



# Bedford Local Plan 2040 – Plan for Submission

Representations for Hollins Strategic Land LLP



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# Contents:

1. Introduction	1
2. Plan Period	1
3. Policy DS3 (Amount and Timing Housing Growth)	2
4. Housing Supply	13
5. Policy DS2(S) Spatial strategy and Policy DS5(S) Distribution of growth	16
6. Land west of Hall End Road, Wootton (Site ID 371)	26
7. Land south of Bromham Road, Biddenham (Site ID 7432)	31
8. Appendices	41



## 1. Introduction

1.1 Emery Planning is instructed to submit representations to the Bedford Local Plan 2040 – Submission Draft on behalf of Hollins Strategic Land (hereafter referred to as 'HSL'). HSL have land interest at:

- land west of Hall End Road, Wootton (**Appendix EP1**); and,
- land south of Bromham Road, Biddenham (**Appendix EP2**).

1.2 We promote both sites for residential allocation as they are sustainable and logical choices for an allocation in order to meet the identified development needs. Land west of Hall End Road has previously been recommended approval by officers, whilst land south of Bromham Road immediately adjoins the Bedford urban area boundary.

## 2. Plan Period

2.1 With regard to the plan period the Council will need to consider paragraph 22 of the Framework which was published after the start of the consultation. It states:

*“Strategic policies should look ahead over a minimum 15 year period from adoption, to anticipate and respond to long-term requirements and opportunities, such as those arising from major improvements in infrastructure. 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.”*

2.2 The Plan sets out a significant level of development and new settlements and/or significant extensions to South Bedford. Given the scale of development, the strategy chosen, the stepped trajectory and ambitious annual delivery rates we consider the 400 dwellings that are shown to be post 2040 is an underestimate. We consider that the plan should be extended to 2050 if the current proposed strategy involving new settlements is adopted.

2.3 A further point on why the plan period should be extended to 2050 is the consultation on the Arc Spatial Framework. Paragraphs 1.9 and 1.10 of the consultation paper for LP2040 states:

*“1.15 In response to this, and in order to create a more joined up and legible process, some local authorities in the Arc have adjusted their local plan review timetables so that local plan activity follows the completion of the spatial framework. Government, however, has urged Councils in the Arc to carry on*

*with plan-making and, in Bedford Borough's case, the consequences of not doing so could be significant for the reasons relating to policies becoming "out of date" described above; so local plan work in Bedford Borough continued.*

*1.16 Whilst this local plan has emerged alongside rather than after the development of the Arc Spatial Framework, it shares many of the overarching principles relating to a focus on climate change, economic growth and the natural environment.."*

- 2.4 We agree that LP2040 should progress and not be delayed by the Arc Spatial Framework, but we do question whether the two plans will be aligned on the key matters, one of which is the plan period with the Arc Spatial Framework planning to 2050 yet the LP2040 to 2040. This approach is different to other authorities within the Arc which are aligning emerging plans for the period up to 2050, such as West Northamptonshire.

### **3. Policy DS3 (Amount and Timing Housing Growth)**

- 3.1 The Plan states that the result of the standard method is 1,335 new homes per annum between 2020 and 2040. The total for the plan period is 27,100 dwellings. Paragraph 4.7 states that after taking account of 14,824 dwellings committed, the new local plan will need to allocate land to provide a minimum of 12,276 new dwellings. The evidence base does not provide a critical assessment of the committed 14,824 dwellings and that will be necessary as the Plan is examined as many may have lapsed or not be considered deliverable under the new definition in NPPF 2021<sup>1</sup>.
- 3.2 Based on the latest affordability ratio we calculate the standard method figure to be Step 1 which is 985 dwellings per annum, with Step 2 increasing it to 1,369 dwellings.
- 3.3 Paragraph 7.3 of the Sustainability Appraisal Report states a higher growth figure should be considered of LHN plus 10%. It states:

*"In considering reasonable alternatives for the amount of housing growth to be provided in the local plan, a lower figure than 12,276 dwellings (or no growth) is not a realistic option because of the National Planning Policy Framework requirement for local plans to meet assessed needs in accordance with the standard method. However this is a minimum number and a higher growth figure has been considered for the purposes of sustainability appraisal testing although the Plan's objective is to meet the Standard Methodology*

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<sup>1</sup> The existing allocations within Local Plan 2030 were considered under the old definition of deliverable in NPPF 2012.

*requirement. In the absence of any methodology for calculating a higher alternative figure, a 10% uplift to the local housing need assessment is proposed. This would give a requirement for 29,810 dwellings over the plan period. After commitments are deducted, 14,986 dwellings would need to be allocated."*

- 3.4 We endorse a buffer of at least 10%<sup>2</sup>, but it has not been carried forward into the Plan. Whilst we agree that there should be a minimum 10% flexibility, we consider there should be a buffer of 20% which is based on the Local Plans Expert Group report to the Communities Secretary and to the Minister of Housing and Planning in March 2016. The report recommends at paragraph 11.4 that the Framework should make clear that local plans should be required to demonstrate a five year land supply but also focus on ensuring a more effective supply of developable land for the medium to long term, plus make provision for, and provide a mechanism for the release of, sites equivalent to 20% of their housing requirement, as far as is consistent with the policies set out in the Framework.
- 3.5 As the plan moves forward a buffer of 20% is essential given that some of the growth is reliant on new settlements and significant extensions, made neighbourhood plans and from experience across the county issues arise on the timing of delivery on allocated sites. As we set out below it would also assist with the economic aims of the Arc and deliver much needed affordable homes in Bedford to meet a significant need.

