

Ref: GA/AM/03419/L0035am

3rd September 2021

Planning Department
Bedford Borough Council
Borough Hall
Cauldwell Street
Bedford
MK42 9AP

Dear Sir/Madam

**Response to Bedford Local Plan Review – Strategy Options and Draft Policies
On behalf of Manor Oak Homes**

We write to you on behalf of our client, Manor Oak Homes, and by way of a continuation of their involvement in the emerging Local Plan 2040 Consultation Process. The comments provided in this letter should be read in the context of our client's ongoing promotion of land between Hookhams Lane and Ravensden Road, Salph End (Site ID 822 of the Site Assessment document). Specifically, we are pleased to provide a further response in respect of the Strategy Options and Draft Policies Consultation document which represents a fine tuning of the document presented for consultation in Summer 2020.

Background

The comments provided by this letter should be read in the context of both our client's ongoing promotion of their land at Salph End as well as the comments made at Issues and Options (I&O) stage. To reiterate the land subject of their control comprises a 19.64ha site which is well-related to the northern extent of the Bedford urban area and is capable of accommodating approximately 400 dwellings and a site for a new two forms-of-entry primary school, land that our client's previous Call for Sites submission confirms is available, deliverable and eminently achievable with delivery able to commence in the earliest years of the new plan period. This promotion follows on from a rigorous level of engagement with the Council during the preparation of the Local Plan 2030. It also draws support from a recent planning application at the site which, whilst dismissed at appeal on the grounds of conflict with the current Local Plan, drew clear positive comments from the Inspector in respect the suitability of the site for development. This position is reflected in our client's site-specific submissions to date.

In respect of the current draft of the Local Plan to which this response relates – the Strategy Options and Draft Policies Consultation document – it is noted that it largely serves as a vehicle to narrow down the spatial strategy options that are to be considered as part of the new Local Plan 2040 whilst setting out an initial high level draft

of the policies of the 2030 plan that are to be replaced (we note it is essentially a review rather than replacement local plan). Resultantly, and on noting that the majority of the draft policies have limited relevance to our client's proposals, this response mainly focuses on the way in which the current draft has sought to respond to their previous comments at Issue and Options in respect of housing strategy. In addition, it provides a review of the Council's Site Assessment of their land to ensure that Officers are referring to the most relevant and up-to-date information in respect of its suitability for development.

National context and plan period (paragraph 1.5)

A key point that the Council will need to address, and one that has admittedly arisen since the beginning of the consultation period, is the requirement set out at paragraph 22 of the new National Planning Policy Framework (NPPF, published 20th July 2021) which provides an expectation for local plans which encompass strategic scale development to include a vision looking ahead for the next 30 years. The new text states:

"Where larger scale developments such as new settlements or significant extensions to existing villages and towns form part of the strategy for the area, policies should be set within a vision that looks further ahead (at least 30 years), to take into account the likely timescale for delivery."

This policy is subject to a transitional arrangement and applies only to plans that had not reached Regulation 19 (pre-submission) stage at on 20 July (or equivalent stage for Spatial Development Strategies). In which case it is applicable to the emerging Local Plan 2040. It is noted that the Government has decided against defining 'larger-scale development', instead concluding that this will depend on context, scale and setting and should be decided locally and tested at examination. Examples provided within the policy, however, include new settlements and large-scale extensions of existing settlements. On review of the spatial options set out at Section 3 of the consultation document this very much describes the types of development opportunities being explored by the Council.

The question which is therefore presented to the Council is whether this has any direct implications on both the plan period (currently 2020 to 2040 but plausibly should now be extended to 2050) and whether this has any additional impact on the growth targets set by the plan. Admittedly the response required by the Council is yet to be clarified in accompanying guidance (the Government's Planning Practice Guidance is still to be updated). However, plausibly, there may now be a necessity to update the housing and jobs targets to cover an extended period beyond 2040. This could potentially increase the level of new homes to be delivered by the plan by up to 13,500 units (the current Local Housing Need figure over ten years plus a 5% uplift), although it is unclear what the repercussions on the extension of the vision would have on the objectively assessed needs to be planned for.

