

LATE SHEET (Revised)

DEVELOPMENT MANAGEMENT COMMITTEE – 28 August 2013 **ADJOURNED TO – 4th September 2013**

Item 4 (Page 5-121) – CB/12/03613/OUT – Houghton Regis North 1 (HRN1), land on the northern edge of Houghton Regis, Bedfordshire.

Additional Consultation/Publicity Responses

Received one letter of objection stating that:

Last year prior to the above consultation, I spoke with a Planning Officer who informed me that the above application was a 'done deal' and that he was in contact with the builders and 'pushing this through quickly'.

Unfortunately for this reason I did not respond to the consultation but I would like my objections to the Council's proposals at the above site to be noted as totally abhorrent and against any consideration for future generations.

The new M1-A5 link road with form the northern boundary of the area proposed to be taken out of the green belt, which also includes some land for the new junction 11A on the M1. Development of this land, which is predominantly prime agricultural land, would seriously impact on an area of attractive landscape, with the consequent loss of an important piece of green infrastructure linking parts of the AONB and Chiltern Hills.

The new buildings will be very visible as this is a high point, as is the new development recently taken place overlooking the chalk cuttings. This site in its making destroyed a wildlife haven, the fall out of which was evident to all local residents.

The proposed development will extend the urban sprawl of Dunstable and Houghton Regis northwards, a process which green belts were designed to prevent. It would also destroy a rural area used for recreational purposes and crossed by a number of public footpaths including the Chiltern Way.

The outline planning application for development of the eastern section and part of the northern section of the land (from the M1 to the Bedford Road) was made to CBC at the end of 2012. The proposed development for 5,150 homes and 202,500 m of other buildings, primarily for employment purposes.

Where is the infrastructure for this huge development, the local hospital is not coping at this present time without a further potential 20,000 individuals, schools, doctors surgeries. At present the waiting time at our doctors surgery is 12 days and at the Luton and Dunstable hospital, staffing at every level is under strain.

Then we have the realistic problem of traffic. Any individual who drives through Houghton Regis will see the total chaos, congestion, road works on a daily basis.

How do you propose the potential of 20,000 will fit into this?

This is a beautiful area full of wildlife and an absolute delight for the young to explore. It must be preserved for the future.

North Houghton Regis Town Council sent a further letter as follows:

*I write to inform you that, following a request from the developers of HRN1 and a lengthy discussion at the "Planning & Licensing Committee" last evening, the Town Council has agreed to change the first part of its response to the above application from "No objections to the outline application, but Members wished the following matters to be given serious consideration", to **"To support the outline application, but Members wished the following matters to be given serious consideration"**.*

The 9 points for consideration [included in the body of the Committee Report] are to remain.

Received from Luton Borough Council objecting on transport grounds as follows

Background

This note has been prepared in response to a technical report prepared by Transport Planning Practice (TPP) on behalf of the Houghton Regis Development Consortium (HRDC). TPP are appointed by HRDC to advise on the transport issues associated with the proposed Houghton Regis North 1 (HRN1) development.

Council officers were consulted on the development of a Transport Strategy for the proposed development during the summer and early autumn 2012, following which the Planning Application was submitted to Central Bedfordshire Council (CBC). The Council was also consulted on the Planning Application, and our concerns about various aspects of the Application were discussed at meeting on 28th February 2013. At those meetings it was agreed that regular liaison, both between officers and Members, would continue between the two Councils in order to address these matters. The Council welcomes this consultation and ongoing liaison and, to date there have been further meetings since February.

The Councils formal views on the HRN1 Application were set out in the report to and the Resolution of its Executive on the 15th April 2013. The rest of this report summarises the transport and highway issues relating to that Application.

Summary of transport and highway issues

Paragraphs 21-23 of the Executive report of 15th April set out the specific junctions and sections of road in Luton which the Council required addressing and, depending on the outcome of further work, could be may be seeking contributions to from the Developer.

