Recommendation

1. That paragraphs 14 to 17 of this report be approved as the formal basis for responding to North Hertfordshire District Council’s second consultation on their housing location options.

Background

2. Members will recall that North Hertfordshire District Council (North Herts) is now preparing its local plan to 2031. In March 2013, they consulted on a number of housing options and proposed strategic housing sites, the two closest of which were:

   - East of Luton - 1,000 to 1,400 dwellings (i.e. Brickkiln - Wandon Park planning application site)
   - South-west of Hitchin - 6,000 to 7,400 dwellings (with a southern Hitchin bypass connecting A505 to A1 (M))

3. Before allocating sites and progressing their plan, North Herts must undertake this second consultation (5th July to 2nd August) to consider further sites generated from the first consultation by landowners, developers and other interests. The Borough Council have been allowed an extension to submit comments following the call-in period related to the August Executive Committee.

4. This Executive responded to the first consultation on 25th March 2013 (see Appendix 1) and in summary, urged that North Hertfordshire:-

   - Examine housing option ‘H’, a figure of 13,200 dwellings (high migration), in order to address increasing rates of migration in the foreseeable future arising from national policy on social and housing benefits, as well as European labour rights;
   - Should make provision to address a likely level of unmet need arising in Luton over it’s plan period;
   - Adequately model the impacts and necessary supporting infrastructure, should any sites progress to the east of Luton. This will ensure that development is of a scale to be sustainable and help to resolve severe congestion:
     - on the A505;
     - around the Wigmore Asda area;
     - along the east Luton corridor serving the airport, Vauxhall Way, Airport Way and M1J10a;
     - along Eaton Green Road, Crawley Green Road and other peripheral roads;
   - Work closely with Luton on any cross boundary Community Infrastructure Levy matters

5. This report considers the subsequent consultation on additional proposals – two of which have a material impact on Luton. It also sets out any additional issues that have arisen further to the response of 25th March Executive.

The current position

Summary of comments

6. The Borough Council supports the potential for a significant scale of housing to the east of Luton as part of future plan making in North Herts.

7. However, the Council prefers a strategic approach that considers the potential for a more comprehensive and viable scale of development to the east of Luton and south-west of Hitchin. This should deliver strategic infrastructure requirements, integrate new and existing communities, provide shops, services and employment areas and address traffic congestion.

8. In addition, North Hertfordshire should also consider revisiting its previous Housing Options consultation, particularly the need to refresh its SHMA in view of the significant potential increase in housing need within its housing market areas as indicated by the government’s...
interim population and household projections.

Report

9. North Herts have now received two additional proposals affecting Luton (appendix 2):-
   • Land north-east of Luton – a submission from the Crown Estate wishing to propose
development on three parcels of land to the north of the current Brickkiln - Wandon Park
planning application site. The additional 3 parcels combined would have capacity for 2,000
dwellings. Added to the Brickkiln - Wandon Park site, this would amount to 3,000 to 3,400
dwellings
   • Reduced version of South-west Hitchin – a developer option to reduce the footprint of the
   proposed development (within the countryside) that would significantly reduce land take and
capacity to 2,900 dwellings (previously 6,000 to 7,400 dwellings). However, the developer still
prefers to promote the full sized development. The reduced size option is recognised as not
being of a sufficient size to fund a southern Hitchin bypass connecting A505 to A1 (M).

10. The Executive responded on the 25th of March seeking a significant contribution towards
Luton’s unmet housing needs in principle. Under the ‘duty to cooperate’ the Borough Council
explained that:-
   • Luton needs to provide for 10,900 new households (SHMA 2012) but has the capacity to
deliver around 6,200 dwellings
   • North Herts should make provision for a likely level of unmet need arising from within Luton
   • The scale of provision will be dependent on cooperation with other neighbouring authorities,
   including Central Bedfordshire, and the capacity of transport and community infrastructure

11. However, since that Executive, government interim population and household projections (April
2013) have signalled a significant increase in Luton’s housing needs over the 20 year plan
period to 2031. The Borough Council, has again written to North Herts (appendix 3) advising
that, provisionally, the figures suggest:-
   • Luton needs to provide for between 19,500 (trend migration scenario) and 31,900 households
   (high migration scenario)
   • Assuming capacity in Luton for 6,000 dwellings, this indicates a potential unmet need up to
about 25,900 households

12. This objective evidence has triggered the need for a refresh of the joint SHMA (2012) with
   Central Bedfordshire to work out what this means for our respective plan preparations and
   housing targets.

13. While the government’s figures have yet to be fully worked though and tested, they clearly
imply that Luton will need to ask its neighbours to meet a significantly higher level of unmet
need over the plan period than previously set out in the SHMA 2012.

