

NORTH HERTFORDSHIRE DISTRICT COUNCIL
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7 June 2019

Stuart Robinson
Principal Planning Officer
Central Bedfordshire Council
Priory House, Monks Walk
Chicksands, Shefford,
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SG17 5TQ

Our Ref: LS/CBC/
Your Ref: CB/19/00887/FULL
(M1-A6 link)
Contact Officer: Louise Symes
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Dear Mr Robinson,

**North Hertfordshire District Council response to Planning Application -
CB/19/00887/FULL (M1-A6 link)**

Thank you for the opportunity for North Hertfordshire District Council (NHDC) to comment upon Central Bedfordshire Council's planning application CB/19/00887/FULL to provide a road connecting the M1 to the A6 north of Luton (the Scheme) and would appreciate it if you would accept our late response.

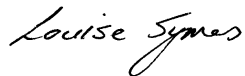
NHDC wish to support the objection submitted by Hertfordshire County Council as the Highway Authority for Hertfordshire to the proposed Scheme given the likely impacts on highway network through North Hertfordshire. (Email from Anthony Collier dated 6 June 2019 - Copy attached). The District Council is particularly concerned about the possible impacts on the village of Lilley and Hexton in connecting to the A505 and also the A505 / Pirton Road junction in Hitchin, which is already operating close to capacity. Hitchin already has two AQMAs due to a considerable amount of traffic passing through the town from Central Bedfordshire and Luton along the A505 from the west and A600 corridor from the north towards the A1(M) along the A602 at junction 8.

Reference is also made to the signed Memorandum of Understanding (MOU) between our two authorities in respect of the Central Bedfordshire Local Plan 2015-2035, with regard to transport modelling issues. The MOU clearly sets out our Council's concerns over the adequacy of the transport evidence base for the Central Bedfordshire Local Plan and potential mitigation measures. Paragraph 3.22 of the signed MOU states:

'3.22 The modelling to support the M1-A6 link road scheme will investigate the impact on Hexton and Lilley as part of the detailed business case. Once CBC know the results of this work, and if an impact is identified in North Herts, we will share this information with NHDC for consideration. (See copy of signed MOU attached – dated 2 October 2018).'

In conclusion, and in light of HCC comments we are of the view that this clause has not been sufficiently met in terms of the assessment work in the TA and the likely impacts of the Scheme on key roads and junctions within North Hertfordshire.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Louise Symes', written in a cursive style.

pp. Ian Fullstone
Service Director Regulatory

Hertfordshire County Council Objection to Planning Application for M1-A6: CB/19/00887/FULL

Hertfordshire County Council (HCC) has reviewed the planning application submission for Central Bedfordshire Council's planning application CB/19/00887/FULL to provide a road connecting the M1 to the A6 north of Luton (the Scheme). HCC wish to object to the proposals as the application does not appropriately consider the impacts on Hertfordshire's highway network. HCC wish to object for the following reasons:

- 1) Whilst we are aware that the proposed scheme will effectively act as an urban distributor road for a strategic housing site allocation, this application is for a strategic road link. Based on the evidence provided there does not appear to be a case for a strategic road between the M1 and A6. A strategic road will draw drips from the local highway network onto this link creating new rat running problems and seemingly provides no strategic function. A more appropriate approach would be to facilitate trips into the Luton area by more sustainable means rather than simply adding to an already congested network.
- 2) The proposed Scheme does not comply with Policy SA1 of the Central Bedfordshire Pre Submission Local Plan 2018-2035, the full intention of this policy was to ensure proper masterplanning of the site to ensure all impacts, including transport, were fully mitigated.
- 3) We are concerned about the accuracy of modelling of junctions, particularly in Hertfordshire. The TA acknowledges the lack of confidence in the direct use of the CBLTM model (see section 7.4). A key issue is that the base model does not include M11 Junction 11A and the M1 – A6 link. Traffic patterns will have changed significantly in the area since then. As a result, the data and traffic figures have been manipulated to assess impacts.

For example, to try and factor in the deficiencies in the model traffic counts have been collated in 2018 to try and obtain a more accurate representation of actual flows, the model was then used to establish the difference between the base year and forecast year with the scheme with these flows being added to the observed traffic counts. These in turn appear to have had some rather complex manual adjustments made to them to get the relative turning proportions to be 'more accurate'. In Hertfordshire further adjustments have been made using Temprow growth leading to counterintuitive flow changes and we have little confidence in the results.