### **Stepped Requirements**

- 3.6 Paragraphs 4.25 to 4.27 of the Plan proposes a stepped requirement. It states:

*"4.25 The significant increase in the housing requirement alongside the focus on new settlements and the infrastructure delivery challenges described above mean that housing provision across the plan period will need to be "stepped"; continuing at the same rate as it is for Local Plan 2030 for the first five years, with more significant growth post-2030 once critical infrastructure is delivered and the benefits for the local economy start to be felt.*

*4.26 Taking account of the infrastructure delivery challenges a stepped trajectory is proposed. The following policies set out the amount and timing of the delivery of growth to meet identified needs.*

*4.27 In the years up to 2030 housing supply is provided by sites allocated in Local Plan 2030 and early delivery on additional sites allocated in Local Plan 2040. After 2030, once EWR and highway improvements have been completed, the strategic growth sites allocated in this plan will be able to deliver substantial growth. Furthermore, development on some other urban sites also becomes*

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<sup>2</sup> A buffer of 11% was found acceptable for the Bedford Local Plan 2030

*increasingly viable. Given that the higher development rates in the second half of the plan period are primarily related to the provision of major infrastructure and strategic sites from 2030 onwards which is required to deliver them, there will be limited scope to bring forward sites to address any shortfall which may arise in the early years of the plan."*

3.7 A number of points arise.

3.8 Firstly, the proposed phasing is not consistent with real housing needs now and there is no evidence to suggest that the need will be less in the early years of the plan. Indeed, Policy 1 (Reviewing the Local Plan 2030) states:

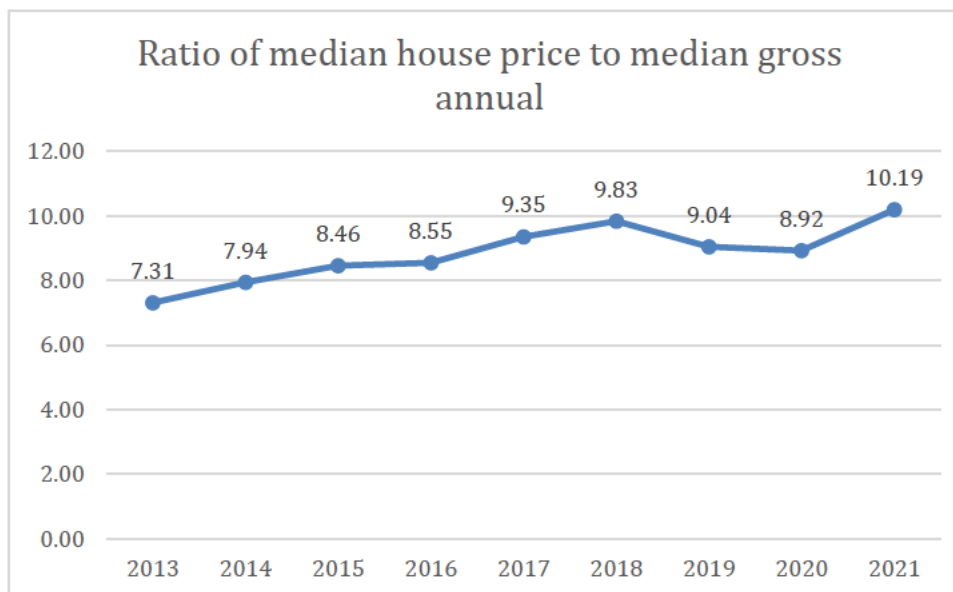
*"The plan review will secure levels of growth that accord with government policy and any growth deals that have been agreed. The planning and delivery of strategic growth will be aligned with the delivery of planned infrastructure schemes including the A421 expressway, Black Cat junction, East West Rail link and potentially the A1 realignment."*

3.9 The evidence and the need for this early review both demonstrate the highest levels of housing need being present now, due to persistent failure to meet housing needs in previous years and a very significant backlog of affordable housing.

3.10 Figure 42 and paragraph 5.18 of the ORS LHNA states:

*"Based on a detailed review of both the past trends and current estimates our analysis has concluded that 2,119 households are currently living in unsuitable housing and are unable to afford their own housing. This assessment is based on the criteria set out in the PPG and avoids double counting as far as possible."*

