses and this would be ready for the Executive. It was agreed that a copy be circulated to Members of the Committee prior to the Executive meeting. In addition Cllr Young stated that the Council's policy in relation to backfill would be enhanced.

In addition to the comments raised by other Members the Committee discussed the following issues in detail:-

- The proposed actions to the consultation responses were inadequate and needed to be addressed prior to the Executive meeting. In the future reports should set out proposed actions in a more detailed manner.
- The terminology in the development strategy relating to the strategic bypass should be amended to read 'link road'.
- Members could not reasonably expect roads to be on the ground before homes but the Council should do its best to prevent any undue delays.
- The final version of the Development Strategy including any changes resulting from this OSC meeting should be circulated to Members of the Committee prior to the Executive meeting.
- The importance of protection for Bedfordshire Greensand Ridge.
- The need to understand the amount of additional employment that was proposed for Luton.
- The importance of supporting rural public transport and considering initiatives to share transport such as using school buses during the day.
- The importance of delivering the M1/A6 link road as it had been alluded to in other agreed plans that this route would be provided. The Council has always said that infrastructure would be provided before homes and this should be no different now. In response Cllr Young stated that the



Council would not be able to fund the road itself but it would ensure the mechanism for funding this road was in place. It would not however be delivered in full before the homes were in place.

- Whether the Council could provide further clarity regarding CIL contributions for the proposed East of Leighton Linslade development. In response officers commented that they did not know how much could be achieved through CIL contributions until a charging scheme had been agreed by the Council. A detailed transport assessment had been completed for this proposed development that showed transport could cope, a link to this information could be provided to Members on request.
- Whether there had been any changes as a result of the appraisal of strategic sites and what was meant by the term “single threshold for all strategic sites across Central Bedfordshire.” In response the Head of Development Planning and Housing Strategy stated that the single threshold would define what the Council considered to be a strategic site, for example the number of houses that were to be delivered. It was also stated that there had been no changes to the strategic sites as a result of the appraisal but the full plan would be available for the Executive meeting.

**RECOMMENDED that the Executive consider the detailed comments of the Committee and other Members as detailed in the body of the Minutes above. These relate to the following specific issues:-**

- **The need to provide more detailed actions as a result of the consultation responses.**
- **Terminology relating to the “strategic bypass” to be amended to read “link road”.**
- **The importance of the link road North of Luton being of a sufficiently strategic nature to support transport in the area.**
- **The importance of identifying an adequate funding mechanism to deliver the link road North of Luton and the need to consider whether any development in this area could be provided without the forward funding of this link road.**
- **The importance of protecting Bedfordshire Greensand Ridge.**
- **The importance of supporting rural public transport.**
- **The need to set out in full the outcomes of the appraisal of strategic sites.**
- **The importance of appropriate evidence being made available on which to base decisions relating to the suitability of the Development Strategy.**
- **The need to understand the combined impact of North Houghton Regis and North Luton urban extensions upon traffic in the villages.**
- **The importance of immediately delivering a Country Park in order to prevent the encroachment of the Wixams towards Houghton Conquest.**
- **The need to amend policies in relation to retail provision and backfill to ensure they were of sufficient strength.**

Note: Councillors Murray and Saunders both left the meeting during consideration of this item and were not present when the recommendations were agreed.

#### **SCOSC/12/54 Work Programme 2012/13 and Executive Forward Plan**

The Committee received their work programme for 2012/13 and Executive Forward Plan. A Member queried why there was no Executive Member update item on the agenda of the Committee as was provided at other Overview and Scrutiny Committees. It was agreed that in the future an update should be provided at the start of the meeting from the relevant Executive Members.

**RESOLVED that the work programme of the Sustainable Communities Overview and Scrutiny Committee be agreed and that an update from the Executive Members for Sustainable Communities Services and Sustainable Communities Strategic Planning and Economic Development be provided at all meetings in the future.**

(Note: The meeting commenced at 10.00 a.m. and concluded at 12.55 p.m.)

## Item 8 - Requested Items

### Sustainable Communities OSC meeting on 18 October 2012

The following contains the detail of the item requested for consideration by the Committee from Councillor Nicols:-

At the May 12 meeting I raised a number of points that were relevant to proposed development under the LDF process in my ward. One concern was that the scale of growth would not be sufficient and that following an Inspectors review any required extra growth would be imposed into my Ward without the benefit of a full LDF review. My other key concern was that the development proposals to the North of Luton would not be viable or sustainable unless the Luton North strategic link road was in place. I could not understand how this element of highway infrastructure would be delivered of the back of the relatively limited housing in that area.

The answer that was given in Committee by the Portfolio Holder and critically by the officers present was that this Strategic link road would be delivered by the development community as part of their costs of building the houses to the North of Luton.

