

COMMITTEE REPORT – CONSULTATION FRONT SHEET

REPORT FOR	EXECUTIVE COMMITTEE ON 13 th JUNE 2006		
REPORT TITLE	'DUNSTABLE WOODSIDE CONNECTION' AND REMOVAL OF DEPARTMENT FOR TRANSPORT (DfT) ROUTE SAFEGUARDING FOR DUNSTABLE EASTERN BYPASS		
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AUTHOR'S CHECKLIST

Financial Implications	Yes	
Legal Implications		No
Human Resource Implications		No
Risk Management Implications		No
Human Rights Implications		No
Community Safety Implications		No
Environmental Implications	Yes	
Equality Implications		No
Consultation with Tenants		No
Consultation with Staff Side		No
Consultation with Portfolio Holder		No
Executive Key Decision (If Yes, the item <u>must</u> have appeared in the Executive Forward Plan prior to consideration by Executive)		No

Part I (Public Session)	Yes	
Part II Exempt Paragraph No.		

Draft (state if 2 nd or 3 rd draft etc).	2nd	
Final Version		No

Are there any appendices not included with this E-Mail?	Yes	
If a previous version of this report has been circulated, please indicate which paragraphs have changed in the attached version.		

'DUNSTABLE WOODSIDE CONNECTION' AND REMOVAL OF DEPARTMENT FOR TRANSPORT (DfT) ROUTE SAFEGUARDING FOR DUNSTABLE EASTERN BYPASS

1.0 PURPOSE OF REPORT

- 1.1 To update the Committee on the safeguarding of a highway route from the Dunstable Northern Bypass to the central Dunstable employment area, and agree how best to keep options open for such a scheme.
- 1.2 This is not an Executive Key Decision and has not appeared on the Executive Forward Plan.

2.0 RECOMMENDATION

- 2.1 That, anticipating the removal of route protection by the Department for Transport (DfT) Highway Agency (HA) for Dunstable Eastern Bypass, the Committee recommends the Joint Planning and Transportation Committee to:
 - i) Support the aim of continued route safeguarding along that part of Eastern Bypass route from Portz Avenue/Courtsway Roundabout to Thorn Turn Roundabout to enable possible future use for the Dunstable Woodside Connection;
 - ii) ensure close working between the planning and highway authorities, with both adopting a positive approach to negotiating with landowners and developers on sites that might be affected by any Woodside Connection route, and
 - iii) ensure speedy completion of initial route investigation and feasibility work for the Woodside Connection and the early bringing forward of scheme proposals within the Local Transport Plan and Local Development Framework process.

3.0 REASON FOR RECOMMENDATION

- 3.1 Route protection for the Dunstable Eastern Bypass will soon be withdrawn. This will mean that one route option for the Woodside Connection will be vulnerable to becoming constrained or lost through development. Whilst it is premature to adopt a formal local safeguarding policy that could be sustained, it is important we do what we can to retain the availability of the route for highway purposes.
- 3.2 This matter will need to be considered by the Joint Planning and Transportation Committee (16 June) as that Committee now holds responsibility for Executive decisions on planning and transportation policy across Luton and South Bedfordshire.

4.0 BACKGROUND

- 4.1 The Dunstable Eastern Bypass has long been intended as a relief road for the A5 Trunk Road section through Dunstable. The Highways Agency (HA) published proposals in 1988, and since 1996 a specific corridor has been subject to a formal direction from the Highways Agency (a TR111 notice) to protect the land required for the scheme from other development proposals. South Bedfordshire District Local Plan has reflected this direction and no new development has been permitted since then that would hinder the implementation of the scheme.
- 4.2 In 2003, the Government's London to South Midlands Multi-Modal Study (LSMMS) recommended that a Dunstable Northern Bypass should replace the Dunstable Eastern Bypass as the most appropriate means of bypassing Dunstable. The LSMMS also suggested that the Eastern Bypass corridor might provide complementary local access benefits.
- 4.3 Following Government's response to the LSMMS, the Highways Agency have ceased further promotion of the Eastern Bypass and have been developing proposals for a Northern Bypass between the A5 and M1. The decision to go ahead with the Dunstable Northern Bypass is welcome and it is hoped that HA will be able to progress this important trunk route scheme in line with the timetable published in their Public Consultation documents.
- 4.4 In parallel with the work of the HA, an informal local consensus has been reached between the local authorities that it would be at least desirable, if not essential, to connect the Northern Bypass to the key central employment areas of Dunstable (Boscombe Road/Woodside/AWD site area). This would help improve business accessibility and relieve the town centre of traffic. The recently produced Local Transport Plans acknowledge this position and indicate that the necessary studies to evaluate and promote such a scheme will be undertaken. This link road scheme is known as the Woodside Connection.
- 4.5 As a consequence of abandoning the Eastern Bypass, the HA have no reason to continue to protect the route. We would expect to receive notification to cease route protection when the HA announces a preferred route for the Northern Bypass, but it has been indicated that this may happen sooner.
- 4.6 Whilst it is unlikely that a Woodside Connection would exactly match the standard and layout of the northern half of the previously planned Eastern Bypass, one of the obvious routes it could take is wholly or partly within the Eastern Bypass protected corridor. The question then arises of how best to try and ensure the opportunity to use this route corridor is not lost as a result of other development. The purpose of this report is to agree the best way of achieving this.
- 4.7 The question has also been asked whether the local authorities should continue to keep the whole of the Eastern Bypass route as a future road building option, in case the Northern Bypass and M1 Widening do not

