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**10 August 2020**

## **Central Bedfordshire Council's Local Plan 2035 Examination**

### **CPRE Bedfordshire's response to Central Bedfordshire Council's Consultation on the Additional Evidence provided by them to the Inspectors of their Local Plan 2035**

**CPRE Bedfordshire contact: Susan Lynch**

**CPRE Bedfordshire would like to appear and speak at any further "Hearings in Public" should they be deemed necessary by the Inspectors in order to provide more detailed explanations of the comments we have outlined in this response.**

#### **1. Introduction**

The following are CPRE Bedfordshire's comments on Central Bedfordshire Council's Consultation regarding their response to the questions laid out in the Inspector's Letter to them dated 20 September 2019.

For the sake of completeness we have kept this as a single document but identified within it the relevant EXAM Documents to which our comments and objections relate.

CPRE supports a plan led system and Local Plans which provide a clear framework for sustainable housing growth and employment whilst at the same time protecting and enhancing our countryside.

Good land-use planning is the unsung hero of environmental protection. It can help slow the growth in road traffic, encourage urban regeneration, curb urban sprawl, protect the beauty and tranquillity of the countryside, and safeguard wildlife habitats.

We believe in the benefits of the Green Belt and the intrinsic value of the countryside. Central Bedfordshire has some beautiful countryside including the northern edge of the London Metropolitan Green Belt, The Chilterns AONB and the Greensand Ridge. It is our countryside and the "Quality of Life" enabled by it that attracts businesses and people to Central Bedfordshire and Bedfordshire as a whole.

Poorly planned and excessive development can rapidly destroy the very things that make Central Bedfordshire such a great place to live, work and do businesses.

We want the right type of development, which we can all be proud of, in the most appropriate locations which will enhance the very special character of Bedfordshire.

We have made extensive representations to CBC's previous Local Plan 2035 Consultations on the issues detailed below and would wish to speak at any further Public Hearings should the Inspectors find them necessary.

In our previous response to the Consultation on the Pre-Submission version of the CBC Local Plan 2035 we have indicated the reasons why we consider the Local Plan 2035 to be unsound.

These reasons have not changed due to CBC's response to the Inspector's letter.

## **2. General Comments regarding CBC's response to the Inspector's Letter dated 20 Sept 2019 (EXAM 69)**

**In our view, CBC has, both in its actions since the Hearings ended, and in its response to the Inspector's letter, completely ignored and dismissed the Local Plan democratic process.**

This democratic process, enables local residents of Central Bedfordshire, Town and Parish Councils, Environmental Groups, Developers, Land Owners etc. etc. to submit their views at various public consultations during the period of the Local Plan development and then finally at Public Hearings in front of Inspectors.

After hearing all the evidence from all parties, the Inspectors letter to CBC, which is the reason for this current consultation, raised serious concerns regarding many of the key strategic elements of CBC's Local Plan e.g. the need for the A6 - M1 link Road and the chosen route which is entirely in the Green Belt and which slices through the Bedfordshire Chilterns AONB, the need for SA1 North Of Luton, the huge range of development proposed for the Green Belt, the Employment Strategy and many others.

Instead of taking on board the Inspectors concerns, which in many cases reflected those of residents and other stakeholders, CBC just ploughed on regardless - effectively giving themselves planning permission for the A6 - M1 Link Road, despite widespread objections and providing planning permission for development East of Biggleswade, to give just 2 examples. We understand that there are more controversial applications in the pipeline which will be approved before the Inspectors provide their final assessment of the Local Plan.

In effect, CBC has completely ignored the democratic process which residents and other stakeholders have engaged with in good faith, relying on the process to have their cases heard fairly and independently.

**What CBC has done is the complete antithesis of local democracy.**

In their responses to the Inspectors letter, rather than offering change or compromise, it seems to us that CBC has simply tried to provide justification for almost every area of concern expressed by the Inspectors.

### **Partial Plan Review (Appendix 7)**

Following the Public Hearings and the Inspector's letter we are still unclear as whether or not the Partial Plan Review which proposed a further 20,000 new homes, has been removed from the Local Plan 2035, as we understood CBC agreed to at the Hearings in Public or, whether it remains as a Policy?