These issues were discussed with both CBC and TPP, and TPP undertook to carry out further work to address these. The outcome of this work was summarised in a presentation by the HRDC to both Councils on 1st July. TPP's report which addressed Luton's concerns was received on the 5th July 2013. The report was discussed at a meeting with TPP in Luton on 24th July 2013. In particular, possible mitigation measures on Luton's roads were tabled and discussed. Further clarification on predicted traffic flows was subsequently received on the 26th July 2013.

The bullet points below summarise LBC's resulting view on the mitigation measures needed to address the impact of HRN1. Outline costs have also been provided in order for these to be included in any Section 106 contributions.

- The Council is concerned about the additional traffic from HRN1 development using the Leagrave High Street/Lewsey Road signalised junction. The developers proposals to change the signal phasing are not considered appropriate. In order to monitor traffic movements at this junction, the supply/installation and commissioning of a CCTV camera (for traffic control purposes) is proposed. Estimated cost is £39,000.*
- The Council is concerned about additional traffic from HRN1 development using the Leagrave High Street/Pastures Way mini roundabout, and considers that changes to the design of the junction are required to accommodate the changes to traffic movements. These including tightening the horizontal alignment of the roundabout, increasing the size of the central island, and reducing road widths/widening traffic islands to control speeds and assist pedestrian crossing. In order to monitor traffic at this junction, the supply/installation and commissioning of a CCTV camera (for traffic control purposes) is also proposed. Estimated costs are £55,000 for the roundabout improvements and £39,000 for the CCTV.*
- The Council is concerned about additional traffic from HRN1 development using Tomlinson Avenue, particularly if there is no connection of the Woodside Link with Pastures Way, and considers that an upgrade to traffic calming measures on Tomlinson Avenue is required, including planning off and resurfacing the entire length together with modifying existing raised tables and extending ramps to make more bus/emergency vehicle friendly and reconstruct failed areas adjacent to tables. Estimated cost is £120,000.*
- The Council is concerned about additional traffic from the HRN1 development using the Luton Road/Toddington Road roundabout junction. TPP provided forecast traffic flows on both roads, but not turning movements at the junction. The roundabout is wide open, speeds are quite high (especially on the Luton Road approach) and pedestrian facilities are virtually non-existent. Suggested improvements are to tighten the horizontal alignment, increase the size of the central island, reduce road widths/widen traffic islands to control speeds and*

assist pedestrians crossing/link to existing network. Also the walking/cycling route along the verge of Luton Road is narrow and unpleasant, and perhaps CBC could widen and improve this to encourage usage of this handy route. Estimated cost of the junction improvements is £55,000.

In addition to the above specific measures, LBC is seeking clarification/further information on a number of transport related matters that have emerged from the Transport Strategy for the HRN1 development; the Council requests continued involvement as the individual model strategies are finalised (in particular the Bus and walking/cycling strategies) and these strategies progress towards implementation. As well as being consulted on the application of these modal strategies to the HRN1 development, the key area where the Council wishes to be consulted on implementation of these relate to:

- Improving connectivity of the walking and cycling networks in the development to Luton. In this Context it should be noted that Luton has some concerns over the proposed diversion of part of the Sustrans NCN6 route.*
- Public Transport Nodes – the intention is to provide higher density development around the ‘public transport nodes’ but the details of this are currently unclear.*
- An understanding of the potential for buses serving the development to use the Luton Dunstable Busway.*

Received from Luton Borough Council objecting on retail impact grounds as follows

- The initial Roger Tym (2012) retail study advised against allocating a significant level of convenience floor space in the HNR1 urban extension and as one would expect, followed the sequential approach and recommended putting the convenience floor space in Dunstable to support the vitality and viability of that Town Centre. The study only suggested that local scale shopping facilities should be allocated to the HNR1 urban extension.*
- While viability is an issue is material to the position of HNR1 development, the scale of provision has not been justified.*
- The National Planning Policy Framework (NPPF) presumption in favour of sustainable development test requires the benefits of proposals to be weighed up with and to exceed the harm they create when considered against the NPPF policies as a whole. The scale of the retail proposed in HNR1 departs from national policy and will have an impact on Dunstable and Houghton Regis town centres as well as upon Luton Town Centre and Bramingham Park In a recent meeting between Officers of both Councils attended by the applicant to discuss this issue, you only disputed the quantitative significance of this impact.*
- There is the added qualitative impact and adverse investment signal for Luton and the other mentioned town centres, arising from the proposed scale of the HRN1 retail proposals.*

