

FROM: MR ROY PARKER

19th February 2020

Simon Berkeley BA MA MRTPI
Inspector
C/O Louise St John Howe
PO Services
PO Box 10965,
Sudbury
Suffolk, CO10 3BF

Dear Mr Berkeley,

Examination of North Herts D C Local Plan 2011-2031

This statement relates entirely to **Matter 24 –the proposed “East of Luton” sites.**

It is accepted in this statement that the best estimate of Luton Borough Council’s identified need for additional dwellings is 17,800 on the basis of their Local Plan 2011-2031 adopted on 7th November 2017.

Luton BC’s Local Plan only provides for 8,500 new homes within their authority boundary leaving an unmet need of 9,300 dwellings. However it should be noted that in Optimis Consulting’s statement (Luton BC’s consultant) at the time of adoption, the figure of 8,500 is not intended to be a ceiling and should not be seen or applied as a constraint to delivery-See **Appendix “A”**.

I disagree with the response by North Herts District Council (“NHDC”) and believe that the Inspector’s option 25 (d) in his letter of 9th July 2019 should have been accepted by them. In addition I would also propose that if an NHDC site is identified following this thorough and independent examination it should be referred to public consultation and then referred to the Secretary of State for decision.

There is a concern that NHDC’s decision to include the East of Luton site is based on financial grounds rather than the rules concerning retention of Green Belt land. This is unfair. It is imperative to get the right decision at this time as should the development of the East of Luton site be accepted, adopted and commenced then it cannot be reversed. I trust that it is possible to avoid any external party calling for a judicial review. Such further delay could result in the Local Plan being rejected as being based on out of date information. I certainly hope that all interested parties provide their evidence at the hearing sessions enabling the Inspector to take due note, as he sees fit, of their views in making his final judgement. I trust that NHDC’s duly amended Local Plan can then be adopted during 2020 to provide the way forward for the District.

With regard specifically to the MIQs raised in Matters 24(a) to (e) I have the following **major** comments:

1. "Luton HMA Growth Options Study 2016, Appendix 1 EXAM 41 SP1 Amendment", as per HOU7, states that 7,350 of their unmet housing needs will be delivered by Central Bedfordshire through a combination of sites listed totaling some 8,662 -8685 dwellings. This shows as having been updated onto Central Bedfordshire's website on 21st November 2019 and the document is dated August 2019 - see **Appendix "B"**. This is Central Bedfordshire's latest plan and their analysis includes 4,818 under policy SA5 for North Houghton Regis. Whilst this location is within the Luton HMA the contribution from this source is not included in Table 1 of the Luton HMA Growth Options study-see **Appendix "E"**. Why isn't it included in Table 1 because this makes a significant difference and its' omission is surely capable of misrepresentation. Therefore adding this location to Table 1 increases the figures of net capacity to year 2031 from 25,943 to 30,761 and the net capacity to year 2035 from 39,761 to 44,579. This North Houghton Regis strategic site within Central Beds was granted Outline Planning Permission for up to 5,150 dwellings in Site1 on 2nd June 2014 and on 18th November 2015 a Hybrid Planning Permission was granted for Site2 for up to 1,850 dwellings –see **Appendix "C"**. I am informed by Central Beds planning that at the moment no reserved matters permissions have been approved for the 5,150 dwellings in Site 1 but on Site 2 reserved matters permissions have been granted on 1,547 dwellings. Of these 37 dwellings have been completed, 96 are under construction and the rest not yet started – **See Appendix "D"**. There is nothing in this email indicating that reserved matters permissions will not be granted in due course for the rest of the development.
2. **The effect of point 1 above is that with 4,800 dwellings arising from development in progress at North Houghton Regis there is only 2,550 other dwellings to be found from other locations in Table 1 to meet Central Bedfordshire's commitment of 7,350 dwellings towards Luton's unmet needs. Also more importantly the 4,800 dwellings is 52% of the total unmet needs of Luton's 9,300 requirement and has not featured in NHDC's Paper C, which is a major point and potential misrepresentation of the overall position.**
3. In the above Luton HMA Growth Options Study page 1 "Background" clause 1.5 it incorrectly states that The Luton HMA comprises Luton, Central Beds, NHDC and Aylesbury Vale. It fails to include St. Albans District in which L27 Harpenden is located. This site is classed as High for both deliverability and viability for 669 dwellings. Harpenden is close to Luton and has good public transport links to Luton by both bus and train.
4. In comparison with Table 1 of the above study it should be noted that the sites in point 1 above contributing to Central Beds 7,350 dwellings do not include the 2 Butterfield sites, which are effectively part of Luton and of all sites have the strongest links to Luton. L23 Butterfield South for 330 dwellings would actually appear on the maps to be within Luton Borough Council's own authority rather than in the Luton HMA. This should have been added to Luton's own provision of housing in their district increasing it from 8,500 to 8,800 and thus reducing its' unmet needs to 9,000. L21 Butterfield North for 900 dwellings to 2031 and another 305 in the following 4 years to 2035 is attached to Luton but in Central Beds. Both these sites totaling 1,200 dwellings to 2031 and a further 305 up to 2035 have at least the same deliverability and viability as the