### **Partial Plan Review**

Land West of Luton: **2,000**

Land at Tempsford: **10,000+**

Land East of Biggleswade: **5,000**

Aspley Guise North of railway line: **3,000**

**Total - Partial Plan Review: 20,000 new homes**

**We look forward to clarity on this matter.**

## **3. Comments on Additional Evidence (EXAM) Documents**

### **3.1 Exam 112 Employment Technical Paper and Exam 109 Employment Land update**

#### **General**

These papers reinforce our previously expressed concerns that CBC's employment strategy is based around the easy option of attracting footloose demand from the logistics and distributions sector.

This strategy is not well founded as: -

(i) The majority of the jobs created by the sector are often low skilled and low paid.

(ii) The trend in warehousing is towards ever higher levels of automation with a subsequently reduced need for labour. So, it may be very difficult if not impossible, to achieve the employment numbers predicted.

(iii) Warehousing is an extremely inefficient user of land.

(iv) Development land within the District is scarce due to the national environmental designations such as Green Belt AOB etc. Additional and unnecessary development pressure should not be placed on these areas of the District

(v) Logistics activity will increase the level of HGV freight movements by road into and out of the sites placing further pressure on the primary road network which is already at or above maximum capacity levels

(vi) Increasing traffic will increase air pollution.

Exam 112 and 109 reinforce these concerns.

In response to (ii) and (iii) above paras 3.2.18 – 3.2.21 of Exam 109 highlight that the employment and site densities previously used when assessing these types of use are now out of date. Employment densities are much lower – the new Lidl warehouse in Central Bedfordshire is expected to provide a ratio of 1 worker per 125sq m (the previous HCA guidance was 1:77sq m).

The use of land is also becoming even less efficient – often with 30% site coverage as opposed to the previous 40% norm.

The documents highlight that CBC are now facing a shortage of true employment land as they have allowed this footloose demand to locate on what was previously proposed non warehousing employment sites.

Rather than try and address this balance and encourage new innovative employment opportunities to thrive and locate to Central Beds, CBC's proposals are to further remove employment opportunities such as RAF Henlow and allocate more land for strategic warehousing including more land within the Green Belt at North Luton.

This is not strategic long-term planning but a knee jerk reaction to short term market demand.

#### **6.4 Marston Gate Policy SE2**

We have commented under Exam 115 that CBC's assessment of whether to allocate land for strategic warehousing or not does not support the proposed allocation at Marston Gate. In addition, the SA ignores any negative impacts on the land at Marston Gate.

In table 4.3 and 5.3 of Exam 115 there is no recognition of the impact of Landscape (which is shown as positive) and Historic Environment (neutral) despite all the information CBC now has on this site.

It is only as a result of this inaccurate assessment that this site is deemed in para 5.67 in Exam 115 to be one of the best performing.

There is still therefore little justification for this allocation. Our previous comments and comments above highlight our strong concerns for CBC's employment strategy which underpins this allocation on such a sensitive site.

We have also noted that rather than address the Inspectors' concerns on this allocation themselves and commission an independent expert to assess this, CBC has continued to use the applicant's professional team to justify overriding the serious design and landscape issues surrounding this allocation.

This is not an impartial approach.

We do not consider that the additional evidence has addressed the concerns or justified this allocation.

**Para 6.3.27 – 6.3.29 A6 – M1 Link Road**

CBC state in these paragraphs that:

*“The Council has recently granted full permission for this road (January 2020). As such the issues raised within EXAM 69 in terms of the alignment of the road are no longer applicable. Further details on this can be found within the Transport Technical Paper (EXAM 114).”*

Surely this cannot be the case? - The issue does not go away simply because CBC has granted planning permission - in this case, in effect, to themselves.

The matter of the alignment of the road is still very much a live issue.

It will slice through the southern edge of the nationally important Bedfordshire Chilterns AONB, is entirely within the Green Belt and will adversely impact 2 “ancient” woodlands (planted before 1600).