- *This authority therefore, fails to see how a proposal which has not in itself been justified on the basis of quantitative need or indeed potential flexible alternative retail formats (based sequentially on town centres), can be justified against the NPPF test when it poses such a significant qualitative risk to the vitality and viability of Luton town centres and overall principles of sustainable development . The proposals risks undermining existing plans and current negotiations on retail proposals (Power Court [e.g. demolition underway] and within the Northern Gateway) and securing the continued focus of the town centre for investment as evidenced by considerable recent and planned public investment (Luton - Dunstable Guided bus way; proposed town centre ring road improvements and recent public realm improvements) and private (Mall extension).*
- *Notwithstanding the above, this authority would expect the imposing of conditions restricting the proposed retail floor space, as broadly set out by TA in section 5 of their Audit (paragraphs 5.7 to 5.9).*
- *Furthermore, the of phasing the retail element of the HRN1 scheme to later in the plan period should also be explored. This could be secured by the imposition of a suitably worded planning condition(s).*

Letter from Councillor Sian Timoney (Portfolio Holder Regeneration – Luton Borough Council) to Councillor Nigel Young

Note: This is a précis of the letter by the Case Officer, reduced to its essentials due to the length. A full copy of the original letter is available on the public file and will also be available to view at the meeting. The Head of Development Management is seeking an opinion on this letter from this Council's Counsel and this will be reported verbally to the meeting on the day.

Letter Précis:

We understand you are intending to determine the Houghton Regis planning application. Luton's current position is set out in our executive's report dated 15th August [and reported in the Committee Report for DMC]. Luton's main concern is to ensure that the development be located close the conurbation [and] is sustainable for three reasons: to address the needs for affordable housing, to demonstrate how this development will help address unmet need within Luton of affordable housing and unless these developments address the wider needs of the conurbation that it would not meet the criteria for removal from the green belt.

Luton objects unless a) ongoing negotiations are successful in delivering affordable housing for Luton residents, b) Luton received phased delivery of transport infrastructure and c) retail floorspace is significantly reduced.

In relation to the transport impacts Luton officers have been in liaison with your officers to specify a package of mitigation measures. In relation to retail we continue to have concerns and suggested phasing and conditioning of the retail element to reduce the negative effects. In relation to the affordable housing officers have had a number of discussions about potential mechanisms to deliver affordable housing.

Your Committee report states this development will produce between 415 and 515 affordable dwellings. We cannot regard that as a significant quantum of housing for Luton's residents [50%], so the objection stands. [Therefore] we consider that the justification for removing this land from the Green Belt is legally erroneous.

We feel that a disproportionately large contribution from this development is being devoted to the A5 – M1 link. Whilst the road scheme may well be needed for this development to go ahead, it is totally inappropriate for the scheme to contribute almost all of the additional funding over and above the DfT funding for the road. This has meant that the viability of the HRN1 scheme has been altered. Luton feels that this approach is totally unjustified given the aims set out in national guidance to help address unmet need of neighbouring authorities.

We know that the household projections indicate a very large uplift. It would be wrong to carry on with the development proposals.

Luton is committed to delivering as much affordable housing as it can within the borough. We are also pursuing dialogue with other authorities explore accommodating some of our unmet need. Inevitably, we need under the duty to co-operate to look to Central Beds to address a significant quantum of our unmet housing need.

This Council considers that to approve HRN1 would be premature: a) [Government] guidance explains that it may be appropriate to refuse planning permission on prematurity grounds that would prejudice the [Development Plan] by essentially determining the spatial strategy. b) The Examination of the [Development Strategy] will allow proper scrutiny of the proposed allocation. c) The NPPF gives some guidance on prematurity. Luton BC's substantial unresolved objections mean that the policies in the emerging [Development Strategy] would have little weight.