What is evident is that the same option no longer exists to the Council to arbitrarily shorten the plan period to address issues in respect of long-term delivery, a move taken prior to the adoption of the Local Plan 2030 and one which we maintain has now presented significant pressure on the Council to significantly increase housing delivery across the Borough in the short term (the first 5 years of the new plan period). The plan must include a positive and ambitious approach to the delivery of new homes from the very first year of the plan period to ensure a pipeline is in place to guarantee growth for the next 30 years.

What we do consider is now of critical importance in the preparation of the current plan is showing that the strategic sites to be included within it are demonstrably developable (that is there would be a reasonable prospect that they will be available and could be viably developed at the point envisaged). This issue must be met head on by the Council this time around. Indeed, the implications of paragraph 22 of the new NPPF would have resulted in a dramatically different outcome to the Local Plan 2030 which could realistically have embraced our client's land as an allocation at that stage, a step which would have seen it delivering houses now. The problems faced in respect of the defunct Colworth village proposals aside, and despite the positive resolution of the Inspectors presiding over the examination of the Local Plan 2030, it is our view that there were (and remain) significant gaps

in the evidence base surrounding how and when some of the Council's strategic sites are to be delivered (Land South of the River and Ford End Road continue to represent sites of significant concern to our client).

Vision and Objectives (Section 2)

As part of our response to the I&O Consultation we were critical that the vision for the plan lacked ambition, particularly in light of the need to facilitate a real upwards step change in housing delivery from now onwards. At the time of the I&O document we presented the view that, as written, it could be mistaken as the vision which underpins the current Local Plan 2030, one which includes an aspirational but likely unachievable focus on housing delivery at the Borough's town centre sites and which dodges the need to identify a wide range of immediately deliverable development opportunities on the fringes of the Bedford urban area. This view is now only amplified in light of the policy included at paragraph 22 of the new NPPF.

Too much of an onus remains in the vision on the delivery of constrained sites in the urban area and on Parish Councils to deliver growth outside of the Bedford / Kempston conurbation through neighbourhood plans. It fails to clarify that in some instances, and despite the presence of a neighbourhood plan within a parish, matters in respect of housing and employment delivery must remain squarely under the control of the Borough Council due to the critical strategic importance to deliver significant levels of growth over the plan period. As worded, we consider it presents a false expectation that rural communities are completely in control of their parish's development strategy.

By way of an example, our client's site represents an obvious opportunity to deliver a 400 dwelling proposal accompanied by a significant level of infrastructure at a location which will in time be covered by a neighbourhood plan (it falls within Renhold Parish). The vision must recognise that, in some instances, rural communities will be asked to welcome strategic levels of growth to contribute to the Borough's overall housing and employment requirement, albeit this growth will bring substantial sustainability benefits to existing residents such as new schools, greater sustainable transport links and a wide variety of open space and recreational opportunities.

Growth and spatial strategy options (paragraphs 3.3 to 3.5)

Firstly, we wish to commend the Council on seeking to embrace a housing figure for the plan period which directly reflects our recommendations at I&O stage. At the point of the previous consultation the Council was equivocating over a figure somewhere within a wide range of 800 to 1,305 dwellings per annum (dpa). Following our own assessment of the appropriate housing requirement for the Borough, and on review of the likely Local Housing Need figure to be used as the start point in the calculation of the Objectively Assessed Housing Need, we recommended the following:

"The indicative range upon which the Borough's emerging housing requirement should be based is 1,153 to 1,305 dwellings per annum. Based on a 20-year plan period until 2040 and taking into account existing commitments of approximately 11,000 dwellings this results in a revised residual requirement for the plan period of between 12,000 and 15,000 dwellings by way of new allocations."

The Council's current proposed annual requirement is 1,275dpa (a figure which reflects the upper end of our own suggested range) which results in a residual requirement from new allocation of a minimum of 12,500 dwelling (once again in accordance with our recommendations).