**CBC has still not provided evidence that it has properly investigated alternative routes.**

### **3.2 Exam 113 Housing Technical Paper & Exam 115 Sustainability Appraisal of the CBC Local Plan – Supplementary Report**

#### **Housing Numbers**

Exam 115 continues to be fundamentally flawed, by CBC's intention to accommodate the unnecessarily high growth figures and housing numbers. As stated in our previous evidence we believe these figures are way in excess of what CBC should be planning for in the future and therefore what needs to be accommodated within the Local Plan. We welcome the Inspectors' request that CBC consider the most up to date ONS household projections and the impact that this will have on the housing numbers within the Local Plan.

CBC have only just published their response on this issue, and we have not had the opportunity to review this in detail before the submission date of these representations. From an initial read of the documents CBC appear to be using technical arguments to justify the continuing use of their inflated assumptions, particularly relating to Luton's unmet need. We assume these assertions will be tested fully by the Inspectors.

CBC's whole rationale for Green Belt Release is based on the need to accommodate these housing numbers, and the proposed allocation at Luton North is justified by the agreement to meet Luton's unmet need. We do not consider that decisions can be made on either of these issues until an agreed position is reached with the Inspectors on housing numbers including the quantum of Luton's unmet need.

#### **Methodology**

We note that CBC has tested further growth scenarios however a number of these Options are based on unrealistic assumptions and we would question the conclusions reached based on this Option testing. In particular the options which assume that the land North of Luton can accommodate 4,000 homes when it was quite clear from the Inquiry and admitted by CBC that this is not the case.

In addition, a wide range of housing units are adopted for Houghton Regis North, some of which are unrealistically low when again these numbers should be clear as these are already housing commitments. Surely sound Option testing should be based on realistic and achievable alternatives.

#### **Green Belt Issues**

Exam 115 continues to understate and underplay the fundamental purpose of the Green Belt and as such its importance is not reflected in the recommendations and conclusions. Green Belt considerations continue to only feature as a subset in 1 of CBC's 14 Strategic Objectives.

The documents still provide no justification as to why CBC have ignored National Planning policy which states that the Green Belt should have been considered as a constraint when setting housing targets.

We are pleased to note that following the Inspectors' clear recommendations CBC have agreed to remove 6 of the proposed allocations within the Green Belt.

**This still however leaves the proposed release of over 380ha of Green Belt land for housing and over 60 ha for employment.**

In removing these allocations CBC has admitted, despite having been through the various steps leading to their initial allocation, CBC were not able to demonstrate the exceptional circumstances required to remove these allocations from the Green Belt. In addition, CBC have also admitted that in some cases they had not fully researched the deliverability of certain sites.

This does not provide any confidence in CBC's allocation process.

CBC's explanation for the exceptional circumstances justifying their proposals to release land from the Green Belt are set out in their Green Belt Topic paper dated April 18. In this they justify Green Belt Release through a combination of requirements:

- i. To satisfy the overall housing numbers,
- ii. Location of sites (close to Luton to meet their unmet need) and
- iii. Sustainability issues.

The Topic Paper states in respect of (iii) sustainability issues that *"Development within the Green Belt will also bring its own site-specific advantages such as improved infrastructure provision such as schools, roads, healthcare etc"*.

However, Exam 115 in considering the benefits of the various growth options, identified the poorest performing options were Option 3 (village extensions) and Option 4 (growth around strategic roads).

Many of the small and medium allocations within the Green Belt are these poorest performing options- village extensions. In many cases they represent significant increases in the built form of these historic settlements and there is no evidence to support the claim that this extra housing will act as a catalyst for additional physical and social infrastructure. They will just add to the pressure on what few facilities already exist.

We fail to understand how these allocations will enable the advantages outlined in CBC's justification for Green Belt release particularly as evidenced in EXAM 115 they are the poorest performing Option of all the proposed scenarios tested by CBC.

Neither Exam 113 or Exam 115 document makes any effort to consider the various alternatives we have suggested previously to accommodate additional housing without the need to release land from the Green Belt.

