

## MATTER 24 – THE PROPOSED ‘EAST OF LUTON’ SITES

ED173 (PAPER C) FROM North Herts District Council (NHDC)

NAME OF REPRESENTOR: David Dorman,

### APPENDIX A

#### ANALYSIS OF NHDC’S ARGUMENTS CONTAINED IN ‘OPTIONS FOR ADDRESSING LUTON’S UNMET NEED ON THE FACE OF THE GROWTH STUDY (HOU 7)’

Contained in pages 7- 19 of ED173.

Here follows an analysis of the above 13-page section of the NHDC response to the Inspector contained in Paper C (ED173). Our comments are in red and have to be read in conjunction with the original document as well as with the Luton HMA Growth Options Study of November 2015 (HOU7).

With apologies for the length of this response, but the detailed and flawed analysis by NHDC needs to be rebutted in full and frankly almost line by line. Trying to do this without minutely examining NHDC’s arguments is simply not possible and it is important that their reasoning is exposed fully. To put it bluntly, this long NHDC document is deliberately abstruse and prolix.

This paper from NHDC is a mixture of tortuous self-seeking justification, mixed with a liberal dose of confusion. commentaries that do not cross-check with the documents provided by Central Bedfordshire and statistics that take ages to double check because they are not adequately explained in straightforward terms.

By comparison to NHDC’s documentation, the material readily available from both Central Bedfordshire and Luton Borough Council is so much easier to follow and understand. One wonders if NHDC’s approach here is to deliberately confuse, or at the very least render the task of examining their arguments so deliberately difficult that people will give up. Well, we haven’t given up!

- 1) Para 25 of the NHDC study states that all the potential growth locations L1-L31 inclusive are within Central Bedfordshire except for the area around Edlesborough in Aylesbury Vale. **However, L27 is described as Harpenden (part of St Albans DC) with a potential capacity for 669 houses through to 2031 – this is to the north of Harpenden alongside the A1081 on what we assume is part of the Central Bedfordshire Council land that arcs around Luton to the south and east, but not certain. This needs to be explained.**
- 2) Para 26 states that most of the potential alternative sites for development are on Green Belt land, except for the built up areas of Luton and Dunstable, the land in Aylesbury Vale and a band north and east of Flitwick. It states that all the Green Belt land would have to demonstrate exceptional circumstances.
- 3) Paras 27-29 discusses the 31 potential growth locations contained in HOU 7. **Analysis shows areas not in the Green Belt that are within a reasonable distance of Luton (i.e. excluding Clophill and Maulden East – both too far north), but including Flitton and Gravenhurst) (with close proximity to A6) which could accommodate 650 houses by 2031.**
- 4) **Another 9% Green Belt area is J10 of the M1 (area around Slip End) which is stated to be capable of 900 houses through to 2031**

