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For and on behalf of
Bedfordia Developments Ltd

**BEDFORD LOCAL PLAN 2040 –
DRAFT PLAN STRATEGY OPTIONS AND DRAFT POLICIES CONSULTATION**

Land adjacent Highfield Road, Oakley – LPA Ref: 1000

**Prepared by
DLP Planning Ltd
Bedford**

September 2021



Prepared by:	[REDACTED]
Approved by:	[REDACTED] Managing Director
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DLP Planning Ltd
4 Abbey Court
Fraser Road
Priory Business Park
Bedford
MK44 3WH

Tel: 01234 832740

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1.0 INTRODUCTION AND STRUCTURE OF REPRESENTATIONS

- 1.1 This representation has been prepared by **DLP Planning Ltd (DLP)** on behalf of **Bedfordia Developments Ltd (Bedfordia)** in response to the ‘Bedford Local Plan 2040 – Draft Plan Strategy Options and Draft Policies (Regulation 18) Consultation’.
- 1.2 This representation relates to Land adjacent Highfield Road, Oakley. The site, which overall extends to circa 10 ha, but for the purposes of this representation an area of circa 4.5 ha is defined, this offers potential for a high-quality employment development area which complements the existing employment area in operation on Highfield Road, known as Highfield Parc. A location plan identifying the site is provided at Appendix 1.
- 1.3 DLP, on behalf of Bedfordia, welcomes the Council’s decision to review and update the various elements of the extant Development Plan and provide for a new Local Plan document that will fully reflect the policies of the National Planning Policy Framework (the Framework) and provide for the up-to-date development needs of the Borough and its residents in a sustainable manner.
- 1.4 DLP wishes to make a number of comments on the consultation document as part of the background context to the representations we are submitting on the site itself.
- 1.5 Bedfordia have concerns over the past failings of the Borough to capitalise on its locational context and the previous long-standing planning strategy that saw a concentration of development on the urban areas of Bedford and Kempston and the parallel restraint of development in rural areas. This as we have detailed elsewhere has failed to recognise the potential and capacity of rural settlements and their need for growth, and a corresponding reduction in rural service provision and the consequences of that.
- 1.6 This representation specifically addresses those elements of the Council’s policy and development strategy consultation proposals that fail to recognise the requirement to support new opportunities for economic development at locations across the settlement hierarchy and specifically for Oakley the requirement to reconsider its classification within the Settlement Hierarchy. This representation should be read alongside other submissions relating to our client’s wider interests that provide more detailed comments on the approach to the emerging Plan.

- 1.7 **Section 2.0** addresses specific comments on the Council's Preferred Strategy Options and Preferred Option Policy Proposals together with their supporting evidence.
- 1.8 **Section 3.0** discusses the suitability of our client's land for development including a response to the Council's Site Assessment Proforma.

2.0 OBSERVATIONS AND REPRESENTATIONS – PREFERRED STRATEGY OPTIONS AND PREFERRED OPTION POLICY PROPOSALS AND EMERGING EVIDENCE

2.1 This section addresses the Council's the Published Consultation Document.

Comments on Strategy Options / Proposed Approach and Supporting Evidence

The Council's Approach to the Assessing Settlement Hierarchy – Objection

Reasoning

2.2 The Council's work to justify the selected Preferred Options is at a relatively early stage with significant 'gaps' in the evidence presented – particularly in terms of development timescales, infrastructure delivery and viability. The Council notes, as follows:

- Infrastructure Delivery Plan – to be prepared alongside site allocations
- Settlement Hierarchy (September 2018) – review underway
- Plan-wide Viability Assessment – yet to be commissioned

2.3 The absence of these documents, and in-particular completion of the review of the Settlement Hierarchy, means that the exclusion of Oakley from the Council's Preferred Options can be demonstrated to be unsound – not effective, not consistent with national policy and not justified.

2.4 The Council's approach to the assessment of the existing settlement hierarchy is flawed as it fails to consider the proximity of services and facilities in neighbouring areas which fall within the prescribed distances. This is particularly relevant for Oakley, which is well positioned to take a greater level of growth given its inherent sustainability and the options for development available.