**In particular we have highlighted the lack of development at Houghton Regis North.**

Despite planning permission being given in 2014 and the land being withdrawn from the Green Belt by order of the SoS because he was told by CBC that the new homes were "desperately needed". And, despite the investment of £200m of tax payers money in new road infrastructure completed in 2017 (A5-M1 Link Road and the Woodside Link Road). According to CBC's latest Housing Trajectory (updated Feb 2020) just 50 homes will be constructed during 2020/21 and just 110 new homes will be built in 2021/22. Over the entire Plan period only 2,828 new homes will be delivered (at a rate of 200 a year) out of the 5,000 planned. This will have taken CBC 21 years to achieve!!

With this as background, it is completely unacceptable that CBC now seeks to withdraw even more land from the Green Belt in order to construct 3,100 new homes at SA1 North

of Luton which will require a new Road (A6 - M1 Link Road) which is also entirely in the Green Belt and which will slice through the edge of the Bedfordshire Chilterns AONB.

In our view CBC should be compelled to build-out HRN1 as quickly as possible before Inspectors even consider releasing any further Green Belt land for housing development. The Inspector of Luton's Local Plan said that HRN1 was the best site to build Luton's additional housing need.

In conclusion, CPRE Bedfordshire fails to see how CBC can justify any "exceptional circumstances" for removing land from the Green Belt. One of CBC's key priorities within the Strategic Assessment which underpins the Local Plan is to maintain and enhance community and settlement identities.

This was the very reason the Green Belt was established and should remain.

### **Retention of Harlington Allocation**

We are disappointed to note that CBC have not taken the Inspectors' advice and deleted the Green Belt allocation at Harlington. Others will be making more detailed representations on this however we believe the main reasons this allocation should not remain are:-

- The site would be separated from the village by the railway line (dysfunctional as a village) and would expand towards the Toddington motorway services so reducing the existing gap. This is unsustainable development which will not be supported by services within the village. As previously identified these services were exaggerated during the site assessment process to justify this allocation and identify Harlington as a Minor Service Centre. It is worth noting that since this assessment was carried out the closure of two businesses has reduced that provision further due to the impact of Covid 19. Given the separation from the village and its position on Toddington Road, it is more likely that residents would access the far wider provision of services in either Flitwick or Toddington itself.
- The access to the site and the identified Safer Route to School cannot be made safe by the proposals put forward by the developers, as the measures are not considered deliverable or sufficient. It is not possible to widen footpaths over the railway bridge on Toddington Road or under the bridge on Westoning Road without narrowing already narrow roads (which are unlit) and this could only provide a footpath of sorts to one side of the road. No safe cycling routes are possible and proposed traffic calming measures to address the blind bends on Toddington Road would urbanise this 'countryside' entrance to the village Conservation Area and make it unsafe.
- The developer does not own the Green Belt land required to connect the site to Westoning Road via a footpath/cycle path which could not be lit.
- The Increase in housing density to accommodate the school within the site and the proposed number of homes, would be out of character and urbanising on this Green Belt site. It would also result in loss of green spaces within it and be inappropriate and increase the impact on the landscape.
- The site is not directly connected to Luton and therefore against Highways England's policy to avoid hop on hop off journeys on this stretch of the M1. The M1 is already running at 120% capacity and set to increase to 150% with the



addition of allocations in the Local Plan (HRN1 and 2), and not including the other proposals for Green Belt village extensions that would access the M1 at J12 via the A5120 and new allocations of land for warehousing at J11a.

- Nearby Flitwick is being developed as a Transport Hub and has funding for step free access – Harlington has no step free access. NWR were not consulted prior to the inclusion of Harlington in the allocations for the LP, it is therefore unlikely that this has been taken into consideration in forward plans. Not all trains stop at Harlington Station and given the status of nearby Flitwick Station, this is unlikely to change as it would lead to a drop in journey times.

### **Land North of Luton and M1 A6 link**

The documents assume that because this road now has planning permission it will be delivered. This is not the case.

We have commented under EXAM 112 (see pages 4 & 5) on CBC's assertions that now they have granted themselves planning permission the issues relating to alignment are no longer applicable which is quite clearly not the case.

Of equal concern is whether CBC can fund and deliver the road.