If you continue with your intention of determining the HRN1 application Luton will have no choice but consider seeking a judicial review if your Council resolves to approve the application.

Comments from Central Bedfordshire Council's Highways Officer in relation to condition 30 which seeks to limit development prior to the opening of the Woodside Link:

I have now looked in detail at the transport assessment in relation to the effects of the early release of 1000 houses before the opening of the A5-M1 link / Woodside Link.

The Transport Assessment says:

"...analysis that has been undertakenindicates that there could be some short term impacts at the following junctions: A505 Luton Road / Poynters Road, Houghton High Street / Bedford Road, Porz Avenue / Poynters Road / Wheatfield Road"

The information provided with the Transport Assessment in the form of Stress Plots for the highway network for the two scenarios (Reference Case - no development and no new roads, and Test 5 - early release and no new roads) shows that the impacts that are referred to only occur significantly in the pm peak hour at these junctions. The effect is to increase the stress at the nodes to between 85% and 95% capacity which, although greater than what we would consider to be the threshold of 85% where we would raise a concern, is only going to occur for a short period until the new roads are open after which the stress at those junctions in the pm peak is predicted to reduce below the 85% threshold.

On the basis that these effects are not of the highest impact and will only occur for a short period of time until the new links open, and will be related to an increasing number of houses that are actually built, which may not reach 1000 before the links are open, rather than being there from the very first house, I am of the opinion that this revised condition as proposed is acceptable.

Members will therefore wish to note the revised recommendation as set out below following the comments of the applicant on the Woodside Link and on Condition 30.

Comments from the Bedfordshire Chamber Commerce:

The Bedfordshire Chamber of Commerce (Chamber) wishes strongly to support the planning application for the development known as HRN1.

The Chamber has long supported and campaigned for the A5-M1 link road and the various opportunities that this will bring to the communities and prosperity of Houghton Regis and Dunstable. With our focus on economic growth and local job creation, we see HRN1 as a perfect example of an infrastructure led, balanced, sustainable development of employment land, much needed housing with appropriate, modern community amenities. We particularly like the educational provision feeling that this is appropriate and progressive in support of the industry that will be attracted to the area. The careful integration of green space and its linkages into the established areas of Houghton Regis also impress us and will be attractive to businesses and their walk/cycle to work policies. It is our view that delivery of HRN1 will lead to a general improvement throughout Houghton Regis due to the improved road network and the general 'halo' effect.

Clearly the whole area will benefit from the considerable employment generated (circa 2550 jobs) during the construction phases of roads, general infrastructure and properties. In order to help maximise this benefit, the Chamber will be proactive in working with the prime contractors and Central Bedfordshire Council to secure to the extent possible local procurement of goods and services.

Businesses will recognise this site is very attractive given its excellent transport links by road, rail and air, together with a good supply of a wide range of skills in the local population. The provision of progressive education in the new local schools with public transport links to the nearby Central Bedfordshire College will ensure a continuous supply of trained individuals tailored for the needs of the local businesses.

We are therefore confident that the industrial/business zoned areas of the site will be quickly taken up by businesses delivering the proposed potential benefit of around 2450 permanent jobs.

The Chamber therefore wishes our strong support for HRN1 to be made known to the Central Bedfordshire Development Management Committee and urge a positive determination at their August meeting.

Barton Willmore on behalf of the Applicant

Further to the publication of the Officers Report to the CBC DMC Meeting last week, we have now had the opportunity to review the Report with our team. We welcome the positive nature of the Report, and the recommendation of your Officers to grant planning permission (subject to prior consultation with the Secretary of State). In advance of the DMC meeting next week there are two points to which we wish to draw to your attention. These points are set out below.