3.11 The affordability ratios also demonstrate an increasing affordability issue in Bedford.



- 3.12 Meeting this need should not be delayed further by a stepped trajectory which would reduce supply against an increasing demand with the effect of higher house prices and worsening unaffordability.
- 3.13 Secondly, the proposed phased approach is contrary to paragraph 60 of the Framework, which requires the Council to support the Government's objective of 'significantly boosting' the supply of homes by bringing forward a sufficient amount and variety of land where it is needed. The origins of the current Framework can be found in the previous Government's 2017 White Paper: *Fixing our Broken Housing Market*, which made it very clear that the cause for the broken market is simple: for too long, not enough homes have been built. The current Government's ambition is to increase the supply by 300,000 new homes annually which is, as explained in the current Government's 2020 White Paper: *Planning for the Future*, a figure which far exceeds the cumulative targets in adopted development plans (187,000 homes per annum) and current delivery (241,000 homes were built in 2018/19). The messages are clear: there is a national housing crisis and boosting the supply of housing now is a critical objective for the Government.
- 3.14 There are three stepped requirements across the plan, with the first step continuing the existing outdated requirement of 970dpa and the second step barely increasing the requirement. Most of the unmet needs are pushed to the end of the plan period. The Plan is effectively proposing that unmet needs should not just persist for a longer period, but that they will continue to accumulate for the first 5 years of the plan which when combined with the requirement in the



adopted local plan will mean some 10 years of not meet the starting point for housing need in Bedford<sup>3</sup>. This is wholly unacceptable and clearly contrary to the national imperative to significantly boost supply. There is no other provision within national policy or guidance which supports the use of a stepped requirement nor any evidence to suggest the housing market is not capable of delivering significant growth required. If prospective purchasers or those in need of an affordable home are not provided with a home it will exacerbate the housing crisis and/or result in out migration.

3.15 Thirdly, at the Examination the Secretary of State can have no confidence that the higher levels of delivery in later years will ever be applied as a housing requirement. Paragraph 74 of the Framework states:

*“Local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years’ worth of housing against their housing requirement set out in adopted strategic policies<sup>38</sup>, or against their local housing need where the strategic policies are more than five years old<sup>39</sup>.”*

3.16 Therefore, when the plan is more than five years old, housing land supply will be assessed against local housing need. On this point, footnote 39 of the Framework clarifies:

*“Unless these strategic policies have been reviewed and found not to require updating. Where local housing need is used as the basis for assessing whether a five year supply of specific deliverable sites exists, it should be calculated using the standard method set out in national planning guidance.”*

3.17 There is therefore no guarantee that the Council will ever apply the higher stepped housing requirement. Indeed, our experience is that LPAs with a planned housing requirement that is higher than local housing need will simply not undertake a ‘footnote 39 review’ or will determine through that review that the policies do not need updating. To name a few these include East Riding, Horsham, Ribble Valley, Hinkley & Bosworth, Cheshire East, Fylde and Wyre. For Bedford, this could mean prior to the higher stepped requirement in the later part of the LP2040, the LPA may decide to not undertake a ‘footnote 39 review’ so that housing land supply is calculated under the lower standard method. In the event of allocations not delivering as expected at that

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<sup>3</sup> The adopted requirement in the Local Plan 2030 was based on a lower OAN figure under NPPF transitional arrangements, not the higher LHN under the standard method.

point, this approach would undermine the NPPF's objective to allow sustainable windfall sites of all sizes to be brought in to meet needs.

- 3.18 The fourth is that the Stepped Trajectory Topic Paper (April 2022) and the Plan states that a reason for the stepped trajectory is that *"to support the level of growth required there will be a significant infrastructure need across social, environmental and physical infrastructure. It will require significant investment in health, education and the provision of other public services, as well as green spaces to support healthy lifestyles and transport infrastructure for all modes"*. This is a consequence of the chosen development strategy and an alternative would be for extensions to existing settlements which can use the existing services and facilities. There is no evidence that existing settlements do not have the capacity to support new housing. As we set out under DS5(S) those existing communities should continue to have development so that those communities can maintain or improve their sustainability and are not fossilised.
- 3.19 Therefore, the requirement should not be reduced in the early years of the plan period. The proposed approach is contrary to national policy, in particular paragraph 60 of the Framework, and it is not an appropriate strategy based upon the evidence base. It would compound issues of housing under-delivery at a time when the backlog of needs should be being met as urgently as possible and contrary to the reasons for this early review. Instead of phasing the requirement, the correct approach is to boost supply in the early years of the plan.
- 3.20 The allocation of additional sites which are deliverable in the short term could significantly boost supply in the early years of the plan, eradicating the need to employ phasing. Insufficient consideration has been given to this potential strategy through the preparation of the plan and in particular the selection of site allocations. Such small and medium sized sites which are not reliant on strategic infrastructure that can deliver early in the plan period as sustainable extensions to towns and villages. If a stepped requirement is required, then it should be based on a trajectory that factors in early delivery on small and medium sized sites and larger allocations which so not require that new infrastructure. The imperative should be to meet the housing needs sooner and any stepped requirement should be for new settlements only if they form part of the strategy going forward. The Plan should allocate land for at least 1,369 dwellings per annum on adoption with monitoring provisions to allow for sites to be brought forward earlier if delivery does not keep pace with requirement. With a sufficient mix of the right sites housing completions in the recent past suggest that delivery in excess of 1,335 is achievable in the market with 1,350 dwellings and 1,359 dwellings being completed in 2017-18 and 2018-19 respectively which from the AMRs were

from small sites through to large sites. This shows that a mix of sites is necessary to meet the standard method. Therefore, the Council needs to employ an appropriate strategy to deliver the housing needs that have existed for the last 4 years and going forward as set out by the standard method.

