

Examination of the Central Bedfordshire Local Plan

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Dear Mr Davie,

Examination of the Central Bedfordshire Local Plan

1. As you will recall, during the recent examination hearing sessions we raised concerns regarding the soundness and legal compliance of the submitted Local Plan. We committed to providing detailed comments on the main issues in writing, which are set out below.

Sustainability Appraisal ('SA')

2. The Environmental Assessment of Plans and Programmes Regulations (2004) apply to this examination. The Regulations state that where an environmental assessment is required it should identify, describe and evaluate the likely significant effects of implementing the plan, and, reasonable alternatives taking into account the objectives and geographical scope of the plan or programme. As the Planning Practice Guidance ('PPG')¹ confirms, the role of the SA is to make sure that proposals in the Plan are the most appropriate given the reasonable alternatives available.
3. One of the aims and objectives of the Central Bedfordshire Local Plan is to contribute towards the unmet housing needs from Luton. This is a positive and commendable strategy given the tightly drawn nature of Luton's urban area, which is bounded on all sides by the Green Belt.

¹ Paragraph: 001 Reference ID: 11-001-20140306 - the previous versions of the PPG apply for the purposes of this examination under the transitional arrangement

4. A critical part of the strategy is Policy SA1, which allocates land for 4,000 dwellings to the north of Luton. Along with commitments at Houghton Regis North (Policy SA5), this represents one of the Plan's key sites for helping meet Luton's housing needs to 2031. A further 1,625 new homes are planned throughout surrounding towns and villages in the Luton Housing Market Area ('HMA') within Central Bedfordshire.
5. The January 2018 SA tests 5 Growth Scenarios. For 'Area A' (the area nearest Luton) the scenarios distribute housing to the North of Luton (Policy SA1), the Green Belt villages and a strategic site to the west of Luton. Land west of Luton has a longstanding history as a potential location for new housing.
6. However, the 4,000 dwellings allocated at North of Luton is a constant in all the growth scenarios. The only option where it is excluded is the 'No Development' scenario, which has zero growth for Area A. All the growth scenarios except the 'No Development' option also attribute at least 2,000 dwellings to the Green Belt villages. We therefore fail to see how the SA has adequately considered reasonable alternatives for Area A. Given that growth in Area A is so critical to the Plan's strategy for contributing towards Luton's unmet housing needs, we would expect the SA to thoroughly consider the alternatives available.
7. It is also unclear why the SA has used a capacity of 2,000 dwellings to consider land west of Luton. Representations put forward by the site promoters included provision for 5,500 dwellings, whilst the *Luton HMA Growth Options Study*² estimated a net capacity of 2,500 new homes over the Plan period. Without considering the full potential of the site it is difficult to see how the Council has concluded that Policy SA1 is the most appropriate strategy for expanding Luton.
8. Furthermore, a significant amount of additional information has been prepared and submitted following the start of the examination. In light of this evidence, the Council considers that Policy SA1 is now unsound and requests that the capacity of the site is reduced from 4,000 to 3,100 dwellings. Although a *SA Addendum Report*³ has been produced, it seeks to justify the allocations in the Plan and remove "...the uncertainties regarding significance from the previous SA". It does not consider whether the preferred strategy for Area A remains the most appropriate, compared with the reasonable alternatives, based on a reduced capacity of 3,100 homes.
9. In response to questions at the examination hearing session on Wednesday 12 June, the Council confirmed that the North of Luton allocation is derived from the *Land North of Luton and Sundon RFI Framework Plan*. The document was published in 2015 and includes a concept plan showing the alignment of the proposed M1-A6 link road. However, it does not form part of the statutory development plan for the area and has not been subject to any formal examination in public. Identification of the site in the Framework

² Examination Document C15

³ Examination Document EXAM7T

Plan does not remove the need to test alternative options adequately and objectively through the SA.

