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# North Hertfordshire Local Plan

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Local Plan Examination  
Hearing Statement  
Matter 24 – East of Luton Sites

On behalf of  
The Crown Estate



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## 1. Introduction

- 1.1. This Hearing Statement has been prepared by Savills (UK) Limited on behalf of the Crown Estate.
- 1.2. The Crown Estate is an independent commercial business, established by an Act of Parliament. 100% of its annual profits are returned to the Treasury for the benefit of public finances. It is a successful, commercial enterprise, established as a market leader in its key sectors and known for a progressive, sustainable approach that creates long term value, beyond its financial return.
- 1.3. The Crown Estate controls a large portion of land to the east of Luton, including that which forms proposed allocation EL3. An outline planning application for 660 homes has been submitted to North Hertfordshire District Council (ref: 16/02014/1).
- 1.4. The vast majority of proposed allocations EL1 and EL2, adjacent to EL3, is controlled by Bloor Homes. An outline planning application for up to 1,400 new homes has been submitted to the District Council (ref: 17/00830/1). A separate Hearing Statement relating to Matter 24 is being on behalf of Bloor Homes.
- 1.5. The documents for both applications can be viewed on the Council's website via the following link: <https://pa2.north-herts.gov.uk/online-applications/>
- 1.6. The Crown Estate and Bloor Homes have actively participated in the preparation of the Local Plan for North Hertfordshire for a number of years. Consistently, the development proposals for a strategic urban extension to the east of Luton have been favourably considered in assessments of how best to accommodate the future development needs of Luton, for which it is accepted cannot be met within Luton's own administrative boundary.
- 1.7. Savills will attend the Hearing sessions on Matter 24 to expand on the representations made to the Regulation 19 consultation, submissions made previously to Matter 10, and the content of this Statement.
- 1.8. White Peak Planning act on behalf of Bloor Homes in respect of proposed allocations EL2 and EL3 and will also attend the Hearing sessions on Matter 24 to expand on the representations made to the Regulation 19 consultation, submissions made previously to Matter 10, and the content of their Statements.

## 2. Matter 24 – East of Luton Sites

2.1 With regard to this matter, Savills will reference the representations submitted to the Regulation 19 consultation, and submissions made previously to Matter 10. In addition, Savills make the following comments

### **Issue 24.1 (a) Does the Growth Options Study provide a comparative assessment of the options for addressing the unmet housing needs of Luton Borough?**

2.2 The Luton Housing Market Area (HMA) Growth Options Study (the 'Growth Options Study') (HOU7) states as its aim (para. 1.2):

*“The aim of the Growth Options Study was to identify and assess realistic options to help meet housing need (both market and affordable and associated essential infrastructure) within the Luton HMA during 2011-2031.”*

2.3 The Growth Options Study goes on to explain (para. 1.3):

*“The study will provide evidence to be used alongside other studies, including Green Belt assessment, transport modelling, and Strategic Housing Land Availability Assessment (SHLAA), to support the commissioning authorities’ selection of spatial options and their assembly into a spatial strategy to meet the total housing requirement within the HMA through the preparation of separate Local Plans by the commissioning authorities.”*

2.4 In other words, the Study is explaining at the outset that whilst it does provide a comparative assessment, of options to meet Luton’ unmet needs, it is part of a wider evidence base

2.5 The approach is entirely consistent with the requirement in the NPPF (2012) (para. 153) that each LPA prepare a Local Plan for its (own administrative) area, but that in doing so that it should co-operate with neighbouring authorities, as per the duty to cooperate (NPPF 2012, para. 24):

- to assess the full housing needs where housing market areas cross administrative boundaries (NPPF 2012, para. 159); and
- to ensure that their Local Plan meets the full, objectively assessed needs ... in the housing market area (NPPF 2012, para 47).”

