

Bedford Local Plan Review: Draft Options and Draft Policies

Land South West of
Williamson Road / East of Hill
Rise, Kempston

Prepared by Fisher German LLP on behalf of The
Challenger Multi Academy Trust



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01 Introduction

- 1.1 These representations are prepared on behalf of The Challenger Multi Academy Trust in respect of their land interest at Land South West of Williamson Road / East of Hill Rise, Kempston. The site area is illustrated at Figure 1 below.



Figure 1: Site Location Plan

- 1.2 The site has been previously promoted through the previous stages of Bedford Borough Council's Local Plan review.
- 1.3 The site measures some 1.4 hectares and at an assumed density of 40 dwellings per hectare (dph) is capable of delivering circa 56 dwellings. The site currently comprises of playing fields / sports pitches under the ownership of the Academy. The site is a brownfield site within the Bedford Urban Area and is therefore in a highly sustainable location which comprises a windfall site. There is not currently an emerging Neighbourhood Plan for Kempston Town Council.

- 1.4 The land shown in yellow above is not subject to this representation, however the Trust is working on a joint approach with Wells & Co to ensure the overall site area can come forward in a comprehensive manner. The land owned by Wells & Co will facilitate access into the site.
- 1.5 The site currently comprises of a Games Court. The redevelopment of the Games Court for residential development would generate a capital receipt which in turn would be used to fund much needed improvements at the school.
- 1.6 The site is located within the existing built-up area of Kempston and its development would comprise the re-development of a brownfield site in the urban area. The capital generated by the development would represent a social benefit being reinvested in improvements at the school.
- 1.7 For ease of reference these representations follow the consultation questions in order they appear in the consultation document, where relevant.

02 Representations

Housing Requirement

- 2.1 The Council propose to utilise base Local Housing Need as established through the Standard Methodology as the adopted housing requirement. The Council conclude that this uplift (from the existing housing requirement) will assist in meeting the wider aims of the Oxford-Cambridge Arc, which advocates for significant growth in housing to ensure economic growth in the region, which is described as being of national importance by the Government, is not fettered.
- 2.2 The Housing Requirement for Bedford is proposed to be 25,500 dwellings between 2020 and 2040, 1,275 dwellings per annum as established through the standard method. The Council consider having regard for existing commitments, derived from planning permissions, current allocations and a windfall allowance which all equate to 13,000 dwellings, meaning the Council need to positively allocate 12,500 dwellings to ensure Local Housing Need can be met.
- 2.3 The PPG is clear that when establishing a housing requirement "*the standard method for assessing local housing need provides a minimum starting point in determining the number of homes needed in an area... Therefore, there will be circumstances where it is appropriate to consider whether actual housing need is higher than the standard method indicates.*" [our emphasis] (Paragraph: 010 Reference ID: 2a-010-20201216). Examples of scenarios which may justify an increase of housing requirement include growth strategies, the delivery of strategic infrastructure improvements or the requirement of an authority to take on unmet need from a neighbouring authority.
- 2.4 It is important to note that the PPG sets out that the consideration of whether uplifts to the housing requirement from local housing need are necessary should be undertaken prior to and independently from any consideration of the ability of an area to meet that need.
- 2.5 Within the draft Plan document and supporting documents, the Council do not substantively consider any merits for uplifting Local Housing Need, beyond a brief reference to the Oxford Cambridge Arc at 1.5 of the Development Strategy Topic Paper (June 2021), despite acknowledging this figure is a minimum. The Council set out that it is not possible to positively plan for the increased requirements of the Arc due to the Arc Spatial Framework having been delayed 2 years. We do not consider this to be sufficient

reason to not positively Plan for this in the short term. There is currently an initial consultation on the Arc Spatial Framework – ‘Creating a Vision for the Oxford-Cambridge Arc’ – until 12th October 2021 with a draft Spatial Framework due to be published for consultation in autumn 2022, followed by the implementation of a final framework.

