

## **Luton Council Additional Evidence Consultation Response**

### **EXAM 114 - Transport Technical Paper and**

### **EXAM 111 - Statement of Common Ground between Highways England and Central Bedfordshire Council**

#### **Introduction**

1. Luton Council welcomes the opportunity to comment on the Additional Evidence submitted by Central Bedfordshire Council in response to the Inspectors' letter dated 30 September 2019 (EXAM 69).
2. The Council's comments on the following Additional Evidence documents are set out below:
  - EXAM 111 – Statement of Common Ground between Highways England (HE) and Central Bedfordshire Council
  - EXAM 114 – Transport Technical Paper
3. The Council reserves the right to comment further on any of the Additional Evidence documents as part of further stages of the Examination such as Further Hearings and consultation on the full schedule of Modifications.

#### **COVID crisis**

4. The COVID crisis has shown us an acceleration in trends which national policy promotes, including online, online plus delivery and active travel and their effectiveness in addressing climate change, physical health and mental health. There has been an increased awareness of the importance of local living and places which are resilient.
5. As it stands, the new evidence presented does not add anything substantial to the question about (i) how the Central Bedfordshire Local Plan is designed, other than warm words, to effectively tackle the climate crisis through mobility and accessibility, or (ii) how it will deliver new development in such a way that it contributes positively to climate change, physical health and mental health (all of which rely upon local living and placing the highest priority in new settlements on online, online plus delivery, and active travel (rather than large new roads)). Lastly, and importantly it does not address the resilience of the growth areas to crises such as COVID.

6. The actions and approach taken by Central Bedfordshire in placing the highest priority on easy and convenient car movement away from the north of Luton site is the antithesis of a climate, poverty and social focussed approach to growth, and if this attitude perpetuates through to planning decisions down the line, not adequately controlled by policies in the Local Plan, then this will be detrimental rather than beneficial to these most important criteria.

#### **EXAM 114 – Transport Technical Paper [150520]**

7. EXAM 114 notes the material change to the scheme's status of J11a and the M1 – A6 link road in that it has now been granted permission and it is said that this should allay concerns regarding the alignment.
8. Para 2.4.3 states that:  
'Further evidence and information is now also available in respect of M1 Junction 11a (J11a). For the purposes of both the Business Case for the Link Road, and to ensure the Local Plan proposals can be appropriately mitigated, additional work has been undertaken to understand the mitigation that is required at this location.'
9. However, it is neither clear what this information is nor, more importantly, how it demonstrates the specific mitigation effects arising from the implementation of the link road concerning North of Luton.
10. It is noted that HE concerns centre around the fact that the junction proposals must consider future growth. However, whilst there appears to have been given further detailed consideration as to how the junction will operate with future growth it is growth *including* the Local Plan allocations. This does not, therefore, specifically demonstrate either the necessity or dependency of the local plan proposals on the delivery of the M1-A6 link road or associated J11a works.
11. Whether a scheme 'works' within a model containing significant traffic growth and additional infrastructure assumptions does not demonstrate whether it is necessary in the context of North of Luton specifically or how it addresses the mitigation of impacts arising therefrom. The CBC presumption remains that the link is retained as a solution and therefore, because of its inclusion in the modelling, it is seen as the de facto solution to mitigation of North of Luton transport impacts.
12. This still fails to demonstrate the necessity of the scheme with the North of Luton development or that the 'strategic solution' is appropriate to the development.
13. The review of the original Transport Evidence collation including the CBLTM modelling work revealed that throughout the early assessment work completed in support of the local plan remains the only substantive assessment work which

considers the effects of the local plan allocations on the transport network<sup>1</sup> and from the first stage onwards it is clear that the M1-A6 link road is assumed to be delivered in all scenarios (see Table 4, Technical Note 1, Transport Modelling Stage 1A).

14. This assumption is then carried forward to within the SOBC where the impact of North of Luton is considered *in addition* to the inclusion of the infrastructure measures. This mirrors the latest position in EXAM 114 insofar as CBC considers that it has demonstrated, through the technical evidence, that the link road and associated junction proposals can accommodate the traffic arising from North of Luton.
15. The evidence remains deficient with regards demonstrating that the proposals will 'mitigate' impacts arising from North of Luton since it does not quantify the impacts which are mitigated by the proposals and so the dependency of North of Luton on the link road has not been established nor has it been established that the link road 'is the right thing to do' as far as mitigating North of Luton traffic impacts since the wider effects of the development proposals are never considered without the link road and junction proposals.

#### **EXAM 111 - Statement of Common Ground between Highways England and Central Bedfordshire Council [150520]**

16. Within EXAM 114 it also states in para 2.4.7, regarding J11a and the M1-A6 link road that:  
'CBC and HE have been working in partnership to agree the detail of this mitigation and have confirmed through the additional SoCG (EXAM 111) that this work clearly demonstrates that mitigation is possible.'
17. Again, a significant concern here is that the focus is on what *is possible* and not what *is necessary*.
18. Para 5.1 states that:  
'...with CBC working closely with HE to provide a solution for a deliverable mitigation scheme to address the impact of Local Plan allocations in the area.'
19. However, it is still not clear how the 'impacts of Local Plan' allocations have been determined separately from the impacts of the proposed link road.
20. The specific impacts of North of Luton, excluding the M1-A6 link road, have not been identified and so it is not possible to determine whether the impacts are 'mitigated' by the link road or that the mitigation strategy is the correct and most effective strategy for North of Luton. Highways England focus is on establishing that J11a can

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<sup>1</sup> C24 through to C28 within the Local Plan Technical Reports.

accommodate the forecast traffic levels safely and it is not seeking to establish that impacts arising from the specific local plan allocations are mitigated.

### **Summary**

21. It remains the case that access to the North of Luton development does not require such a strategically significant scheme and that the scheme fails to prioritise any mode other than car.
22. The impacts arising from the North of Luton allocation have never been identified without also considering the impact of the M1-A6 link road meaning the effects of the two are conflated within the reporting. Without exclusion of the M1-A6 link road from the scenarios it is not possible to determine that the J11a proposals 'mitigate the effects of Local Plan allocations'. For this same reason it is not possible to conclude the link road is the appropriate solution for the mitigation of the North of Luton Impacts.
23. The updated evidence still fails to demonstrate how or why North of Luton would be dependent upon the M1 – A6 link road particularly given the very strategic nature of the scheme design.