

Ms Lisa Newlands
Planning Department
Central Bedfordshire Council
Priory House
Monks Walk
Chicksands
Shefford
SG17 5TQ

17th July 2018

Dear Lisa Newlands

**RE: CB/18/01969/OUT - Land between Brogborough, Lidlington and Marston Moretaine
Objection**

I refer to our earlier letter to you dated 29 June regarding the above application. The earlier letter, signed by Michael Stonnell, contained a short statement of our position with regard to the application.

This letter contains a more detailed analysis of the planning application and further reasons for our objection which we ask you to please also take into consideration as follows:

This is an outline application for a development described as a series of villages, but which CPRE consider to constitute a New Town, of 5,000 homes and 40h employment provision, in countryside set entirely within the Forest of Marston Vale. The site extends to include part of the Marston Vale Millennium Country Park.

The applicant, O&H state that “*Local Plan policies have been used as a basis throughout the masterplanning process*”.

CPRE supports a plan led system and Local Plans which provide a clear framework for sustainable housing growth and employment whilst at the same time protecting and enhancing our countryside. CPRE have made representations to the Regulation 19 Consultation in which we state that the Local Plan is neither legally sound nor positively prepared.

The National Planning Policy Framework stresses the importance of having a planning system that is genuinely plan-led. CPRE consider this application to be premature as this new settlement has been included in the Pre-submission Local Plan, which was approved by CBC and submitted for Inspection.

Prior to this, at the Regulation 19 consultation on the emerging Central Bedfordshire Local Plan, CPRE Bedfordshire stated that we did not consider the Plan to be Sound as it is not Positively Prepared, Justified or Effective.

We made representations to that effect in respect of the site allocation SA2 Marston Vale New Villages and others.

Local Plan Policy SP1: Growth Strategy - Marston Valley (New Villages) - 5,000 homes and 40ha employment land

Policy SA2: Marston Vale New Villages *The land for Marston Vale New Villages, as identified in the Proposal Maps, is allocated for a mixed-use development comprising of up to 5,000 dwellings and a minimum of 40 hectares of employment land. The employment land is intended for B1, B2 and B8 uses, specifically for employment relating to research and development, office, distribution, services and tourism. 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.....*

At the previous Draft Local Plan Consultation CPRE Bedfordshire mentioned our concern that these strategic locations had been put forward as potential sites for the development of large new towns and urban extensions without undertaking and publishing detailed assessments of the evidence base for the choice of each location.

With the pre-submission version of the Local Plan, some attempt appeared to have been made to include some of this analytical data but too late to enable us and others to be able properly examine the data used.

CPRE Bedfordshire objects to this Policy.

To us, this proposal is an example of excessive over development with far too many homes planned for the site. It is entirely within the Forest of Marston Vale which was created to deliver environmentally led regeneration of the area.

There is very little solid evidence to support this level of development on this site and the impact from a development of this size on both the primary & rural transport networks and the proposed East/West Rail has not been properly assessed in our view.

The agreement to develop a new Incinerator nearby will itself generate over 500 HGV movements a day. There are also potential air pollution issues from the incinerator itself.

We would also like to see details of the “Duty to Cooperate” assessment of the impact of the Marston Vale New Town development on surrounding Local Authority areas in terms of all forms of hard and soft infrastructure.

A detailed impact assessment of the New Town on Marston Morretaine has not been made available.

We would draw your attention to the recent decision of the Inspector with regards to the North Essex Authorities Strategic (Section 1) Plan and their New Town proposals where he concluded that insufficient work had been done on the allocations to enable him to consider them as part of the Local Plan at this point. A2 the Inspector stated - *“My letter focuses on those aspects of the Plan and its evidence base which I consider required significant further work on the part of the NEAs”.*

The Inspector has raised concerns regarding decisions yet to be taken regarding rail stations, roads, costs and employment land and the Sustainability Assessment - amongst others. All would be relevant to this proposal where concerns on these and other matters have also been raised by CPRE Bedfordshire, statutory consultees and residents.

