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Working locally and nationally to protect and enhance a beautiful, thriving countryside for everyone to value and enjoy.

Planning Department
Central Bedfordshire Council
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12th May 2019

Dear Stuart Robinson

Re CB/19/00887/FULL

Location: M1 A6 Link Road Streatley, Sundon, Chalton

Proposal: M1 A6 Link Road - M1 junction 11a to A6 Barton Road Sundon Chalton Streatley

OBJECTION - CPRE Bedfordshire

CPRE Bedfordshire has considered the documentation relating to this planning application for the M1 A6 Link Road, which we understand is made by Jacobs on behalf of Central Bedfordshire Council, for land the majority of which is not within CBC ownership.

CPRE Bedfordshire strongly objects to the above application for the following reasons:

1. The proposed route of the road lies entirely within the Green Belt and crosses the Chiltern Hills AONB impacting upon 2 Ancient Woodlands, severing existing National Trails - the Icknield Way and John Bunyan Trail and many Public Rights of Way (PRoW). The scale and form of the proposed development would result in a clear loss of openness and there will be a significant and harmful alteration to the open countryside in the Green Belt. The provision of this road does not fall within the exceptions which are considered acceptable within the Green Belt as set out within Para 145 of the NPPF 2019. As such it represents development which will be harmful to the Green Belt.
2. CBC have failed to establish the ‘exceptional circumstances’ to justify this incursion into highly protected areas, which contradicts several clauses of the NPPF 2019 as expanded upon below.

2.1 Development is contrary to paragraph 172 of the NPPF 2019
Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which

have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks. The Planning Supporting Statement shows at 4.2 Area of Outstanding Natural Beauty - 1.6 km of the 4.4 km road is located within the Chiltern's AONB to the North of Sundon Wood and the South of George Wood. This is totally unacceptable and entirely unjustified by any evidence provided.

2.2 Development does not comply with paragraph 136 of NPPF 2019.

Once established, Green Belt boundaries should only be altered where exceptional circumstances are fully evidenced and justified, through the preparation or updating of plans. Strategic policies should establish the need for any changes to Green Belt boundaries, having regard to their intended permanence in the long term, so they can endure beyond the plan period. Where a need for changes to Green Belt boundaries has been established through strategic policies, detailed amendments to those boundaries may be made through non-strategic policies, including neighbourhood plans.

As presented in the CBC Local Plan 2035, the M1 A6 Link was intended to become the new 'defensible' Green Belt Boundary and mark the extent of the North of Luton Strategic Allocation (NLSA). The CBC LP is currently undergoing Inspection and hearings will commence on 21st May 2019. The proposed road is part of a Strategic Policy as designed to serve 2 Strategic Allocations included within the CBC Local Plan 2035 (NLSA - SA1 and the RFI - SE1). However, the road itself has not been submitted as a Strategic Policy within the Local Plan, and will not form part of the Inspection currently underway, despite the fact that the developers of these 2 strategic allocations are said to be funding the road.

The A5 - M1 Link (Dunstable Bypass) 4.6 KM long and the Woodside Link, both connecting to the M1 at J11A, underwent Inspection and the final decision was taken by the SoS. CBC acknowledge that the permission of the SoS would be required for the release of this Green Belt site, and CPRE can see no justification for submitting a planning application for a road of this magnitude and impact in such a way, prior to an Inspection. The M1 A6 is 4.4km and as such may qualify as a road requiring a Development Consent Order. The land is not in the ownership of CBC and may be subject to compulsory purchase.

2.3 NPPF 137. *Before concluding that exceptional circumstances exist to justify changes to Green Belt boundaries, the strategic policy-making authority should be able to demonstrate that it has examined fully all other reasonable options for meeting its identified need for development. This will be assessed through the examination of its strategic policies, which will take into account the preceding paragraph.....*

CBC considered and approved a Framework Plan for the NLSA, SA1 in 2015 following the withdrawal of the Development Strategy from Inspection. This FP included the M1-A6 Link Road - shown following the edge of the NLSA and forming the 'new defensible boundary' to the Green Belt. The Link Road is intended to be funded by the developers of NLSA SA1. No consultation was held on the route of the M1 - A6 Link Road, which is positioned to give the maximum room for development between it and the boundary with Luton. Until the Inspector of the CBC LP 2035 has considered whether the release of further Green Belt in the South of Bedfordshire is justified, and that all alternatives have been investigated, no Green Belt should be

released. Within the Planning Statement supplied by Jacobs 4.1 Relevant Planning Policy - it states that *-at the time of submitting the application (March 15th 2019) the CBLP has unresolved objections to Policy SA1 which relates to the North of Luton Strategic Allocation (NLSA).Policy SA1 can only be given limited weight at the time of submitting this application.* As the road is reliant on funding from the developers of SA1 NLSA the road application at this time is pointless prior to the Local Plan Inspection and adoption of the Local Plan - including this Policy. CPRE are also aware that HRN1, a Green Belt site which has had planning permission for over 4 years without delivering a single home, was released from the Green Belt to enable the funding of the A5- M1 Link Road. Extracts from the Inspector' Report confirm this was the case.