Condition 30 – Woodside Link

As you are aware from our discussions in recent days, our Client has expressed significant concerns about Condition 30 as proposed, and the restriction this places on the ability of the development to proceed beyond 300 dwellings before the Woodside Link is open and in use. However we have, through discussion, come to an agreed position regarding a solution to be addressed through the S106 Agreement which controls development in a robust manner which more accurately reflects the Transport Assessment.

Prior to the opening of the Woodside Link those occupying residential dwellings would access the development via Pastures Way or the A5120. Provisions would be put in place within the S106 Agreement requiring the submission of highways strategies (with trigger points for those submissions), for approval by the LPA, detailing proposed mitigation measures for those access routes should the Woodside Link not be in place at that point.

It is our understanding that it will be reported to Members at the DMC meeting verbally that Condition 30 will no longer be required and that instead the S106 Agreement will be the mechanism for securing the controls sought through the drafting of this condition, as set out above (and in more detail through your recent correspondence with Duncan Jenkins).

Given these comments and following the advice of the Highways Officer set out above, it is recommended that the Committee consider deleting condition 30 as set out on page 117 of the report and to replace it with a clause within the Section 106 Agreement that seeks to ensure that no more than 375 dwellings are occupied taking access from the Bedford Road and no more than 450 dwellings are occupied taking access from Pastures Way until either the Woodside Link is open to general traffic or such additional works to the public highway as may be identified in the Transport Assessment, or any necessary amendment to it, are completed.

We welcome the findings of the DMC Report and the advice commissioned by Turley Associates which conclude that the scheme is not likely to result in a significant adverse impact on the vitality and viability of existing centres in Central Bedfordshire or the Luton BC administrative area. In doing so we believe that the following points should be made clear to Members:

i. In respect of Town Centre investment, it should be noted that the Morrisons store in Houghton Regis (paragraph 8.42) is not within the Town Centre so is not a consideration under the impact test;

ii. For Dunstable Town Centre, the comments of CBC's Economic Growth, Regeneration and Skills Officer should be noted, which state, "We recognise however that the HRN development is the means to deliver the essential A5-M1 Link and Woodside connections....which in turn will help to unlock the much needed investment in the Town Centre. Without this key infrastructure in place, Dunstable Town Centre would find it even harder to attract this investment. The additional population and consequent catchment increase from the HRN development is also an important factor supporting the further investment in the town centre". The application scheme will therefore positively contribute to future investment in the Town Centre, through the link road and the additional expenditure that the new population will generate and which is available to be spent in the Dunstable as well as other Town Centres;

iii. The report refers to Turley Associates' advice on compliance with the sequential test. It should be recognised that the Retail Assessment included a detailed assessment of alternative sites and concluded that none were available, suitable or viable for the proposed development. In this respect, the Tesco v Dundee judgment is relevant and states that in undertaking a sequential assessment "...the whole exercise is directed to what the developer is proposing, not some other proposal which the planning authority might seek to substitute for it which is for something less than that sought by the developer...". It is therefore considered that the scheme fully complies with the sequential test; and lastly

iv. It should also be recognised that the proposed development will assist the Council in meeting approximately a third of its requirement for additional convenience and comparison goods floorspace as identified in the 2012 Retail Study and its 2013 Addendum.

We conclude that the application is not likely to result in a significant adverse impact against the NPPF paragraph 26 criteria, and compliance with the sequential test (NPPF paragraph 24) has been demonstrated. The application can therefore be determined positively against NPPF paragraph 27.

Response from Councillor Tom Nicols, Toddington Ward, on application
CB/12/03613/OUT

I am the councillor for the Toddington Ward. I am privileged to sit on the Central Bedfordshire Development Management Committee as a full voting member. I very much regret that due to an earlier commitment that I may not change that I will not be

able to attend the DMC meeting on the 28th August to review and pass judgement on this critical and very substantial development application.

Given that approximately half this application sits in my ward I seek the committee's permission to issue this written response to the application. I am aware that this is made without the benefit of my DMC colleague's feedback and guidance but trust that this is of some value in arriving at the final decision.