Where we do have concerns is the suggestions around the potential plan trajectory, maintaining the current delivery rate of 970dpa over the remainder of the current plan period until 2030 and only then stepping up to a requirement of 1,580 dwellings beyond this point. This would represent an abdication of the Council's duty to boost significantly the supply of housing in the face of what is a current and urgent need for at least 1,275dpa. By way of a reminder this Local Housing Need figure is based on immediate levels of natural demand (the Office

of National Statistics' 2014-based household projections) boosted appropriately by an uplift to rectify local issues in respect of affordability. The raw ONS data alone suggests that an average of 985 new households will be created annually over the period 2020 to 2030. The maintenance of delivery of 970dpa prior to 2030 would not even meet naturally occurring demand never mind seeking to rectify issues in respect of affordability. It is imperative that as a priority the new Local Plan 2040 identifies sufficient deliverable sites that could meet the requirement for the LHN-derived 6,375 homes within the first 5 years of the plan period.

Growth and spatial strategy options (Growth strategy options paragraph 3.10)

We are pleased to note that each of the four preferred spatial options identified at paragraph 3.10 of the plan are consistent in their identification of the Bedford/Kempston urban area and its periphery as a principal location for new allocations. What is questioned, however, is why such a low number of dwellings are to be directed towards the town and the urban fringe in particular (only 1,500 of a minimum 12,500 new dwellings by way of allocation).

Firstly, on the proposed allocation of 1,500 dwellings in the urban area (that is within the existing built-up area boundary of both Bedford and Kempston) it is entirely unclear where so many deliverable or developable sites will come from. On the basis that the current Local Plan, which was only adopted 18 months ago, comprises an urban-focused approach to growth it would have been expected that in the instance that significant deliverable sites within Bedford were available at the time of its adoption they would have been identified as allocations. In which case this leads to a suggestion that the additional sites sufficient to yield a minimum of 1,500 homes have either been identified by the Council since this time or are hopefully to be identified through the call for sites process. We consider the presence of such a stock of additional reliable brownfield urban sites to be extremely doubtful, especially bearing in mind both the historic and ongoing issues faced by some of the existing town centre allocations at Ford End Road and Land South of the River in respect of land assembly, availability, and viability.

Then, in all scenarios the allocation of only 3,000 dwellings at Bedford and Kempston then leaves a minimum of 9,500 dwellings to be delivered elsewhere in a Borough with few other large and sustainable settlements. Whilst it is appreciated that each of the four strategies seek to direct these towards specific growth points or corridors it represents a significant move away from the urban focused approach taken by the Local Plan 2030. Whilst we feel that a balance must be struck – the direction of quite so many homes to Bedford's urban sites currently is one of the main weaknesses of the Local Plan 2030 strategy – it is our clear view that there are ample opportunities on the fringe of the town that would enable growth to be delivered at the most sustainable locations in the Borough. None of the edge of the town is characterised by any restrictive landscape designations and indeed much of the local landscape character is unremarkable. In which case the delivery of unconstrained greenfield sites adjacent to the town and easily accessible to the strategic road and rail networks must present a strategic priority to the Council.

By way of an example our client's land at Salph End represents one such strategic opportunity at a site described by our previous Call for Sites submissions as one which is entirely suitable for a new urban edge community on land which is devoid of any technical or legal constraints. The merits of the site were neatly but emphatically summarised by an Inspector presiding over a recent appeal at the land¹ in respect of a proposed development for 400 dwellings and a new school site (the level and mix of development once again proposed in respect of the Call for Sites) who confirmed:

"Nevertheless, the appeal site is not without its intrinsic merits in terms of the spatial strategy; it is adjacent to the defined Settlement Policy Area of Salph End; within walking distance of a local grocery store and post office, a public transport route and some other local facilities; and it would

¹ APP/K0235/W/20/3256134, a copy of which was provided to the Council as part of our client's 6th January 2021 submission

provide that settlement with education provision and open space facilities. Most of the site was included as an allocation in a consultation version of the Local Plan before its adoption. The eventual decision to exclude the site from the plan was judged by the Inspectors who examined the plan to be a reasonable one, although they note that the matter was clearly finely balanced. It is again included in options being considered in the current review of the Local Plan and so, it is not unreasonable for the appellant's advocate to imply, as he does in his closing remarks, that it is a matter of when, not if, the site is to be developed."