10. We also have concerns with the way in which the SA has considered alternative strategies for employment growth. One of the objectives of the Plan is to provide strategic warehousing sites to cater for 'footloose' demand in the logistics and distribution sector. Again, this is a positive response to substantial market demand along the M1/A1 corridors. However, the SA only tests 2 scenarios. They are based on the number of jobs expected to be provided from the allocations in the Plan with, and without, Policy SE1 – the Sundon Rail Freight Interchange ('RFI'). Whilst some alternatives (such as Stratton Business Park) have only come forward at Regulation 19 stage, they should still be considered in order to reach an informed decision on whether the strategy for economic growth is the most appropriate. This is especially important when the Plan is seeking to release land from the Green Belt, where the National Planning Policy Framework ('the Framework') requires that alterations to boundaries should only be made where there are exceptional circumstances. Some of the alternative sites for strategic warehousing being pursued by representors do not require land to be released from the Green Belt.
11. Aside from the consideration of reasonable alternatives, we also have concerns with the way in which the SA has concluded on some of the sustainability objectives, which have ultimately informed the Council's decision on which sites to allocate. For example, Holme Farm (Policy SE3) scores ++? for Sustainable Transport, with the SA stating that the site is located in close proximity to Biggleswade railway station and would reduce the need to travel for potential employees. However, the *Strategic Employment Site Assessment Technical Document*⁴ scored the site 'Red' for its proximity to public transport, concluding that the nearest bus stops are 1.3km away and the train station approximately 3km away. As discussed at the hearings, the main employment area would be accessed through the proposed services to the south of Biggleswade on the opposite side of the A1. It would not be conducive to walking and cycling. The Council also advised that strategic employment sites would typically attract workers from further afield, hence the reason why a jobs uplift has not been applied to the housing requirement. This is not consistent with the assessment in the SA.
12. Similarly, for the Marston Gate expansion (Policy SE2) the Site Assessment scores the allocation Red/Amber for landscape character. It suggests that there is some limited scope for development to the west, with farmland to the east and north forming an attractive open setting to the Greensand Ridge. In contrast, the SA scores the allocation + for landscape, with the potential for minor long-term positive effects.
13. We appreciate that the SA does not test sites to the same level of detail and is intended to provide an overview against a range of sustainability indicators. Issues such as landscape impact are also subjective. Nevertheless, such significant discrepancies only serve to undermine the robustness and objectivity of the process.

⁴ Examination Document F02

14. In conclusion therefore, the SA does not adequately demonstrate that the Plan is the most appropriate strategy when considered against the reasonable alternatives. It also contains unsupported conclusions against the sustainability objectives of two strategic sites. As a result, key parts of the Plan are not justified, and it thus fails the test of soundness in paragraph 182 of the Framework.
15. We return to the implications of this finding in our overall conclusion below. The remainder of this letter sets out our further concerns regarding the main issues raised during the examination, which are based on the four component areas of the Plan.

South Area

North of Luton – Policy SA1

16. In the previous section we outlined concerns regarding the assessment of reasonable alternatives to the North of Luton allocation as part of the SA. In addition, we also have specific concerns regarding the size and location of the allocation, which extends into the Chilterns Area of Outstanding Natural Beauty ('AONB').
17. At the hearings it was confirmed that the curved nature of the northern site boundary is based on the proposed alignment of the new M1-A6 link road. The provision of the link road is a requirement of Policy SA1(2) and would require major development in the AONB.
18. The 2012 Framework, which applies to this examination, is clear that great weight should be given to conserving the landscape and scenic beauty in AONBs. Along with National Parks and the Broads they have the highest status of protection in relation to landscape and scenic beauty.
19. Paragraph 116 of the 2012 Framework states that planning permission should be refused for major development in AONBs except in exceptional circumstances, and where it can be demonstrated that development would be in the public interest. In reaching this conclusion it is necessary to consider the cost of, and scope for, developing elsewhere outside the area or meeting the need in some other way. This is one of Natural England's primary objections to the Plan, namely; where is the evidence to suggest that the link road has to go through the AONB?
20. In justifying the alignment of the road we are referred to documents submitted in support of the current planning application. They demonstrate that several options have been considered, including routes outside the AONB. In summary, Route 6 was taken forward through the 2015 *Land North of Luton and Sundon RFI Framework Plan*. It states that the:

"...proposed route maximises the amount of developable land, in order to make sure that the right amount of development can be accommodated on the sites and ensures that the new homes, employment and community uses relate well and form a natural extension to the existing Luton area."

21. There are clearly several benefits to the proposed alignment of the new road, which avoids Sundon Wood, creates a new defensible boundary to the Luton urban area and provides land sufficient to accommodate up to 4,000 new homes. But as we explored at the hearings, there are other options available to the Council in contributing towards the unmet housing need from Luton without requiring major development in the AONB. This includes the possibility of using sites in other locations or providing a smaller development without a link road. Based on the evidence provided these options have not been adequately tested as part of the Plan's preparation.
22. It has been brought to our attention by the Chilterns Conservation Board that on 11 September 2019 the Council resolved to grant planning permission for the link road subject to referral to the Secretary of State. Clearly matters have moved on quickly since the close of the hearing sessions in July. In responding to this letter, could the Council confirm that 1) the information from the Chilterns Conservation Board about the planning application is correct, 2) if the outstanding objections from Natural England and Highways England referred to at the examination have been resolved and 3) what bearing the Council considers that this position has in relation to the soundness of Policy SA1? In the event that planning permission is granted, then this could represent a material change in circumstances, and one which we may need to consider further through reconvened hearing sessions.