### **Should there be an uplift of Housing Requirement?**

3.21 Paragraph 61 of the Framework states:

*“To determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance – unless exceptional circumstances justify an alternative approach which also reflects current and future demographic trends and market signals. In addition to the local housing need figure, any needs that cannot be met within neighbouring areas should also be taken into account in establishing the amount of housing to be planned for.”*

3.22 Paragraph 2a-010 of the National Planning Practice Guidance (NPPG) states:

***“When might it be appropriate to plan for a higher housing need figure than the standard method indicates?”***

*The government is committed to ensuring that more homes are built and supports ambitious authorities who want to plan for growth. The standard method for assessing local housing need provides a minimum starting point in determining the number of homes needed in an area. 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 whether actual housing need is higher than the standard method indicates.*

*This will need to be assessed prior to, and separate from, considering how much of the overall need can be accommodated (and then translated into a housing requirement figure for the strategic policies in the plan). Circumstances where this may be appropriate include, but are not limited to situations where increases in housing need are likely to exceed past trends because of:*

- *growth strategies for the area that are likely to be deliverable, for example where funding is in place to promote and facilitate additional growth (e.g. Housing Deals);*
- *strategic infrastructure improvements that are likely to drive an increase in the homes needed locally; or*
- *an authority agreeing to take on unmet need from neighbouring authorities, as set out in a statement of common ground;*

*There may, occasionally, also be situations where previous levels of housing delivery in an area, or previous assessments of need (such as a recently-produced Strategic Housing Market Assessment) are significantly greater than the outcome from the standard method. Authorities are encouraged to make as much use as possible of previously-developed or brownfield land, and therefore cities and urban centres, not only those subject to the cities and urban centres uplift may strive to plan for more home. Authorities will need to take this into account when considering whether it is appropriate to plan for a higher level of need than the standard model suggests."*

- 3.23 As set out above, the minimum local housing need figure under the standard methodology is 1,369 new homes a year for the period 2020-2040. This is a total of 27,380 homes. After taking account of the existing commitments, the Plan seeks to make provision for 12,500 homes over the plan period to 2040. However, there should be a critical assessment of the supply undertaken to ensure that the Submission Plan allocates sufficient land to meet the housing requirement and that over-estimation of existing commitment delivery does not result in under-estimation of new allocations. That assessment has not been consulted upon prior to the Submission Plan being prepared. It will be for the Examination to critically assess the existing and new supply as a whole.

#### Arc Spatial Framework and East West Rail

- 3.24 As noted in paragraph 1.9 of the Plan, in February 2021 the Government published a policy paper entitled 'Planning for sustainable growth in the Oxford-Cambridge Arc: an introduction to the spatial framework'. A consultation titled "Creating a vision for the Oxford-Cambridge Arc" ended on 12th October 2021. The consultation states that its purpose is:

*"Creating a Vision for the Oxford-Cambridge Arc", sets out the government's first public consultation on the Oxford-Cambridge Arc Spatial Framework. We are seeking views to help us create a vision for the Oxford-Cambridge Arc Spatial Framework, and in doing so guide the future growth of the area to 2050."*

- 3.25 A number of points arise.

- 3.26 Paragraph 5.5 of the Arc Spatial Framework states:

*5.5 We are concerned about the affordability and availability of housing in the Arc, and what this will mean for the Arc's communities, economy and environment. Development of new homes is already happening in the Arc, but in the main centres this has not kept up with need. We also know people are being priced out of the area, increasing the need to make more polluting journeys for work and leisure, and making home ownership less likely for many.*

*And we have heard concerns about the quality and sustainability of new development.*

3.27 Paragraph 5,7 states:

*5.7 We will also seek to set policies to enable:*

- new development to come forward at the scale and speed needed, in sustainable locations, with a focus on brownfield redevelopment;*
- new development to support the recovery of nature, new green space that can be accessed by all, resilience to climate change, and protection of highly valued existing green space; and*
- housing needs to be met in full, including much-needed affordable housing.*

3.28 Paragraph 5.8 states:

*“5.8 In parallel to the development of the Spatial Framework, the government is also exploring options to speed up new housing and infrastructure development in the Arc to help meet its ambitions, where evidence supports it. This includes examining (and where appropriate, developing) the case for new and/or expanded settlements in the Arc, including options informed by possible East West Rail stations between Bedford and Cambridge and growth options at Cambridge itself. The government will undertake additional Arc consultations on any specific proposals for such options as appropriate. The Spatial Framework will guide the future growth of the Arc to 2050, including on the question of new housing and infrastructure and will, as part of its development, take into consideration any significant new housing and infrastructure coming forward to meet the Arc’s ambition.”*

3.29 It is clear that the Arc Spatial Framework will impact on Bedford and the scale of housing. Bedford is at the heart of the Arc. Whilst it is too early to give significant weight to the Arc Spatial Framework as the emerging LP2040 is being prepared in parallel with it and “*shares many of the overarching principles relating to economic growth and the natural environment*”. The East West Rail is in progress and Stage 2 will extend the service from Oxford to Bedford. The full route to Cambridge is expected to be operational by 2030. This is included in the Vision (para 2.1). Given both the Arc and EWR, then planning for an additional 20% of housing not only provides the necessary flexibility required but will also provide homes to meet the economic ambitions of Bedford Borough.

