

Central Bedfordshire Council

EXECUTIVE - 31 March 2015

Land North of Luton and Sundon Rail Freight Interchange (RFI) Draft Framework Plan

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This report relates to a Key Decision

Purpose of this report

1. To outline the proposals contained within the Draft Framework Plan for the emerging North of Luton and Sundon Rail Freight Interchange (RFI) Strategic Allocations.
2. To outline the key changes made in response to public consultation and in light of Sustainable Communities Overview and Scrutiny Committee.
3. To seek the endorsement of the Framework Plan and its adoption as technical guidance for Development Management purposes.

RECOMMENDATIONS

The Executive is asked to:

1. Endorse the Framework Plan and adopt it as technical guidance for Development Management purposes.

Overview and Scrutiny Comments/Recommendations

1. The Draft Framework Plan was considered by Sustainable Communities Overview and Scrutiny Committee on 19 February 2015 who resolved to endorse the draft Masterplan with the following recommendations:
 - That the Framework Plan be endorsed and the Executive be recommended to adopt it as technical guidance for Development Management purposes;

- That the Framework Plan written document should specify the Council's preferred location for the secondary school in the centre of the development, whilst retaining the option of the alternative location on the A6 as proposed in the report; and
- That the Framework Plan is amended to clarify the approach to planning obligations.

Background

2. The Framework Plan covers two strategic allocations identified in the emerging Development Strategy, Land North of Luton (Policy 61) and Sundon Rail Freight Interchange (Policy 64). Its purpose is to demonstrate at a high level how these two sites will be brought forward. It will form a key part of the evidence base for the public examination of the Development Strategy and will act as a guide to inform future masterplans and planning applications for the sites.
3. The Framework Plan is made up of a written document and a concept plan. The written document sets out the vision and aims the development will be required to deliver and identifies the constraints and opportunities which future detailed masterplanning and planning applications must address. It also identifies the infrastructure requirements for the development. The concept plan identifies the indicative locations of land uses and infrastructure. The written document has been included as Appendix A to this report and the concept plan as Appendix B.
4. The Framework Plan is a high level document whose purpose is to set out the general principles for development. More detailed issues will be addressed through the detailed masterplanning and planning application process. The Framework Plan therefore maintains an element of flexibility as some issues cannot be fully resolved until more detailed technical work is completed through the planning application process.

Framework Plan proposals

5. The Framework Plan covers all of the land included in the draft Policy 61 and Policy 64 Strategic Allocations. This includes the area of land between the M1 and GM facility to the west of the North of Luton site. This area of land was removed from the Green Belt in the first pre-submission version of the Development Strategy (January 2013) but didn't form part of the Policy 61 allocation boundary. In the early stages of preparing the Framework Plan it became clear that including this land within the scope of the North of Luton development would be beneficial in ensuring the best and most sustainable site layout could be achieved. Consequently this area of land was included within the allocation boundary in the revised pre-submission Development Strategy, and consulted upon in June 2014.

6. The Framework Plan proposes:

(a) Residential - up to 4,000 dwellings to include a mix of types and tenures including up to 30% affordable housing, in line with the Council's policy target.

(b) Employment – at least 13 hectares of new employment uses at Land North of Luton and a further 40 hectares of employment associated with the new Rail Freight Interchange. Around 3,000 new jobs will be created across both sites.

(c) A new strategic Link Road connecting the M1 to the A6 will be provided, linking to the A5-M1 link via the new M1 Junction 11a and alleviating through traffic from the conurbation and surrounding villages.

(d) Highway network – the development will be well connected with links into the surrounding towns and villages in Central Bedfordshire and Luton. A direct highway link will be created between the Link Road and Sundon RFI, removing HGVs from the local road network. Sundon Park Road will be stopped up and vehicles will be re-routed via a new local road that connects to the Link Road at the RFI junction.

(e) Sustainable transport – in order to reduce the impact on the existing highway network, the development will maximise opportunities for a range of sustainable transport choices for the new community from the outset, including links to public transport and attractive walking and cycling routes.