2.5 Oakley is a highly sustainable location and appears wrongly classified by the Plan, notwithstanding our broader concerns over the apportionment of housing numbers and the deferral of site identification to Neighbourhood Plans. Oakley is very well connected to both Clapham (a Key Service Centre some 600 metres distant) and Bedford and is well served by public transport.

2.6 Oakley includes local shopping, significant employment opportunities and has both a Primary and Secondary School. As such, Oakley serves a wider catchment area and, in this context,

it is a reasonable alternative to consider a higher level of growth than the 25-50 homes band proposed under the adopted Plan.

- 2.7 The key issue with the council's approach is that only limited weight was given to the provision of secondary education, as opposed to primary education in developing the evidence base for the Settlement Hierarchy.
- 2.8 As a consequence, the finding on Oakley's function as a Rural Service Centre is flawed, particularly as the relationship between additional housing growth and improvements in education provision should form a consideration when determining settlement status and ability to provide for housing growth.
- 2.9 The shortcomings of this finding are exacerbated because strategic priorities relating to the requirements for social infrastructure (notably education) were deferred rather than dealt with in the Local Plan 2030. This is contrary to the requirements of national policy (NPPF2021 paragraph 20(c)).
- 2.10 The current Development Plan (including the Oakley Neighbourhood Plan) makes no provision for the expansion of Lincroft Academy that is required and is a function of the growth that the current spatial strategy supports across other Key Service Centres without Secondary School provision (including Clapham and Bromham).
- 2.11 Addressing these current unmet strategic priorities together with providing a positive approach towards the longer-term requirements for school infrastructure would be most effectively supported by reclassification of Oakley's role in the settlement hierarchy to reflect its importance to the wider rural area (and strong links to the urban area).

Remedy

- 2.12 An appropriate remedy for this would be to complete a review of the preferred options within the Local Plan 2040, treat Oakley specifically as a Key Service Centre and recognise that the area has missed out on potential growth to meet key infrastructure requirements as part of the approach to preparation of the Local Plan 2030.

***Paragraph 1.11 and Paragraphs 3.1 – 3.3 (Local Housing Need and Levels of Growth)–
Comment***

- 2.13 Paragraph 61 of the NPPF2021 confirms that minimum annual local housing need calculated in accordance with the Government’s Standard Method provides the starting point for assessment of the number of homes to be provided through Plan-making. Positive Plan-making should address those circumstances where it may be appropriate to make provision for a higher number of new homes than indicated by the result of the Standard Method (with a non-exhaustive list of potential reasons summarised in the Planning Practice Guidance at ID: 2a-010-20201216).
- 2.14 It is apparent from paragraphs 1.11 and 3.1 to 3.3 of the Council’s consultation proposals that the Council has not considered potential reasons to plan for a higher housing number as part of the current process. Instead, it has only tested an arbitrary 10% uplift to the calculation of LHN within the draft Sustainability Appraisal process. This approach is contrary to material considerations (including the Council’s own evidence base) that require more detailed assessment before selecting options for the submission draft Plan and setting the housing requirement in the Plan.

Reasoning

- 2.15 Paragraph 3.4 of the consultation document ‘Creating a Vision for the Oxford-Cambridge Arc’ refers to the importance of the role of the NPPF to deliver the economic pillar of objectives for the corridor. In principle this reflects use of the Standard Method as the expected starting point to identify housing needs within the Arc but further reflects observations in the initial consultation and the role of the PPG that may necessitate delivery of higher levels of housing, setting out considerations such as:
- *“developing an Economic Strategy, supported by strong economic evidence, to identify the policies, locations and investment needed to deliver the Arc’s potential for sustainable and green economic growth; and*
 - *setting policies to make sure growth is felt by all communities and the Arc becomes a better place to live and work for all, such as by providing more housing in the right places, making sure people can move around by public transport and other infrastructure, and enhancing the Arc’s natural capital”*
- 2.16 The main implication of this component of the Arc Spatial Framework reflects circumstances where the calculation of local housing need will not result in sufficient workers in the right locations to achieve the full potential of sustainable patterns of economic development.