Sundon Rail Freight Interchange – Policy SE1

23. The proposed RFI at Sundon is dependent upon the new M1-A6 link road. The concerns identified above (i.e. the assessment of reasonable alternatives that do not require major development in the AONB) therefore have direct implications for Policy SE1. The reports referred to by the Council clearly show that a link road *could* be constructed outside the AONB.⁵
24. In addition to requiring major development in the AONB, Policy SE1 requires around 45 hectares of land to be removed from the Green Belt for the RFI and associated warehousing. Further justification for this has been provided in Examination Document EXAM25. From the evidence it is clear that the proposal would make a positive contribution towards the need for strategic warehousing along the M1 corridor and have substantial economic benefits. It is also estimated that based on 4 trains per day, the RFI would remove around 160 daily HGV movements from the highways network. Situated at a point where the M1 and the Midland Mainline converge, the site is ideally located for such a development.
25. Nevertheless, the Framework is clear that the Government attaches great importance to Green Belts, the fundamental aim of which is to prevent urban sprawl by keeping land permanently open. Once established, Green Belt boundaries should only be altered in exceptional circumstances.

⁵ Examination Documents EXAM51-EXAM55

26. Our primary concern is the absence of robust evidence to justify the exceptional circumstances necessary to alter the Green Belt boundary at Sundon. As already established, the demand for warehousing and logistics in Central Bedfordshire is 'footloose', with operators looking for premises along the M1 corridor, not all of which is within the Green Belt. EXAM25 also confirms that operators will typically look for sites with a distance of up to 3km between an interchange and the strategic road network. We are therefore not currently persuaded that this is the only realistic location for a development of this type to serve the wider Luton/Dunstable/Houghton Regis conurbation.
27. In response the Council suggests that there are no alternative sites which have been put forward outside, or within the Green Belt, which have any reasonable prospect of use as a rail freight interchange. But this is a relatively specialist form of development, which is unlikely to have been put forward by land owners responding to a Call for Sites exercise. There is also nothing to suggest that the Council assessed the suitability of potential employment sites for such uses when carrying out the *Strategic Employment Site Assessment Technical Document*. Nor has a wider site assessment seemingly been pursued through discussions with neighbouring authorities, given that such a facility will not just serve the Luton area. At this moment in time there is insufficient evidence to justify releasing a further 45 hectares of land from the Green Belt, in addition to the 20 hectares of employment land from the Green Belt under Policy SA1, which would only be a short distance away.

Green Belt Villages

Harlington

28. Policy HA1 seeks to remove over 18 hectares of land from the Green Belt to the west of Harlington for 435 dwellings (Site HAS20). Prior to the hearings, the Council acknowledged that, in order to facilitate the allocation, a new primary school is also required. The Matter 7 Statement therefore seeks to enlarge the site and release more land from the Green Belt on Westoning Road.
29. The additional area of land has not been assessed as part of the *Central Bedfordshire Green Belt Study (Stage 3)*,⁶ nor through the SA process. In fact, the allocation was actually reduced in size from that submitted through the Call for Sites exercise. Examination Document EXAM5BB Annex 27 confirms that "*The western portion of the site is an illogical extension to Harlington and extends the settlement too far west...Therefore the site has been portioned to only include the eastern portion*". The additional parcel of land would go beyond the existing field boundary, which is clearly demarcated by landscaping. It would extend the settlement further west and create an arbitrary boundary which the Council previously sought to avoid.

⁶ Examination Document C11

30. At the hearings it was suggested that the allocation could be modified to include the primary school *within* the submitted site boundary. There are two issues with this approach.
31. Firstly, accommodating a new primary school with associated play areas and pitches would reduce the yield of the proposed residential development. At this stage it is unclear what the scale of any reduction would be. If significant, the Council would have to reconsider the benefits that the allocation would deliver against the harm to the Green Belt.
32. Secondly, without releasing more land from the Green Belt, access to the site, and therefore the school, would have to be taken from Toddington Road. This would require children, and parents with pushchairs, having to use the narrow footpath over the railway bridge and cross the road on a sharp bend at the junction of Toddington Road and the entrance to the station car park. Having seen the site, we agree with representations put to us that this would significantly increase the risk of accidents occurring, especially during the morning and afternoon peaks when the car park entrance is likely to be in frequent use by commuters using the station. It is difficult to see how appropriate highway improvements could be made to maintain pedestrian safety.
33. In the absence of additional school places, the allocation is therefore unsound and would result in residents with young children having to travel further afield to meet their day-to-day needs. Unfortunately, the Council's suggested changes would not be justified due to the harm that would be caused to the landscape character of the area and/or highway safety.