2.4 *At the time the previous Public Inquiry was postponed, CBC and one of the developers seeking to develop land to the north of Houghton Regis (Lands Improvement Holdings), offered a total contribution of £50 million (£5 million from CBC from their Growth Area Funding and £45 million from the developer) towards scheme costs. However, the Secretary of State decided it would not be appropriate to go ahead with the Public Inquiry at that time, even with this promise of additional funding.* 7 REPORT TO THE SECRETARIES OF STATE FOR TRANSPORT & COMMUNITIES AND LOCAL GOVERNMENT FILE REF: DPI/B0230/10/11 3.7 *But subsequent to the SR announcement, the Secretary of State indicated that subject to an appropriate legal agreement with CBC and the developer the statutory process for the Scheme would be re-started as soon as possible, with an estimated start of works on site in late 2014. Such agreements are now signed and in place under Section 274 and 278 of the Highways Act 1980 (see Docs DD155 and DD156).*

As stated above the hearings will begin on 21st May 2019, this Link Road has been excluded from the Examination process. This is unacceptable and unjustifiable for a project of this size and impact. As both the North of Luton Strategic Allocation SA1 and the RFI at Sundon Quarry SE1 are linked to this road, it is not possible to separate them and their combined impacts on the M1 A6 Link Road, the M1, local roads, ecology, wildlife, air quality, noise, light pollution and affect on local residents. It is also noted that Chalton will experience an increase in air pollution when the road is operational. It is highly likely that many areas will also experience increases in pollution.

2.5 The Planning Statement accompanying the application states at 4.1 Relevant Planning Policy - that Policy SA1 'has unresolved objections' 'which relates to the North of Luton Strategic Allocation (NLSA)' It also states that *Policy SA1 can only be given limited weight.* However, despite this road forming part of that Strategic allocation in the CBC LP 2035, it has not been included within Policy SA1 or within Policy SE1 - Sundon Quarry Rail Freight Interchange. Both of these are reliant on this road and both developments are expected to fund the building of the road. Despite this the road will not form part of the Inspection which is currently underway.

3. The Inspector has yet to take a view on whether the NLSA or the RFI and warehousing are justified and/or the extent of the land to be released from the Green Belt - if any. The provision of 42 hectares of warehousing within the RFI site for the 'footloose logistics sector' and set within the Green Belt beside an SSSI, is the epitome of unacceptable development in the Green Belt. The fact that a larger RFI for a Brownfield site at Radlett/St Albans was given final Planning Permission in 2018 - makes the whole concept of one at Sundon Quarry redundant. It is a fact that Warehousing is an inefficient use of land and jobs poor and is probably the least

appropriate form of development within the Green Belt in terms of maintaining openness. In the Transport Assessment Appendices, Sundon RFI Briefing Notes Table 1, Anticipated Distribution of Traffic Flows, Prologis state that the anticipated traffic flow at the RFI site will be 6,347 vehicle movements in a 24 hour period. The impact of this and the operation 24/7 of the warehousing would have both an unacceptable impact on the already congested M1 (currently running at 110 - 120% of capacity and set to rise to 150% by the end of the plan period) and would be destructive of the wildlife and ecology of these sensitive areas. Until all of these factors have been considered by the Inspector of the CBC LP 2035, no further release of Green Belt land should be considered.

4. Loss of further BMV land contrary to NPPF 170

NPPF 170 Planning policies and decisions should contribute to and enhance the natural and local environment by: a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan); b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services - including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;

4.1 It is notable that there has been significant loss of Best and Most Valuable (BMV) land within the Green Belt in the South of Central Bedfordshire, including the land allocated for the A5 - M1 and associated development sites HRN1 and 2, and further loss would be suffered if the Link Road and associated sites were to go ahead.

5. Lack of information and consultation

As stated, there has been no consultation on the route of the road. References have been made to the Luton and South Beds Local Plan consultation on possible routes, held in 2008. The papers relating to this included a 'do nothing option' relying instead on improved public transport into Luton. This option achieved much the same benefits as building the road - moderate benefit in all scenarios and without any of the disbenefits. The Luton and South Beds LP failed to complete the Inspection as Luton withdrew over disagreements as to provision of housing for its unmet need and the proposed Luton Urban Extension.