- 5) Also at 0% Green Belt is Edlesborough which could provide 1,200 houses through to 2031
  - 6) There is one other area with low Green Belt visibility - Caddington West (at 13% Green Belt) - able to provide 368 houses in the period up to 2031.
  - 7) Total capacity of these areas could be up to 3,118 houses .All of the areas would have to have public transport provision.
  - 8) Therefore there is less damage to the Green Belt from these sites, more houses than the 2,150 from the East of Luton sites and all assessed under the Growth Options study as having high overall viability compared to East of Luton which was described as medium viability.
- 9) Under the sub-heading '**potential alternative options adjoining Luton, Dunstable and Houghton Regis**' the options apparently available noted in Para 30 that are contiguous to Luton other than the East of Luton sites are examined – notably L20 (North of Luton), L21 (Butterfield North), L23 (Butterfield South), L24 (West Luton), L25 (Caddington), L26 (adjacent to Slip End and close to J10 of the M1) and L28 (West Dunstable).
  - 10) These seven sites could deliver an estimated housing capacity as follows:
    - L20 – 2000 ; L21 – 900; L23 – 330; L24 -1,500; L25 – 368, L26 - 900 and L28 – 1,200
    - That is a total housing provision up to 2031 estimated at 7,198 houses.
    - Perhaps more tellingly some of these areas seems to have greater capacity for long term development than is the case for the area East of Luton. These show: L20 – 8,150 (an increase of 6,150) ; L21 – 1,205 ( an increase of 305), L23 – no further increase possible; L24 - 9,884 (an increase of 8,384); L25 - no further increase possible; L26 – 1,107 ( an increase of 207) and L28 – 3,093 (an increase of 1,893 ) (Source: HOU7 Table 1 – Assessment Findings for all locations Luton HMA Growth Options Study November 2016)
  - 11) Interestingly, and perhaps cynically in terms of making its argument below, NHDC makes no mention of this longer term potential. It is no secret that the land around the East of Luton will be full to capacity if the 2,150 houses are built, whereas these other contiguous sites to the west and north of Luton will be able to deliver 7,198 houses through to 2031, but in the longer term and, taking into account the land in these areas is part of a major urban conurbation encompassing Luton, Dunstable and Houghton Regis – it can be argued the development of more houses in these areas will be much less intrusive than that proposed for East of Luton - they can potentially deliver a further 16,939 houses in the longer term. Surely it is far better to focus development on areas such as this which will form part of a bigger metropolitan area where there is already huge amounts of housing, rather than despoiling rural villages and Green Belt in North Hertfordshire.
  - 12) In para 31 NHDC makes much of the fact that only three of these growth locations (L24, L25 and L26) 'do not make a strong Green Belt contribution'. All of the other growth locations, as well as the East of Luton sites are seen to make a strong Green Belt contribution.
  - 13) So, whilst East of Luton could deliver 2,150 houses at the maximum if it was developed, the combined capacity of L24, L25 and L26 up to 2031 is 2,768. On the face of it therefore, these three sites with a much lower or negligible Green Belt impact than East of Luton could deliver not just the same number of houses close to Luton to meet Luton's unmet needs, but a further 618 houses through to 2031.

- Furthermore in the longer term, if required, the assessed capacity increase for these three sites is a further 8,591 houses – at much less cost to the Green Belt.
- 14) Yet in their arguments in Para 31 and the associated (and rather confusing) tabulation NHDC points out that of these three sites (L24, L25 and L26), L24 – west of Luton has a relatively high exposure to the Green Belt which rather flies in the face of their statement above that L24 is one of those sites that ‘does not make a strong Green Belt contribution’. They can’t have it both ways!
  - 15) Nonetheless, taking this at face value and looking at Table 3.3 in HOU7 (page 26) which analyses the contribution to Green Belt purposes of potential development locations, we see that in L24 there is in fact one parcel of land assessed as making a moderate Green Belt contribution and measuring 11% of the L24 area. The remaining 89% is assessed as making a relatively strong Green Belt contribution (we note that this assessment in itself is less than the assessment for the East of Luton sites).
  - 16) 11% of the assessed housing capacity of L24 through to 2031 comes to some 165 houses.
  - 17) L25 has two parcels of land making up the potential allocation – one assessed as strong for the purposes of the Green Belt (representing 13% of the allocation) and the remaining 86% assessed as making a moderate Green Belt contribution. 86% of the proposed housing in L25 comes to 316 houses.
  - 18) L26 is assessed as making only a moderate GB contribution across the whole allocation so the housing potential of 900 stays intact.
  - 19) Thus, taking this NHDC argument at face value this suggests that the three parcels of land (L24, L25 L26) could only contribute 1,381 houses up to 2031 to meet Luton’s unmet needs without any significant detrimental effect on the Green Belt.
  - 20) In the longer term, we have seen that L24 across its entire allocation could deliver a further 8,384 houses. It is impossible to assess from these tabulations in HOU7 how many of those might fall within the area of L24 assessed as making a moderate GB contribution. A possible 11% contribution would yield 922 houses for example.
  - 21) L25 has no capacity beyond its assessed total of 368 to deliver any more homes in the long run.
  - 22) L26 would be able to deliver a further 207 homes in the longer run without any great effect on the Green Belt.
  - 23) It could be therefore that two of these areas (L24 and L26) could potentially deliver up to a further 1,129 houses in those areas.
  - 24) Whilst this latter figure is conjectural and looking at the longer term potential, we can definitely see that the three areas L24, L25 and L26 can deliver 1,381 houses without a strong effect on the Green Belt through to 2031. This is only 569 less than the potential development East of Luton of 1,950 houses to help meet Luton’s unmet needs. Far better surely to develop these west of Luton sites in preference to East of Luton and find the shortfall of 569 houses from elsewhere in Central Bedfordshire or indeed from within Luton’s own house building programme.
  - 25) As we have seen from our study of Luton’s past, present and planned house building rates it will almost certainly deliver nearly 4,000 extra houses (3,872) in the period to end 2031
  - 26) If these developments are taken forward as Luton intends, and is combined with the housing that could be delivered in L24, L25 and L26 from Central Bedfordshire – close to Luton’s boundary - sufficient houses would be delivered to render a contribution from the East of Luton sites as not required. This also takes no account of the proposed North Houghton Regis site which plans to deliver 4,818 houses by 2031.