#### Census 2021

3.30 Paragraph 8 of the ORS Report states:

*“The latest official figures from the 2018-based projections show 73.1 thousand households in 2022 and suggest that this will increase to 80.6 thousand households over the period to 2032 based on the 10-year migration trend variant scenario (Fig 1); a growth of 7.5 thousand, equivalent to 10.3%”.*

- 3.31 Figure 58 of the LNHA also uses a starting point of 71,361 households as part of the housing need assessment. However, the 2021 Census figures are now available and for Bedford the total “Number of households with at least one usual resident” at 2021 is 74,900, some 1,800 more households than predicted by the 2018 household projections. This is a materially different starting point and that underestimation should not be carried forward. Rather, the migration trends should apply to the Census figure.

#### Affordable Homes

- 3.32 In the case of Bedford, paragraph 5.52 of the Local Housing Needs Assessment (LHNA) states that the affordable needs is 691 dwellings per annum which “represents a substantial proportion of the annual growth of 771 households per annum identified by the ONS 2018-based household projections for the LHN period 2020-2030 (10-year variant, Figure 33)”<sup>4</sup>. It represents 54% of the standard method figure. This is also a clear indication as to how much of Bedford Borough's housing growth is (and will continue to be) unaffordable.
- 3.33 The Standard Method does not assess the affordable housing needs in each LPA area as the PPG<sup>5</sup> confirms where it states:

**“An affordability adjustment is applied as household growth on its own is insufficient as an indicator of future housing need because:**

*household formation is constrained to the supply of available properties – new households cannot form if there is nowhere for them to live; and*

*people may want to live in an area in which they do not reside currently, for example to be near to work, but be unable to find appropriate accommodation that they can afford.*

*The affordability adjustment is applied in order to ensure that the standard **method for assessing local housing need responds to price signals and is consistent with the policy objective of significantly boosting the supply of homes. The specific adjustment in this guidance is set at a level to ensure that***

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<sup>4</sup> Paragraph 5.53 of the LHNA

<sup>5</sup> Paragraph: 006 Reference ID: 2a-006-20190220

**minimum annual housing need starts to address the affordability of homes.** (our emphasis)

3.34 Paragraph: 010 Reference ID: 2a-010-20190220 states:

*“Circumstances where this may be appropriate include, but are not limited to situations where increases in housing need are likely to exceed past trends because of:*

- *growth strategies for the area that are likely to be deliverable, for example where funding is in place to promote and facilitate additional growth (e.g. Housing Deals);*
- *strategic infrastructure improvements that are likely to drive an increase in the homes needed locally; or*
- **an authority agreeing to take on unmet need from neighbouring authorities, as set out in a statement of common ground;**

*There may, occasionally, **also be situations where previous levels of housing delivery in an area, or previous assessments of need (such as a recently-produced Strategic Housing Market Assessment) are significantly greater than the outcome from the standard method. Authorities will need to take this into account when considering whether it is appropriate to plan for a higher level of need than the standard model suggests.**” (our emphasis)*

3.35 In the case of Bedford, Step 1 of the Standard Method is 985 dwellings per annum, with Step 2 increasing it to 1,369 dwellings. The affordability uplift is therefore 384 homes, which is significantly below the 691 affordable homes in the LHNA. This is because the affordability ratio as a long-term adjustment to house prices which can only be seen at the end of the plan period and is not meeting those 691 households in need per annum now and throughout the plan period. Therefore, we consider the Council should apply an uplift to meet affordable housing needs.

3.36 To conclude, our position is that the requirement should be treated as a minimum and a flexibility percentage should be considered and in the order of 20%. This would give a reasonable degree of security that should sites not deliver at the rates anticipated it will:

- Help ensure there is a robust five-year housing land supply;
- deliver a greater level of affordable housing in line with the LHNA; and,
- deliver homes to meet the economic ambition of the Arch Spatial Framework.

## 4. Housing Supply

4.1 Paragraph 1.3 of the Development Strategy Paper states:

*“Over the plan period, in total, the Council will need to allocate land to enable a minimum of 27,100 dwellings to be delivered (20 x 1,355). Current commitments (including completions since 2020) amount to around 14,800 dwellings which means that land to accommodate in the region of at least 12,280 dwellings plus a reasonable buffer must be allocated in the new local plan.”*

4.2 Paragraph 1.3 of the Development Strategy Paper states:

*“Over the plan period, in total, the Council will need to allocate land to enable a minimum of 27,100 dwellings to be delivered (20 x 1,355). Current commitments (including completions since 2020) amount to around 14,800 dwellings which means that land to accommodate in the region of at least 12,280 dwellings plus a reasonable buffer must be allocated in the new local plan.”*

4.3 The LPA's 5 Year Supply of Deliverable Housing Sites 2021/22 to 2025/26 statement sets out the current position on the 5 year supply. A number of points arise:

- For the first 6 years of the plan period for the 2030 Plan there is a shortfall of 1,333 dwellings;
- The total supply in the 5 year period is 4,851 dwellings which comprises:
  - 21/22 – 987 dwellings
  - 22/23 – 994 dwellings
  - 23/24 – 1,089 dwellings
  - 24/25 – 969 dwellings
  - 25/26 - 812 dwellings
- The total supply in the first 5 years of the trajectory in the 2040 plan (Appendix 1 of the Stepped Trajectory Topic Paper) is:
  - 21/22 – 966 dwellings
  - 22/23 – 977 dwellings
  - 23/24 – 1,089 dwellings
  - 24/25 – 952 dwellings



o 25/26 - 866 dwellings

- This totals 4,850. This is a shortfall of 1,995 against the standard method.