- 4) There does not appear to be a submitted RSA for review – this should be provided to establish an understanding of the impact of the proposals on the safety of the Junction 11A. as there are currently a large number of collisions already occurring at the Junction 11A. A New junction arm would introduce more opportunities for conflict.

Further information supporting the above is as follows:

- 5) The Scheme is not in accordance with Policy SA1 in that it has not been provided alongside North Luton developments.

The Policy specifically states : -

*... 'Development in the Strategic Land Allocation will be permitted in accordance with other relevant policies in the Development Plan and the principles set out below. These principles will be defined in more detail through the preparation of a Development Brief which will include a phasing plan. Planning permission will **only be granted for development following the Council's adoption of this Development Brief.** ...*

*... In order to ensure the development will be supported by the local and strategic infrastructure needed to ensure sustainable development, in the context of pooling restrictions and multiple landownerships, **the Council will refuse any piecemeal planning permission that would undermine the Council's ability to deliver the required infrastructure.***

There is a clear intention that this link should be designed and delivered in the context of the development.

Granting planning permission for a link road which appears not to consider or plan for the intended growth will severely hamper the ability of the proposed site allocation, known as North of Luton, to deliver a sustainable community which can maximise the number of trips being made by sustainable means.

Building a strategic road through the middle of a development is very likely to create severance to the community that live on the north side of the road and act as a barrier to active travel resulting in a car dependant community.

- 6) Provision of this link in isolation does not appear to provide any benefit to the wider network. Scenario 6 is the 2022 'background' traffic scenario without the M1-A6 link road. According to the CBLTM, background growth in CB and Luton will impact Lilley significantly (without the M1-A6 link). We would like to understand how this assumption has come to be. Due to this assumption of growth, the scenarios (7 and 1c) with the link road appear to have negligible impacts through Hertfordshire.
- 7) The approach to transport modelling is questionable, for example, to try and factor in the deficiencies in the model traffic counts have been collated in 2018 to try and obtain a more accurate representation of actual flows, the model was then used to establish the difference between the base year and forecast year with the scheme with these flows being added to the observed traffic counts. These in turn appear to have had some rather complex manual adjustments made to them to get the relative turning proportions to be 'more accurate'
- 8) For the three identified junctions in Hertfordshire, the difference between the 2018 observed data and the 2022 base CBLTM forecast was so significant that no forecast data from the model has been used at all and instead Temprow forecast has been utilised, this approach is questionable and we would suggest this approach will actually mean that the impact of the new link road is not being accounted for in the modelling at these junctions.

- 9) It's also important to note that the Temprow growth rates applied (as outlined in Tables 7.12 and 7.13 show that for some reason lower growth rates have been applied for Scenario 7 and 1c, in some cases compared with the base scenario 6. The reason for this is unclear and illogical and is basically the reason for the fact we are seeing flow reductions at some of our key junctions.
- 10) There does not appear to be a submitted RSA for review – this would be helpful to get sight of due to the number of collisions already occurring at the J11A junction – especially as a new junction arm would introduce more opportunities for conflict.

Summary

HCC wishes to recommend refusal of the application.

The Scheme is not in accordance with Policy SA1 and there does not appear to be the evidence to support the promotion of a strategic road link.

Furthermore, HCC have little confidence that the assessment work in the TA is accurately depicting the likely impact of the Scheme on key roads and junctions within Hertfordshire. Due to limitations of the CBLTM, it has not been possible to use it directly in the junction assessments, particularly at the key junctions identified in Hertfordshire (where traffic growth rates have been based on TEMPro). Consequently, the TA does not include any information on flow changes on our highway links or information on how journey times may change. There are no detailed assessments of the impact on our junctions. The report states that the flow changes are relatively minor but an increase of 40 vehicles in the PM peak at the A505 / Pirton Road junction in Hitchin (Junction 21), which is already operating close to capacity, could have a significant impact on queues and delays.

