

Town and Country Planning Act 1990 (As Amended)

Bedford Local Plan Review –
Regulation 18 Consultation- Strategy options and draft Policies

Representations on Behalf of: *De Merke Estates.*

August 2021



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Appendices

Appendix 1.	Land East of Green Lane Vision Document and Technical Pack
Appendix 2.	Land East of Green Lane Master-Plan and Access Layout Plan.
Appendix 3.	Proposed East-West rail route and elevations

1.0 Instructions and Introduction

1.1 Neame Sutton Limited, Chartered Town Planners, is instructed by De Merke Estates. to prepare representations on the Regulation 18 consultation 'Strategy options and draft Policies' of the Bedford Local Plan (June 2021) ("the draft Plan").

1.2 These representations deal with a number of specific topics and in accordance with the requirements of the Regulation 18 consultation process, identify the relevant policies, paragraphs and proposals where appropriate throughout these representations

1.3 The structure of these representations is set out below:

Section 2	Housing Requirement and Spatial Strategy
Section 3	Draft Policies
Section 4	Sustainability Appraisal and Duty to Cooperate
Section 5	Site Specific Representations
Section 6	Summary and Conclusions

2.0 Housing Requirement and Spatial Strategy

- 2.1 This section of the Representations deals with the Housing Number Options set out on Page 16 of the consultation document. The starting point for considering the Housing Requirement for the draft Plan is the Government's Standard Method as required by Paragraph 61 of the Framework 2021.
- 2.2 The Local Housing Need ("LHN") figure calculated determines the minimum number of homes needed. However that is just the starting point. The PPG is clear that the Standard Method provides the minimum starting point and it does not attempt to predict the impact that future government policies, changing economic circumstances or other factors might have on demographic behaviour. Therefore there will be circumstances where it is appropriate to consider a higher need than the Standard Method indicates¹.
- 2.3 Such circumstances include where an authority is agreeing to take unmet need from neighbouring authorities or where there are growth strategies in place or where the need for affordable housing is particularly acute.
- 2.4 In this case Bedford Borough Council is part of the Cambridge to Oxford Arc, which is set to see significant economic and infrastructural growth and in turn inward population migration and higher housing need. Whilst the standard method may be a starting point for a housing figure, it need not be the end particularly where there are highly constrained authorities in the arc and as such housing will be required elsewhere.
- 2.5 There is no clear evidence of a Duty to Cooperate and that unmet need within the arc is being handled appropriately by authorities ahead of the Oxford to Cambridge Arc Spatial Framework due for consultation in Summer 2021 (2 years later than expected). Bedford Borough Council should be pro-active in undertaking DtC meetings on publication of the draft Spatial Framework and adjust the draft Plan, including housing requirement, accordingly. These findings should also be reflected and tested in the Sustainability Appraisal.
- 2.6 In this respect the figure of 1,275 dpa as a minimum starting point is considered to be the right approach at the present time, however, through Duty to Cooperate discussions with neighbouring authorities in the arc this minimum starting point is likely to need to increase.

Consideration of the Growth Options Proposed by the Council:

- 2.7 In section 3, 'Growth and Spatial Strategy Options' the four growth options the council seeks representation on. These are summarised as:

¹ See Paragraph: 010 Reference ID: 2a-010-20190220 Revision date: 20 02 2019

- Option 2a: Development in and around the urban area, plus A421 transport corridor with rail based growth parishes and southern parishes
- Option 2b: Development in and around the urban area, plus A421 transport corridor with rail based growth parishes and southern parishes, plus one new settlement.
- Option 2c: Development in and around the urban area, plus A421 transport corridor with rail based growth parishes, plus two new settlements.
- Option 2d: Development in and around the urban area, plus A421 transport corridor with rail based growth parishes, southern parishes and east parishes, plus one new settlement.

2.8 These four options are a result of the issues and options consultation. Of initial concern is that there is no acknowledgement of the route of the new east-west rail line. Despite the fact the recent publications of the route are informal consultations there is a clear intention of the railway to travel north through land between Bedford and Clapham Green. The route to the west is already significantly advanced and therefore there can be a great deal of certainty that the rail route will be delivered.

2.9 It is therefore surprising that the Plan does not reference the route in changing the landscape for development and in turn, the opportunities for settlement expansion. For example, the landscape will significantly change if the rail route is pursued to the west of Bedford and East of Clapham Green. Clapham has excellent transport connections and a number of services, but its expansion or growth is not covered by the options above.

2.10 It is therefore suggested that BBC consider a fifth option for growth in light of recent publications of the East-West rail, which includes (in part) elevation plans which may release further land for development, particularly in Clapham. The fifth option should look to reconsider Settlement Boundaries and landscape policies, constraining development, in the vicinity of the proposed route.

2.11 The recent publication of the NPPF (2021) will also require BBC to reconsider their spatial strategy. New Paragraph 22 requires Local Planning Authorities to provide policies set within a vision of at least 30 years to allow large scale developments, such as new settlements to be delivered.

Conclusions on Housing Provision Options:

2.12 The following key conclusions are reached in relation to the Housing Provision Options presented by the Council in the draft Plan:

1. It is considered that the Council needs to reconsider the growth options starting with 1,275 dpa as a minimum and working up from there.
2. The above exercise cannot be undertaken until the Council has made progress with its neighbouring authorities under the DtC to confirm the true extent of unmet need. In any

event it is clear that the scale of unmet need is significant and the Council therefore must consider higher growth options.

3. In turn the SA needs to consider high growth options to determine the sustainability merits of meeting a higher proportion of the significant unmet need arising.
4. The next iteration of the draft Plan must include evidence on housing supply and trajectory to enable scrutiny of the Plan's ability to maintain a rolling 5-year supply of deliverable housing sites.
5. The Policies of the Local Plan will require review in light of the NPPF, particularly in relation to a 30-year vision to see new settlements delivered.