For the benefit of external readers I should indicate my planning background. I was first nominated to the South Beds Planning Committee in 1999 and have remained on that committee and its successors since that date. I was the Portfolio Holder within South Bedfordshire Council responsible for developing and taking through the South Bedfordshire Local Plan of 2004. I have attended numerous formal planning training courses including several weeks with the PAS several weeks with Atlas and some time on planning law. I was formerly the Chairman of the Luton and South Bedfordshire Joint Planning Committee which was delegated by parliament to deal with strategic planning in South Bedfordshire. Whilst a position on the East of England Regional Assembly may not be something to advertise in today's political climate I was the Bedfordshire representative on that authority's Strategic Planning Committee and was for some years the chairman of the sub committee that was tasked with checking and approving the evidence base of all major planning applications within the East of England region. I have also sat for some years as a full board member on all the drainage boards in Central Bedfordshire. Whilst this may not suggest that I have more significant planning experience than my peers on Central Bedfordshire DMC it should reinforce my credentials as a lay person within the planning arena.

I would start by stating that I am broadly in support of this application. I feel that it appears to meet the objectives of the growth demands in this area and indeed that it would very satisfactorily have served the interests of the now disbanded Luton & South Bedfordshire Joint Planning Committee. I believe that it is fully in accord with the emerging Development Strategy for Central Bedfordshire. I do have a concern with the application; which I have voiced to the developer, insofar that I do not see any clear evidence of a future community engagement mechanism that will clearly identify the future residents of any early delivery either with my ward or indeed with Central Bedfordshire as an authority. I remain nonetheless supportive of this application.

I am aware that a number of questions have been raised by our officers that probe the validity of this committee's decision and it is these questions that I should address. Referring to the committee agenda

Compliance with the Adopted Development Plan for the Area.

Although the old South Beds development plan has virtually been set aside I very clearly recall its delivery in 2003 and 2004. It was clear to us all at that time that this area would be subject to a development plan of this nature. The expectation at that time however was that the densities of this development would be very much higher. I am very relieved that the actual development density is less than originally expected.

Under NPPF challenges,

2.3.1 Do the proposals deliver sustainable development by its prospects for building a strong, competitive economy?

I am relieved to see that this proposal makes a varied provision for a mixture of housing of industry of office and of retail along with a well thought through transport proposal. I am particularly concerned at this element of the plan as it is set adjacent to two of the significantly deprived areas within this part of Central Bedfordshire and is as close to similar deprived areas in Luton. That is I would want this development to be self sustaining at a minimum and better still a net contributor to the local economy and local resource. I am absolutely certain that this plan meets this need for Central Bedfordshire and; wearing a former hat for the Joint Committee that it meets the sustainable development aspirations of Luton.

2.7 How will the vitality of nearby town centres: including Houghton Regis, Dunstable and Luton be ensured.

For essentially legacy transport reasons this development plan will need to provide at least a modicum of retail resource. This is because the transport connectivity between the extreme east of the development (where the majority of the retail is proposed) and the extreme west (where existing retail exists) is limited by existing settlements. Though the Woodside link will create a robust East West connection I do not feel that this would be best value if it merely serves to handle the incoming populations need to access the existing retail facilities. For this plan to be effective it is essential that a reasonable quantum of quality retail is available. Though not included within the detail of this application I am aware that a further substantial development is proposed; under the emerging strategic plan, for approximately 4,000 homes that will be to the east of this new retail. That is this retail will; I am sure, not significantly adversely affect the retail in either Houghton Regis and almost not at all in Dunstable. It is credible that this retail offering will be attractive to the residents of Luton but my judgement would be that this will have rather more of a direct effect upon the retail offerings in nearby Milton Keynes. I make this assessment on my suspicion that some of the residents in Luton currently feel minded to do their shopping some ten miles north of Luton in the monolithic shopping facility of Milton Keynes. These same shoppers will; I would like to imagine, now do that type of shopping on the way to Milton Keynes via the new junction 11a. It will not I believe impact upon the traditional shopping experience to be had in the core of Luton Town. That this development might impact negatively on Milton Keynes should not be seen as of concern to the economic need of Central Bedfordshire to have self sustaining developments.