- 2.6 Uplifting on the basis of the Oxford Cambridge Arc, something which is entirely sensible and in accordance with the PPG and the Joint Declaration, signed by Bedford Borough Council. As a constituent member of the Arc, Bedford should be involved in active engagement with the emerging Spatial Framework and as such should be in a position to at the very least estimate the likely level of any uplift forthcoming on the basis of ongoing discussions. The consultation document does not yet indicate a specific locations and levels for growth, however great emphasis is placed on the concern about the affordability and availability of housing in the Arc, and what this will mean for the Arc’s communities, economy and environment. Place-making will be at the heart of the Arc utilising the opportunity for it to be *“a world leader in sustainable place-making and community living”*.
- 2.7 Even if in due course there is some debate as to the level of update required, the Council could choose a conservative uplift in the interim period. For example, if the level of uplift in the draft document is proposed to be 30%, the Council could seek to positively apply an uplift of 20% as part of this Plan. This is positive, in keeping with the Framework and entirely sensible. A more positive approach at this stage will enable the Council to better Plan strategically for future uplifts, through for example through the delivery of strategic sites.
- 2.8 It will be an unacceptable position for this Plan to again be caveated by an early review clause, as was the Case in the current Local Plan. This will merely serve to frustrate and slow much needed development.
- 2.9 It is evident running base Local Housing Need of all Arc Authorities would result in a significant shortfall against the agreed housing target of a million dwellings up to 2050 which are needed to support the economic goals of the Arc. In total, the result of the Standard Method for all authorities is just over 20,000 dwellings per annum. This means it will take around 47 years to reach the housing target, if all authorities simply make provision for base Local Housing Need, 18 years beyond the 2050 target. Using base Local Housing Need, the area will deliver only circa 63,500 dwellings up to 2050, only around 65% of the housing required. It is therefore demonstrable at this stage that base Local Housing Need is inappropriate, and an uplift is required likely in excess of 20%. The later Authorities begin to uplift their housing requirement, the harder it will be to satisfy, as fewer years will remain. We therefore consider

that the Council should seek to uplift the housing requirement now in accordance with the emerging Spatial Framework, as is being proposed by other authorities.

- 2.10 In respect of the draft Plan's proposal to potentially utilise a stepped trajectory, referenced at 3.5 of the draft Plan, this is something which is not supported and not considered sound. Whilst the Council point to difficulties in achieving the uplift against the current housing requirement, this is partially due to the Council's approach with regard to the previous Plan and adopting a Local Plan with a functional period up to 2030 only, despite the concerns of a number of development stakeholders. It is to us entirely inappropriate that this can be used to fetter current housing needs to later in the Plan period. This approach is particularly considered problematic in that it is anticipated that housing needs will increase through the Spatial Hierarchy, thus further compounding delivery requirements later in the Plan period. We have not seen any specific evidence which to us leads to the conclusion that a higher quantum of housing cannot be delivered in the short term and we are aware of a number of sites which are available and can make an immediate contribution to the Council's housing land supply. On this basis, there is no justification for a stepped trajectory to be utilised and in reality, it would likely damage the authority in later years by resulting in an unacceptable annual requirement.

Growth Strategy Options

- 2.11 In respect of the proposed growth strategy options, at this stage we consider the distribution of housing should be displayed as a percentage, that way it can more quickly respond to changes in housing requirement for example, whilst maintaining the spatial distribution of housing.
- 2.12 In respect of the proposed options, we consider it almost inevitable that the spatially optimal solution is likely to be a hybrid of a number of the referenced options. Our favoured approach would be an approach which seeks to continue delivery in the urban areas, deliver higher growth on key transport corridors, particularly the A421, but retains an apportionment of growth to be disbursed to the rural area. The issue with the other options is that they place too significant an emphasis on delivery on limited areas. Such an approach reduces the ability of the market to function most efficiently, as the variety and competition will be reduced. This reduces the ability for small and medium housebuilders to enter the market and reduces the options for home purchasers. This will become particularly apparent if a higher housing requirement is deemed to be appropriate, placing further emphasis on a more limited pool of settlements. Dispersed growth as well as assisting delivery, encouraging a wider range of housebuilders into the market delivering concurrently, also has the benefit of supporting rural communities remain

vibrant and ensuring a healthy demographic composition, preventing issues such as village ageing.