**Issue 24.1 (b) From the Council's analysis in Paper C (see paragraph 39) of its response to my letter dated 9 July 2019, the Growth Options Study does not identify sufficient alternative growth locations with strong links to Luton – either through physical proximity or high-quality public transport accessibility – that would allow Luton's unmet housing needs to be met on land that is preferable in Green Belt terms to the East of Luton sites. Is the Council's analysis correct, and if not how is it incorrect?**

**Issue 24.1 (c) From the Council's analysis in Paper C (see paragraphs 40 and 41) of its response to my letter dated 9 July 2019, the Growth Options Study identifies a total capacity of approximately 12,800 homes in locations that (partly at least) make a lesser contribution to the purposes of including land in the Green Belt. Is the Council's analysis correct, and if not how is it incorrect?**

2.6 With respect to both 24.1 (b) and (c), we concur with and support NHDC's analysis as set out in ED173, with the minor exception that the figure of 12,800 homes should be 13,124 homes<sup>1</sup> - a discrepancy that makes little difference, and subject to the following comments.

2.7 As noted in the Further MIQs (ED180), the four LPAs (Luton, North Hertfordshire, Central Bedfordshire and Aylesbury Vale) whose administrative areas together cover the Luton HMA have agreed (ED173 Appendix 1) that:

*“The remaining balance of housing need generated within Luton up to 2031, is a further 9,300 dwellings, which should be located as close to the boundary of Luton as possible.”*

2.8 The basis for this agreement is sound and the evidence in the Growth Options Study (HOU7) and other / subsequent studies, leads to the inevitable conclusion that all or a substantial part of this unmet need for housing will have to be accommodated on land that makes a 'strong' contribution to the Green Belt: i.e. NHDC are correct.

2.9 The Growth Options Study drew on the outputs of three studies<sup>2</sup>. Based on these studies, the Growth Options Study showed that the majority of potential growth locations adjoining and in close proximity to Luton made a strong contribution to the Green Belt, as shown on Figure 3.3 of the Study (see extract at Figure 1 of ED173).

2.10 The main exception to this was 'West Luton' (Growth Option L24) which was shown as making a moderate or relatively strong (as opposed to strong) overall contribution to the Green Belt. The Growth Options Study specifically states that it provides evidence to be used alongside other studies, including (further) assessments in respect of the Green Belt. Central Bedfordshire Council's (CBC's) Stage 3 Green Belt Study (January 2018) combines consideration of the Green Belt contribution of sites with an analysis of how the release of the land would affect the contribution of other Green Belt land. It post-dates and is more detailed than the draft study drawn upon by the Growth Options Study, and concludes that release of much

<sup>1</sup> The reference in para. 40 of ED173 to 12,800 homes is based on the subsequent table. However, based on the figures in the table, the Growth Options Study considers 'growth options' with a capacity of 13,124 homes that made less than a 'strong' contribution to Green Belt purposes.

<sup>2</sup> The Central Bedfordshire and Luton Green Belt Study, Draft Final Report, July 2016; North Hertfordshire Green Belt Review, NHDC, July 2016; and the Buckinghamshire Green Belt Assessment, The Buckinghamshire Authorities, March 2016.

of the area West of Luton would have a 'high' rating in respect of harm to the Green Belt. This 'high' rating was the highest of the 5 potential ratings.

- 2.11 It is therefore evident that the number of homes that could be accommodated in locations that are *"preferable in Green Belt terms to the East of Luton sites"* (Question 24.1 (b)) / *"make a lesser contribution to the purposes of including land in the Green Belt"* (Question 24.1 (c)) is significantly less than 12,800 / 13,124 dw figure. Whilst there are other sites further afield that might have a lesser impact on the Green Belt, they do not have a strong relationship to Luton.
- 2.12 In addition, as explicitly noted in the Growth Options Study, the contribution that a site makes to the Green Belt is only one factor in determining a spatial strategy for a Local Plan, and whether a site should be allocated for development. The Growth Options Study considers constraints, access to services and facilities, deliverability and viability as well as the role of the Green Belt. Whilst an obviously important study, it expressly acknowledges (see paras. 2.2 and 2.3 above) that other studies including (further) assessments in respect of the Green Belt would be required as part of the preparation of the individual Local Plans.
- 2.13 In summary, the basis for the agreement between the four LPAs to meet Luton's unmet need *"as close as possible"* to Luton is sound, and that the conclusions of the Growth Options Study and subsequent studies leads to the inevitable conclusion that all or a substantial part of this unmet need for housing will have to be accommodated on land that makes a 'strong' contribution to the Green Belt.