East of Luton sites and because of their location should be a preferred choice to East of Luton because they are actually in Luton.

5. **The effect of points 1, & 4 above is to reduce Luton’s unmet needs from 9,300 to just 3,300 (9,300-4,800--300-900)**
6. Central Beds contribution to Luton’s unmet needs as shown in Appendix “B” under EXAM 41 amendments also offers the following sites to assist Luton’s unmet needs:

| Site Reference | Site Name | Net Capacity to 2031 | Additional To 2035 |
|-----------------------|---------------------------------|-----------------------------|---------------------------|
| SA1 | North of Luton | 2,100 | 900 |
| HAS04 | Luton Road, Barton | 168 | |
| HAS05 | East of Barton | 498 | |
| HAS07 | Caddington Park | 66 | |
| HAS09 | Chapel Farm Chalton | 54 | |
| HAS20 | West of station, Harlington | 435 | |
| HAS21 | West of Sundon Rd, Harlington | 154 | |
| HAS24 | South West of A5, Hockliffe | 77 | |
| HAS25 | Leighton Rd, Hockliffe | 14-23 | |
| HAS26 | A5 Watling Stree, Hockliffe | 27-41 | |
| HAS49 | East of Leighton Rd, Toddington | 92 | |
| HAS50 | Alma Farm, Toddington | <u>159</u> | |
| | TOTAL | 3,844-3,867 | |

7. **Therefore with points 1, 4 & 6 there are already adequate sites available from Central Beds to meet Luton’s unmet needs without reference to East of Luton. In fact certain of the above could be replaced by nearer sites in Harpenden (L27) for 669 dwellings and M1 J10 (L26) for 900 dwellings with this last site having 0% effect of relatively strong contribution to Green Belt. These 2 sites would reduce the balance of 3,300 dwellings per point 5 above to just 1,731 with the table in point 6 above covering it by more than twice.**
8. Within Table 1 of Luton HMA Growth Options study L24 West of Luton is included and shown as producing 1,500 dwellings up to 2031 with a further 1,000 in the following 4 years to 2035. It is shown as having a total net capacity of 9,884 dwellings. This is not included at all in the 7,350 list in **Appendix “B”**. NHDC seem to argue against including this in the figures but Redrow homes are already building some 300 homes in this location, referred to as “Caddington

Woods”, many of which are already occupied. Incidentally in 2015 there was a 68 page detailed proposal to build 5,500 dwellings in this location that was rejected by Luton- see www.bushwood.info/docs/Bushwood-Case.pdf . Redrow’s ability to build an attractive development in this area contradicts NHDC’s concerns about this location which has easy road links to Luton and a bigger development would allow the communications to even improve.

9. There is already acknowledgement by NHDC that it cannot meet its’ dwelling targets within the period to 2031 because of the progress on adoption of its’ local plan. This is possibly the same situation for Central Beds. It is interesting to note that in the following 4 years to 2035 the estimated net capacity for dwellings within the Luton HMA increases by 13,818 as per Table1 and therefore if the timetable has slipped from 2031 there is certainly no case for the East of Luton development.