- 27) In para 33 NHDC states that the “Growth Study (HOU7) does not identify sufficient alternate potential growth locations around the Luton, Dunstable & Houghton Regis conurbation that would allow Luton’s unmet housing needs to be met.”
- 28) This is a disingenuous and sloppily worded statement. Luton’s unmet housing need is assessed at 9,300 homes (of which 7,350 is meant to come from Central Bedfordshire and the balance of 1,950 from East of Luton), Of course this area of Central Bedfordshire on its own would not be expected to meet Luton’s unmet housing needs on its own, though the addition of the new North Houghton Regis site does make a huge difference to this calculation. Whilst NHDC argues that Luton’s unmet housing need should be met from areas of close contiguous proximity to the Luton boundary, they seem to have ignored the new North of Houghton Regis site which is strongly contiguous.
- 29) However, our analysis – based upon the figures presented in the HOU7 Growth Study – shows that parcels of land within those areas close to the Luton boundary to the west in Central Bedfordshire, which do not contribute in any significant way to the purposes of the Green Belt, can contribute 1,381 houses to meet Luton’s unmet needs.
- 30) NHDC resolutely refuses to study the track record within Luton Borough itself in terms of house building – surely this would be a pre-requisite for any local authority seeking how it might have to contribute to an unmet need arising from its neighbour, especially if the land it was proposing for its contribution is assessed as having the strongest Green Belt protection?
- 31) We show that combining the 1,381 homes with the extremely likely building of a further minimum of 3,872 extra houses within Luton on identified brownfield sites during the period of the Local Plan through to 2031 over and above its stated goal of a minimum of 8,500 homes will result in a reduction in the unmet need from 9,300 to 4,047 over the period.. The allocation from Central Bedfordshire’s North Houghton Regis site alone will cover that shortfall.
- 32) From Para 34 onwards under the sub-heading ‘**Potential alternate options with strong public transport links to Luton, Dunstable and Houghton Regis**’ NHDC seeks to study whether any other potential locations within Central Bedfordshire could make a contribution to meet Luton’s unmet housing if these other areas had strong public transport links to Luton. The notion here seems to be that if further-afield areas had good transport links they perhaps might be preferable to those areas already studied that are contiguous with the Luton boundary particularly if Green Belt harms could be lessened.
- 33) It is interesting to note that all this discussion focuses on purely public transport modes such as railways and bus links. Whilst this is laudable of course, surely the harsh reality is that roads also need to be taken into consideration here. There is no magic planning wand that can pretend that commuters/travellers from further afield will for sure travel on public transport – no matter how good it might be – especially if their destination might involve multiple mode changes from train to bus for instance. People will take what is the most convenient solution and in that regard it is surely wise in planning terms to factor in the possible use of cars on trunk roads to connect with the Luton conurbation – e.g. M1, A6 etc. The planned M1/A6 link road together with 4,818 houses to the North of Houghton Regis is instructive here, surely.
- 34) Notwithstanding the above observation, we shall continue to analyse the NHDC case as it is presented.