Barton-le-Clay

34. Land at Luton Road (Site HAS04) is subject to a long-term lease with Barton-le-Clay Parish Council. The Parish Council would have to relinquish that lease to bring the site forward for housing.
35. The position of the Parish Council at the hearing session was clear – it objects to the scale of development proposed in the village and does not support the cumulative growth from HAS04 and HAS05. There is nothing to suggest that the Parish Council has any intention of relinquishing the lease, which would have to be subject to a vote by Members at a public meeting. The site is therefore not considered to be deliverable within five years and there is no clear evidence that it would become so at any stage over the plan period.

Chalton

36. The *Central Bedfordshire & Luton Green Belt Study (Stage 1&2)*⁷ assessed the character of Chalton and concluded that it maintains a sense of openness. As a result, it recommended that the village continues to be washed over by the Green Belt. This is consistent with paragraph 86 of the Framework, which states that if it is necessary to prevent development in a

⁷ Examination Document C10

village because of the important contribution that its open character makes to openness, the village should be included in the Green Belt.

37. Allocating land for 54 dwellings in Chalton is directly at odds with the Green Belt Study. It is also contrary to the Plan's strategy which states that new homes are proposed *"...in the form of highly sustainable extensions of a more moderate scale to large towns and villages that are inset into the Green Belt."* As the Stage 3 Green Belt Study found, the lack of distinction between the inset allocation and the remainder of the village would also weaken its status as a washed over village and weaken the remaining Green Belt boundary. The exceptional circumstances necessary to justify releasing HAS09 from the Green Belt have not been demonstrated, and the allocation should be deleted from the Plan.

Hockliffe

38. The Council's Matter 7 Statement confirms that sites HAS25 and HAS26 are subject to additional modelling work to determine the extent of the previously identified flood risk. On the day of the hearing it was reported that as a result of the additional modelling the capacity of both sites will need to be reduced.
39. This additional work would need to be published, consulted on and examined so that other developers and members of the local community can understand the reasons for allocating these sites over others with a lower risk of flooding. Without knowing what each site can deliver it is also impossible to reach a conclusion that the exceptional circumstances exist to justify their release from the Green Belt, especially if the number of homes is going to be significantly reduced.
40. Elsewhere in Hockliffe site HAS24 is an allocation which the Council has reduced in size from that submitted as part of the Call for Sites exercise. But it is difficult to understand what the revised site boundary is based on. The allocation extends beyond the footprint of the village and follows no physical features on the ground. This is contrary to paragraph 85 of the Framework which states that Green Belt boundaries should be defined clearly, using physical features that are readily recognisable. The L-shaped site would also be at odds with the linear form and character of Hockliffe. Further justification would therefore be required to demonstrate that the allocation meets the requirements of the Framework and would not lead to an uncharacteristic form of development that would be harmful to the character and appearance of the area.

East-West Area

M1 Junction 13

41. The *Transport Modelling Stage 1C & 1D Report*⁸ identifies 25 'hot spots' on the highway network. Each one has been scored based on the number of

⁸ Examination Document C26

users likely to be affected and the level of stress or junction delay experienced.