- 2.13 Dispersed growth (or Village related as it is referred in the consultation material) in our opinion should form part of every spatial option, albeit the level to be delivered could of course differ option to option. We would wholeheartedly reject any attempt to constrain any dispersed growth, as it is well established at this point the significant harm such an approach has caused in recent years nationally, as reflected in matters such as declining public transport routes, closure of village pubs, closure of shops and the general decline in vitality of village life generally where development has been withheld. Whilst the current plan makes some provision going forward, clearly this is to be delivered up to 2030, and thus would result in a 10-year period with no proposed growth which would be unacceptable and as such some provision must be provided to ensure sufficient provision is made over the extended Plan period.
- 2.14 A dispersed pattern of growth is better enabled through the availability of modern technology including recent modal shifts in online shopping, improvements to high-speed broadband provision, the increasing prevalence of home working and the greening of private vehicles through developments in electric vehicles, which by the end of the Plan Period are likely to be highly prevalent, with new petrol and diesel car sales ending in 2030. Post lockdown there is likely to be a continued demand for semi-rural opportunities, with the COVID-19 pandemic placing a greater emphasis on space and outdoor living.
- 2.15 Whilst we do not object to the principal of identification of a new settlement as a facet of future delivery, we would urge caution be applied if the Council are to rely heavily on delivery arising from new settlement/s to meet the overall quantum of housing growth necessary over the Plan period. Such sites are notoriously difficult to deliver and require significant amounts of planning and infrastructure delivery prior to the first dwellings being delivered. Our preferred approach in this scenario is to positively allocate such sites above and beyond the sites needed to meet housing needs. If work is underway and delivery has started, this can be reflected in later plan reviews. This ensures that the site is allocated, which should provide the confidence needed to the market to commit to the works and evidence necessary to obtain the appropriate planning consents but means that housing delivery will continue if work is delayed or doesn't come forward at all. We would not object if Strategic Sites were used to facilitate an increase in housing requirement, to provide delivery later in the Plan period. This should not be delivered through a stepped trajectory, with sufficient land needing to be allocated to deliver Local Housing Need in full through the Plan period.
- 2.16 The above approach is potentially beneficial in that it means the Council can retain an element of control, meaning they can ensure the new settlement/s comes forward in an acceptable manner, and are not

forced to compromise on key elements to ensure the site is delivered due to an over reliance on delivery. If it becomes apparent at a future Local Plan Review that the site is going to deliver, through evidence and appropriate planning consents, then the Council can begin to rely on delivery to meet base Local Housing Need. Given the likely lead in times, it is considered unlikely any development will be forthcoming until the latter end of the Plan period. As such if a higher housing requirement is assessed as being necessary, additional smaller sites will need to be identified in the early years of the Plan. This approach however could provide supply in the long term and an important avenue for future delivery, particularly towards 2050.

Site Allocations and Call for Sites

- 2.17 The Council have assessed the site under ID reference 874. We have a number of comments on the scoring of this site particularly in relation to the technical considerations.

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- 2.18 The Council's Site Assessment contains a number of criteria by which sites are scored. Wherein we have comments these are discussed in turn below.

Within or adjoining UAB, SPA or built form of a small settlement

- 2.19 It is agreed that the site is within the urban area. This is therefore considered a particularly sustainable location for growth which will comprise the redevelopment of a brownfield site. The negative scoring (-) for point 8b is therefore irrelevant given that 8b concerns whether a site is within a settlement policy area or built form of a small settlement; the site is within the urban area. We disagree with the scoring for point 8b given its irrelevance to this site.

In an area where protected species are known or likely to exist? Potentially able to achieve a net gain in biodiversity?

- 2.20 Whilst we have not carried out an ecological assessment to date, given the amount current use of the site as a playing field it is unlikely that the site will hold significant ecological value. A scheme could be capable of providing a biodiversity net gain, subject to scheme details. Point 2b should therefore be a (+) rather than a (?) on the site assessment.

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

- 2.21 It is considered that a scheme is capable of coming forward which is sensitive to any heritage assets identified as potentially causing harm. However, the site is some distance away from the nearest listed buildings (which are located on High Street and Woburn Road), therefore a scheme will likely be able to come forward with minimal heritage impacts. We disagree with the scoring of (x) for criteria 4b and believe this should be scored with a (+) given the significant distance of the site from the nearest heritage assets.

Highway or junction capacity issues

- 2.22 The highways comments in response to the site assessment is as follows:

"E boundary, Williamson Road. High frequency bus (1) stopping next to site. Segregated cycle trail next to site. Access by way of joint proposal with land to the east adjoining Williamson Rd. Access for pedestrians could be improved by widening the footway adjacent to Williamson Road."

- 2.23 We are content, in principle, to provide the necessary identified widening of the footway adjacent to Williamson Road, subject to detail and discussion of this with Wells & Co regarding the adjacent parcel of land.

Site Conclusion

- 2.24 Considering the additional commentary provided above, the site represents a strong, logical location for further development within the urban area boundary. The capital generated by the development would result in an added social benefit as it would be reinvested in improvements at the school.
- 2.25 We respectfully ask that Land South West of Williamson Road and East of Hill Rise, Kempston is allocated for residential development.