14. In response to North Herts’ housing consultation, the Borough Council should therefore:-
   • Support the inclusion and examination of the Crown Estate proposals east of Luton as part
of its plan preparation and its significant potential contribution towards Luton’s unmet
housing need though provision close to the town. However, the proposals should be looked
at in conjunction with the Brickkiln – Wandon Park application. There is an opportunity to
plan a more comprehensive, strategic scale development. The economies of scale would
help to deliver the strategic infrastructure required to:
   • make the development more sustainable;
   • integrate the development with Luton’s employment base and town centre shops and
   services;
   • Address traffic congestion via a relief road connecting the A505 to Century Park and via
the airport with corridors to the town centre
   • Support the inclusion of development to the south-west of Hitchin as part of its plan
preparation because of its potential to contribute significantly to Luton’s unmet need within a
reasonable distance of the town. However, for similar reasons as above, a strategic scale
solution is preferred that can support the delivery of key infrastructure including a southern
bypass of Hitchin connecting the A505 to the A1(M).
   • That the North Herts housing options themselves (considered under the fist consultation)
may need to be re-examined because of the government’s interim population and household
forecast. In particular, the SHMA for North Herts may need a refresh to consider the
implications for increased housing need arising in its housing market areas that are shared
with Central Bedfordshire, Luton and Stevenage.

Conclusions

15. The Borough Council should support the two proposed housing site options to the east of Luton
and south-west of Hitchin as a potential way for North Herts to contribute towards Luton’s
significant unmet housing needs. Based on government interim evidence, Luton’s unmet
housing need is likely to increase significantly and so all reasonable options should be on the
16. However, North Herts is urged to ensure that a strategic approach is taken to examine the potential developments. They should secure sustainable communities supported by strategic infrastructure, including transportation, which integrates new and existing communities, links district and town centres, shopping, services and employment areas and tackles traffic congestion.

17. North Herts is not including housing targets as part of its second consultation on location options (sites) but given the potential increase in housing need within its housing market areas (indicated by the government’s interim population and household projections) there will be a need to refresh its SHMA.

Goals and Objectives

18. To ensure that the housing and employment needs of Luton are met without the risk of town cramming, through cooperation with neighbouring local authorities on how any unmet needs in Luton can be accommodated sustainably close to its boundary.

Proposal

19. That this response be submitted as Luton Borough Council’s formal response.

Key Risks

20. The Council can choose not to respond – however under the duty to cooperate (Localism Act 2011) this may result in the unsound preparation of Luton’s own Local Plan, by failing to negotiate constructively with neighbouring councils on strategic (cross boundary) planning issues. An unsound plan would leave the Council vulnerable to the ‘presumption in favour of sustainable development’ under national policy, which may lead to unsound planning decisions.

Consultations

Appendices attached:

Appendix 1: 25 March 2013 Executive Report
Appendix 2: Maps of new housing location options
Appendix 3: Letter to North Herts, June 2013

Background Papers:

IMPLICATIONS

For Executive reports

- grey boxes must be completed
- all statements must be cleared by an appropriate officer

For CLMT Reports

Clearance is not required

Legal

There are legal implications for the Council under the ‘duty to cooperate’ (Localism Act 2011). The Council needs to ensure that preparation of its own Local Plan is found sound by making a response to North Hertfordshire’s plan preparation pointing out the facts and issues it needs to take into account under the duty to cooperate.

Finance

There are no immediate financial implications arising from this report.

Clearance – agreed by:

Legal

John Secker, Legal Services (19/07/13)

Finance

Darren Lambert, Finance Manager for Environment & Regeneration (22/07/13)

Integrated Impact Assessment (IIA) – Key Points

Equalities/ Cohesion/Inclusion (Social Justice)

There are potential equalities implications. It is in the interests of the Council and the health and wellbeing of its citizens, that adequate account is taken by North Hertfordshire District Council of Luton’s social and economic needs where they cannot be met within Luton’s boundary.

Maureen Drummond, Social Justice Adviser, (22/07/13)

Environment

There are potentially direct environmental implications to what is proposed in this report. It is in the interest of the Borough Council that adequate account is taken by North Hertfordshire District Council of any decision that may impact on Luton’s environment.

Jodie Colclough, Strategy & Sustainability Officer (29/07/13)
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<tr>
<th>Category</th>
<th>Description</th>
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<tr>
<td>Health</td>
<td>The revised estimates relating to housing needs based on interim population and household projections confirm the need for N. Herts to work collaboratively with Luton (and Central Beds) to ensure that the health and well-being impacts are fully considered, as these estimates have increased significantly. In order for a strategic assessment to be undertaken it is advised that Herts Public Health department (based in Herts County Council) meet with the Borough Council to pull together a scope of what the potential health and well-being health implications could be for Luton’s projected population and feed this into any work undertaken as part of the SHMA. It is likely that these implications will concentrate on access to services including health provision, schools and look at the potential implications relating to increased traffic movement. It is in the interests of the Borough Council and the health and well-being of its citizens, that adequate account is taken by North Hertfordshire District Council of Luton’s health needs where they cannot be met within the Borough boundary and joint work is undertaken to fully understand this potential impact.</td>
<td>Wayne Thompson/Chimeme Egbutah, Public Health (22/07/13)</td>
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<td>Community Safety</td>
<td>There are potential community safety implications. It is in the interests of the Council and the health, safety and well-being of its citizens, that adequate account is taken by North Hertfordshire District Council of Luton’s community needs where they cannot be met within Luton’s boundary. We would also expect that they pay due regard to eliminating opportunities for crime and disorder within their plans.</td>
<td>Vicky Hawkes, Community Safety &amp; Environmental Protection Manager (19/07/13)</td>
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<td>Staffing</td>
<td>There are no staffing implications.</td>
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<td>Other</td>
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FOR EXECUTIVE ONLY - Options:
The Council can choose not to respond (see key risks, above)