42. Hotspot 10A is located at Junction 13 of the M1. Based on committed growth to 2025 it scores 9/10, with 10 being the highest scale of impact. This increases to 10/10 by 2035. Even without the growth proposed in the Local Plan, the already heavily congested junction is therefore going to get worse.
43. Examination Document C28 includes details of junction improvements that could be carried out to accommodate the additional growth proposed. The works are expected to cost between £2.5-£5m and would not undermine the viability of strategic allocations at Marston Vale (Policy SA2) or Marston Gate (Policy SE2).
44. However, Examination Document C28 confirms that further work has been commissioned to understand the cumulative impact on Junction 13 from growth in Central Bedfordshire, Milton Keynes and Bedford. Paragraph 8.8 confirms that "*...the outcome of this study may result in alternative options to the one discussed in this report.*" The previous Inspector, Mr Hayden, raised concerns in September and October 2018⁹ regarding the considerable degree of uncertainty arising from the need for further studies.
45. In response the Council has helpfully provided a Statement of Common Ground with Highways England.¹⁰ But this only reiterates that "*...additional work will be undertaken to further explore mitigation schemes necessary in relation to the SRN to deliver the proposed level of growth in the CBLP*". It confirms that the Councils are working with Highways England to undertake the modelling, and that it will set out the relevant improvements, including likely costs.
46. The latest update indicates that the additional modelling is now expected by late autumn. Whilst the Council and Highways England consider that this work should not delay adoption of the Plan, it is clearly going to form a critical piece of evidence which directly relates to the location of the Plan's largest allocation for up to 5,000 new homes at Marston Vale. In order to reach a robust, substantiated conclusion on the soundness of the Plan it would be necessary to consider the implications of the new evidence when it emerges and test it through further examination hearing sessions.
47. In the absence of this modelling we continue to have reservations about the cross-boundary impacts which have been identified. In particular, Examination Documents C24-C28 suggest that there will only be 'limited interactions' between the Marston Vale allocation and Milton Keynes via the A421, with less than 50 vehicle movements in the AM and PM peak. Although the Marston Vale allocation is intended to create new mixed-use development, and therefore reduce the need to travel, it is ideally placed for accessing Milton Keynes along the A421. In the context of an allocation for up to 5,000 new homes, we fail to see how the evidence is an accurate

⁹ Examination Documents EXAM4 and EXAM6

¹⁰ Examination Document 7R

reflection of likely future transport patterns. If, as the Council suggests, motorists will choose other routes, such as Salford Road instead of the A421, then this needs to be justified, and the impacts tested.

48. In summary therefore, given the already high levels of congestion around Junction 13, and the planned level of growth nearby, the modelling is critical to understanding whether improvements can be undertaken that effectively mitigate the impact of additional development in this location.

Marston Gate – Policy SE2

49. Most of the allocation is relatively flat running parallel to the M1 and the A507 before the land rises up to the north and east. The change in topography reflects the site's proximity to the Greensand Ridge, which runs south-east to north-west through this part of Central Bedfordshire.
50. The majority of the site is within the 'Salford-Aspley Clay Vale' Landscape Character Area, as defined by the *Landscape Character Assessment*.¹¹ One of the key characteristics of this area is the low-lying, flat landform, which is bordered by the pronounced, elevated landscape of the Greensand Ridge. The location of the site at the foot of the Greensand Ridge is especially prominent when viewed from parts of the John Bunyan Trail and Greensand Ridge Walk.
51. The Landscape Character Assessment sets out guidelines for new development. Amongst others this includes safeguarding the open land at the foot of the ridge to provide for its setting, conserving the clear views and relationship with the Greensand Ridge Character Area and ensuring that any growth of business parks does not further dilute the rural character of the area.
52. The strategic warehousing proposed under Policy SE2 would be viewed alongside the existing business park and the infrastructure associated with the M1/A507. However, due to the topography of the site, its prominence and the size and type of development proposed, the allocation would have a significant visual impact from the surrounding network of public footpaths. Situated on rising ground at the foot of the Greensand Ridge its appearance would be harmful to one of the defining landscape characteristics of the area. Similar views were expressed by the Council's Landscape Officer in Examination Document F02, finding that the farmland to the east and north forms an attractive setting to the Greensand Ridge.
53. Given the size of buildings proposed, the visual impact of the allocation would not be mitigated by additional landscaping. Although it would bring about significant economic benefits, in its current form, the extent of the allocation under Policy SE2 is not justified due to the harm that would be caused to the landscape character of the area.

¹¹ Examination Documents EXAM 56 – EXAM68

Aspley Guise Allocation – Site HAS03

54. The *Green Belt Topic Paper*¹² sets out the justification for releasing land from the Green Belt. Aside from contributing towards Luton’s unmet housing needs, the main reason is to provide additional housing for the southern half of Central Bedfordshire in locations where growth will secure the sustainable future of settlements.
55. Aspley Guise is on the northernmost periphery of the Green Belt close to the boundary with Milton Keynes. It is not within the Luton HMA. New housing in this location will therefore not help to address Luton’s unmet needs. Nor is there any evidence to suggest that the site is needed to help support local facilities. Significant new development in addition to site HAS08 is proposed around Aspley Guise, in Central Bedfordshire and in Milton Keynes. As such, we fail to see how the exceptional circumstances exist to release land from the Green Belt for an additional 37 new homes in this location. The allocation is not justified and should be deleted from the Plan.