(f) Education – the development will provide three primary schools, including early year's provision, and a secondary school with sixth form provision. Two potential locations for the secondary school are identified on the concept plan, either centrally or in the north-east of the site adjacent to the A6. Stakeholder and officer feedback has indicated the preferred location being the centre of the development as this is easily accessible by walking and cycling and is most sustainable in the long term. This view was endorsed by Overview and Scrutiny Committee and the written document states this preference. The alternative location on the A6 has its own merits, such as helping to alleviate views into and from the Chilterns AONB with careful design and being deliverable earlier in the development. Further technical work will be required through the detailed masterplanning and planning application process to determine the final location.

(g) Community facilities – a new local centre providing retail, health and community centre located centrally along the main spine road to maximise accessibility for all residents.

(h) Recreation and open space – significant overall provision has been made and open space, sports pitches and play facilities are located in multiple locations across the site, within accessible walking distance to all parts of the development.

(i) New green routes for walking, cycling and landscaping permeate through the development between Luton and the wider countryside and are structured around existing footpaths, including the John Bunyan Trail, Icknield Way Path and the Theedway. A green buffer will be provided along the existing northern boundary of Luton to maintain separation for existing residents and enhance the route of the Theedway. The northern boundary of the site will be extensively landscaped to provide an appropriate edge to the development and minimise any potential impact on the Chilterns AONB.

(j) Sundon Rail Freight Interchange – an intermodal facility of approximately 5 hectares providing pick up and drop off access to rail sidings adjacent to the Midland Mainline. This will be a sub-regional RFI which compliments other existing and proposed schemes in the wider south east, and is supported by Network Rail. The RFI and associated employment will be sensitively designed to respect the adjacent SSSI and CWS at Sundon Quarry and the Chilterns AONB.

Consultation and the Duty to Cooperate

7. There has been extensive consultation on the Framework Plan. The Council have actively engaged with technical specialists, stakeholders and officers in preparing the plan on specific areas such as the Chilterns AONB, transport, heritage and open spaces.
8. Officers engaged proactively with Luton Borough Council in accordance with the Duty to Cooperate. Specific meetings were held with transport and planning to discuss cross boundary issues and the approach to public consultation, with the following outcomes:
 - Planning – the public consultation met the suggested requirements including attendance at the North Area Board meeting, a public exhibition in Luton, publicity in the north of Luton area and an article in Luton Borough Council's 'Lutononline' publication.
 - Highways – more emphasis was placed on sustainable transport opportunities in the Framework Plan.
9. A five week public consultation on the Framework Plan was held from 10 November to 15 December 2014. Two public exhibitions were held on 22 November at Sundon Village Hall and 28 November at Futures House in Marsh Farm, Luton. The public consultation was widely publicised amongst local residents in Central Bedfordshire and Luton and other interested parties. A full account of the consultation undertaken is set out in Appendix C to this report.

10. Approximately 350 people attended the public exhibitions overall, with 222 coming to Sundon and 128 to Luton. A total of 171 responses were received, of which 140 were questionnaires and 31 written responses were received from stakeholders, CBC technical officers and residents. All feedback has been analysed and a detailed response has been provided in Appendices D and E to this report.
11. Key findings from the consultation:
- (a) The majority of attendees at the exhibitions and responses received using the questionnaires were from Luton residents.
- (b) There was generally a balanced response in terms of agreement versus disagreement for each question. A marginally higher level of agreement was received for issues such as:
- a direct link to Sundon RFI;
 - provision of green infrastructure and mitigation measures for the AONB, ecological and heritage features;
 - the provision of community facilities and their location;
 - school provision and locations; and
 - locating employment uses to the west of the site, adjacent to the M1.
- (c) A key concern raised was the impact of additional vehicles on the highway network, particularly on the A6 corridor at peak times. The need for sustainable transport opportunities was also emphasised.
- (d) Although there was general support for the provision and route of the Link Road, the justification for its route was questioned particularly in relation to the need to pass through the southern edge of the Chilterns AONB. It was also suggested that the link road should be extended to the east to connect with A505.
- (e) The provision of a green buffer along the northern edge of Luton was strongly supported but clarification was sought on its width particularly in proximity to constraints such as Drays Ditches Scheduled Monument.
- (f) Some commented that the Framework Plan provided insufficient detail, particularly in relation to the Sundon RFI site.
- (g) Existing services, facilities and designations were omitted from the Framework Plan including Bramingham local centre, Sundon Quarry Open Access area and locally recognised footpaths such as the John Bunyan Trail and Icknield Way Path.
- (h) Concerns were raised about the proximity of development to Keech Hospice.