The creation of the Unitary Authority of CBC meant that the area now became part of Central Beds and CBC embarked on the Development Strategy. This also failed to complete its Inspection over issues of DtC with Luton BC. Although a road was included in this DS, no route was presented with the documents submitted to the Inspector at that time - an arrow at each end of the allocation illustration showed the rough position of the proposed road. No consultation was held as to the proposed route.

5.1 The assessments of routes purported to have been carried out in 2011, but not consulted upon at that time, shown as table 4.4 in the Jacobs Planning Statement, show 2 routes out of 5 that do not cross the AONB and all other factors are exactly the same. No detail is given as to why route 6 was chosen but it is apparent it was the one that allowed for most development as states *All alternatives south of Sundon Wood would avoid the AONB but reduce the land available for the NLSA*. There is no reason given as to why the details of the route were not published or included in the Development Strategy. Luton BC continues to oppose the road as it will bring traffic in to Luton via already congested gateways. This is no doubt one of the reasons CBC are seeking to apply for planning permission outside of the LP Inspection process.

5.2 The following information was Published on CBC website On Tuesday 10th July 2018- *We will be holding a series of public drop-in events to share early plans for a proposed M1-A6 Link Road.* The first Exhibition was held on Tuesday 17th July 2018 at Streatley in Central Beds - just a week later. The second was held at a venue in Luton, the third at Chalton in Central Beds and the 4th in Luton. The whole process was completed in 2 weeks extending into the school holiday period and showed a route apparently decided upon 7 years earlier in 2011, and adopted by CBC in 2015 via a Framework Plan.

5.3 This does not in any way constitute a full consultation as required for a major road forming part of the Local Plan, which is inseparable from SA1 and SE1 within it. The route was presented as a given and although 81 people out of the total 82 people who left comments at the Exhibitions, objected to the closure of the road between Sundon Road and Sundon Park - as it severed villages from their local facilities such as GP, dentist, shops and petrol station etc.- their objections were ignored. It was widely reported that there was nobody at the Exhibitions able to give more than surface information or respond to questions.

5.4 This is unacceptable as undemocratic and has denied the residents of Central Bedfordshire and other interested parties, the opportunity to take part in the Inspection in public of this part of the strategic allocations within the Local Plan. It also denied residents of the local villages affected, the opportunity to put forward their objections and/or alternatives to avoid the closure of Sundon Road and their access to Sundon Park. CBC appears unaware that the severance of this road would separate the Church of St Mary, together with the old and new cemeteries, from 90% of its parish in Sundon Park. No consultation was held with those affected by this proposal and many in Sundon Park were likely to be unaware.

6 The CBC website page relating to the proposal and Exhibitions stated that *The new strategic link road would run from the A6 Barton Road to junction 11a of the M1 motorway, joining up to the A5-M1 Link Road, to provide a strategically important east-west link. ... The proposed new road would be 2.75 miles (4.4km) long and could create part of a northern bypass for Luton. The preferred layout would have a 50mph speed limit and be a mixture of single and dual carriageway, with junctions to a new rail freight interchange at Sundon and proposed new housing development The new road will be critical to support the proposed 4,000 new local homes on the northern edge of Luton, this development also includes 20 hectares of employment land creating local jobs. The suggested new sub-regional rail freight interchange would help transfer goods from the M1 to the Midland Mainline and beyond, shifting more freight from road to rail.*

6.1 This justification and claims are not borne out by the following information from the Transport Assessment Appendices Sundon RFI Briefing Notes Table 1 Anticipated Distribution of Traffic Flows, Prologis state that the anticipated traffic flow at the RFI site will be 6,347 vehicle movements in a 24 hour period. This shows that there will be 1,491 (23.49%) vehicle movements between 23:00 and 05:00hrs. The table they have provided shows that the greatest movement of 610 vehicles occurs between 05:00 and 06:00 with an average flow of 264 movements per hour. With the quantity of warehousing proposed in the area including within Sundon Park, the amount of freight being carried in smaller Lorries on the distributor roads will also increase exponentially. 4,000 homes are also planned to have access to this road and thousands more in areas where residents will be accessing the M1 between junctions 11a and 13 and the A6.