MEMORANDUM OF UNDERSTANDING

BETWEEN

NORTH HERTFORDSHIRE DISTRICT COUNCIL

AND

CENTRAL BEDFORDSHIRE COUNCIL

IN RESPECT OF

**THE NORTH HERTFORDSHIRE LOCAL PLAN, PROPOSED SUBMISSION VERSION,
OCTOBER 2016**

1 Introduction

- 1.1 This Memorandum of Understanding (MoU) has been prepared jointly by North Hertfordshire District Council (NHDC) and Central Bedfordshire Council (CBC).
- 1.2 The Memorandum sets out the confirmed points of agreement between NHDC and CBC with regard to the North Hertfordshire Local Plan and supporting evidence base, which will assist the Inspector during the Examination of the Local Plan.
- 1.3 Local Authorities are required through the Duty to Co-operate (the Duty) to engage constructively and actively on an on-going basis on planning matters that impact on more than one local planning area.
- 1.4 The National Planning Policy Framework (NPPF) sets out the requirement that public bodies should cooperate on planning issues that cross administrative boundaries and, at Paragraph 156, identifies a series of strategic priorities:
 - The homes and jobs needed in the area.
 - The provision of retail, leisure, and other commercial development.
 - The provision of infrastructure for transport telecommunications, waste management, water supply, wastewater, flood risk and coastal change management.
 - The provision of minerals and energy (including heat).
 - The provision of health, security, community and cultural infrastructure and other local facilities.
 - Climate change mitigation and adaptation, conservation and enhancement of the natural and historic environment including landscape.
- 1.5 The NPPF requires Local Planning Authorities to work collaboratively with other bodies to make sure that these strategic priorities are properly co-ordinated across local boundaries and clearly reflected in individual Local Plans.
- 1.6 Local Planning authorities are expected to demonstrate evidence of having effectively cooperated to plan for issues with cross- boundary impacts when their Local Plans are submitted for examination.

2 Background

- 2.1 This MoU relates to the representations made by CBC to NHDC's Proposed Submission Local Plan (October 2016).
- 2.2 CBC is at an earlier stage of plan preparation; and, at the time of writing, Regulation 18 consultation is anticipated to be undertaken in June 2017.

3 Duty to Cooperate

- 3.1 NHDC and CBC have co-operated constructively, actively and on an on-going basis of the plan's production.
- 3.2 CBC has continuously responded to public consultations and liaised with Officers as the Local Plan process has developed. This has helped inform both the strategy and policy framework within the plan.
- 3.3 Comments received from CBC have been taken into account during the preparation of the plan so that it addresses the requirements of the Duty and the NPPF and supports sustainable development.

4 Summary

- 4.1 CBC **agrees** that the draft North Hertfordshire Local Plan, November 2016 is sound insofar as it relates to matters covered by the Duty to Co-operate and that both NHDC and CBC will continue to work together to try to find solutions for any sites where there remains a disagreement over their allocation.
- 4.2 We, the undersigned, set out in this memorandum those matters of joint or strategic interest to both authorities as they are dealt with in the North Hertfordshire Local Plan in accordance with paragraph 181 of the NPPF.
- 4.3 All matters where the two authorities perceive that there is a joint strategic interest are detailed in this memorandum. Matters which are not considered to be of joint strategic interest are excluded.