2.17 In relation to the Council's evidence base there appear to be significant issues with their assumptions for labour demand and labour supply techniques to forecast future changes in jobs and the requirement for additional workers.

2.18 In-particular, the Council's Employment Topic Paper:

- Does not use a range of economic forecasts (utilising only the East of England Forecasting Model (EEFM2019) baseline scenario only)
- Does not consider a past take-up scenario for jobs growth and delivery of employment floorspace
- It is likely to significantly over-estimate the number of jobs associated with the increased working-age population based on the LHN (the Council's employment land scenarios set out no assumptions on economic activity rates or commuting - the baseline EEFM assumptions are not dissimilar to LHN in terms of additional dwellings and persons required to meet the jobs forecast).
- It takes no account of engagement with the LEP or forecast Spatial Framework scenarios (that may result in a higher demand for labour)

Remedy

2.19 Failure to take account of these factors means that the Local Plan 2040 is more likely to result in conflict with the emerging priorities of the Arc Spatial Framework and it is recommended that a range of jobs-led scenarios are tested prior to determining the housing requirement for the Local Plan 2040 and selecting an appropriate strategy.

Paragraph 3.8 (Level of Employment Growth) – Comment

2.20 The Council's conclusions in the Employment Land Topic Paper to take account of the limited opportunities for high density office development and the majority of demand from within lower density business parks are generally supported.

2.21 It is recognised that the Council's requirement for a minimum additional allocation of 123ha employment land represents an ambitious target and takes account of relatively limited existing supply. However, the approach to identify the overall land required cannot be considered sound without undertaking more detailed analysis of the potential jobs growth and floorspace needs associated with testing a wider range of jobs forecasts.

Paragraphs 3.15 – 3.17 (Spatial Strategy Options) – Object

- 2.22 The emerging preferred options put forward by the Council have an urban focus and the four variations all focus development on the urban area, A421 corridor, and existing and planned rail stations. This approach relies heavily on rail investment and also focuses growth to the south of the town, with very little growth planned to the north of the borough.
- 2.23 In terms of meeting the needs for economic development the Council's Preferred Options cannot be considered **justified, effective, or positively prepared**. This is principally due to an overreliance on the allocation and delivery of large-scale business parks (as summarised at paragraph 6.8 of the Consultation Document. Even allowing for up to three large business parks the Council acknowledges: ***“the remaining 63 ha should be allocated in smaller sites which are more likely to be attractive for office and general industry purposes.”***
- 2.24 The Council's Preferred Options are not sufficiently flexible to provide for the range and type of sites required, part of which could be met by our client's land at Highfield Road. Specifically, the Council is reliant on the delivery of New Settlements and rail-based growth where the availability of land for economic development is uncertain and would have long lead-in timeframes. Particularly for proposed components of growth at Stewartby and Kempston Hardwick the Council is reliant upon land currently being promoted for employment use being brought forward for housing instead. This level of uncertainty is not the basis for sound Plan-making or providing support for the Plan's priorities regarding economic development.
- 2.25 The Council's draft Sustainability Appraisal findings recognise this, where **Option 3c** (including village-related growth) achieves the same assessment of **Positive** effects for SA Objective 5 (economic development) as the Council's Preferred Options. This is a function of the diverse range of local employment opportunities in existing Rural Service Centres (14ha – including our client's land at Oakley) providing opportunities for the creation of balanced communities. In the case of Oakley, concerns with the assessment findings relating to strategic road access and the potential for clustering are overcome due to proximity to the A6 and existing commercial development at Highfield Park.
- 2.26 Support for additional opportunities for economic development at sustainable locations in the hierarchy is thus consistent with the Plan's overall objectives and essential to achieve a sound strategy. The Council should thus adopt a 'hybrid' approach to strategy options for

both economic and residential development to overcome the soundness concerns identified.