35) NHDC states that in addition to the seven potential growth locations already studied, a further 5 can be considered because of their good proximity to public transport links (no further than 1200m away from services). These are:

- L5 – Flitwick West; L6- North of Flitwick; L7 – Flitwick East; L11 – North of Harlington and L12 – Harlington West.

36) These five sites could deliver an estimated housing capacity through to 2031 as follows:

- L5 – 1500; L6 – 900; L7 – 648; L11 – 593; L12 – 1500

37) That is a total housing provision up to 2031 estimated at 5,141 houses.

38) As seen in the study of locations contiguous to Luton, some of the further afield locations do have potential to deliver more houses over a longer period of time unlike the East of Luton sites, as follows:

- L5 – 2,368 (an increase of 868); L6 – 1,693 (an increase of 193); L7 – (site full - no increase); L11 – (site full no increase); L12 – 2,961 (an increase of 1,460)

39) This represents a housing increase in the longer term from these areas of 2,521.

40) Using NHDC's own analysis methodology to ascertain what percentage of these parcels falls within areas that are assessed as making a moderate or relatively strong contribution to the Green Belt ( as opposed to a Strong contribution as is the case with the East of Luton site) and taking this at face value we see the following:

- L5 has 28% of its land parcel making a relatively strong harm to the GB – yielding 420 houses
- L6 has almost all of its land (96%) making a relatively strong harm to the GB – yielding 864 houses
- L7 also has a high proportion of its land (99%) making no more than a relatively strong harm to the Green Belt – yielding 642 houses
- L11 similarly has a high (99%) of its land contributing no more than relatively strong harm to the Green Belt – yielding 587 houses
- L12 has a smaller percentage (88%) contributing no more than relatively strong harm to the Green Belt – yielding 1,320 houses

41) Therefore using NHDC's own methodology which includes the epithet 'relatively strong harm' to the Green Belt we can see that these 5 locations could still deliver 3,833 houses through to 2031

42) In the longer term, as with the sites close to Luton, these five areas could potentially deliver a further 2,521 houses – though it is impossible to state from the tabulations presented whether these would be in areas of up to relatively strong harm to the Green Belt or the much more serious 'strong harm' to the Green Belt.

43) However we can see definitely that these five areas can deliver 3,833 houses without a strong effect to the Green Belt through to 2031 and with longer term potential for more if required/desired – unlike the East of Luton site.

44) Adding these figures to the L24, L25 and L26 housing figures we have calculated above that could be built to help Luton's unmet needs – 1,381 houses, we arrive at a figure of  $1,381 + 3833 = 5214$  houses

45) And remember, there is also the extra house building coming from within Luton itself of 3,872. The overall total therefore likely to be available comes to 9,086 which is only just shy of the 9,300 said to be the unmet housing need from Luton.

46) So the conclusion drawn by NHDC in para 39 that the Growth study '**does not identify sufficient alternate potential growth locations with strong links to Luton**

– through either physical proximity or high-quality public transport accessibility  
– that would allow for Luton’s unmet housing needs to be met on land that is preferable to the East of Luton sites in Green Belt terms’ is not really true – it is disingenuous at best. What we have demonstrated is that these sites **plus the ignored Luton Borough building record** could deliver 9,086 houses through to 2031. And don’t forget these figures do not include the 4,818 houses expected from the new North Houghton Regis site. BUT we also have yet to look at the wider Central Bedfordshire geographical area.

47) Para 40 onwards in the NHDC response looks at **‘potential alternate growth options across the Luton HMA’**

48) It has to be said that trying to double check NHDC’s stated figure of approx. 12,800 houses in the Growth Study (excluding East of Luton) that fall within locations and parts of locations having less than a ‘strong’ Green Belt contribution was tortuous to say the least. Is it deliberate that a figure is given without any explanation as to how it is arrived at?