4.4 A key point is that the new allocations proposed in the 2040 Plan have made no change to delivery in the first 5 years of the plan period. This Plan is the opportunity to bring forward sites, particularly small and medium sized sites as required by paragraph 69 of the Framework or larger extension sites that can deliver early in the plan period and in full in the next 5 years. Our client's two sites at Wootton and Biddenham can both deliver in the 5 year period.

4.5 Paragraph: 039 Reference ID: 61-039-20190315 of the PPG (What are the steps in gathering evidence to plan for housing?) states:

*"Authorities can use this evidence to:*

- *prepare or update their Strategic Housing Land Availability Assessment jointly with the authorities within the defined area or individually to establish realistic assumptions about the suitability, availability, and achievability (including economic viability) of land to meet the identified need for housing over the plan period, including robust evidence of deliverability for those sites identified for the first 5 years of the Plan*
- *prepare a viability assessment in accordance with guidance to ensure that policies are realistic and the total cost of all relevant policies is not of a scale that will make the plan undeliverable."*

4.6 Paragraph 68 of the Framework states that *"specific, developable sites or broad locations for growth, for years 6-10 and, where possible, for years 11-15 of the plan"*. Developable is then defined as *"sites should be in a suitable location for housing development with a reasonable prospect that they will be available and could be viably developed at the point envisaged"*.

4.7 The Executive Summary in the Viability Study states:

*"Our assessment identifies that one of the six strategic sites tested (River Valley Park) is viable and deliverable with respect to the Council's planning policy requirements (including affordable housing) at current costs and values. We note, however, it is viable only at the lower greenfield benchmark land value. The Council have identified additional infrastructure requirements to be provided in the River Valley Park strategic site, which our sensitivity testing has been shown to impact on the viability of the site. At current costs and values when the Watersports lake contribution is factored into our assessment, the site is unviable even at 0% affordable housing. The study identifies, however, that the site is viable and can accommodate the additional identified infrastructure and 30% affordable housing when growth in sales values and inflation in build costs are allowed for in the assessment.*

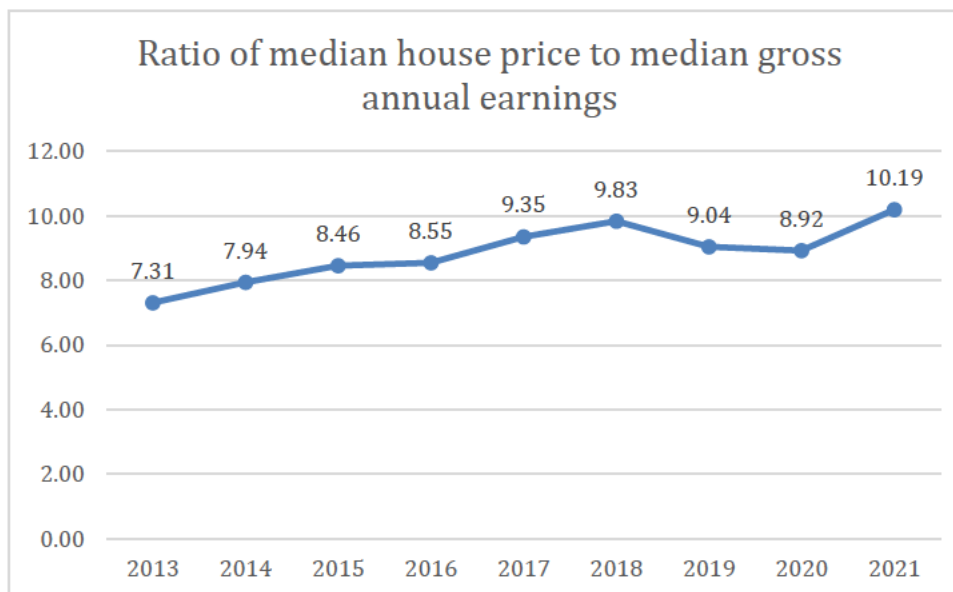
*We have also sensitivity tested lower levels of affordable housing and note that the Land East of Wixams and Gibraltar Corner sites can viably deliver 10% and 5% affordable housing when assessed at current costs and values and measured against the lower greenfield land value benchmark.*

*The two largest strategic sites (Little Barford and Kempston Hardwick) are identified as having challenging viability at current costs and values. However, in our experience of assessing the viability of such large schemes this is not unusual, and developers frequently rely on value growth through regeneration premiums and maturity factors to deliver them, particularly given the significant upfront infrastructure costs associated with their delivery, which can impact on cashflows.*

*Given the long timescales over which the strategic sites will be developed, the NPPF identifies in the definition of "Developable" sites in the Glossary at Annex 2, that it is reasonable and acceptable to factor in growth into the assessment of their viability. Our appraisals factoring in appropriate growth in sales values and inflation in build costs over the identified development periods demonstrate that all of the identified strategic schemes tested in this study are viable and therefore developable delivering 30% affordable housing.*

*We therefore consider that the identified strategic sites are developable and able to support the emerging LP2040 policy requirements. Further, the Council's policies build in an appropriate level of flexibility i.e. Policy DM1 (S) (Affordable Housing) is applied subject to viability and allowing for future reviews of viability as the development progresses. This will ensure that the strategic sites can come forward and will deliver the maximum reasonable quantum of affordable housing and infrastructure contributions."*

- 4.8 This shows that the Plan is predicated on viability issues being addressed later in the plan period (by increased land values driven by increasing house prices) and if there are issues at that time then less (or no) affordable housing would be delivered. Figure 2.25.1 (Average house prices in Bedford Borough) show an increase from 2013 to 2021. That increase correlates with the ratio of median house price to median gross annual earnings as set out below.