My concern was that this Strategic link road would not be forthcoming if delivered in this piece meal manner. An absolute assurance was given by the officers that a mechanism would be put in place for forward funding this road and that the detail would be presented to me in a private meeting to be subsequently arranged. The Portfolio Holder then made it clear that the road would not be a high speed highway of a strategic nature but would be of a lower order of road. This comment by the Portfolio Holder was reiterated at a subsequent meeting of the O&S Committee.

I attended meeting with Richard Fox and Cllr Young on the 4th of July at which point the Luton North Bypass was defined both in map for and verbally as being a series of estate roads that would create the effect of a bypass. My concerns then were that this would not fulfil the strategic nature of a bypass as I had always understood the plan to require. Cllr Young went to some pain to be explicit in stating that the speed on this road would not be 30mph but would credibly be lower, that is 20mph. This confirmed my view that the road being described was not in any way strategic in nature.

I raised these concerns at the O&S meeting on the 26th July, I made it clear that the minutes of the meeting of the 16th May were not correct in that the resolution for this key item of infrastructure had not been fully resolved. At this meeting of the 26th July Councillor Young as again explicit in stating that a Strategic Bypass would not be built but that it would be built to estate road standards, indeed he made a point of deriding the notion of a true strategic bypass as he stated that the bypass had been costed at "half a billion pounds". I clarified this by explaining that the legacy costing for a bypass were predicated on a continuation of the link from the A6 around the East of Luton to join with the A505. With the removal of Luton as statutory authority from the table this requirement for the bulk of the costing had now ceased. Nonetheless this jibe (half a billion ponds worth of infrastructure deficit) remained on the table.

I have since reviewed the evidence base for the LDF, particularly the Sustainability Appraisal. It is noteworthy that this key item of evidence was not available at the time that the May O&S Committee met, indeed I could only obtain sight of it by explicitly

requesting its production. It is dated as June 2012, sometime after the May meeting and too late for the June meeting of the O&S, its presence was not revealed at the July meeting though it has serious implications for the policy position on infrastructure in my ward.

I would ask that the O&S Committee question how such a key component of the evidence base be delivered after the May meeting which was tasked with examining the integrity of the LDF process.

I might comment that this SA does appear to have been something of a "Cut and Paste" effort. It carries a number of anomalous statements not the least of which are frequent referrals to needs of Luton Borough. It looks to me as though this is in fact a legacy document from the previous administration. If that be the case it; itself, should be reviewed by the O&S Committee to test its soundness.

My perception from reading the SA is that the housing delivery planned for the North of Luton may not go ahead without the provision of a strategic bypass. This is a policy statement contained within the SA. If this be the case then the statements publicly made at the May, June and July meetings of Sustainable Communities O&S are not compliant with the evidence base.

I would request that this item therefore be called into the O&S Committee for a detailed debate and explanation with that element of the growth being revoked from the LDF process unless a satisfactory outcome is agreed.

As a corollary to these formal statements at the various O&S Committees, I had a brief discussion with Councillor Young at the conclusion of a Council meeting in which he stated that the plan to deliver housing to the North of Luton has since been modified to include a Strategic Bypass. My judgement being that his officers have since read their own SA document and have realised that a Strategic Bypass is a statutory requirement. I might welcome this verbal statement but it has not been backed up with any written breakdown of how this bypass will be delivered, how it will be paid for, what its route will be and at what phase of the development it might be delivered. As this verbal statement is so radically different to the original formal statements made at the various O&S Committees and as Councillor Young has previously been scathing in his views as to how such an entity might be paid for I would want the O&S Committee to be formally appraised of this fundamental change of plan and that the debate that I sought to initiate in the May meeting be re invoked, that is how will such a strategic road be paid for and delivered. If no credible answer is forthcoming then again I would expect that the development to the North of Luton be removed from the LDF process until such time as a plan for its delivery is developed.

I understand that it is proposed that this item be incorporated into other deliberations on the LDF process. As I have had great difficulty in getting the committee to focus on this specific element of the overhaul growth agenda I do not believe that such a subsidiary debate will give this item a fair hearing and would therefore expect it to have its own agenda item allocation.

As the removal of this many houses from the LDF process is critical to the success of the LDF I would suggest that this item be placed at the head of the agenda.

**Draft Development Strategy and the proposed urban extension north of Luton**

1. This note addresses issues related to the proposed urban extension to the north of Luton contained in the Development Strategy, including issues related to the new road infrastructure proposed. The note responds to issues raised by Cllr Nicols in his email of 15/10/12.

**Overall requirement for new development**

2. One of the underlying concerns expressed is that the overall level of housing provision is too low and that any necessary increase might be imposed on a particular area by a Planning Inspector without proper scrutiny or consultation. The level of housing proposed in the Development Strategy will be one of the key issues discussed at the forthcoming Public Examination. However, the notion that an inspector could unilaterally impose a new housing target and new sites to meet this target is incorrect.
3. The level of new housing currently proposed is lower than that set out in a combination of the withdrawn Joint Core Strategy and adopted LDF documents for the north – annual provision of 1,438 homes as opposed to 1,810 homes previously. This compares with net completions in 2011/12 of 1,310 new homes. The recent emphasis from Government on local evidence to underpin housing targets is among the key factors that support a change to the previous approach.
4. Nevertheless, should the planning inspector conducting the Public Examination not support this view, there would be a further opportunity to consider possible alternatives, including further consultation. The revised regulations governing the process stipulate that an Inspector's report and recommendations are no longer binding on the Local Planning Authority and there would appear to be greater flexibility in how the Council responds to issues raised by the Inspector.