49) We checked the two tables from HOU7 3.3 and 4.1 to assess this figure. Table 3.3 breaks down the contribution to the Green Belt of the HMA growth locations and where it gives the %age of each location that falls within moderate, relatively strong, or strong contribution to the Green Belt.

50) This was then double-checked with Table 4.1 which gives the estimated net capacity up to 2031 of each location and the percentage applied to the net housing capacity figure to give a value of houses approximately. that would not cause strong harm to the Green Belt. Our analysis came to 12,532 houses which given the variations in percentages and areas is close enough to 12,800 quoted by NHDC – but it took ages to work this out.

51) We have a further query – although both NHDC and ourselves have included the areas L1 (Clophill), L2 (Maulden East), L8 (Flitton), L9 (Gravenhurst) and L31 (Edlesborough) in this calculation, those areas were not included in Table 3. 3. of HOU 7 This seems puzzling since all these areas registered as no effect on the Green Belt whatsoever. – why have they been removed from this consideration as able to meet some of Luton’s unmet housing need?

52) There then follows a further confusing tabulation from NHDC in Para 40. The figures inserted bear little resemblance to anything we have been able to calculate ourselves to marry to those quoted thus far.

53) It has to be said that being presented with such difficulties in trying to understand how NHDC calculates its figures does give us a less than warm feeling towards the Council – if simple enough figures are masked in this way it does tend to cast doubt on the integrity of the Council.

54) **And the conclusion reached in Para 41 simply is not true based on our analysis. There are quite a few locations in Central Bedfordshire within the Luton HMA on land better suited than the land to the East of Luton sites that can help meet Luton’s unmet housing needs. And we repeat: this statement does not include the new North Houghton Regis site nor the extra housing planned to be built by Luton itself.**

55) From Para 42 onwards NHDC looks at **Central Bedfordshire’s draft Local Plan for options to meet Luton’s unmet housing needs.**

56) Para 44 onwards has comments from NHDC about the decision by CBC in its draft Local Plan not to put forward the site L24 (West Luton) which has a capacity of 1,500 through to 2031 but a long term capacity assessed at nearly 10,000 houses (9,984).

- 57) Reasons given by Central Bedfordshire, according to NHDC, are:
- Feasibility of connectivity with Luton particularly whether a guided busway could be built in time and by this scheme;
  - Requirement for significant landscape buffers to ensure separation between the proposed housing and existing housing;
  - Retention of the chalk valley side running parallel to the M1 and creation of a strategic woodland buffer to minimise impacts on landscape;
  - Capacity of the local waste water treatment to support the substantial increase in population.
  - Uncertainty around expansion plans for Luton Airport with some studies not due to be published until sometime later.
- 58) Some of the arguments put forward by Central Bedfordshire could equally well apply to the East of Luton sites including lack of transport connectivity and indeed road connectivity; no consideration by NHDC of impacts on landscape in the East of Luton areas despite the fact it is prime Green Belt land, uncertainty around Luton Airport expansion when one of the parcels of land in the East of Luton allocations directly abuts the airport expansion area....yet NHDC seems to be blissfully unaware that there is an expansion plan for the airport or at the very least makes no significant comment about this National Significant Infrastructure Project!
- 59) From a landscape perspective there is absolutely no comparison between the potentially sacrificed East of Luton sites and the proposed L24 sites. Looking at the plan of the L24 sites, most of the site is directly to the west of the M1 with development already in place across the motorway. It is close to J10 and the prospect of the Newlands development for retail and leisure in Luton and which will be connected by public transport. Some of the arguments being put forward by NHDC seem spurious to say the least.
- 60) Fundamentally, this decision by Central Bedfordshire not to bring forward the west of Luton sites has been directly challenged by the two inspectors examining the draft Local Plan and therefore for NHDC to rely on this statement by Central Bedfordshire to justify its own belief in the suitability of the East of Luton sites is premature. The NHDC inspector also criticised the NHDC Local Plan for not adequately assessing the suitability of all sites in the Luton HMA – this whole area of contention needs to be treated with great caution.
- 61) From Para 46 onwards NHDC states that following Central Bedfordshire's deferral of L24, Central Bedfordshire has also decided not to take forward a 'significant majority' of potential alternative locations identified in the Growth Study either in whole or in part and have instead identified some new allocations as detailed below to meet Luton's unmet needs.
- 62) But of the list of 11 locations stated by NHDC to be from Central Bedfordshire **five of them DO NOT** appear in the Central Bedfordshire paperwork (EXAM 41) that was also submitted in the NHDC paperwork to the Inspector. This makes for very confusing reading which we shall try to clear up.
- 63) In the CBC Exam 41 listing there are 13 strategic sites earmarked by Central Bedfordshire to meet its proportion of the unmet needs from Luton – 7,350 houses. Of these, Central Bedfordshire subsequently withdrew three sites (HAS04, HAS 09 and HAS20 totalling 657 houses) at the request of the two Inspectors to leave 10 potential sites.
- 64) Amazingly of the 10 remaining sites documented by Central Bedfordshire – **5 of them DO NOT** appear in the NHDC listing in Paper C – how can this happen???
- 65) It beggars belief that on something so reasonably straightforward as this – namely a list provided by Central Bedfordshire of those locations that they propose to develop