Sites such as that of our client must be a focus and a priority in meeting what is a significant additional housing need that must be met by way of further allocations as they were upon the publication of the Council's 'Consultation Paper' in 2017 (the document referred to in the Inspector's quote above). This was prior to the more intense focus of the Council on complicated urban sites and a subsequent shortening of the plan period from 2035 to 2030 and the resultant reduction of the plan's housing target. As such we urge the Council to significantly increase the number of homes to be directed towards the edge of Bedford within each of the four growth scenarios described in Section 3 of the draft plan with the identification of our client's land as one of its key strategic allocations the obvious starting point.

Site allocations and call for sites (Section 4)

Paragraph 4.4 of the Strategy Options and Draft Policies document invites comments in respect of the interim conclusions presented as part of the Council's ongoing assessment of sites. Whilst no significant issues in respect of availability, deliverability or overall suitability have been raised in respect of our client's site at Salph End (ID 822) it appears that some of the evidence provided as part of our Call for Sites submissions dated 14th August 2020 and 6th January 2021 has been overlooked. In addition, there are some helpful concluding remarks on a number of technical and environmental matters provided by the Inspector who presided over the recent appeal. We wish to make the following comments in respect of the Council's review of our client's land referencing the various subheadings comprising the assessment proforma:

2a. Within or adjoining a site of nature conservation importance.

2b. In an area where protected species are known or likely to exist.

2c. Potentially able to achieve a net gain in biodiversity.

The Preliminary Ecological Assessment (PEA) submitted as part of the initial Call for Sites package in August 2020 considers the site in the context of surrounding habitats and designations. In respect of point 2a the maps included as appendices to this document confirm that the site, whilst in relatively close proximity to two Local Nature Reserves (Putnoe Wood and Mowsbury Hill) it does not adjoin them.

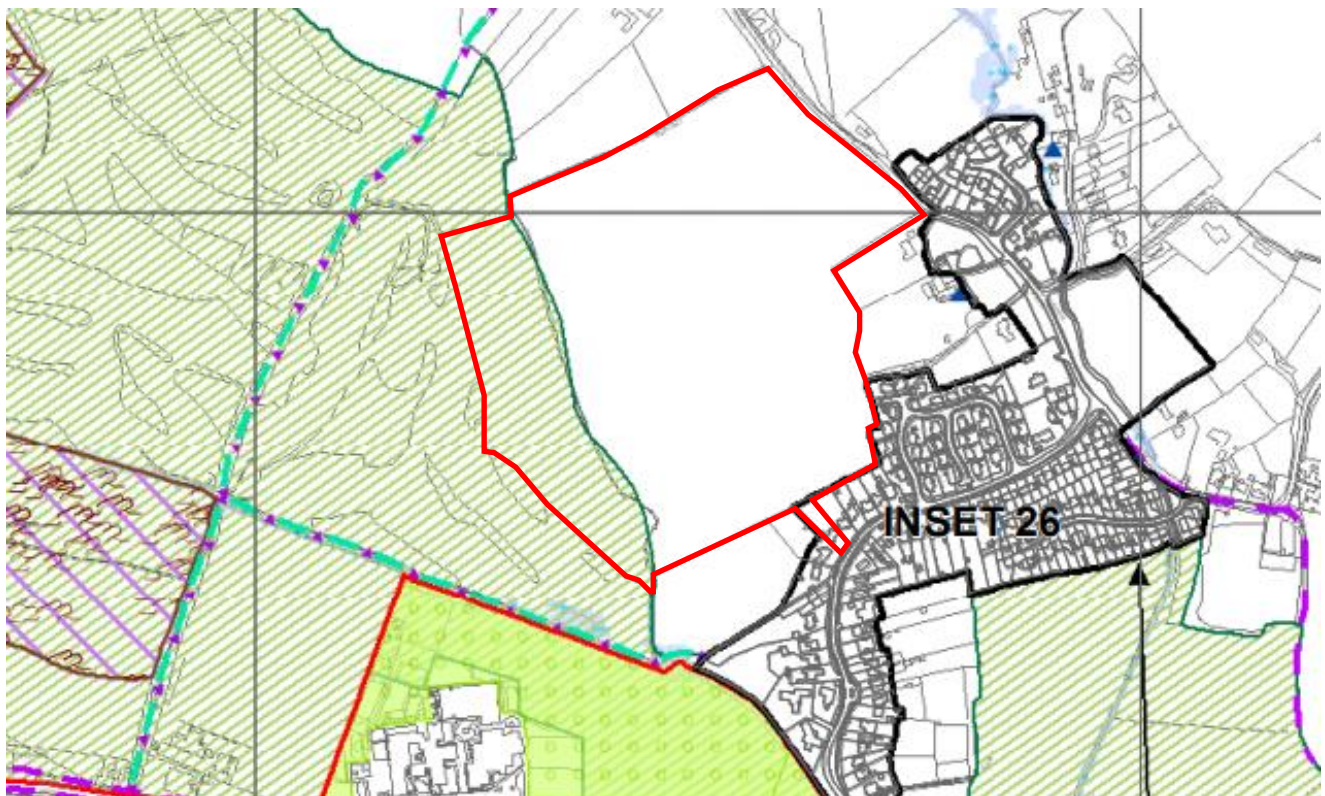
The Council's assessment currently concludes that protected species could be affected by the development of the site (point 2b). The PEA disproves this in concluding that *"the habitats within the site provide few opportunities for faunal species, being dominated largely by open, intensively managed arable land, albeit the field boundary vegetation and associated features provide some potential for use by common nesting birds, Badger and bats in particular. Accordingly, a number of recommendations and measures are set out with regard to protected species, (with compensatory and enhancement measures proposed where appropriate), in order to ensure that they are fully safeguarded, and the conservation status of local populations is maintained under the proposals, following which the proposals are unlikely to adversely affect any such species"*.