Funding for the road is to be provided through a combination of SEMLEP Growth area Funds (£32.75m) and contributions from the developers of the proposed Luton North development and the Sundon RFI. We assume CBC will have to cashflow the project for the time between construction and receiving the developers' contribution. This will be a significant and risky financial commitment particularly in the current uncertain climate when Local Authority's funding is under severe pressure.

There are several issues which seriously challenge deliverability of the road and call into question whether it will be built.

Based on information provided by CBC in response to an FOI request we are aware that: -

- i. CBC still need to obtain approval from Department for Transport to the Full Business Case for the project before it can be confirmed. This is due to be submitted in November of this year.
- ii. A condition of SEMLEP's Funding is that it must be spent by March 2021. Quite clearly this will not now happen, and no extension has yet been given to this deadline.
- iii. The costs of the project are still not known despite CBC having issued a tender for the construction contract. CBC confirmed the construction costs were £64.6m in July 2019 however these have increased and now need to include the costs of mitigations works to J11A, and extensive additional drainage solutions which would involve cross border issues and agreement with Thames Water.
- iv. There is no agreement in place with either the developers of the land North of Luton or Sundon RFI on the extent of contributions or certainty over if and when these developments will happen.
- v. CBC will need to be responsible for any cost overruns and any shortfall between the cost of the road and the contributions received together with the on- going maintenance costs.

Assuming the SEMLEP funding is granted an extension (and this is not yet confirmed) CBC could therefore be left in the position of having to fund either in the medium or long term a significant cost relating to the Road which we have not seen any evidence they have either the approval or funds to do so.

#### **Employment Strategy Options (section 4)**

We note CBC have carried out an assessment of the two Options of either allocating land for footloose demand for Strategic Warehousing or making no allocation.

The conclusions from this do not support the proposed allocations at either Marston Gate or Sundon RFI.

Para 4.41 of Exam115 states:

***“The effects of Option 1 on the environmental SA objectives are generally negative. Because strategic warehousing developments are usually large in scale, they can be prominent features in the landscape and any adverse effects on the landscape and cultural heritage, in particular, may be difficult to mitigate.***

***The nature of these developments also means that they are likely to be located close to the main roads, with many employees likely to travel to work via car with the associated impacts on air quality and greenhouse gas emissions. However, the negative effects are uncertain until the location and design of sites are known, and mitigation proposals are detailed. As the effects at this strategic level of assessment are so uncertain, it is difficult to conclude whether the social and economic benefits of warehouse sites could outweigh the potential negative effects.”***

We fail to understand why having highlighted the potential strong negative impacts of strategic warehousing CBC then allocate 2 highly sensitive sites (one of which is within the Green Belt) for this use, knowing full well the impacts this will have. This is not a sound basis for future policy making.

Whilst Exam 115 does highlight the negative impacts of an allocation at Sundon Rail Freight Interchange, which along with three other sites, has the largest number of significant negative effects associated with any one site, it ignores any negative impacts on the land at Marston Gate. In table 4.3 and 5.3 there is no recognition of the impact of Landscape (which is shown as positive) and Historic Environment (neutral) despite all the information CBC now has on this site. It is only as a result of this inaccurate assessment that this site is deemed in para 5.67 to be one of the best performing.

Section 5 of EXAM 15 sets out CBC’s reason for decision making and proposes the retention of the Marston Gate, based on its performance within the SA and the completely inadequate mitigation measures which have been proposed by the applicant and not independently assessed by CBC. This is not a sound impartial decision.

#### **Marston Vale**

We remain of the opinion that this proposal is an example of excessive over development with far too many homes planned for the site.

It is entirely within the Forest of Marston Vale which was created to deliver environmentally led regeneration of the area.

CBC does not appear to have taken into account material changes since the Local Plan was submitted in 2018.

The additional evidence is silent on changes the Plan should address including: the latest ONS projections of population growth which are much lower than they were in 2018; the adoption by Milton Keynes of its Local Plan which includes development east of the M1; and the Government's decision to abandon the commitment to the East West Expressway which undermines the justification for development on the proposed scale in Marston Vale.

Marston Vale is assessed as 'strongly positive' on sustainable transport.

Building 5,000 houses would more than double the number of car journeys which begin and end here.