to meet Luton's unmet needs - NHDC has contrived to 'invent' from somewhere 5 locations not suggested by Central Bedfordshire and ignore 5 sites that appear in the Central Bedfordshire listing (including the major North Houghton Regis site).

66) This confusion does bring into question the whole allocation of sites to meet Luton's unmet needs and casts doubt on the integrity of the Councils involved.

67) To try and clarify this mess the allocations stated by NHDC as being offered by Central Bedfordshire firstly are given below. There are 11 of them, five of which (in green below) do not appear in the actual Central Bedfordshire listing:

- Land SA1 North of Luton (within Growth Study allocation L20 where it was down for 2000 houses through to 2031 – new allocation 2,100 houses;
- Land HAS05 -Land east of Barton-Le Clay (within Luton Growth Study as L10 – to potentially deliver 924 houses) – new allocation 498 houses
- Site HAS14 Land off Eaton Park, Eaton Bray (within Luton Growth Study as L29 - allocated as 411 houses)
- Site HAS17, Steppingley Road Flitwick (within Luton Growth Study as L5 – allocated as 1,500 houses
- Site HAS19, Land at Upper Gravenhurst (within Luton Growth Study as L9 – allocated as 240 houses)
- Land HAS24 – Land to the south west of the A5, Hockcliffe (within Growth Study as part of L15 potentially to deliver 1,500 homes) – new allocation 77 houses.
- Land HAS25 – Land at Leighton Road Hockcliffe (within Growth Study as part of L15 – for delivery of 1500 houses) – new allocation – 14-23 houses)
- Site HAS38, Land fronting Silsoe Road, Maulden (within Luton Growth Study as L2 – allocated as 521 houses
- Land HAS49 – Land East of Leighton Road, Toddington – part of Growth Study for delivery of 1500 houses) – new allocation - 92 houses
- Site HAS52 – Land off Flitwick Road, Westoning (within Luton Growth Study as L11 – allocated as 593 houses.

It is important to note that the 5 green locations above do not feature revised housing allocations for the simple reason that they no longer appear on the Central Bedfordshire lists! However, the number of houses originally allocated by Central Bedfordshire for these five locations total 3,265.

Allocations submitted by Central Bedfordshire in Exam 41 to help meet Luton's unmet housing needs, but which do not appear in the NHDC listing are:

- Land SA5 – North Houghton Regis (1 &2) – not included in the Growth Study – but estimated to deliver 4,818 houses
- Land HAS 07 – Caddington Park, Caddington – not in the Growth Study – for delivery of 66 houses
- Land HAS 21 – Land west of Sundon Road, Harlington – not in the Growth Study - for delivery of 154 houses
- Land HAS 26 – A5 Watling Street, Hockliffe – not in the Growth Study – for delivery of between 27-41 houses
- Land HAS 50 – Alma Farm Toddington – not in the growth study – for delivery of 159 houses.

