

BRICKKILN

An outline planning application has been lodged with North Herts District Council by NJL Consulting on behalf of Bloor Homes on

“Land to the south of Cockernhoe and east of Wigmore”

The application was lodged in mid December 2009 and NHDC has allowed an extended period of time for public consultation until early February 2010.

The documents

The application forms and drawings are accompanied by extensive and comprehensive supporting evidence including a Design and Access Statement, a Planning Statement (with draft proposals for conditions and a Section 106 Agreement), a Transportation Report, and a Statement of Community Involvement.

18 affected owners (freeholders, long leaseholders and agricultural tenants) including local authorities and public utility companies were formally notified of the application by letter, as is required by the Town and Country Planning Act 1990. The letter accompanying the application states that Bloor Homes controls land which comprises the site of the development, implying that option agreements are in place with all land owners.

What the application consists of

The application is for a mixed use development on a site of about 63 Ha (150 acres) which lies south east of Cockernhoe stretching almost as far as Tea Green to the south east. To the south west it adjoins the Luton suburb of Wigmore. The development consists of about 1000 dwellings, a 2 form entry primary school, a local centre including 800 sq m of retail and a community hall, 12 Ha (30 acres) of open space, roads, cycle routes, pedestrian footpaths, a public transport route, and “structural” tree and hedgerow planting. Areas of open space buffer the proposed housing from the existing settlements.

The extent of the proposal

Among the drawings are Ordnance Survey maps which define exactly the area affected by the application. The area is the “plateau” land south of Cockernhoe and because of the shape of the

hill side slope the proposed development would not be visible from Lilley Bottom, although possibly from the ridge on the east side of Lilley Bottom. As well as the main area, small lengths of Chalk Hill and Lilley Bottom are indicated in red outline (see below).

Planning Statement

This document contains the key to the argument behind the proposal. It refers to the October 2009 decision of the Joint Planning Committee to include East of Luton within the preferred urban extensions in the Core Strategy. It also refers to the Sub Regional Strategy's housing targets for the Luton/Dunstable area and the delivery dates of 2009/10 for the first dwellings and also the fact that the Strategy is bound to include development in the Green Belt. It argues that the proposal is in line with the Core Strategy and is the only means available of delivering some housing units in the time period specified (repeated several times in the Statement). It sets out the case for the "Very Special Circumstances" under which Green Belt development can be permitted as –

- The housing shortfall – from the target set by the Sub Regional Strategy
- Significant affordable housing provision of 40% - above the normal quota
- A Putteridgebury Management Plan
- Significant landscape enhancement

Draft heads of terms for a Section 106 Agreement and Planning conditions

These are set out in an Appendix to the Planning Statement as a statement of intent by the developer. A Section 106 Agreement (or "Planning Agreement") is a legal document which obliges a developer to pay certain sums or to undertake certain works outside the area of an application. Listed in the Draft Heads of Terms are:

- A new highway infrastructure
- Passing places in Chalk Hill
- Off site public transport contributions
- Reservation of land and contribution towards the cost of the new school
- Provision of affordable housing
- Procurement of community building, library and primary health care facilities

Among conditions to the planning consent being offered are:

- Works to Chalk Hill and Lilley Bottom to improve traffic safety
- A Management Plan for Putteridgebury

(NB: It should be pointed out that terms of planning conditions are normally compiled by the local authority. For a developer to offer these in such detail is unusual and shows the depths of the analysis and probably the extent of pre-application consultation with NHDC officers undertaken by the applicants and their advisers.)

The Statement of Community Involvement

This describes the consultation carried out on behalf of Bloor Homes in respect of a possible development of 3500 dwellings during the first half of 2008. This document describes the process of exhibitions, public meetings and workshops and summarises the responses to questionnaires. It explains that the next stage of consultation was postponed because of the considerably larger “urban extension” being proposed by the Joint Planning Committee of Luton and Central Beds. By referring back to the feedback from the consultation the report indicates that the new proposal for 1000 homes would have a “significantly reduced impact”. There would be a “relief road” between Luton Road and Chalk Hill, there would be local widening of Chalk Hill and the creation of better sightlines at the Chalk Hill/Lilley Bottom junction. While there would be loss of Green Belt, woodlands and hedgerows would be retained and Putteridgebury Park would be enhanced.

The Transport Assessment

(NB: The transport proposals appear to be the weakest area of the application as can be seen below.)

The assessment document describes the existing roads and public transport, cycle provision and footpaths, the result of traffic surveys and describes the proposals in the scheme. It also describes conditions on the narrow rural roads to the east of the site and acknowledges the existence of the Lilley rat run but makes no proposals to offset it and it. The surveys do not appear to have included a census from which drivers` origin and destination could have been determined. The consultants carried out surveys of various junctions in Luton which they predicted would receive the major portion of the increased traffic and there are proposals for dealing with this traffic.

In projecting the future traffic movements the report uses as “base data” the 2001 Census information (9 years old) on journeys from homes within Wigmore Ward. The use of this old data is suspect, as Luton has undergone a huge change in its employment base over the last decade including the winding down of Vauxhall/GM and the associated suppliers in the area as

well as the loss of many other manufacturing industries. I would suspect that there have been major changes in the location of employment and far fewer people living on the east side of Luton would now work within the town.

In 2001, for instance, 65% of all journeys to work from Wigmore were to locations within Luton and only 7% to London and a very small number to destinations east of the ward. This data is then projected as forming the statistical basis for future journeys from the new housing in the proposal.

As a result of this, the analysis of the data concludes that there will only be a marginal increase of traffic on the rural roads to the east of the site and the majority of the impact of the development will fall on to roads which have sufficient existing capacity. It proposes various local measures that would be implemented to reduce the impact of increased traffic in Luton. New bus services are proposed but the implementation of these would be “market led”. The only proposals for the rural roads to the east would be local widening of Chalk Hill to provide more passing places and improvement of sightlines at the Chalk Hill/Lilley Bottom junction.

There would therefore seem to be a major ground for objection in respect of the increased traffic on the rural roads for which little or no provision has been made in the proposals.

(To follow, analysis of the other evidence)

Reasons for objection

KEOLG is not opposed to the growth of Luton in itself but we believe that the Joint Planning Committee was incorrect in selecting Area L as one of the preferred options for the urban expansion. KEOLG was not convinced that the case for selection of Area L for one of the four preferred urban extensions stands up to the test of “soundness” required for a Core Strategy when compared with other areas which were previously identified and as a result opposed the proposal.

KEOLG is opposed to this planning application for the following reasons:

- **Were the proposed Brickkiln development approved by North Herts District Council it would endorse Area L as one of the preferred urban expansions in the Core Strategy. As a result further**

**applications would follow affecting a wider area of open countryside
“East of Luton”**

- **the proposal is located in designated Green Belt where such large scale development is not generally allowed**
- **the proposal would result in the loss of identity of the existing villages of Cockenhoe, Tea Green and Mangrove Green which are likely to coalesce, which is in contradiction to national Green Belt policy**
- **the proposal would impact on open countryside which contains a number of areas of ecological diversity**
- **the proposal would result in the destructive impact of increased traffic on Lilley Bottom, one of the most beautiful places in Hertfordshire**
- **the proposal would result in the loss of high quality agricultural land, the severance of existing long established agricultural tenancies and have an adverse effect on recreational use**
- **the proposal would result in the loss of the rural character as a result of increased noise and air pollution**