**Issue 24.1 (d) Without the 'East of Luton' sites, are there any realistic alternative options (with a reasonable likelihood of being delivered) for addressing Luton Borough's unmet housing need, bearing in mind the approach being taken in the Central Bedfordshire Local Plan and the current position in relation to the examination of that plan?**

- 2.14 We support the explanation set out by NHDC in ED173 as to why there are not any realistic alternative options (with a reasonable likelihood of being delivered) for addressing Luton Borough's unmet housing need, as set out in paras. 40-65.
- 2.15 Below we have commented further in respect to the potential to accommodate the unmet need elsewhere within North Hertfordshire or within Central Bedfordshire. Whilst a small part of the Luton HMA falls within Aylesbury Vale District, Aylesbury Vale District Council has not agreed to accommodate any of the unmet need.

### Elsewhere within North Hertfordshire

- 2.16 The 'Housing and Settlement Hierarchy Background Paper' (November 2014) (HSHBP) (see **Appendix 1** hereto) was published alongside the Regulation 18 'Preferred Options' consultation on the emerging North Hertfordshire Local Plan.

- 2.17 Map 3 identifies those ‘major’ constraints that would usually be considered as preventing major residential development. The only sizeable area free of these constraints is that in the centre, adjacent to the eastern boundary of the existing built-up area of Luton. Small areas to the north and south are also free of these constraints but are too small and too detached from existing urban areas to offer any realistic opportunity to deliver major residential development.
- 2.18 Map 5 overlays the major constraints from Map 3 onto the Landscape Character Areas / area of differing landscape value from Map 4, with a prominent ridgeline added. At the centre, adjacent to the eastern boundary of the existing built-up area of Luton, to the west of the ridgeline, is the area free of major constraints on land of only moderately low landscape value (as shown shaded orange).
- 2.19 Map 7 shows the sites promoted for development by The Crown Estate and Bloor Homes – identified as EL1, EL2 and EL3. No other sites have been promoted for development within the area free of major constraints on land of only moderately low landscape value.
- 2.20 The HSHBP maps show graphically why Luton’s unmet housing need is most appropriately addressed through the ‘East of Luton’ sites as currently proposed. That conclusion, which we support, is thoroughly supported by the detailed evidence submitted to the local plan examination, including the Growth Options Study.

### Central Bedfordshire

- 2.21 The Examination of the emerging Central Bedfordshire Local Plan is ongoing, with hearing sessions having been held during the summer of 2019. Subsequent to those, the Local Plan Inspectors wrote to CBC raising a number of queries. CBC is currently undertaking additional work with a view to submitting this in the spring of 2020, with any additional hearing sessions then being held in the summer of 2020.
- 2.22 Central Bedfordshire covers parts of four HMAs – Milton Keynes, Bedford, Stevenage and Luton. The Objectively Assessed Needs (OAN) for housing in Central Bedfordshire over the plan period 2015-2035 was identified in the Luton & Central Bedfordshire Strategic Housing Market Assessment (SHMA) (December 2017) (see extract at **Appendix 2** hereto) and comprises housing needs related to each of these HMAs as shown in **Table 1** below.

**Table 1: Central Bedfordshire OAN**

Housing Market Area	OAN
Milton Keynes	6,400
Bedford	2,000
Stevenage	9,300
Luton	14,300
<b>TOTAL</b>	<b>32,000</b>

2.23 However, the emerging Central Bedfordshire Local Plan also provides for 7,350 dws of unmet housing need from Luton, hence it provides for an overall total of 39,350 dws over the plan period 2015-2035<sup>3</sup> as shown in **Table 2** below.

**Table 2: Central Bedfordshire OAN, plus Luton Unmet Need**

Source	Housing Need
Central Bedfordshire OAN (all HMAs):	32,000
Unmet need from Luton:	7,350
<b>TOTAL</b>	<b>39,350</b>

2.24 Thus, in respect of the Luton HMA, the emerging Central Bedfordshire Local Plan seeks to provide for a total of 21,650 dws as shown in **Table 3** below.