5 Agreed Matters

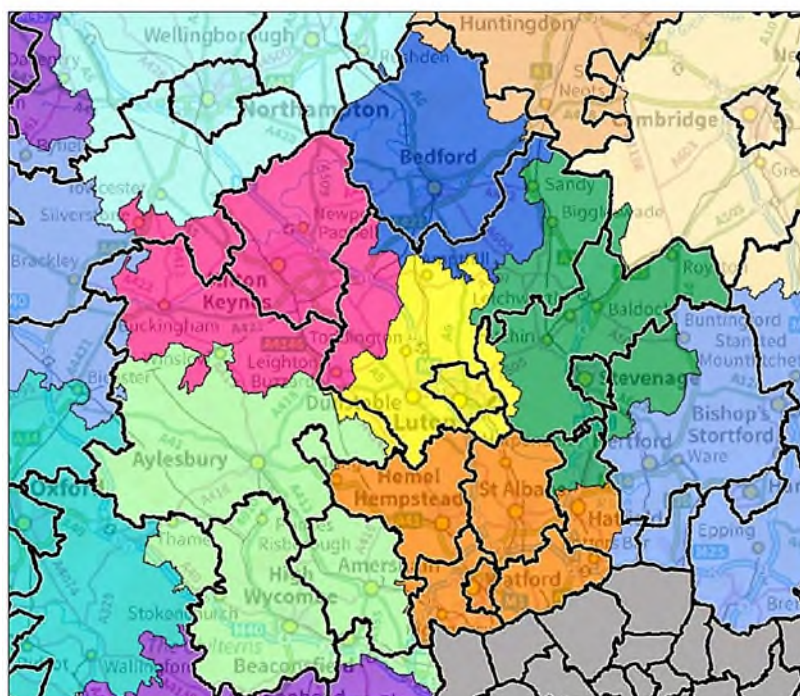
Housing market areas and housing need

- 5.1 NHDC and CBC have worked in conjunction over a number of years to establish an agreed evidence base for the relevant housing market areas.
- 5.2 The Housing Market Areas in Bedfordshire and surrounding areas (ORS, December 2015) study was commissioned by North Hertfordshire District Council, Central

Bedfordshire Council, Bedford Borough Council, Luton Borough Council, Milton Keynes Council, Stevenage Borough Council and Aylesbury Vale District Council.

- 5.3 The study identifies the Luton Housing Market Area to cover the whole of Luton and a significant proportion of Central Bedfordshire as well as smaller parts of Aylesbury Vale and North Hertfordshire Districts (see plan below).
- 5.4 The study identifies a Stevenage Housing Market covering the majority of North Hertfordshire and the south-east of Central Bedfordshire along with the whole of Stevenage Borough and parts of East Hertfordshire District and Welwyn Hatfield Borough.
- 5.5 Therefore the geography of functional housing market areas for NHDC is an **agreed** matter between NHDC and CBC.

Figure 38: Functional Housing Market Areas with Local Authority Boundaries



Source: Housing Market Areas in Bedfordshire and surrounding areas (ORS, December 2015) (HOU 003d)

- 5.6 It is **agreed** that both authorities have worked to the pragmatic, 'best fit' relationships identified in the study to determine their objectively assessed housing needs (OAHN) through Strategic Housing Market Assessments (SHMAs) and that both authorities have actively participated in the preparation of the other's evidence base.
- 5.7 Both authorities **agree** that objectively assessed housing needs (OAHN) have been determined to a common methodology and that this appropriately addresses the requirements of the NPPF and planning practice guidance.
- 5.8 It is **agreed** that NHDC's housing target of at least 14,000 new homes for North Hertfordshire's own needs is appropriate for the plan period 2011-2031.

- 5.9 CBC **agrees** that NHDC has planned to meet its housing needs in full and therefore does not require assistance from any other authority, including Central Bedfordshire, to help meet its objectively assessed needs.
- 5.10 The two authorities **agree** that, in light of a number of factors, it would not be appropriate for CBC to make provision for any portion of NHDC's OAHN over the period to 2031. These factors include (but are not necessarily limited to):
- CBC's own substantial OAHN and the need to try and identify sufficient sites and land within CBC to address this;
 - Perpetuating historic patterns of housing provision in the area, whereby constraints in housing delivery within Hertfordshire have been a factor in driving migration rates out of the county into CBC;
 - The significant unmet housing need from Luton and the requirement for both authorities to consider how they might positively and proactively address this under the Duty (see below);
 - That NHDC's evidence base identifies sufficient opportunities to meet the District's OAHN in full; and
 - The sustainability implications of making housing provision away from the location in which the need has been identified.

Unmet Housing Need from Luton

- 5.11 NHDC and CBC **agree** that there is a significant level of unmet housing need arising from the Luton Borough Council (LBC) authority area and that this has been quantified as approximately 9,300 dwellings following an update of the Luton SHLAA (2016).
- 5.12 The Luton Housing Market Area Growth Options Study was undertaken by Luton Borough Council, North Hertfordshire District Council, Central Bedfordshire Council and Aylesbury Vale District Council (March 2017). The conclusions of the study are **agreed** as unmet housing need arising from Luton within the Luton HMA could be accommodated on sites within the HMA area. However, the level of unmet need to be delivered in Central Bedfordshire is yet to be tested through the Central Bedfordshire Local Plan.
- 5.13 CBC **agrees** that NHDC can contribute 1,950 new homes towards the unmet housing needs of Luton during the NHDC plan period 2011-2031. It is additionally **agreed** that the allocations to the east of Luton (EL1, 2 and 3) are the appropriate scale and extent to ensure NHDC has maximised its contribution to the unmet need arising from Luton.

Housing allocations

- 5.14 It is acknowledged that CBC has raised concerns regarding a particular proposed site at Lower Stondon, LS1 (see 'Infrastructure' below) but it is **agreed** that these are detailed matters of soundness and not a joint strategic issue under the Duty.