2.13 Is the proposal supported by a Transport Assessment which promotes sustainable development and transport modes?

This plan has taken the best part of a decade to work up, such is the cost of planning for development upon this scale. This time has evidently not been wasted as I am aware that a detailed transport study has been worked up. I see a solid mix of both public transport, cycle, pedestrian and vehicle corridors.

2.14 Does the proposal provide a wide choice of quality homes?

I have looked at the range of properties that are likely to be delivered and at the quantum of social housing. I am of the view that this development is in balance and will not bring any excess of property types into the immediate area.

I am somewhat disturbed to note the objections being raised by Luton Borough Council. I am quite clear in my mind that when Luton Borough and the former South Bedfordshire Council were debating this area as a location for residential development that both authorities sought a high standard of development with a good mix of quality housing stock. I do not recall that the then Joint Committee expected a substantial delivery of social housing stock in this area but had then expected a significant delivery of affordable housing be sited to the East of Luton, an area that Luton subsequently abandoned as a growth area.

2.16 Does the proposal ensure good design?

Although this application background information suggests that the developments will be of a high standard it is difficult at the outline stage to ensure that this is what will be delivered. I note that the applicant is keen to pick up on the styles that are set by the surrounding villages. I am myself somewhat diffident about seeking a large number of Toddington “look a likes”. I would myself prefer that the applicant look at a range of contemporary designs and would most definitely not be supportive of vast numbers of brick built boxes. I would use this opportunity to ask that the developers promote innovative design at the detailed planning application stage.

2.17 Does the proposal promote healthy communities?

I have considered the relationship with each stage of the development with the various health facilities and community facilities that are set in the site area. I can see that all the residential developments are set in amongst a decent network of pathways and open space. I can see that if the development goes through as currently described that a good community engagement will follow ensuring a healthy community. I am however concerned that the phasing of the project may mean that some developments appear long before the relevant community facility is delivered. Under these circumstances I would expect that the planning permissions for the final plans only be approved if temporary community facilities are in place. (As is the case in Leighton Buzzard where a house on an estate has been set aside as a community facility until such time as the bulk of the estate is complete and a full standard community facility is in place.

2.18 What appropriate weight is to be given to protecting the Green Belt?

Regrettably it is the loss of the Green belt that represents the single most significant price to be paid for this development and it impacts very much on villages within my ward. I would acknowledge that the delivery of the key transport corridors; the ‘A5 – M1 link road’ and the ‘Woodside Link’ are a necessary price paid for this green belt loss. I am nonetheless concerned to see the loss of this buffer land between Luton and the village most affected within my ward (Chalton village) and the urban sprawl that represents the North of Luton. I would however wish to argue a balance in the loss of green belt; which is explicitly meant to check the convergence of urban

settlements with the advantage that we have with the future bypass itself which has been put in such a location that it will become the hard edge to the development plan. Whilst it is not inconceivable that a future political direction will allow development to jump over the bypass I am sure that for the foreseeable future; for decades at least, that Chalton village will be isolated and protected from merging with Luton by the bypass rather than by the current Green belt buffer.

2.19 How does the application handle the challenge of planning for climate change and the risk of flooding?

I have examined the drainage scheme plans for this substantial proposal and believe that the areas that would be at risk have been designed with a well structured drainage plan. I do not believe therefore that either the Environmental Agency or the Buckingham and River Ouzel Internal Drainage Board will be at risk from this plan.

I do have some concern that the code level for sustainable development which was at one time set at code level 6 could not be met by the future planning applications on this plan area. As this is a national problem; in that delivering Code level 6 or its equivalent is inordinately difficult to achieve in the real world, I would hope and expect that the final planning applications will demonstrate the highest achievable standard.

2.23 How do the planning proposals help to conserve and enhance the natural environment?

I am sadly aware of the ecological value of most of the countryside within the Toddington Ward. I have noted that the wildlife and fauna are generally very much restricted by the farming practice in this area which is quite industrial in nature. I believe the development that is before us will generate a net improvement in the ecological count rather than a reduction.