Policy E1S (Amount and Distribution of Employment Development) – Comment

- 2.1 The policy sets out the requirement for a minimum of 8,642 net additional jobs will be provided to 2040. Principally we support Policy E1S and meeting the requirement for additional allocations to meet needs for economic development over the extended Plan period. Support for the approach is provided notwithstanding our wider objection to the Council's position regarding forecasting demand for jobs growth (potentially failing to ensure a sustainable balance between jobs and homes) and its Preferred Options published for consultation (too inflexible).
- 2.2 However, in order to be considered sound proposed policy criteria (i) also requires modification. This is in order to reflect that the development strategy includes providing support for economic development in Key Service Centres and Rural Service Centres. This is necessary in terms of maintaining sustainable patterns of development and the ability to respond flexibly to changing patterns of demand.
- 2.3 Our client's site at Highfield Road, Oakley, would satisfy this requirement and would satisfy other appropriately worded policy parameters on all technical matters (including access, ecology, and landscape). these parameters would be satisfied.
- 2.4 Additionally, and should our client's land not be allocated, criteria (ii) should be modified to specify that the circumstances where providing support for development on unallocated sites include the expansion and intensification of existing safeguarded employment uses within suitably located adjacent sites.
- 2.5 Paragraph 6.12 of the Council's consultation document is also noted with regards recent changes to the Use Classes Order. As well as amending policies within the existing LP2030 it is necessary that criteria (i) and (ii) of proposed Policy E1S also recognise that support for economic development in accordance with the strategy, and on unallocated sites, extends across Use Classes B2, B8 and Class E. Criteria (ii), as drafted, refers only to 'B-uses'. It is not considered necessary for suitable opportunities to be limited only to 'business' uses within Class E as suggested by the Council's paragraph 6.12.
- 2.6 This is contrary to the flexibility sought by the changes to the Use Classes Order. This approach is also ineffective, as it would not apply to existing lawful former B1 uses within

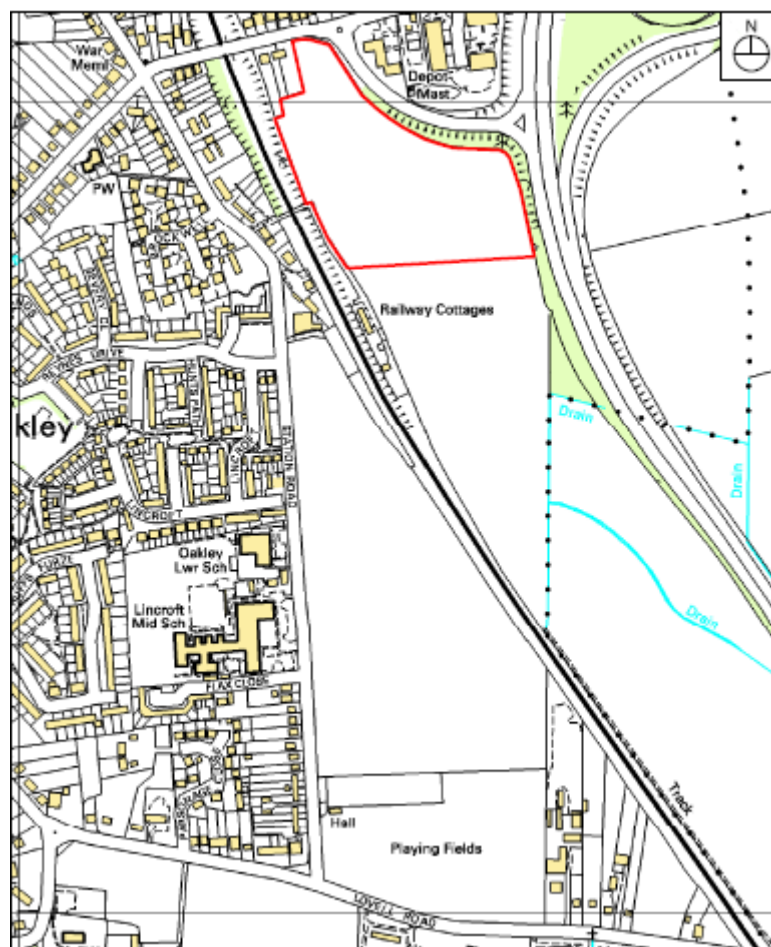
existing employment areas would in most cases benefit from opportunities to provide a wider range of commercial uses under Permitted Development Rights. This could, for example, in principle allow a more diverse range of occupiers at the existing Highfield Park site, commensurate with its location well-related to the settlement of Oakley and wider transport network. The same flexibility should be applied to the Council's policy criteria when assessing new development proposals.