(i) A number of the responses disagreed with the general principle of development in this location.

Changes to the Framework Plan in response to feedback

12. The amendments made to the Framework Plan in response to the public consultation can be found in Appendix A. The principle amendments made in response to the consultation are as follows:

(a) A direct link to the RFI from the Link Road has been included on the concept plan. As a consequence the Link Road will cut through the current Sundon Park Road and vehicles will be diverted via a new route to the junction for the RFI. The concept plan has been amended to show a new highway arrangement and the creation of a pedestrian and cycle route along the former Sundon Park Road, with a crossing over the Link Road. The text has also been amended accordingly.

(b) The uses on the land between the M1 and Sundon Park Road have been changed from mixed use to residential and employment. The main employment areas are now shown adjacent to the M1 and along the direct link to the RFI, and residential is shown on the remaining parcels.

(c) The concept plan has been revised to incorporate a green buffer around the hospice and a residential parcel has been removed from immediately to the south in order to protect its function and setting. An additional paragraph has also been included in the written document to recognise the importance of the hospice and commit to ongoing dialogue through the planning application process.

(d) Further text has been included within the written document to clarify the uses within the Chilterns AONB and the mitigation measures to minimise any impacts, such as sensitive design and boundary treatments. Additional references have also been made to the Chilterns Building Design Guide, Chilterns Management Plan and Environmental Guidelines for the Management of Highways in the Chilterns. The green corridor along the edge of the north eastern parcel has also been strengthened on the concept plan in response to concerns about the visual impact on the landscape.

(e) The text has been amended to clarify the reasons for the preferred route of the Link Road, and that further technical work will be required to determine the exact route. Reference is also made to previous environmental assessments of the Link Road through the Development Strategy and Local Transport Plan.

(f) References to the green corridor along the existing northern edge of Luton have been strengthened in order to clarify that its width will vary in response to adjacent uses, topographical features and the presence of heritage and ecological assets. In recognition of the

importance of Drays Ditches Scheduled Monument, the text has also been strengthened to ensure that buffer of a sufficient width will be required to incorporate the extent of the scheduled area and its immediate setting as a minimum.

(g) A few responses commented on the absence of a number of local features from the Framework Plan, including Bramingham local centre, and important footpaths that pass through the site (John Bunyan Trail and Icknield Way Path). References and annotations have been included within the Framework Plan.

13. The principle and quantum of development on these two sites is established through the Development Strategy and is not an issue that can be considered through the Framework Plan.
14. High level transport modelling of the area has been undertaken in order to inform the emerging Development Strategy. This looked at the potential impact on the highway network if the developments were to be built without any mitigation measures on the existing roads or public transport. This highlighted the areas of highest impact which need to be considered further. More detailed transport modelling work is currently ongoing and additional transport evidence at a more refined level will be needed help inform the phasing for the site as well as masterplans and planning applications to mitigate the impacts.
15. A number of comments were received in relation to the absence of detail on the proposals. The Framework Plan is a high level, strategic masterplan which sets the overall framework and principles for future detailed masterplanning and planning applications. As such, the level of detail is therefore considered to be sufficient at this stage. In order to provide clarity, references have been made to further technical work which will be prepared to inform future planning applications.
16. In light of the discussions at Overview and Scrutiny Committee the mitigation section of the Framework Plan written document has been amended to clarify that CIL will not apply and planning obligations will be sought through the S106 mechanism. Members preference for the central secondary school location has also been stated in the education section of the written document.

Conclusions

17. The Framework Plan has been prepared in accordance with the Council's due process in terms of consultation. Full consideration has been afforded to the responses made through the consultation exercises and where appropriate amendments have been made to the Plan. As a planning technical document, the Framework Plan has followed due process and is fit for purpose. Executive is asked to

consider the content of the Framework Plan and adopt it as technical guidance for the purposes of Development Management.

Council Priorities

18. The Land North of Luton and Sundon RFI Framework Plan will deliver against two of the Council's priorities:
- enhancing your local community – creating jobs, managing growth, protecting our countryside and enabling businesses to grow.
 - better infrastructure – improved roads, broadband reach and transport.

Corporate Implications

Legal Implications

19. In line with common practice, there has been a Planning Performance Agreement (PPA) with the Planning Division for the administration and supervision of the Framework Plan. The Council's Assets team are party to this agreement, being a landowner of around 11% of the site.