Self-build and custom housebuilding

- 2.26 The approach adopted by the Council in respect of *Policy SB1 - Self-build and custom housebuilding* is not supported and is not consistent with the Council's own evidence and is not internally consistent with how the Council has interpreted other evidence and how such evidence has informed other policies within the Plan. The Council has published evidence on the topic in the document the *Bedford Borough Local Housing Needs Assessment Self-build and Custom Housebuilding* (April 2021). This document concludes that the desires of self-builders is to build large, expensive properties and that currently sufficient single dwelling permissions adequately caters for this need. This accords with our understanding of self-build, wherein people are seeking bespoke and unique opportunities, not simply adjacent to a modern housing development.
- 2.27 Despite this, and for no justified reason, the Council have opted to seek to promote a policy which requires serviced plots to be delivered on the majority of new housing sites. This approach is not effective, consistent with evidence and as such is not supported nor considered sound. It is not clear what the housing target is for self or custom build, and how this has informed the policy, particularly having regard for the conclusions of the evidence document which demonstrates that there are sufficient units being delivered.
- 2.28 It is well established that such criteria are difficult to deliver on modern housing developments and do not serve to provide additional units. In reality, such requirements may impede development unnecessarily, adding to developer burden with little merit. Such proposals can create enclaves within or adjacent to housing schemes, with designs which may be entirely at odds with the aesthetic of the rest of the scheme, which will have been specifically designed as a collective whole. In our experience, self-builders generally do not want to buy serviced plots within or adjacent to a modern housing estate. Our experience is that for the most part that they are instead looking for more bespoke rural opportunities.
- 2.29 We are yet to see evidence that this method of delivery has been successful. Furthermore, just because individuals are registered on the self-build register it does not mean that they will all build their own property, even if suitable land was available. The reality is the difficulty and skills required will mean only a small percentage of those on the register will ever develop a self-build property. It is also important to note that individuals can be on multiple self-build registers, even with a local connection test, which inflates the figures across a number of areas. Unless demand for plots is means tested, with expressions of interest supported by evidence of finances to build such a house, to simply just deliver self-build plots

on strategic sites is an arbitrary approach which lacks nuance and will harm more justified housing delivery.

- 2.30 This policy requirement will serve to frustrate and slow housing delivery, given special consideration would need to be given to the location of the plots and how they can be accessed safely and independently from the typical development parcels. The delivery of plots following unsuccessful marketing is also more complex than suggested within the policy. The Policy assumes such plots could simply just be built out by the developer; the nature of the plots may not however lend themselves to being built by the developer and as such could leave undeveloped plots for significant period of time. Such requirements will also deter developers, given the increased complexity and lack of certainty of outcomes. Custom build may not be in the business model of some housebuilders, which may preclude them from bidding for sites if such a requirement is retained. Self and Custom build is a market choice and should be led by the free market, it is not and should not be treated as a need to be satisfied in the same manner as affordable housing. If there is sufficient demand for such units, and people are willing to pay a premium, then it will be adopted by more housebuilders.
- 2.31 The Council should instead seek to ensure the continuation of a positive policy environment where suitable self-build schemes, either of individual units or larger schemes or specific schemes providing serviced plots will be treated favourably. This encourages delivery in line with the Council's statutory duties, without compromising sites which make up a vital facet of the Council's overall proposed housing supply. It will also more likely better serve the self-build market by enabling development in line with the wishes of perspective self-builders. Having regard for the evidence, this policy is not sound, as it is not effective nor justified.
- 2.32 It is noted that Council's evidence as suggested that sufficient small-scale windfall housing sites are expected to come forward to negate the need for a specific policy or allocations to guarantee the 10% small sites requirement. This is a very similar position to self-build/custom-build, where the evidence suggests there is not a need for a policy intervention and as such none is suggested. This is entirely at odds with the self/custom build policy, which again is clearly not necessary, but the approach adopted is entirely different. The Council should be guided by its evidence and remove this policy requirement.

Residential space standards

- 2.33 The requirement for all new dwellings to meet prescribed national space standards as a minimum, as proposed through *Policy DQ1 – Residential space standards* is not supported and has not been justified. The justification provided is that the standards have been mandated for homes delivered through permitted development rights. This was however in response to a specific issue identified with homes delivered through PD rights, with many being delivered in former office blocks or other buildings which resulted in smaller dwellings. This does not justify the approach adopted by the Council in respect of new build units. If the Council is to introduce this policy, it must have evidence to point to a specific issue existing in Bedford Borough and the issues this is causing and hence why a policy intervention is necessary. Without this the Council is not justified in relation to this policy. Moreover, the Council should be aware of delivering such requirements and the impacts on sale prices, as larger dwellings will attract higher prices, having a disproportionate impact on larger families who do not qualify for social housing, but require a larger property.