sufficiently remove through traffic. However, in the light of constraints on “local level” safeguarding opportunities (6.1 below) and the LLSMMMS conclusions, the officer advice is that there can be no justification for doing this.

5.0 CONTINUED SAFEGUARDING OF THE WOODSIDE CONNECTION ROUTE

- 5.1 The ability to protect land for a potential highway scheme is different for the local highway authority and the Highways Agency. Whilst the HA can direct a planning authority to refuse a planning application, local highway authorities cannot. Before a local highway authority can seek support from a planning authority to safeguard a route it would be expected to have evaluated options; held public consultation; made a preferred route decision, and made a formal resolution to publish the proposals and safeguard the route. The planning authority would then need to take a separate view on whether the proposal warranted inclusion in the development plan.
- 5.2 Bedfordshire County Council has started the process of undertaking a feasibility study to evaluate options for the Woodside Connection (see details at Appendix 1). Any decision to undertake public consultation and adopt a preferred route will need to be made in the context of progress on the Local Transport Plans and the Local Development Framework (a similar process is being applied in respect of the Luton Northern Bypass).
- 5.3 Until both road and wider policy is more advanced for the area there is a risk that opportunities might be lost for the Woodside Connection. In the interests of best planning it is therefore important that, as far as possible the local Highway and Planning Authorities publicly indicate the situation and our intentions.
- 5.4 In the first instance it would be desirable for the Highways Agency to retain what route protection it can on the Eastern Bypass. This has been discussed extensively with the HA. The Agency has made it clear that they (as for all highway authorities) cannot protect land for a scheme they do not intend to promote.
- 5.5 The original aim was for the HA to retain protection until they had made a preferred route decision on the Northern Bypass, on the basis that by that stage an alternative to the Eastern Bypass was likely to be well advanced. The HA have indicated that it is becoming increasingly difficult for them to automatically direct the planning authority in relation to current planning issues along the Eastern Bypass corridor. The HA has therefore indicated that irrespective of the timing of a preferred route announcement on the Northern Bypass and the desirability of keeping options open for the Woodside Connection, they intend to rescind route protection for the Eastern Bypass soon.
- 5.6 As a result, the local authorities are beginning to have to consider adopting a more flexible approach to development proposals that recognises the continued importance of the northern section of the route protection and our aspirations, but avoids unnecessary refusals of applications. Such refusals would be impossible to substantiate and could

result in award of costs in respect of planning appeals and/or a need to purchase land and pay compensation.

- 5.7 However as indicated above, the Woodside Connection is now included in the policy framework of the Local Transport Plans and a Feasibility Study is underway and therefore has some formal basis. This will help inform decisions on development proposals and the form of the Northern Bypass.

6.0 CONCLUSION

- 6.1 It is not possible to adopt an inflexible, precautionary, safeguarding for the Woodside Connection on one or more routes, or on a wider area, merely in the expectation that a proposal will come forward in due course.
- 6.2 Nevertheless, it would also be against the aims of good planning to do nothing and risk undermining the quality of development that might be achievable.
- 6.3 The recommendations therefore aim to suggest to the Joint Planning and Transportation Committee that they make the stage in development of plans for the Woodside Connection clear, with the purpose of encouraging all parties to help achieve those plans on a mutually agreed basis.
- 6.4 As progress is made on the Woodside Connection within the Local Transport Plan and the Local Development Framework, it should be the intention of the councils to strengthen route protection and the mechanisms for delivering the scheme.

7.0 CORPORATE IMPLICATIONS

7.1 Council Ambitions & Priorities

- 7.1.1 The creation of a bypass with appropriate local connections is an important Council Plan objective under the more prosperous District heading.

7.2 Financial

- 7.2.1 Safeguarding of land through the planning system can lead to risks of land purchase and compensation costs.

7.3 Environmental Implications Statements

- 7.3.1 In terms of South Beds District Council's Corporate Environmental Policy, the recommendations contained in this report will have favourable environmental implications in that the road is intended to reduce the adverse environmental impact of traffic on Dunstable. However it will also change the local environment along the road line with some adverse impacts.

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List of Appendices

1. Woodside Connection Feasibility Study Brief (including plan showing potential route options).