

Luton Council Additional Evidence Consultation Response

EXAM 113 – Housing Technical Paper

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 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.

Response

3. Luton Council notes that Paragraph 3.3.35 of EXAM 113 states that this section of the technical paper summarises the findings of the Supplementary SA. Consistent with that, paragraph 3.3.37 largely draws upon the Supplementary SA. Luton Council's detailed comments on the Supplementary SA Report and its conclusions are set out in its response to EXAM 114. Whilst paragraph 3.3.37 refers to "other considerations taken into account by the Council" it does not set out what those considerations are or how they have affected (if they have) the conclusions set out in the Supplementary SA.
4. The final sub-paragraph of Paragraph 3.3.37 relates to London Luton Airport and appears not to be taken from the Supplementary SA but to be simply a repetition of previous statements made by CBC in the SHLAA – Appendix B [C37]. As set out in Luton Council's Matter 4 Issue 1 Hearing Statement, the Council considers that CBC's statements in relation to the flight path of London Luton Airport and potential noise impacts are inaccurate. Luton Council has noise contours which show that the majority of the site is not effected.
5. In relation to Paragraphs 3.3.38 – 3.3.40 of EXAM 113, as previously, Luton Council's detailed comments on the Supplementary SA Report and its conclusions are set out below under EXAM 114. Luton Council considers CBC's reasons for rejecting the allocation of both the West of Luton and the North of Luton are subjective and not based on robust evidence.
6. It is unclear how a conclusion that this would amount to an unbalanced strategy can be maintained, given that CBC acknowledges that the joint capacity of the allocations could be as low as 5,100 units, and central to the CBC plan is a commitment to meet

7,350 units of Luton's unmet need as close to where it arises as possible. The scale of Luton's affordable housing need, as previously discussed, would require substantially more units for it to be met. Therefore, the case for substantial allocations to be made in relation to both sites is clear (in this respect the position has not changed since the last examination sessions).

7. For similar reasons, the assertion that a case in exceptional circumstances could not be made out for the allocation of both sites is misconceived. There are many recently adopted sound local plans where Green Belt land has been released in order to meet the needs of the Housing Market Area. In addition to the strategic elements of a case in exceptional circumstances, such as meeting the need, and meeting the need close to where it arises; there are obvious site specific advantages to the sites at West of Luton and North of Luton which have previously been rehearsed at the examination. These are also set out in Luton Council's Hearing Statements; Matter 4 Issue 1 Question 3; Matter 6 Issue 1 Question 11; and Matter 5 Issue 1 Question 3, 6 and 7.
8. It is stated at paragraph 3.3.40 that West of Luton is segregated from Luton and its services by the M1. Luton Council has consistently highlighted that West of Luton is in a highly sustainable location, it is in close proximity to access existing and any additional required educational provision, to existing communities, including employment facilities, its proximity to the town centre, and to the mass transit system of the guided busway and to more than one railway station. All of these connections are capable of a design that provides easy access by active travel and by shared travel, including by public transport and by car sharing and car pooling. This has not been afforded appropriate weight by CBC. See also Luton Council's Matter 13 Issue 1 Question 4 Hearing Statement.
9. Luton Council notes that CBC are proposing to remove the following allocations from the submitted Local Plan:
 - HAS04 - Land at Luton Road, Barton le Clay – 168 dwellings
 - HAS09 - Land at Chapel Farm, Chalton – 54 dwellings
 - HAS24 - Land South West of the A5, Hockliffe – 77 dwellings
 - HAS25 - Land at Leighton Road, Hockliffe – 23 dwellings
 - HAS26 - A5 Watling Street, Hockliffe – 41 dwellings
10. This is a total of 363 dwellings. These sites were all identified in EXAM 41 which set out CBC's proposed wording amendments to Policy SP1 to identify which allocations within the Local Plan are meeting Luton's unmet need. No update to EXAM 41 has been provided. Nor is there any relevant proposed main modification in EX 117. Whilst Section 4 of EXAM 113 sets out a revised supply of housing and a brief statement on the impact on the five-year supply, an up to date housing trajectory

has not been provided. Footnote 2 on page 49 of EXAM 113 is a link to CBC's October 2019 housing trajectory.