3.0 RESPONSE TO SITE ASSESSMENT PRO-FORMA (CALL FOR SITES ID 1000)

Introduction to Site and Proposals

- 3.1 The site was previously submitted to the Council for consideration as part of the Council's 'call for sites' exercise in August 2020. The land area being promoted is shown below.

Figure 1: Land adjacent Highfield Road, Oakley



- 3.2 Land adjacent to Highfield Road, as defined in this representation, comprises circa 4.5ha of agricultural land and is considered to be suitable for employment development. The site adjoins existing development including residential development, the Midland Main Line (London – Sheffield) and the former Oakley Station and to the northeast existing employment.
- 3.3 Access can be achieved via an existing access point on Highfield Road west of the Highfield

roundabout, or at another point that may be agreed.

- 3.4 The site sits adjacent to the existing settlement boundary and strategic road network. It is well related to the main built up area of Oakley, is also in single ownership and there are no constraints to its development. It has sufficient land available to ensure development could be provided in a form and character that would respect its surroundings.
- 3.5 The site is considered suitable for a high calibre employment site (across the Class B and Class E Use Classes at a scale appropriate to the local area). The site offers an opportunity for the consolidation of the existing employment development on Highfield Road, which was purpose built and offers arrange of 'mid-size' units for a range of 'B' type uses. Policy BE1 of the Oakley Neighbourhood Plan provides support for a range of B1/B2/B8 uses (with reference to the previous Use Classes Order) within the existing Highfield Park. Policy BE1 is constrained by the timeframes and settlement hierarchy set by the strategic policies of the LP2030 and thus does not address the requirement to address needs over an appropriate Plan period as necessitated the immediate review and preparation of the Local Plan 2040.
- 3.6 The site is contained by existing development comprising the Midland Main Railway Line, existing housing, employment uses and the A6 Clapham Bypass. This contained setting would result in development appearing as a logical extension to Oakley and can also benefit from appropriate landscaping to mitigate impacts upon rural character and separation with Clapham to the south and east. The site has the capacity to accommodate approximately 3ha of employment development and also offers an opportunity for innovative design and job creation.
- 3.7 To ensure sufficient employment land is available to support housing growth, we would emphasise that when evaluating potential options for allocation and existing land use designations, consideration should be given to potential sites that could provide optimize opportunities for economic development in rural areas as well as potential infrastructure that would improve the delivery of employment sites.
- 3.8 The site as defined in Figure 1 is contained by the A6 Clapham by-pass, the Midland Main Railway Line, existing housing, employment uses and agricultural land that can be used to contain and enhance its setting.
- 3.9 The site has no known environmental, ecological, or archaeological constraints that would

inhibit development.

Response to Borough Council's Site Assessment Pro-Forma (Site ID: 773)

Site Assessment Criteria

- 3.10 We have reviewed the Council's assessment of the site and wish to make a number of comments below.

Within or adjoining the urban area or a defined settlement policy area boundary

- 3.11 The site adjoins the urban area or a settlement policy area (SPA), it therefore should be considered for development. The site offers an opportunity for the consolidation and expansion of the existing employment development on Highfield Road, (e.g., Highfield Parc), which was purpose built and offers a range of 'mid-size' units for a range of Class B and E type uses. The economic performance of Highfield Road is 'high' according to the Employment Land Review (ELR) (2015) findings. This is repeated in Part 2 of the Council's Employment Land Topic Paper (Site Ref: BE22) with the site recognised as providing modern, good quality space.