- 2.13 In order for the Council to address the above points in a transparent manner it is considered that further Regulation 18 consultations will be required that deals with the range of high growth options and the consequent revisions to the spatial strategy, along with filling the gaps in the current evidence base in relation to DtC and also updating the SA.

3.0 Draft Policies

Policy TC1S- Hierarchy of town centres

- 3.1 De Merke agrees with the Settlement Hierarchy and that Clapham considered a local centre and a key service centre. The Council has previously allocated 500 homes to the Parish and settlement of Clapham, recognising its locational sustainability

Policy DQ1- Residential space standards.

- 3.2 De Merke Estates agrees with this policy to echo national requirements for space standards.

Policy NE1- Environmental Net Gain.

- 3.3 De Merke Estates agrees with this policy to echo national requirements for environmental net gain.
- 3.4 De Merke Estates reserve comment on other aspects and policies of the Local Plan which have not been published in this 'Strategy options and draft Policies' consultation document. De Merke Estates are aware that the new NPPF and this will require BBC to revisit their strategy and policies, particularly given that the growth options which include new settlement which requires policies to be set within a vision lasting 30 years, rather than the 15 years currently set out in this consultation document.

4.0 Sustainability Appraisal and Duty to Co-operate

Sustainability Appraisal

- 4.1 This section sets out specific comments on the Sustainability Appraisal ("SA") prepared to accompany the Local Plan. Paragraph 32 of the Framework 2021 states,

"Local plans and spatial development strategies should be informed throughout their preparation by a sustainability appraisal that meets the relevant legal requirements."

- 4.2 The SA sets out the Sustainability objectives of the Plan and broadly assesses the policies, providing commentary on assessment and site allocations. The SA has not been undertaken on existing policies set to be carried forward. The SA is clearly an interim document and is not sufficient to meet the legal tests for plan making.
- 4.3 De Merke raise concern that the SA has not yet assessed a housing figure that is a result of positive discussion through the Duty to Cooperate process which could significantly increase the housing figure in the Borough.
- 4.4 De Merke look forward to the opportunity to consider a revised version of the SA which appropriately deals with the plan as a whole, including any new or re-imposes BBC existing policies.
- 4.5 At this stage of Plan production, De Merke Estates cannot support the Sustainability Appraisal. Whilst the methodology appears to be reasonable, it is incomplete and not representative of the plan as a whole. Gaining a true understanding of the housing numbers through Duty to Co-operate with neighbouring authorities, including those in the Housing Market Area, is a significant failing of the Council, which is also reflected in the Sustainability Appraisal and its resulting recommendations.

5 Site Specific Representations- Land East of Green Lane, Clapham.

- 5.1 This section deals with De Merke's site-specific promotion of Land East of Green Lane, Clapham. A Vision Document summarising the technical pack of assessments that are available has been provided at Appendix 1 and indicative masterplans for up to 100 homes and access drawings at Appendix 2.
- 5.2 The Site has recently been considered as a reasonable alternative in the Clapham Neighbourhood Plan Strategic Environmental Assessment. The Site was however part of a larger parcel able to accommodate in the region of 500 homes. Given the progression of the East-West Rail route, it has become increasingly obvious to the landowner, De Merke Estates, that a strategic allocation for 500 homes would not be possible with the rail route dissecting the site. A smaller area of the site, capable of around 100 homes has instead been progressed.
- 5.3 This master-plan of the site has been formed from advice from landscape and highways consultants and their respective specialist reports written in support of the site. The layout of the housing indicates that future access will be possible across De Merke's Land ownership to allow further connections to land north east of Clapham (west of The Baulk).
- 5.4 The density of the residential development on the site is reflective of the local area and would provide in the region of 100homes in a policy compliant mix, including the delivery of affordable housing, in a sustainable location.
- 5.5 In summary, there are no environmental constraints to developing the site, which is currently tenanted agricultural land.
- 5.6 Along with delivering much needed homes and potential future access to land north-east of Clapham, the Site would deliver economic benefits such as:
- construction jobs
 - ongoing site landscaping jobs
 - Increased roles for companies managing SUDS, Foul Water, and Site Management and Maintenance
 - Increased spending in the local area
 - CIL payment to Local Authority and financial support to Parish Councils.

6 Summary and Conclusion

6.1 To conclude on the basis of the available evidence there are significant changes that need to be made to the draft Plan before it can be considered legally compliant and sound. The key changes that are required can be summarised as follows:

1. It is considered that the Council needs to reconsider the growth options starting with 1,275dpa as a minimum and working up from there.
 2. The above exercise cannot be undertaken until the Council has made progress with its neighbouring authorities under the DtC to confirm the true extent of unmet need. Pro-active engagement with authorities within the arc, following the publication of the Spatial Framework will be required.
 3. In turn the SA needs to consider high growth options to determine the sustainability merits of meeting a higher proportion of the significant unmet need arising.
 4. The SA also needs to be revisited to reflect the outcome from DtC and the inclusion of a wider range of options for consideration and to address the other concerns raised in Section 4 above.
 5. The next iteration of the draft Plan must include evidence on housing supply and trajectory to enable scrutiny of the Plan's ability to maintain a rolling 5-year supply of deliverable housing sites, set within a 30-year vision.
 6. Consideration should be given to the East-West Rail Route and the opportunities that this may result in through the release of land for all development types.
 7. Development strategies should consider the expansion of the sustainable settlement of Clapham.
 8. De Merke Estates promotion site should be proposed as a housing allocation that will help the Council in meeting its housing requirement and delivering completions in the first 5-years of the Plan period.
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