These new allocations, mysteriously omitted from the NHDC list that they said was supplied from Central Bedfordshire, total a potential of 5,224 houses – that is an increase of 1,959 houses over the previous list.

- 68) Despite this apparent confusion, the sites stated by Central Bedfordshire that it has allocated to help meet Luton's unmet housing needs are said to be able to deliver between 8,005- 8,028 houses through to 2031.
- 69) Central Bedfordshire also states that in addition to these strategic sites its draft Local Plan also allocates 52 small and medium sites for residential development ranging in size from 12 to 650 houses and spread throughout Central Bedfordshire. It adds that a number of these sites which will be released from the Green Belt and which sit within the Luton HMA will also contribute in part towards meeting the unmet needs from Luton – areas that fall into this category are Barton Le Clay, Hockcliffe, Caddington, Chalton, Harlington and Toddington....so more houses will be possible from these allocations to help meet Luton's unmet needs.
- 70) Central Bedfordshire states that its commitment to meet its contribution of 7,350 houses for Luton will have a 13% buffer up to 8,322 houses or 972 extra houses. However, they later state that as the plan delivery will start later, then the number of committed houses will have to drop by a factor of some 585 houses to leave a smaller buffer of 5% or 387 houses.
- 71) On all accounts therefore CBC states that it will meet its share of Luton's unmet needs and possibly add an extra 387 houses. To those figures must be added the **extra 3,872 houses from within Luton.**
- 72) Despite this firm statement from Central Bedfordshire, NHDC then in its submission second guesses the Central Bedfordshire plan and pours cold water on the ability of Central Bedfordshire to deliver the houses required so as to try and justify its own plan to build 2,150 homes to the East of Luton.
- 73) Firstly it states in para 47 that of the 11 sites it says are offered by Central Bedfordshire (in fact the figure is 10 sites), only four relate to potential growth locations within the Growth Study that are considered to have strong links to Luton. But their arguments fall down somewhat when we realise that two of the four sites are not included in the actual Central Bedfordshire documentation.
- 74) NHDC further states in para 53 that some of the sites identified by Central Bedfordshire in Exam 41 are 'relatively remote' from Luton in locations such as Barton-Le-Clay, Hockcliffe and Toddington – pointing out these sites were not identified in the Growth Study and are not connected to Luton by high quality public transport. And as such cannot be considered as preferable locations to the East of Luton sites. This is second-guessing a neighbouring Council's plans and is strange when one considers that the views being put forward by NHDC are in response to concerns expressed by the Inspector to the NHDC draft Local Plan that their own plans relating to the East of Luton sites are seriously flawed.
- 75) The question that has to be asked here is whether the Growth Study is now to be regarded as inherently flawed, given that so many questions are being posed of it by two sets of Inspectors.
- 76) Furthermore as Central Bedfordshire has offered for development other sites not previously considered as part of the Growth Study, does that not render much of the Growth Study unfit for purpose, particularly as Luton and Central Bedfordshire combined make up the vast bulk of the Luton HMA and yet the result that NHDC seeks is to allow this small parcel of land around Cockernhoe to end up being

potentially the second largest contributor to meeting Luton unmet needs from within the HMA after the North Houghton Regis site.