**Sustainability Appraisal**

5. A further query raised is in relation to the Sustainability Appraisal of the draft Development Strategy. The sections of the Sustainability Appraisal relating to the assessment of sites were presented to the Sustainable Communities Overview and Scrutiny Committee meetings on 16 May and 11 June 2011 and the Committee was able to consider these documents alongside the draft Development Strategy.
6. The Sustainability Appraisal report was a new document produced by Central Bedfordshire Council officers. It used elements of previous analysis to inform the conclusions but not without reviewing the relevance and currency of that analysis. In terms of the relationship

with Luton Borough, the Duty to Cooperate places a clear requirement on Central Bedfordshire Council to work closely with adjoining authorities on strategic planning issues. Any reference in the Sustainability Appraisal to cross boundary working will be made in that context.

7. In terms of the north Luton proposal the Sustainability Appraisal stated *“This development is dependent on the construction of the Luton Northern Bypass and Junction 11A on the M1.”* This statement was not intended to indicate the standard of road provided, nor its routing or timing. Rather, it was simply a statement that there needs to be a strategic link between the M1 and A6 to facilitate this development. This remains the case.
8. The M1/A6 link is perhaps a more accurate term to describe the road than the Luton northern bypass. It remains the case that a road linking the M1 and A6 will be required and the statements made by the Executive Member and by Officers at previous meetings still stand.

#### **M1/A6 link road**

9. In relation to the specific query about the proposed road between the M1 and A6, the revised Development Strategy to be considered by Executive and Council in November will clarify the authority’s position.
10. Historically, this link road has been seen as part of a wider Luton northern bypass route linking the M1 with the A505 to the east. As part of the work undertaken by the Joint Technical Unit the cost of the link between the M1 and A505 was estimated at around £480m. At the time (2010) the cost-benefit ratio was considered to be questionable. In the current economic climate, this link is simply unaffordable.
11. The proposals for the link between the M1 and A6 contained in the Joint Core Strategy were, to some extent, a remnant of the wider Luton northern bypass scheme. The cost of the route between the M1 and A6 outlined in the Joint Core Strategy was estimated at being *at most* between £100m and £140m. This route would have been for a two-lane dual carriageway road, accommodating speeds of 70mph and including bridges across it. Given recent experience with the urban extension at North Houghton Regis, this cost is beyond that which could be secured from a development of the size proposed (4,000 dwellings).
12. As things stand, there is little likelihood of securing major public funding for such a scheme. It was therefore necessary to consider alternatives that achieved the aims of alleviating traffic congestion in local villages, whilst also accommodating development. This process was started through the draft Development Strategy (June 2012), where the route of the bypass was not specified but a Framework Plan provided for, which would consider the detailed route, timing and phasing of the road. The revised Development Strategy to be considered by Executive

and Council in November will contain more detail in terms of the broad parameters for this road but the detail will be worked up and consulted on through the Framework Plan process.

13. Broadly, this road will need to perform a number of functions. It will act as a “strategic” link in terms of providing a route between the two major roads of the M1 and A6. It will provide an alternative route for HGVs rather than travelling through the local villages. In addition to these roles, the road will accommodate the traffic arising from the development proposed to the north of Luton (around 4,000 dwellings and 20ha employment land) and the Sundon Rail Freight Interchange proposal.
14. Such a road would not need to be to the same specification as that contained within the joint strategy. Specifically, the road would not need to be dualled except for that part connecting Junction 11A of the M1 with the proposed rail freight interchange. Additionally, the road would not need to be of a standard which allowed speeds of 70mph, nor would it, for this reason, require bridges across it or a high level of lighting. All of these changes would result in a cost substantially less than for the bypass set out in the joint strategy.
15. The Development Strategy will require the road to be in place as soon as possible but it will need to be realistic about the funding arrangements. Developers are only likely to be able to make a limited contribution to the road upfront, in advance of housing completions. It is likely that the road would need to be completed in stages, as housing completions progress. The fact that this road will be delivered in stages will not ultimately affect its ability to perform a strategic function. The detailed arrangements for this staged approach would need to be considered through the Framework Plan process.

### **Summary**

16. In summary, the concern that a planning Inspector would be able to make unilateral changes to the Strategy without consideration by this Council or public consultation is considered to be unfounded.
17. In terms of the M1/A6 link road, officers consider that it will be possible significantly to reduce the price of this road whilst at the same time retaining its strategic function. The broad parameters of this will be set down in the next iteration of the Development Strategy but the details will be worked through and consulted on through the Framework Plan process.

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