Infrastructure

- 5.15 Both NHDC and CBC **agree** that the potential further development of Lower Stondon – including NHDC site LS1 and any future sites identified by CBC - would have cross-boundary impacts on services and infrastructure provided within both authorities' administrative areas, particularly in terms of highways and community facilities. If site LS1 is allocated within the adopted North Hertfordshire local plan, both parties **agree** to work together and with other relevant organisations to deliver the services and infrastructure required to support the development. This may include the use of planning obligations or CIL, where relevant.

Employment

- 5.16 CBC **agrees** that the balance between housing and jobs is appropriate for North Hertfordshire and that the NHDC plan offers sufficient flexibility to meet the objectively assessed need over the plan period.
- 5.17 NHDC and CBC are in **agreement** that, having regard to updated evidence produced by Stevenage Borough Council (SBC) and the outcomes of the Examination of the SBC plan to date, there is shortfall of employment land arising from Stevenage.
- 5.18 NHDC and CBC **agree** that future employment requirements for Stevenage are driven, in part, by current commuting patterns whereby there are significant commuting flows from both authorities to Stevenage.
- 5.19 NHDC, SBC and CBC have worked together to identify the geography of the Functional Economic Market Area (FEMA) (2015) and this is **agreed** between the two authorities. Both authorities **agree** that the shortfall from Stevenage should be addressed within this geographic area. Both NHDC and CBC have signed MoUs with Stevenage as part of their Examination, and have agreed in principle to make some provision towards their unmet employment need.
- 5.20 It is **agreed** that NHDC site BA10 at Royston Road, Baldock is capable of making a substantial contribution towards the unmet employment need of Stevenage and is an appropriate location to do so. It is **agreed** that the MOU between CBC and SBC, which identifies the potential for a further contribution along the A1 Corridor, provides further flexibility in this regard and ensures that the unmet needs from Stevenage can be addressed.

- 5.21 It is **agreed** that further DtC discussions between NHDC, CBC and SBC will be required to address the Stevenage unmet need. NHDC and CBC **agree** to monitor their employment requirements on an on-going basis as their respective plans progress.

Green Belt

- 5.22 CBC **agrees** with the NHDC approach to meeting its housing need in terms of the Green Belt assessment.
- 5.23 CBC **agrees** that the extent, release and creation of Green Belt in the North Hertfordshire Local Plan are appropriate and that exceptional circumstances have been demonstrated in the plan and associated evidence base.

New settlement

- 5.24 Both NHDC and CBC **agree** that a new settlement is not a reasonable alternative (in the meaning of the term) to meet any substantial proportion of OAHN for the period to 2031. A new settlement in northern Hertfordshire would not start delivering new homes until at least the end of the respective local plan periods. A site for a new settlement has not been promoted, identified or tested, and would require very significant public intervention to commence. Both authorities **agree** that new settlement options should, however, be explored for the following plan period.
- 5.25 Both authorities **agree** that providing for future housing needs beyond the current Plan periods will be challenging and that joint working (potentially also involving other neighbouring authorities) will be required in order to investigate the potential to deliver a new garden town or settlement(s) in a sustainable location that could meet a substantial proportion of the future housing needs of the respective authorities.

Transport

- 5.26 Both authorities **agree** to continue to work closely in order to identify and resolve any transport issues. These include, but are not necessarily limited to, the capacity of the A1 corridor, potential implications relating to the proposed Baldock site allocations and associated roads, the A507 / A600 and the cumulative impacts of development across the two authorities on the highway network.
- 5.27 NHDC **agrees** to work in close collaboration with CBC and Hertfordshire County Council (HCC) to share the transport modelling undertaken for the NHDC Local Plan.
- 5.28 NHDC and CBC **agree** to work with each other and HCC as required if further transport modelling is required.

Ian Fullstone

Head of Development and Building Control

Signed on behalf of

Central Bedfordshire Council

26th April 2017



Andrew Davie

Development Infrastructure Group Manager

Signed on behalf of

Central Bedfordshire Council

26th April 2017



Councillor David Levett

Executive Member for Planning and
Enterprise

Signed on behalf of

North Hertfordshire District Council

26th April 2017



Councillor Sue Clark

Deputy Executive Member for Regeneration

Signed on behalf of

Central Bedfordshire Council

26th April 2017