In any event, and in response to point 2c, the PEA also concludes that the development of the site could lead to ecological enhancements and an improvement in respect of the local network of habitats. Due to the significant amount of open space that is capable of being secured as part of any development, along with the creation of a linear area of more natural open space along the route of the brook which dissects the parcel, numerous opportunities exist to secure biodiversity enhancements and a strengthening of the local Green Infrastructure network. A Biodiversity Impact Calculator (BIC), prepared in August 2020 by Aspect Ecology and made available

to the Inspector and the Council as part of the recent appeal, concludes that a significant level of biodiversity gain can be secured on site – approximately 25% so significantly in excess of the current DEFRA target of 10%. A copy of the BIC is enclosed with this submission (**Enclosure 1**).

2d. Able to link into the green infrastructure opportunity network.

In response to this point the Council's conclusions to date state that no position has been provided by our client in respect to green infrastructure. In which case it is worth noting that the Proposals Map supporting the current Local Plan 2030 shows that the southern portion of the site (that to the south of the brook) comprises part of the green infrastructure opportunity network, specifically as part of the Bedford Northern Fringes network. An extract of the map showing the extent of our client's land is shown below with the green infrastructure network hatched in green:



On this basis, and referring to the objectives for the Bedford Northern Fringes green infrastructure network set out in the current Allocations and Designations Local Plan (Policy AD24), there is a clear opportunity for the delivery of the site to help the Council to achieve the following in particular:

- Delivering the north west section of the Bedford Green Wheel project to create a green access route around and into the town; and
- Creating walking, cycling and horse riding routes linking villages to the north of Bedford with the northern section of the Bedford Green Wheel.

In addition, the proposed development, as demonstrated by the Parameter Plan submitted as part of the August 2020 Call for Sites package, would both enhance access to the green infrastructure network more generally, opening up the parcel on the site as public open space. In fact the recreational value of this land would increase through the inclusion of more formal types of open space including sports pitches and informal semi-natural picnic areas.

4a Likely to impact on designated and non-designated heritage assets or their settings?