- 77) And is it written in stone that a local authority always has to abide by the findings in the Growth Study, if it decides that other development areas subsequently could be brought into use to meet neighbouring unmet needs?
- 78) Clearly the Inspectors studying the Central Bedfordshire Local Plan have come to the conclusion that a lot more work needs to be done by the Council to justify their housing allocations and specifically to meet Luton's unmet needs and it is likely that a consequent delay will occur. NHDC uses this to try and justify the building of the houses East of Luton without any apparent concern that its own plans for this area are under severe scrutiny.
- 79) It is not just Central Bedfordshire planners that are under examination here but also NHDC – the fact remains that the whole Luton HMA Growth Study is now looking to be seriously flawed and no reliance can be derived from it no matter which Council's land is concerned.
- 80) However, the one set of figures that appear to be believable is that from within Luton relating to its own house building programme. There is no doubt what Luton has delivered to date; there is a firm plan for the delivery of more houses over the three years to end 2022, and from that time on until the end of 2031 there is a further detailed allocation of named building sites with yearly housing deliveries documented. The extra 3,872 houses from within Luton MUST be factored into all these numbers.**
- 81) In Para 58 NHDC studies Central Bedfordshire's plans to deliver house builds across the Luton HMA to meet its own needs and concludes that it will fall short through to 2031 by  $13,400 - 7594 = 5806$  houses. The implication of this NHDC conclusion seems to be that whilst Central Bedfordshire probably can deliver housing to meet its proportion of Luton's unmet needs it will not be able to deliver enough to meet its own unmet needs. This could be a contentious conclusion at best and surely is something that the Central Bedfordshire Local Plan Examination will consider.
- 82) In their conclusions starting at Para 60 NHDC argues that the delays and uncertainties place a 'further imperative' upon this examination to support NHDC's present allocation, because of the Inspector's acknowledgement of the 'acute and pressing need' of the unmet housing need arising from within Luton.
- 83) The Inspector did say that, but also pointed out that it such an 'acute and pressing need' still has to be evidentially based, particularly in relation to demonstrating exceptional circumstances. An acute and pressing need does not make it right that house building should go ahead willy-nilly just to satisfy NHDC's own objectives.....is the 'acute and pressing' need from within Luton going to be materially improved by the delivery of 2,150 homes in East of Luton especially since the delivery of those homes are going to take place over an elapsed period of 16 years? (Source: Statement of Common Ground between NHDC, Bloor Homes and The Crown Estates). No. Far better to allow Luton to continue on its upward building trajectory and deliver from its own resources for the moment to give time for the mess of the Luton HMA to be sorted out, for the Central Bedfordshire examination of the west of Luton sites and all their other contentious sites to be examined more thoroughly.
- 84) Furthermore all this NHDC analysis is based upon the OAN statistics as they stand at the moment. As we have seen the new Luton HMA OAN compiled by Opinion Research Services for both Central Bedfordshire and Luton shows a lower housing

need. And this new OAN was calculated before the ONS 2016 population and household projections, which almost certainly will result in a further drop in the Luton housing requirement (though it is fair to add it also most likely will result in a higher figure for Central Bedfordshire) – but that will not affect the East of Luton site because it is now clear from NHDC that the potential delivery of 1,950 houses from this site will only be to help meet unmet needs arising from Luton not the wider Luton HMA.– obviously including Central Bedfordshire.

- 85) NHDC also contentiously argues that there are ‘ no sites within Central Bedfordshire or the remainder of the Luton HMA which might be considered preferable to the East of Luton sites in Green Belt terms’...is that really so?...on what basis is that statement made? We found several sites within the Central Bedfordshire area with much lower Green Belt ratings than the East of Luton area, and which can contribute significantly to help meet Luton’s unmet needs.
- 86) NHDC also states that, following its own analysis, Central Bedfordshire will not be able to meet its own unmet needs within their part of the Luton HMA – but surely the re-examination of the Central Bedfordshire Local Plan will resolve that shortfall; otherwise what is the point of the examination?
- 87) They also argue that some of the sites suggested by Central Bedfordshire should be viewed as less preferable locations as they do not share the same physical connectivity or public transport links. We ask, what public transport links in the East of Luton area and what price the strong Green Belt contribution?
- 88) NHDC further states that there could be a risk that Central Bedfordshire may be instructed to withdraw its Local Plan and start all over again. Surely something similar could be said for NHDC’s examination certainly in relation to the East of Luton sites. And in any event surely it is better to get this properly right rather than rush into engulfing three villages with thousands of homes that may not be required.
- 89) NHDC also concludes that the East of Luton sites have demonstrated exceptional circumstances. Nonsense. We have shown conclusively that this is not the case. All it has done is to restate that NHDC wants to build houses in this area come what may...there is no exceptional circumstance because there is no demonstrable unmet housing need from Luton, no matter which way one looks at the situation.**