10. NHDC states in Paper C paragraph 23 that their contribution to Luton’s unmet needs will be 1,950 homes or it will be nothing. It is still presenting the possibility that by year 2031 the East of Luton development would be completed for 2,100 homes. The trajectory presenting this is dated 1st April 2017 and is probably 3 years out of date and effectively now overstated by 600 dwellings. **However NHDC have not acknowledged this specifically in ED178 Updated 5 year housing supply. Their Paper C cast doubts on Central Beds projections whereas their own are woefully short only producing 2,500 dwellings in the 8 years ended 31st March 2019. I suggest NHDC should concentrate on their performance rather than being critical of Central Beds. Central Beds clearly allocated North Houghton Regis to meet Luton’s unmet needs, as evidenced in Appendix “B”, and it is not appropriate for NHDC to challenge that. Central Beds planning permission position on North Houghton Regis is years ahead of any possible on East of Luton, which at this stage has none.**

Conclusions on Matter 24 of the Inspector’s MIQs based on the above information

Ref: 24.1 (a) – The study does not clearly provide a comparative assessment of the options in the main text as it omits the North Houghton Regis contribution of 4,818 towards Luton’s unmet needs. We find this contribution clearly shown in the Appendices to HOU7 and the update in August 2019 is attached as **Appendix “B”**.

REF: 24.1 (b) – I completely disagree with the Council’s conclusion as it has not taken account of:

- (i) Central Beds proposals for meeting Luton’s unmet needs with inclusion of North Houghton Regis site (4,818 dwellings)
- (ii) Central Beds proposals to contribute towards Luton’s unmet with other sites with capacity for 3,844-3,867 dwellings (see point 6 above)
- (iii) L27 Harpenden for 669 dwellings (see point 3 above)
- (iv) L23 Butterfield South, which is in Luton BC, 330 dwellings (see point 4 above)
- (v) L21 Butterfield North, which is the closest site to Luton, 900 dwellings to 2031 plus another 305 in the following 4 years (see point 4 above)
- (vi) L26 M1 J10, which is effectively part of Luton, with 900 dwellings with insignificant effect on Green Belt

- (vii) Ignoring L24 Luton West, 1500 dwellings per Table 1 up to 2031, with another 1,000 in the following 4 years (see point 8 above)

REF: 24.1 (c) – I disagree with this point because once again it ignores Central Beds proposal in **Appendix “B”**. The site at North Houghton Regis is being developed already so that comes out of the equation of the 9,300 unmet needs and has good transport links to Luton. This is completely ignored in the figure of 12,800 homes having less than a strong Green Belt contribution.

REF: 24.1 (d) – Once again Central Beds has planned to provide 4,818 dwellings in North Houghton Regis towards Luton’s unmet needs and this has been completely ignored by NHDC. This is clearly stated in Appendix 1 of HOU7 and NHDC have chosen to ignore this in paragraph 37 and paragraph 40. This appears to be deliberately misleading, which is of concern. You will note that in paragraph 47 NHDC concludes that there are insufficient preferable options either around Luton, Dunstable and Houghton Regis to justify removal of the East of Luton proposal for 2,100 dwellings **but have chosen to completely ignore the 4,818 dwellings in Houghton Regis North proposed by Central Beds and currently in construction progress or in planning.**

REF: 24.1 (e) – In SP1 of NHDC’s Local Plan they state their policies for sustainable development. This **includes** ensuring the vitality of the District’s villages and protecting key elements of North Hertfordshire’s environment including important landscapes, heritage assets and green infrastructure. NHDC are failing to do this without good reason.

I regard my answers to (a) to (d) above show that it is not necessary to look outside the Luton HMA for meeting Luton’s unmet needs but it is certainly necessary to reject the contentions of NHDC in its’ Paper “C” attempting to justify inclusion of the East of Luton sites.

General conclusion

The Inspector gave NHDC the opportunity to put forward a main modification deleting the East of Luton sites from the Local Plan and including a commitment to further joint working with the other local authorities in the Luton HMA to identify the most appropriate sites for meeting Luton’s unmet needs. NHDC failed to do this and in their arguments failed to recognize the North Houghton Regis sites, potentially amounting to 7,000 dwellings, of which some 4,800 was presented as available for this purpose by Central Beds in the period ending 2031. These will be available significantly sooner than anything possible with East of Luton with planning approval already received for 1,547 dwellings and construction started. NHDC have ignored representations against the East of Luton development from both residents of NHDC and Luton. There is clearly no essential need for the East of Luton sites which make a significant contribution to Green Belt purposes and avoids consolidating the rural communities of Cockernhoe, Mangrove and Tea Green, which incidentally can be backdated to the 10th century by a manuscript dated 980ad, into the urban community of Luton.

Yours Sincerely

Roy Parker FCA