- 4.9 If that correlation remains, for the allocations to be viable house prices have to increase. As we set out under DS3 there is a significant and worsening affordability crisis in Bedford and the implications of the viability assessment is that it will worsen further in order to deliver these sites. Smaller and medium-sized sites that can viably deliver affordable homes now should have been prioritised.
- 4.10 To conclude, the evidence on the deliverability and developability of the sites in the trajectory does not form part of this consultation and a critical assessment of the sites must be undertaken as part of the Examination.

## 5. Policy DS2(S) Spatial strategy and Policy DS5(S) Distribution of growth

- 5.1 Policy DS2(S) and Policy DS5(S) sets out the proposed distribution of growth. The key locations are:
- Within the urban area – 1,200
  - Strategic locations adjacent to the urban area which contribute to delivering the Forest of Marston Vale incorporating the Bedford Milton Keynes Waterway Park and the Bedford River Valley Park – 1,500
  - South of Bedford including new settlement 7,050

- Little Barford new settlement 3,800
- Some development will take place beyond the plan period – 400
- Remaining rural area / villages - Completion of sites previously allocated in local plans and neighbourhood plans

5.2 Paragraph 4.31 states:

*"Policy DS5S sets out where growth will be located. It takes into account existing commitments together with the additional growth required to meet needs to 2040. There will continue to be growth in villages as a result of policies in the Local Plan 2030 which allocate growth to some Key Service Centres and Rural Service Centres. No new allocations are made in these villages in the Local Plan 2040, although some Parish Councils may choose to allocate further sites for development in their neighbourhood plans to meet particular local needs".*

5.3 We have a number of concerns with the strategy.

5.4 Our first concern is that the total supply from these sites in the plan period is 13,550. When added to the 14,824 dwellings committed, the total is 28,374 dwellings. At 4.7% this does not provide the necessary level of flexibility required in the SA of 10% to meet the requirement. Indeed, it is even lower than the 11% flexibility found acceptable by the examining Inspector in the LP2030.

5.5 Our second concern is that new settlements form part of the strategy. However, paragraph 2.5 of the Development Strategy Topic Paper states:

*"The results are summarised in the Issues & Options Consultation - summary and responses document. The (brown) urban, (yellow) A421 and (pink) rail-based growth development locations were the most strongly supported and were twice as likely to be selected as suitable locations for growth as dispersed and new settlement based growth options..*

5.6 Therefore, the results of the Issues and Options showed that the options for new settlements and dispersed growth were most unpopular. Despite this, new settlements form the bulk of the strategy in the Plan. We questioned the merit in undertaking consultation at the Issues and Options when at that early stage in LP2040 no meaningful account has been given to the public responses and this has been carried forward in the Plan. Our overarching objection is that land adjacent to urban area and higher order sustainable large villages has been dismissed in favour of new settlements and unsustainable allocations (HOU13 and HOU16 for example).

5.7 Some of the proposed allocations have viability issues. For example, the Viability Study states:

*“The two largest strategic sites (Little Barford and Kempston Hardwick) are identified as having challenging viability at current costs and values.”*

5.8 As to the Development Strategy meeting affordable needs, the Viability Study states:

*“Further, the Council’s policies build in an appropriate level of flexibility i.e. Policy DM1 (S) (Affordable Housing) is applied subject to viability and allowing for future reviews of viability as the development progresses.”*

5.9 This shows that the Plan is predicated on viability issues being raised and less affordable housing delivered. As we set out under DS3 there is a significant and worsening affordability crisis in Bedford. If the Council are committed to meeting affordable housing needs, and the current strategy is adopted, there will need to be clear monitoring policies to ensure action can be taken as soon as possible to meet affordable needs if allocated sites do not deliver the required on-site affordable homes.

5.10 In the case of extensions to urban areas, paragraph 3.5 states:

*“In relation to the broad components of growth, the sustainability appraisal found that the first component - within the urban area - performed best. It was likely to have a more positive effect than the other components, particularly in relation to reducing carbon dioxide emissions, promoting town centres, encouraging physical activity, providing for residents’ needs and access to community services, and reducing the need to travel and promoting sustainable modes of travel. It was likely to have fewer negative effects than any of the other components of growth, although the limited availability of land within the urban area could act as a constraint on business growth. **The adjoining the urban area component performed almost as well as the within the urban area component and was better in relation to economic growth. However, the adjoining the urban area component performed worse than the urban component in relation to maximising development on previously developed land. The risk of coalescence of rural settlements was also noted.**”*

5.11 In that context we consider that sites adjoining the urban area and which do not result in coalescence should have been allocated. In Section 7 we set out the merits of the land at Bromham Road, Biddenham (Site ID7432) which should have been allocated on that basis.