At para 130 the Inspector stated - *“I consider that the Garden Community proposals contained in the Plan are not adequately justifiedAs submitted, they are therefore unsound.”*

CPRE Bedfordshire is concerned that CBC may seek to grant planning permission in advance of the Inspection process, in order to avoid the same conclusions being reached by the Inspector in respect of the Local Plan and to avoid addressing the objections submitted under Regulation 19 Consultation.

It is, therefore, very concerning that CBC would, at this juncture, seek to consider this application for outline planning permission - prior to the examination in public.

CBC has said via its website and within the press that “*The outline planning application has been submitted by O&H and will be determined under a separate legislative process to the Local Plan*”.

It would be unacceptable for such an impactful and contentious application to be decided by a show of hands at a CBC Council meeting.

CPRE are unaware of this *separate legislative process* and believe that the residents and other interested bodies should be given the opportunity to make representations to the Inspector regarding this development in the Marston Vale.

A failure to do this would be a failure of the democratic process, of which the public Inspection of the Plan forms a part, and be contrary to the NPPF.

There is a sequential approach to the production, Inspection and adoption of the Local Plan and this should be followed without exception.

The Aarhus Convention, ratified by the UK Government, establishes the right of access to information, public participation and access to justice in environmental matters including planning

CBC has stated via the media that they would assess this application ‘against the Local Plan’.

This undermines the Inspection process and is unacceptable as many challenges to this allocation had been made within the Regulation 19 consultation, which were not addressed prior to submission for Inspection and remain so.

CPRE Bedfordshire had also objected to the Local Plan on the basis that the Consultation process was flawed and inadequate, and therefore was not sound or positively prepared.

PPG -*The National Planning Policy Framework sets out that decision-takers may give weight to relevant policies in emerging plans according to their stage of preparation, the extent to which there are unresolved objections to relevant policies, and their degree of consistency with policies in the National Planning Policy Framework.*

The proposed New Town in the Marston Vale has not met these requirements as set out and there are clearly many unresolved objections to this Policy from CPRE Bedfordshire, residents and statutory consultees.

The Regulation 19 consultation shows that an overwhelming majority of those who responded to the emerging Local Plan opposed it. CBC’s own analysis of the Marston Vale consultation identified substantive issues to be resolved within the Inspection process.

The following statement is taken from the DCLG website - PPG:

Who is involved and what is discussed in a hearing session?

Anyone who has made representations seeking to change a published Local Plan must, if they request, be given the opportunity of attending a hearing ([section 20\(6\) of the Planning and Compulsory Purchase Act 2004](#)). The local planning authority will liaise with those who have asked to appear at the hearing to arrange attendance, including whether interested groups wish to nominate a representative to put forward their views.

CPRE Bedfordshire and many others would wish to make representations to the Inspector on this matter and have made such a request.

CPRE Bedfordshire has already pointed out, in our submission to the CBC Local Plan 2035 at the pre-submission stage, that CBC have built in very large and unnecessary contingencies in their calculation of new housing numbers over the Local Plan period.

These contingencies are in excess of the number of houses proposed in this application (5,000 new homes).

If our submissions are agreed by the Inspector, this would make such a development within the Marston Vale unnecessary.

We are also aware that this proposal is being predicated on the proposals for the Ox Cam Arc but the final routes of the Expressway and East West Rail have yet to be decided and their impacts assessed.

Full details of the impact of East/West rail in terms of passenger numbers to/from the proposed New Town are also unavailable at this time.

Para 14 PPG - reasons for refusing an application on the ground of prematurity include:-

- a) The development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development central to an emerging Local Plan or neighbourhood planning; and*
- b) the emerging plan is at an advanced stage but is not yet formally part of the development plan for the area.*

Clearly this application should be refused on the grounds of prematurity.

CPRE Bedfordshire is of the opinion that the applicant is trying to avoid the democratic process by submitting this application prior to the examination of CBC's Local Plan 2035 which has already been submitted to the DHCLG for an "Examination in Public" by a government appointed Inspector.

This democratic process, which CBC has already entered into, will allow the residents of Central Bedfordshire and all other stakeholders to make comments to The Inspector both for and against the applicant's development proposal.

Yours sincerely

Gerry Sansom
CPRE Bedfordshire