Impact on designated or non-designated heritage assets or their setting

- 3.12 The Call for Sites assessment found that the proposal has the potential to cause harm to heritage assets, which may range from low to high. This is a standard response that the Council has applied to a large number of the assessment pro-forma.
- 3.13 In this case our client's land at Highfield Road there are no designated heritage assets within or adjacent the site. The land is well-related to existing road and rail infrastructure and adjacent to modern commercial premises. The nearest designated heritage assets comprise the cottages at 27-33 Station Road, west of the railway and within the built settlement at Oakley. Development of our client's land may result in some impact upon the rural setting of the nearest designated assets although the impact on the immediate setting and contribution made towards their wider setting is likely to be negligible.
- 3.14 There will be options to avoid, reduce or mitigate this harm and where sites have not been ruled out altogether for other reasons. In the case of our client's land further assessment will be undertaken to more fully explore impacts on significance and to ensure that any impact

would represent less than substantial harm in terms of Paragraph 202 of the NPPF, which is the expected outcome given the context described above.

Impact on Highways

- 3.15 The site is located at the south side of Highfield Road and adjacent to the east side of property no. 8 Highfield Road, in village of Oakley, approximately 5 miles north-west of Bedford town centre. The site fronts onto Highfield Road at the most northern tip of the site and on the west side of the existing roundabout junction with A6 and also the A6 link road between the roundabout junction and the A6 dual carriageway on the east side.
- 3.16 The Council's Site Assessment pro-forma does not indicate any in-principle constraints to serving access from Highfield Road or providing sustainable options for access by non-car modes. The closest bus stop is about 280m from the site, serving buses 50 and 51 to Bedford and Rushden, at 2 times per hour frequency. A Transport Assessment will be developed to assess the impact of the development on the road network, with cycle connection improvements well as improvement of the pedestrian facilities.
- 3.17 In terms of the highway network the Council also accept that neither Highfield Road nor the A6 are normally congested. The issues identified relate to existing congestion on Station Road, within the village, which neither the Local Plan 2030 nor Oakley Neighbourhood Plan seeks to address. These representations should be read alongside our client's submissions promoting Land East of Station Road for development, incorporating a new dedicated access to Lincroft Academy and Oakley Primary Academy as part of a new road layout enabling the stopping-up of Station Road to through-traffic. This demonstrates a deliverable solution to address pre-existing issues raised by the Council's pro-forma.
- 3.18 This solution is consistent with delivering needs for community infrastructure and Oakley's reclassification to a Key Service Centre and would be complemented by further local employments at Highfield Road.