Financial Implications

20. There has been a cost to the Council in the preparation of the Framework Plan in terms of staff resources but this has been met from existing budgets and has been largely recouped through a PPA. There are no financial implications arising directly from the report, as it deals with planning matters. The Council is a landowner of around 11% the site as such has contributed proportionately to the cost of the PPA.

Equalities Implications

21. The Central Bedfordshire Development Strategy Equalities Impact Assessment (June 2014) highlights the need for:
- The delivery of housing and employment in towns and villages throughout Central Bedfordshire which meets needs where they arise.
 - The selection of housing sites on the basis that future residents live in locations close to services and public transport routes.
 - High quality developments that provide a suitable mix of homes to accommodate the needs of the community.
 - Provision of land for community facilities.
 - New employment units close to centres of population in order to increase job opportunities locally and help to address unemployment and out-commuting.
 - The need for good quality education facilities to provide the population with the necessary skills.
 - Healthy communities who have access to health facilities as well as places and streets that facilitate healthy lifestyles.

22. The emerging Development Strategy EIA concluded that the plan covers a broad range of issues and does so in a way that does not discriminate against particular groups. The overall results of the assessment of the Development Strategy are extremely positive in terms of helping to advance equality of opportunity and in addressing the key equality issues that have been highlighted in national research and best practice guidance. The emphasis placed on ensuring that developments are allocated within sustainable locations and ensuring that residents are able to access employment opportunities, facilities and services to meet their everyday needs should help to ensure a positive impact for all sections of the community. The EIA report highlights the key objectives of the Framework Plan, many of which will address key equality issues.

Risk Management

23. Policies 61 and 64 of the emerging Development Strategy identify this land for development and make clear the requirement for the production of a Framework Plan for the site. The policies and Framework Plan together set the requirements for the development and provide a framework within which future planning decisions will be made. With the anticipated delay to the Development Strategy, an adopted Framework Plan would guide any planning applications coming forward outside of the plan making process. A failure to endorse the Framework Plan gives the Council as Local Planning Authority reduced control if piecemeal applications are submitted for the site and may result in major infrastructure requirements not being delivered in a timely and sustainable way.
24. Other risks, such as failure to deliver the Council's priorities, reputational risks, failure to discharge statutory responsibilities, failure of partnership working, and environmental and financial risks could also arise. The Framework Plan serves to minimise these risks by setting an agreed framework for development in advance of the planning applications and then onwards through to implementation.
25. An adopted Framework Plan will give more certainty to the development plan and planning application processes.

Public Health

26. The Framework Plan requires new health facilities and new cycling and pedestrian routes which will allow people to use sustainable modes of transport. The level of public open space that is to be provided on the site which is in excess of the Council's requirements, will also contribute to health and wellbeing.

Community Safety

27. The Council needs to ensure that it complies with its statutory duties under Section 17 of the Crime and Disorder Act and as such the Framework Plan refers to compliance with the Central Bedfordshire Design Guide which includes criteria set down for community safety.

Sustainability

28. The North of Luton Strategic Allocation lies adjacent to the northern administrative boundary of Luton and is capable of accommodating additional housing and employment provision to help meet needs identified in the Development Strategy. The proposed development would also contribute toward the vitality and viability of local facilities and services including public transport, and provide a large area of employment land and facilities thereby reducing the need to travel. The Development Strategy site assessment process has been the subject of a Sustainability Appraisal and Strategic Environmental Assessment.
29. Significant consideration has been given to the potential impact of the proposed development on the adjacent Chilterns Area of Outstanding Natural Beauty (AONB). The Framework Plan identifies a number of measures to help protect the Chilterns AONB including the provision of sensitive landscaping along the edge of the proposed developments, a requirement for sensitive design and restricting land uses within the extent of the AONB.

Implications for Work Programming

30. Future detailed masterplans and planning applications will be subject to further public consultation and all planning applications will be considered by Development Management Committee.

Appendices

31. The following appendices are relevant to this report:

- Appendix A – Draft Framework Plan incorporating proposed changes
- Appendix B – Accompanying Concept Plan
- Appendix C – Statement of Consultation
- Appendix D – Questionnaire analysis
- Appendix E – Analysis of non-questionnaire responses

Background Papers

None