**Table 3: Central Bedfordshire OAN (Luton HMA only), plus Luton Unmet Need**

Source	Housing Need
Central Bedfordshire OAN (Luton HMA)	14,300
Unmet need from Luton:	7,350
<b>TOTAL</b>	<b>21,650</b>

2.25 The emerging Central Bedfordshire Local Plan proposes 35 housing allocations, including some carried over from previous Local Plans<sup>4</sup>, within the Luton HMA. Central Bedfordshire Local Plan Examination Document 'EXAM 41: Note on Amendments to Policy SP1' (Policy SP1 is the 'Growth Strategy') (August 2019) (see at Appendix 1 to ED173) lists 13 of these 35 proposed allocations as being those that will meet the unmet housing need from Luton, delivering up to 8,685 dws by 2031.

2.26 However, following exchanges between CBC and the Inspectors examining its Local Plan, CBC has published Central Bedfordshire Local Plan Examination Document 'EXAM 91: Housing Trajectory – schedule of changes' (January 2020) (see **Appendix 3** hereto), which proposes to remove 4 of these proposed allocations, leaving 9 sites to accommodate Luton's unmet need, providing 8,399 dws – see **Table 4** below.

<sup>3</sup> There is a slight discrepancy in the plan periods with the Central Bedfordshire Local Plan relating to 2015-2035 whereas the Luton and North Hertfordshire Local Plans relate to 2011-2031. However, as the agreement to meet unmet needs from Luton was reached after 2015, it has been assumed that the full unmet need remains to be addressed post-2015.

<sup>4</sup> Central Bedfordshire was formed by the merger of Mid Bedfordshire and South Bedfordshire and the last Local Plans adopted were adopted in respect of those individual areas.

**Table 4: Central Bedfordshire Proposed Revised Draft Allocations, to meet Luton’s Unmet Need**

Site Ref	Site Name	Capacity 2015-2031	Capacity 2031-2035
SA5	North Houghton Regis (Sites 1 & 2)	4,818	1,021
SA1	North of Luton	2,100	1,000
HAS05	Land East of Barton le Clay	498	0
HAS07	Caddington Park, Caddington	66	0
HAS20	Land West of the Midland Mainline Railway, Harlington	435	0
HAS21	Land West of Sundon Road, Harlington	154	0
HAS24	Land to the South West of the A5, Hockliffe	77	0
HAS49	Land East of Leighton Road, Toddington	92	0
HAS50	Alma Farm, Toddington	159	0
<b>TOTAL</b>		<b>8,399</b>	<b>2,021</b>

2.27 This list of sites is slightly different from that included by NHDC as Appendix 4 to ED173:

- Site HAS20 (Harlington) (435 dws) was not included by NHDC on the basis that the Central Bedfordshire Local Plan Inspectors had recommended its removal; however CBC’s January retains it as delivering 435 dws.
- Site HAS25 (Hockliffe) (23 dws) was retained by NHDC but has subsequently been removed by CBC.
- Site HAS26 (Hockliffe) (41 dws) was retained by NHDC but has subsequently been removed by CBC.

2.28 The above position is the latest available and supersedes the position set out by CBC in its document EXAM 41 as referred to in para. 51 of and appended to ED173, and also NHDC’s reappraisal of the situation as contained in ED173; neither of these documents was incorrect – they were correct when issued but both have been superseded by events in Central Bedfordshire.

2.29 These 9 sites are projected to deliver 1,049 dws<sup>5</sup> more than Luton’s unmet need to 2031. However, as CBC has explained to NHDC (ED173, Appendix 3), this represents a (12.5%<sup>6</sup>) buffer to the meeting of Luton’s unmet need and will not contribute towards the meeting of part of Central Bedfordshire’s own need (our emphasis):

*“When seeking to deliver such significant levels of growth within a plan period, it is good practice to include a buffer (a surplus above the target), to reduce the risks associated with non-delivery and to allow for some level of contingency. This is essential to ensure the Central Bedfordshire local plan has a robust and sound supply of housing. A buffer has, therefore, been included for both Central*

<sup>5</sup> 8,399 – 7,350 = 1,049 dws

<sup>6</sup> 1,049 / 8,399 = 12.5%

*Bedfordshire's needs and Luton's unmet housing need.*

*The buffer/surplus identified within EXAM 41 will ensure the unmet need arising from Luton Borough can be delivered and is not to meet Central Bedfordshire's objectively assessed needs.*