The Council's review of the site in respect of heritage assets currently concludes with what we understand to be generic text attributed to all sites in the immediate vicinity of listed buildings such as our client's land. It concludes that further assessment of the potential impact of development on the site "*may ultimately lead to the conclusion that the site should not be allocated*". This matter was, however, considered in significant detail during the course of the recent appeal and of course the application that preceded it. Our client's case was supported by a comprehensive Heritage Statement and Addendum (copies of which were submitted towards the Call for Sites exercise in August 2020) which allowed the Inspector to conclude on this point as follows:

"From its highest point, the topography of the site dips down to meet the older part of Salph End, which lies along Ravensden Road, outside the Settlement Policy Area defined in the Local Plan. This older part comprises a few large houses in extensive grounds on the west side of Ravensden Road, including Salph End Farm house and Abbey Farm house, both listed buildings and, on the east side of Ravensden Road, development more in depth in Brook Lane and Brookside, either side of Renhold Brook³, including a group of listed cottages on Ravensden Road itself (numbers 27-31 and 33-35, Abbey Croft and Moon Cottage). These help this part of the settlement to retain the character of a rural village.

Abbey Farm house was once closely associated with the site but, as the appellant's Heritage Statement demonstrates, that connection was severed in the 1990s by the demolition of the associated farm buildings, their replacement with a new detached property, Carlton House, lying between Abbey Farm house and the site and the definition of a new residential curtilage to Abbey Farm house itself.

For that reason, together with the topography of the land, existing tree and shrub planting and fencing which screens Abbey Farm house, Salph End Farm house, Abbey Croft and Moon Cottage, I concur with the findings of the appellant's Heritage Statement, that these listed buildings are not experienced in conjunction with the site and so the site makes no appreciable contribution to their setting. It follows that the development of the site would cause no harm to the setting or significance of these listed buildings."

On this basis and following rigorous independent review of the potential impact of the site on the setting of nearby heritage assets, it is evident that the Council can conclude with confidence that the presence of listed buildings adjacent to the site should not present a constraint to its allocation.

All other assessment criteria

Otherwise, the Council's site assessment proforma does not identify any other criteria where either the suitability of the site for development is questioned or further information is sought from our client. On this basis we concur with the findings of the site review.

Conclusions

On review of the latest draft of the emerging Local Plan 2040 we are firstly pleased to note that the Council is now clearly taking a more 'real world' approach to the delivery of significant strategic levels of growth across the Borough to meet a need that has been mounting since before the beginning of the current adopted Local Plan period. However, grasping the much-increased level of annual housing need on an annual basis and tackling it through a significant escalation in housing delivery is essential from the first year of the plan period following its adoption. Stepped trajectories should be avoided and a strategy which embraces the allocation of sustainable and immediately deliverable sites must form the central pillar of the updated plan.

On this basis the allocation of strategic scale sites on the edge of the Bedford and Kempston urban area must form the foundation to this strategy. Such sites are likely to be easily deliverable, served by existing road, rail, social and utilities infrastructure meaning they can be developed with minimal delays or risk and well related in character to the Borough’s main urban area.

In which case it is important to re-emphasise the deliverability and suitability of our client’s land to plug into this strategy. As demonstrated by the significant level of technical evidence provided to the Council during the previous Call for Sites period, and now updated within this response, there are no technical or legal constraints that would prevent our client’s land from delivering within the first five years of the plan period following adoption. Indeed, the credentials and suitability of the site for the delivery of a strategic scale residential development supported by on-site infrastructure including a new primary school site was clearly stated by the Inspector presiding over the recent appeal. Additionally, we have reviewed the site against the updated NPPF (July 2021) and note the enhanced importance it now attributes to good design. We are pleased to confirm that our client’s site provides ample flexibility to deliver a development where density, design and extensive tree planting reflective of its urban edge location can be achieved.

We trust that the enclosed information is helpful and of a sufficient level to allow our client’s views to be taken on board at this stage. However, should you have any queries or require any further information to assist this process, do not hesitate to contact me. Otherwise, we look forward to continuing to engage with the emerging Local Plan Review process as it unfolds.

Yours faithfully



Armstrong Rigg Planning