6.2 The justification for the road has altered within the Planning Statement supplied by Jacobs with the application. This now claims at 4.2.1 (i) *Need for Development - improving east west Links*

Central Bedfordshire is within a key national strategic economic corridor between Oxford and Cambridge, informally referred to as OX-CAM..... similar to Silicon Valley. What follows is totally irrelevant to the South of Central Bedfordshire and the only contribution being made by this plan is to Logistics and freight movements. If Central Bedfordshire Green Belt and the AONB of the Chiltern Hills are to be sacrificed for this, it shows a lack of appreciation of the real value of our countryside and the contribution made by our farmers and agricultural land to the economy and to the environment. It also goes on to state that *the East Midlands also play an important role in providing housing for the nation. Over the 2010/11 - 2015/16 period, 50,000 new homes were built accounting for 6% of the England total.* It would appear that Green Belt and AONB is expected to be sacrificed to continue the expansion in the south, whilst ignoring the real need for investment and jobs in the north. The fact that this is to be pushed through via a planning application outside of the Local Plan Inspection process, begs the question as to why that is considered to be necessary.

6.3 The claim made that this corridor forms part of the Ox Cam Arc, is clearly aimed at seeking government funding for something on the CBC 'wish list'. There is no demand for logistics or further warehousing within the area - which already supplies more than that required for what it describes as the 'footloose' logistics sector. The granting of final planning permission in June 2018 to the RFI at Radlett makes this RFI at Sundon Quarry redundant, and to date there are no plans for a connection to the network at this site or a developer willing to take this forward.

6.4 CPRE is aware that further warehousing has already been added to the area and more is planned at Sundon Park, much of which will also access the M1 at Junction 11A. Further warehousing has been granted permission at Marston Gate J13 and more has also been applied for. Cross border impacts on the M1 are not being factored in to decisions taken outside of allocations within the Local Plan. This will result in unsustainable increases in freight and traffic movements with accompanying pollution and congestion on both main and local roads.

6.5 Cost of the A6 M1 and associated infrastructure

The section of the road relating to the RFI is part funded by SEMLEP and the Planning Statement suggests this may not now be forthcoming, however, the bulk of the road will rely on developer funding. The number of houses to be provided within the LNSA, has been reduced by 900 since submission of the LP for Inspection - because of site constraints. This reduces the levels of developer funding for this and all other mitigations required for a site on the GB and extending into the AONB of the Chiltern Hills - particularly when including the provision of Green bridges. As this site has yet to be subject to the Inspection process its delivery is not assured and the application for the road is premature in that respect. The planning application states that the route allows the most development of the site but much of the site will not be available for development.

7. Cost and design of Green Bridges

Natural England Commissioned Report NECR181 Green Bridges

It would appear from reading of this Report that the Green Bridges have been included in this planning application without any real investigation into their construction, or the successful integration of them into a scheme. The bridges would have to be constructed at an appropriate location, not a bridge constructed where it

was most convenient and then the wildlife expected to adopt it. The bridges would require time to become established before road construction commenced. Costs range from £1.1 million to £10 million. This would add an average cost of £10 million to the scheme for the 2 bridges. The 25m wide Mile End Bridge in London cost £5,800.000 - and is a parkland bridge. The London Thames Green Bridge was costed at £175 million and running costs of £3.5 million a year. Mixed use bridges are not common and require separation of users and would require a greater width than that proposed. The design shown separates walkers and presumably cyclists from the green area of the bridge and this would not replicate the experience of walking through countryside - given the proposed width it would not appear possible for horses, cyclists, walkers and wildlife to successfully share a bridge of just 30m width. Neither ongoing maintenance nor monitoring is mentioned and there is no reference to who would carry this out and be responsible for it.

7.1 The overall impression is that the Planning Statement and Ecological Statement have sought to justify the case for the subject route, rather than start with a clean sheet of paper and find the best route for the road, should it prove to be necessary, having regard to the National Significance of the Chiltern Hills AONB and PRoW within it and the GB, as well as the protections given to Ancient Woodland by the NPPF and the impact on fauna and flora within the protected landscape.

7.2 It is noted at 4.4 of the Planning Statement that *the alignment (of the road) would remain prominent in the landscape, cutting across the grain of the rolling topography*. It is noted that *the greatest effect will be experienced by users of the PRoW network on Galley Hill and Warden Hill and from PRoW that cross or run alongside the scheme*. Described as *Large Adverse as the views for these receptors have open views over significant lengths of the scheme*. This will destroy the experience enjoyed by so many from across the country, who travel to Central Bedfordshire to walk the Chiltern Hills and follow the John Bunyan Trail - as well of those lucky enough to experience this on their doorstep. This in exchange for a Rail Freight Interchange and more development in the Green Belt and it is now apparent why this route was not submitted for public consultation or Inspection.

At the outset of the production of the Local Plan, CBC promised that they would respect the views of the residents and protect the countryside we valued and which made Central Bedfordshire a 'great place to live and work'. They would be reneging on that promise if they grant planning permission to this road, and be out of step with the new reality of the immediacy of climate change and the need to act to reduce and not increase carbon emissions.

Mary Walsh
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