- 2.30 Whilst these 9 sites are projected to deliver a further 2,021 dws between 2031 and 2035, it is likely that there will be a further unmet need from Luton in respect of this period. If this were to remain at the rate of 367.5 dpa<sup>7</sup>, it would equate to a total of 1,470 dws<sup>8</sup> between 2031 and 2035, leaving just 551 dws<sup>9</sup> to meet housing needs arising from within Central Bedfordshire. If a 12.5% buffer were to continue to be added, the continuing need would increase to 1,646 dws, leaving just 375 dws to meet needs from within Central Bedfordshire. In short, there will be little if any housing delivery from these 9 sites that will contribute towards meeting Central Bedfordshire's own needs.
- 2.31 In addition to these 9 sites, the emerging Central Bedfordshire Local Plan therefore proposes 22 other housing allocations within the Luton HMA that will contribute towards the meeting of Central Bedfordshire's own indigenous needs as generated from within the HMA (ED173, Appendix 4).
- 2.32 In addition to these 22 allocations, there are various other sources of housing supply from sites within the Luton HMA that will contribute towards the meeting of Central Bedfordshire's own indigenous needs as generated from within the HMA (ED173, Appendix 4). Together, these sites are projected to deliver a total of 6,186 dws between 2015 and 2035 – see **Table 5** below.

**Table 5: Central Bedfordshire Housing Supply within Luton HMA, to meet Indigenous Need**

Site Type	Capacity 2015-2031	Capacity 2031-2035
Windfall	717	0
NHDC "commitments"		
- Allocated and Large Sites	2,453	0
- Large Unallocated Sites	1,808	0
- Small Unallocated Sites	69	0
- Older Persons Accommodation	135	0
Sub-Total	4465	0
Proposed Housing Allocations (Central Bedfordshire Local Plan)	774	250
<b>TOTAL</b>	<b>5,936</b>	<b>250</b>
	<b>6,186</b>	

<sup>7</sup> 7,350 dws / 20 yrs = 367.5 dpa

<sup>8</sup> 4 x 367.5 = 1,470 dws

<sup>9</sup> 2,021 – 1,470 = 551 dws

- 2.33 The above figures reflect NHDC's calculations in the table at para. 58 of ED173, with the only difference being that above considers how Central Bedfordshire Council will be meeting its housing need from within the Luton HMA over its plan period of 2015-2035, whereas NHDC's figures have been calculated to consider the position during the North Hertfordshire Local Plan period of 2011-2031.
- 2.34 When compared to the identified housing need for that part of Central Bedfordshire that falls within the Luton HMA, it is clear that the need will not be met, with a substantial shortfall of supply within the HMA – see **Table 6** below.

**Table 6: Central Bedfordshire Housing Supply versus Indigenous Need (2015-2035)**

Need / Supply	Dws
Central Bedfordshire OAN (Luton HMA)	14,300
Supply	6,186
<b>TOTAL (SHORTFALL)</b>	<b>8,114</b>

- 2.35 In summary, the emerging Central Bedfordshire Local Plan provides for less than half<sup>10</sup> of the housing need arising from within that part of Central Bedfordshire that falls within the Luton HMA. The remaining 8,000+ dws worth of housing need from within the HMA will be provided beyond the HMA, much further to the north of Luton.

### Conclusion

- 2.36 The above demonstrates that there are no other realistic alternative options (with a reasonable likelihood of being delivered / within reasonable proximity to Luton) for addressing that part of Luton's unmet housing need that is currently proposed to be addressed by means of the East of Luton sites.

### **Issue 24.1 (e) The Sustainability Appraisal does not consider land or sites outside of North Hertfordshire. Should it?**

- 2.37 We support the position set out by NHDC in ED173 (paras. 66-72) as to why the Sustainability Appraisal ('SA') should not consider land or sites beyond North Hertfordshire (whilst reserving our position to respond further as necessary).

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<sup>10</sup> 6,186 / 14,300 = 43.3%



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## Appendices

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Appendix 1:  
Extract from Housing and Settlement Hierarchy Background  
Paper

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Appendix 2:  
Extract from Luton & Central Bedfordshire Strategic Housing  
Market Assessment

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Appendix 3:  
Central Bedfordshire Local Plan  
EXAM 91: Housing Trajectory – schedule of changes

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