'Sustainable' transport means that strategic and local roads can cope with the increased traffic and moving people out of cars and onto public transport, cycling or walking.

There is nothing in the additional evidence which would support that happening.

There is insufficient weight given to the designation of this site as part of the Community Forest of Marston Vale which functions effectively as a valued environmental amenity and an important contribution to managing climate change.

The Plan involves delivering 25% of the overall need for development from Marston Vale on the grounds that it is located along a strategic route despite the decision to abandon the East West Expressway and ignoring sites on the A6 – M1 – A5 strategic route which has planning permission and is committed to delivery.

It also involves the permanent loss of AONB, green belt and community forest land whilst ignoring opportunities to develop options for expanding existing towns in Area D with access to existing facilities

### 3.3 Exam 107 Sundon RFI

The proposed RFI is not a Strategic RFI as agreed by CBC, who also admit this site is being provided for the footloose logistics sector.

We would draw your attention to **Exam30** letter from NWR dated June 2019 in relation to the freight capacity on this line.

Given its proposed size and the sensitive nature of the site adjacent to an SSSI and Country Wildlife Site, and the fact that the small RFI itself is unlikely to take substantial freight off the road, there is no justification for GB release as the very special circumstances required have not been demonstrated.

This site is also dependent on the construction of the M1 A6 Link through Green Belt, and across the Chiltern Hills AONB, and so the very special circumstances 'bar' should be set very high indeed.

CBC are relying on the developers themselves to justify this site as the only one suitable but, apart from the obvious lack of objectivity, this ignores the fact that this site was originally considered as an alternative to the permitted site at Radlett St Albans, where it has been reported work has now begun. The distance between these sites is negligible in freight transport terms.

Recently what was intended to be a multi-use employment site on land removed from the Green Belt as part of HRN1, has been given planning permission for the sole use of a large Lidl warehouse creating thousands more freight journeys – 2 smaller warehouses have been added on Sundon Road and further warehousing is planned for the North of Luton Urban extension site.

The impact of this additional warehousing on the M1 and J11a and the proposed Link road to the A6, had not been considered when formulating the Local Plan and the proposals for the RFI and warehousing at Sundon Quarry.

These elements of the Local Plan had not been revisited in the lights of changes that have happened since their inception many years ago.

Instead the justification has been retrofitted into the LP relying on evidence that has exceeded its sell by date.

EXAM30 Link -

<https://centralbedfordshire.app.box.com/s/2l2bfd3jh16882klx8vu1391m8g1f4dx/file/560430125059>

### **3.4 Exam 108 Biggleswade Holme Farm**

CPRE Bedfordshire are both disappointed with the retention of the strategic warehousing and dismayed at the suggestion that the size of the development is to increase by some 17ha in an open countryside setting with wide ranging views from the A1 travelling North.

The footprint of the proposed development is so vast it would dominate the Southern approach to Biggleswade as well as extending the Town Westwards into open countryside establishing an urban sprawl. It is difficult to understand how any form of landscaping mitigation can be deployed given the size and volume of warehousing structures.

Should there be a “real” need to provide and increase warehousing off the A1 a more sensitive and lower cost impact alternative would be to extend the existing Stratton Park Industrial Zone to the East of Biggleswade thus focusing on building out in an Eastwards direction along with other major developments currently being considered.

Transportation and access to the Stratton Park Zone is already established and can be extended at a lower cost than erecting a costly footbridge across the A1 to provide access to the services and facilities at Stratton Park for the employees in the proposed warehouse campus.

CPRE Bedfordshire maintain their viewpoint that Policy SE3 is not justified due to its harmful impact on the landscape character and setting of the area West and South of Biggleswade. We propose the lower cost alternative of providing Warehousing capacity if required should be fully explored.

### **3.5 Exam 110 North Luton LVIA**

For reasons previously stated we remain opposed to this allocation.

This document is yet again an example of the land promoter's trying to increase the density of this allocation by impacting on and developing one of the most environmentally sensitive areas of the site.

It is not an impartial and independent analysis of this key green belt site.

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**CPRE Bedfordshire**

**10 August 2020**