Groundwater Source Protection Zone

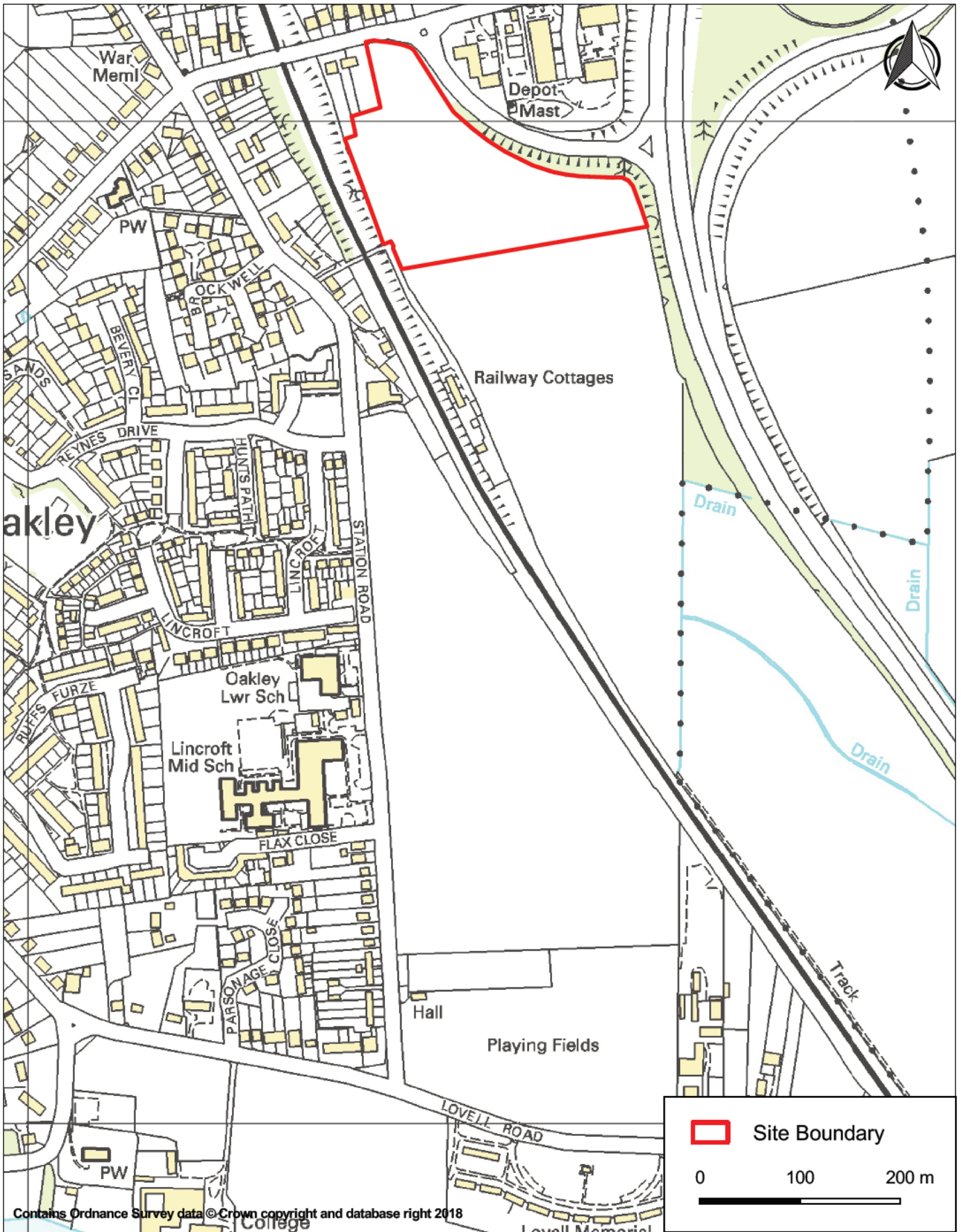
- 3.19 While the Council's site assessment pro-forma notes some potential impact arising from proposed industrial uses, given its location in an area for Groundwater protection, this does not reflect its location adjacent to existing commercial uses. Development of the site would

be undertaken in accordance with best practice, utilising and enhancing existing drainage measures to mitigate any potential wider impact.

Protected Species

- 3.20 The Council's assessment records a potential uncertain impact but recognises that the land is not within or adjacent areas of nature conservation importance and is in-fact located between existing corridors for transport infrastructure and commercial development. As part of future development of the site it would be appropriate to seek preparation of an Ecological Impact Assessment comprising a Phase 1 Habitat Survey and assessment of potential site features supporting the presence of protected species.
- 3.21 This would be an appropriate basis assess the impact of the development proposal and set out mitigation measures required to ensure there is no net harm to ecological features and where possible identify any opportunities available for integrating ecological features within the development. It is anticipated that a number of ecological enhancements could be provided as part of proposals, such as habitat piles, hedgehog tunnels, bat boxes, bird boxes and native planting and that delivery of these enhancements would lead to an overall Neutral to Minor Beneficial impact

Appendix 1 Site Plan (Land adjacent Highfield Road, Oakley – LPA Ref: 1000)



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PROJEC Hgh f e d Road Oak ey	JOB NO BE1749-1	REV	DRWG LE	Offices also at Bristol Cardiff East Midlands Leeds London Milton Keynes Rugby and Sheffield	
	Ma n Road Network				



BEDFORD

Planning / SDD / SPRU

bedford@dlpconsultants.co.uk

BRISTOL

Planning / SDD / SPRU

bristol@dlpconsultants.co.uk

EAST MIDLANDS

Planning/ SDD

nottingham@dlpconsultants.co.uk

LEEDS

Planning

leeds@dlpconsultants.co.uk

LONDON

Planning

london@dlpconsultants.co.uk

MILTON KEYNES

Planning

miltonkeynes@dlpconsultants.co.uk

RUGBY

Planning

rugby.enquiries@dlpconsultants.co.uk

SHEFFIELD

Planning/ SDD / SPRU

sheffield@dlpconsultants.co.uk



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RTPI
Chartered Town Planner