Central Area

Former RAF Base, Henlow – Policy SE4

56. The submitted Plan allocates 85 hectares of land at RAF Henlow for specialist high-technology, science and research and development uses. A further 45 hectares is allocated for a mixed-use ‘visitor-economy and residential scheme’. The Council has previously confirmed that the residential element would be up to 500 dwellings.
57. In response to the *Inspectors’ Matters, Issues and Questions* the Council conceded that there is no need for the type and scale of development proposed in Policy SE4. The policy is therefore not justified and should be deleted from the Plan.
58. At the hearings it was suggested that the Council’s preferred way forward was to consider the site as part of a Review, envisaged to start within 6 months of adoption. Chapter 5.5 of the Plan states that an early review will be necessary due to the Cambridge-Milton Keynes-Oxford Arc and the new East-West railway line.
59. However, the preferred route of East-West Rail from Bedford to Cambridge has not yet been determined, and no coordinated analysis has been published to consider the best location for any new or expanded settlements as part of the Cambridge-Milton Keynes-Oxford Arc. Furthermore, as and when details do emerge, Examination Document EXAM12 confirms that the Council will undertake a fresh Call for Sites exercise with options assessed to determine an appropriate strategy. Further discussions are also going to be required as part of the Duty to Cooperate, with the revised Plan subject to Examination in Public. Determining the scale and distribution of any additional growth is therefore not going to be a straightforward exercise and it could take several years before a revised Plan is in place.

¹² Examination Document C12

60. The Ministry of Defence intends to start the phased vacation of RAF Henlow next year, with the site fully vacated by 2023. Homes England have entered into a Partnering Arrangement with the Defence Infrastructure Organisation ('DIO') and is working towards redeveloping the site alongside its phased closure. Postponing a decision on the future of RAF Henlow until the future strategy of the next Plan has been determined therefore risks the site becoming vacant with no positive strategy for its future reuse.
61. The need to plan positively for the future of the site is important due to the presence of MBDA UK Limited. MBDA is a missile systems provider to the Ministry of Defence which is estimated to have contributed £600m to the UK economy since 2010. It has operated from Henlow for over 40 years and has recently made a significant investment in the future of its operations, with on-going work planned over the next 2-3 years.
62. As we heard at the examination hearing sessions, MBDA must operate under licence from the Health and Safety Executive ('HSE'). The classification of the adjacent A600 as a 'minor road' (less than 10,000 vehicle movements per day) permits MBDA to operate under a particular set of safety distances. Increasing traffic levels above 10,000 vehicle movements could result in the reclassification of the road and require greater distances to be achieved. This would inevitably affect the operation of the business. The presence of MBDA will also affect the development potential of the former airfield.
63. Planning for the future reuse of RAF Henlow would therefore not only provide clarity to key stakeholders, but also ensure that the relationship with MBDA can be accounted for as part of comprehensive plans for the area. There are also other considerations that need to be taken into account, such as the reuse of the listed hangers and what happens to the large grass airfield. This is best achieved through the Local Plan process in consultation with the local community. We return to this issue below, in our overall conclusions on the most appropriate way forward for the examination.

A1 Corridor

East of Arlesey – Policy SA3

64. The *Settlement Capacity Initial Study*¹³ concludes that Arlesey has Medium-High capacity for growth and that development could contribute to the enhancement of new services and facilities. Development to the east of the town also allows for the provision of a new link-road to relieve congestion on High Street. In principle therefore, the strategy of extending Arlesey is appropriate.
65. However, Arlesey is 'Minor Service Centre' with roughly 2,470 dwellings. In contrast, Policy SA3 allocates up to 2,000 dwellings on over 200 hectares of land. A further 1,000 dwellings are also committed on land to the north of Policy SA3, with around 90 dwellings proposed on land off High Street. In total, the level of growth planned for Arlesey would more than double the size of the town. We therefore fail to understand how Policy SA3 would meet

¹³ Examination Document C42

one of the Plan's Key Spatial Objectives to grow existing communities across Central Bedfordshire "...*proportionate to their scale and environment context*".

66. Furthermore, due to its size, Policy SA3 extends all the way up to Fairfield to the east. With the exception of a single, square parcel of land, the settlement boundaries of Arlesey and Fairfield would coalesce and adjoin one another. Although Policy SA3 requires the provision of a country park to provide some separation, formalising the use of the open space between Arlesey and Fairfield would be very different to the existing situation, with the two urban areas separated by fields. There is a risk that the country park could become actively used as an open space linking Fairfield and Arlesey, not separating them.
67. In summary therefore, we have concerns regarding the level of growth proposed in Arlesey and the effect that this would have on its character, identity and potential for visual and physical coalescence with Fairfield. As submitted, the scale and location of development is not justified.