The weight applied to the Luton and South Bedfordshire Joint Core Strategy

I am of the view that this application meets the expectations of the former Joint Committee in all regards, as indeed it should given that it is carried over from that project. I do not believe that it is possible to see any reduction in expectations for this site following the abandonment of the Joint Committee by Luton Borough Council, who were partners in that plan.

I am in conclusion in support of this application and cannot see why it would be refused or indeed why any objection would be raised by Central Bedfordshire authority or any other authority to its implementation.

Additional Comments and Corrections to the report from the Case Officer:

Page, Title/Para	Amendment
5 Recommended Decision	That, subject to the prior consultation of the Secretary of State, in accordance with the Town and Country Planning (Consultation) (England) Direction 2009, the completion of a Section 106 Agreement and any necessary revisions to conditions are delegated to the head of Development Management. That the Head of Development Management then be authorised to grant Planning Permission if the Secretary of State does not call in this Outline Planning Application.
Page 10, (xi)	The recommendation therefore is that this Council approve the planning application subject to the completion of a satisfactory Section 106 Agreement and any necessary revisions to conditions are delegated to the Head of Development Management and that the outline planning application be submitted to the Secretary of State on that basis.
Page 83, Para 8.25	In respect of issue 1, the Highways Agency is content that some development can take place before the A5 – M1 link is completed. It has directed two planning conditions to this effect. This of course relates only to the impact on the strategic highway network. The Transport Assessment submitted with the planning application suggests that the local highway network is also able to accommodate some development from the site but only for the assumed short period until the expected completion of the Woodside Link. On that basis it is considered prudent to limit the number of dwellings that can be occupied before the Woodside Link or the necessary works, as set out in the Transport Assessment or any amendment to the TA, is completed to 450 dwellings off Pastures Way or 375 dwellings off the Bedford Road by the use of relevant planning obligations within the S106 Agreement rather than a planning condition.
Page 91, Para 8.54	Add to end of last sentence. “To ensure that this consideration is effective, it is recommended that the Design and Access Strategy clauses in any Planning Agreement, as required and set out in paragraph 9.23, strategy 4, includes a specific requirement to show how car parking can be incorporated into the development which will ensure that adequate car parking is provided and maintained in association with and without prejudice to the quality of the urban design of the development and to the viability of the development. It will be required that future design codes and reserved matters applications comply with that Strategy.”

Page 93, Para 9.5, line 4	Replace “charitable” with “non-commercial.”
Page 102, Recommendation	That, subject to the prior consultation of the Secretary of State, in accordance with The Town and Country Planning (Consultation) (England) Direction 2009, the completion of a Section 106 Agreement and any necessary revisions to conditions are delegated to the Head of Development Management. That the Head of Development Management then be authorised to grant Planning Permission if the Secretary of State does not call in this Outline Planning Application.

Additional/Amended Conditions/Reasons:

Remove Condition 30 – Woodside Link – As detailed above the Transport Assessment has provided satisfactory evidence to show that up to 1000 dwellings could be occupied prior to the Woodside Link being completed and open to traffic unless further works to off-site roads and junctions is completed. However, for this application, the suggested limit is 825 dwellings as it would be appropriate to allow “headroom” for other developments in the Houghton Regis North area that may come forward. It has been agreed that rather than using a Condition that this could be dealt with through planning obligations contained within the S106 Agreement.

Replace Statement required by the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 - Article 31 as follows:

Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant at the pre-application stage and during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012.

Add section on Human Rights issues:

In deciding this planning application, the Council must consider the issue of Human Rights. Article 8, right to respect for private and family life, and Article 1 of Protocol 1, right to property, are engaged. However, in balancing human rights issues against residential amenity, further action is not required. This planning application does not present any human rights issues.

Add section on the Equality Act 2010

In deciding this planning application, the Council should have regard to the need to eliminate unlawful discrimination. This application does not present any issues of inequality or discrimination.