Holme Farm – Policy SE3

68. The proposed allocation to the south of Biggleswade and to the west of the A1 effectively comprises two separate sites connected by a narrow access road. Despite following land ownerships, it results in a very contrived boundary that would create two separate sites lacking any real integration.
69. The northern section of the allocation is reasonably well related to Biggleswade. It would be viewed in the context of the existing industrial buildings on Stratton Business Park to the east and the wind farm to the south and west of the site.
70. In contrast, the remainder of the allocation would spread a significant distance to the south of the town, extending the main built-up area of Biggleswade with linear development adjacent to the motorway. The size, shape and location of the allocation would result in a visually prominent development that would fail to integrate with the form and character of Biggleswade, which is almost entirely concentrated to the east of the A1.
71. Similar concerns were identified in the Council's assessment of the site in Examination Document F02. It found that there would be some limited scope for mid-scale development at the northern end of the site, but that warehousing would be inappropriate as it would block extensive views and create a sense of enclosure at a gateway to Biggleswade. When travelling north along the A1 the topography of the area affords wide-ranging views over the arable land to the west of Biggleswade. This would become dominated by strategic warehousing that would appear divorced from any other forms of intensive commercial development in this location.
72. The Site Assessment concluded by stating that the site "...*is large enough that with appropriate mitigation, the issues can be overcome.*" Although the allocation in the submitted Plan is smaller, the reduction in size has not overcome the issue of strategic warehousing blocking extensive views over

the vale landscape and creating a sense of enclosure on the approach to Biggleswade. Given the likely size of strategic warehousing, it would be very difficult to effectively screen the site by landscaping alone. In its current form Policy SE3 is therefore not justified due to its harmful impact on the landscape character of the area.

East of Biggleswade - Policy SA4

73. One of the criteria of Policy SA4 is that the development will form part of a sustainable village that will be visibly and physically separate from Biggleswade. The rationale behind this approach was to create a well-designed, standalone village with the potential to form part of a wider development in the future. Land to the east of Biggleswade is in Appendix 7 as an Identified Area for Future Growth.
74. However, for the reasons set out below, the Council considers that the 'Appendix 7 sites' are no longer justified and should be removed from the Plan. Without additional development to the east of Biggleswade Policy SA4 would effectively result in the creation of a small satellite village opposite an existing housing development separated by Baden Powell Way. As a result of deleting the area for future growth we fail to see how Policy SA4 would integrate successfully with the rest of the town. In addition, the second phase of development appears to form part of the assessment of the allocation in the SA. If this is no longer proposed, then the SA would have to be revisited in order to consider whether the strategy for Biggleswade remains the most appropriate one in the absence of any further planned growth.
75. It also remains unclear how strategic site SA4 will be accessed. The land is situated to the east of Baden Powell Way but the submission policies map illustrates the King's Reach development (HO8(8)) on both sides of the road. Whilst planning permission was granted in March 2019, the developers of King's Reach have confirmed that they own the land necessary to form the access and are not signatories to the relevant legal agreement. Based on the evidence provided the site cannot be considered deliverable until the ownership issues have been resolved.
76. In summary therefore, although the site now has planning permission, its inclusion as a strategic housing allocation for Biggleswade is not supported by the SA, which, as Policy SA4 does, assumes that further land to the east of Biggleswade will come forward as part of a wider, standalone settlement. There are also unanswered questions regarding how the site will be accessed. Further work would therefore be required to justify its inclusion as a strategic allocation in the Plan.

Identified Areas for Future Growth

77. The Identified Areas for Future Growth are included in Appendix 7 of the Plan and defined as sites which could meet possible longer-term development needs.

78. In contrast, the Council's updated position as set out in Examination Document EXAM12 accepts that there is insufficient evidence and/or supporting infrastructure to support their allocation at this moment in time. EXAM 12 also confirms that the sites are not given any preferred status through this Local Plan, and that future needs will be met through a new Call for Sites exercise to determine the most appropriate locations for growth.
79. If the Council's intention was to carry out a full review of development options once more details on East-West Rail and the Cambridge-Milton Keynes-Oxford Arc are known, then including the sites in Appendix 7 only serves to confuse decision-makers, developers and local communities. Without any corresponding policies the sites in Appendix 7 and the requirements of paragraph 7.9 are also ineffective. For these reasons, they should be deleted from the Plan.
80. As a consequence of deleting the identified Areas for Future Growth the corresponding sites designated as 'Important Countryside Gaps' (Policy SP5) are also unnecessary. Examination Document C22 describes how several of the gaps are intended to prevent coalescence between existing settlements and future growth locations. Because the future growth locations have not yet been determined, there is no justification for designating land to maintain any physical or visual separation from them. The implications of removing these sites are discussed below.

Conclusions and Next Steps

81. Our concerns with the submitted Plan fall into two main areas. Firstly, the SA has not adequately demonstrated that the spatial distribution of housing and employment is the most appropriate strategy given the reasonable alternatives available. There are also discrepancies with the scoring of sites which undermine its robustness as an objective assessment. Rectifying this issue would involve re-doing large parts of the SA with an open mind, and that could potentially lead to significant changes to the Plan.
82. Secondly, for the reasons given above, we have serious concerns regarding the soundness of several strategic allocations. Some of these issues are interrelated, such as the relationship between the Sundon RFI, the North of Luton allocation and the route of the new M1-A6 link road. Others require significant modification and/or the preparation of further evidence before they could be found sound.
83. In considering the most appropriate way forward we have had regard to James Brokenshire's letter of 18 June 2019, which reminds us about the importance of being pragmatic in getting plans in place that represent a sound plan for the authority. This is especially important for Central Bedfordshire, which currently does not have a single Local Plan for the area.
84. It is not inconceivable that the Council could spend the coming months considering the issues raised in this letter, producing additional information, carrying out a further SA and proposing more changes to the Plan. However, reaching this stage is going to require the preparation of a

substantial amount of new evidence which is likely to take a significant period of time.

85. To put this into context, this is a Plan that was submitted almost 18 months ago, and prior to the hearings starting already had a post-submission library with over 100 entries. The majority of this information was produced at the request of the previous Inspector, who raised concerns with some of the issues in this letter, such as the route of the M1-A6 link road and the need for highways modelling. At the hearing sessions participants raised serious concerns with how difficult it had become to follow the process given the volume of additional material, and the apparent way in which post-submission evidence sought to retrospectively justify the Plan's strategy. Following the examination must be even harder for local residents, especially when the Council is seeking changes on strategic issues mid-way through, such as the deletion of RAF Henlow, removing 900 homes from North of Luton, deleting Identified Areas for Future Growth and Important Countryside Gaps and making allocations larger to accommodate new or expanded schools.
86. Due to the scale and significance of the issues identified above it is also highly likely that this would require large parts of the examination to be re-run. Additional evidence would need to be made available and subject to full public consultation, alongside any changes that the Council consider necessary. We would then have to consider the representations made, publish additional Matters, Issues and Questions, invite written statements and hold further hearing sessions. If any further changes were required, this would then need to be subject to its own formal public consultation as Main Modifications to the Plan.
87. If the examination were suspended for a significant length of time, then it is likely that the objectively assessed need for housing ('OAN') would also have to be revisited. The OAN for housing in the *Luton & Central Bedfordshire Strategic Housing Market Assessment* (December 2017) ('SHMA')¹⁴ is based on a downward adjustment due to concerns regarding the accuracy of mid-year estimates and the resulting household projections. In the event that new national household projections had been published, any reconvened hearing sessions would have to consider whether the change was meaningful, as required by the PPG. There would also need to be a further assessment to see if the downward adjustments in the SHMA remained relevant.
88. Suspending the examination for a significant period is therefore not likely to represent an efficient or effective use of time or resources. It has the potential to delay, rather than accelerate the adoption of a Local Plan for Central Bedfordshire. Some of the decisions that need to be considered going forward, such as the future of RAF Henlow, are also more appropriate for the Council to take in consultation with local communities and interested parties, rather than recommended by ourselves.

¹⁴ Examination Document C36

89. Before deciding on the most appropriate way forward in seeking to address these concerns, we would be grateful for the Council 's comments on the status of the M1-A6 link road application, and the potential implications this has on the examination. In the event that the link road is granted planning permission, then this clearly has implications for future growth around Luton which will need to be discussed with participants. If the application is called-in for determination by the Secretary of State, then there are also potential implications for the timetable of the examination which will need to be considered.
90. In conclusion therefore, we would be grateful for the Council's clarification on the current position regarding the link road application, timescales going forward and the implications that this decision has for the examination in light of the concerns set out above.
91. We have asked the Programme Officer, Ian Kemp, to upload a copy of our letter to the website for those who are following the examination, but we are not seeking any comments from participants at this stage.

Yours Sincerely,

Matthew Birkinshaw and Helen Hockenhull

Inspectors
30 September 2019