5.12 With regard to villages, paragraph 3.6 states:

*“3.6 The worst performing component was the village related growth component. It was likely to have a more negative effect than the other components, particularly in relation to reducing carbon dioxide emissions, protecting water resources, and reducing the need to travel and promoting*

*sustainable modes of travel. It was likely to have fewer positive effects than any of the other components of growth."*

- 5.13 As we set out at the Issues and Options stage, this conclusion must be read in the context that the Development Strategy Topic Paper<sup>6</sup> which has a Village Related Growth Option were all based on over 4,000 new homes ranging from 28% to 41% of the total requirement. We do not advocate such a dispersal strategy but clearly recommend that there should be growth at Key Service Villages and Rural Service Centres.
- 5.14 We consider that the SA has not assessed reasonable alternatives and the options should have assessed a lower total percentage of the total requirement for the Village Related Growth Option and also distinguished between more sustainable Key Service Centres and less sustainable smaller villages, particularly for Wootton which is highly sustainable and lies close to Bedford town and close to Milton Keynes. Whilst other villages may be more remote with fewer facilities, more realistic options for growth at Key Service Centres and Rural Service Centres should have been considered.
- 5.15 The fourth is that we note that of the 4 preferred options; 3 of which include growth in certain parishes. These are Options 2a (2,000 dwellings), 2b (1,500 dwellings), 2d (750 dwellings). We note that these options state within the '*parish area*' rather than within or adjacent to *parish settlement*. Paragraph 3.11 of the Development Strategy states that "*development in parishes within the 'Transport corridor' .... "will not necessarily adjoin existing villages but could be at new locations between a parish"*". Development on the edge of existing settlements, and closer to services, are important factors and we consider that new homes would be better located adjacent to settlement boundaries of existing settlements as that is the most sustainable option. Land at Hall End Road, Wootton, which was recommended approval by officers for 81 dwellings, and was considered sustainable in a housing shortfall context, would be one such site adjacent to a Key Service Centre that could accommodate some growth. Land south of Bromham Road, Biddenham, immediately adjacent to the Bedford Urban Area boundary (the most sustainable area in the borough) would also be a logical option for up to 40 homes.
- 5.16 This would also meet the aims and objectives in the Framework, for example;

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<sup>6</sup> Page 22

- Para 16: “Plans should: a) be prepared with the objective of contributing to the achievement of sustainable development”;
- Para 79: “To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. **Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services.** Where there are groups of smaller settlements, development in one village may support services in a village nearby”. (our emphasis)

5.17 The fifth is that it is Intended that if the favoured strategy involves additional development in and around villages, that parish councils will be asked to allocate land in accordance with LP2040. This is for non-strategic scale sites but if this is carried forward into LP2040, then each Parish should be given a housing requirement as required by paragraph 66 of the Framework which states:

*“66. Strategic policy-making authorities should establish a housing requirement figure for their whole area, which shows the extent to which their identified housing need (and any needs that cannot be met within neighbouring areas) can be met over the plan period. **Within this overall requirement, strategic policies should also set out a housing requirement for designated neighbourhood areas which reflects the overall strategy for the pattern and scale of development and any relevant allocations.** Once the strategic policies have been adopted, these figures should not need retesting at the neighbourhood plan examination, unless there has been a significant change in circumstances that affects the requirement.” (our emphasis)*

5.18 We consider there are reasonable alternatives that should be considered. They are:

- (1) greater growth in larger villages including Key Service Villages alongside urban-related growth and transport corridor growth.
- (2) an expansion of Option 6, with more growth in Key Service Villages, and to include urban-related growth.

5.19 Both these options should distinguish between larger more sustainable villages (KSCs and RSCs) and smaller ones. In the evidence base there is the Settlement Hierarchy Paper dated April 2022. At the time of the Draft Plan this report was not available as there was a “review underway” and was “not yet available for comment, but will be finalised in order to support the plan for submission (2022)”. We highlighted that it is important that this should be the subject of consultation prior to the Submission Plan being published so that any issues are considered prior to the spatial strategy evolving and reducing any potential objections to a key part of LP2040. Whilst it is part of the evidence base, any objections are to go before the Examination rather than being considered

prior to Submission. This point applies with even greater force to the HELAA where factual errors or unchecked judgements have resulted in sites not being allocated. If these matters were picked up following consultation, then the evidence base would have been more robust. We examine issues with the HELAA in later sections.

- 5.20 One of our specific interests is Wootton which is one of the 8 Key Service Centres. In the settlement hierarchy paper, it is one of the most sustainable settlements in the borough. Policy 4S of the LP2030 sets out the aim to deliver 970 dwellings per annum across the borough, with a minimum of 3,169 dwellings to be distributed across the various settlements. Part iv states that a minimum of 2,000 dwellings should be located at Key Service Centres of which Wootton is one. The policy then continues when it states:

*“it will be necessary to identify sites to meet the following levels of development, generally in and around defined Settlement Policy Area boundaries. Other than in Roxton, all sites will be allocated in Neighbourhood Development Plans. In rural service centres allocations may exceed 50 dwellings where specific local justification is set out in Neighbourhood Plans demonstrating that it would be appropriate in terms of the scale, structure, form and character of the settlement and the capacity of local infrastructure”*

- 5.21 Criteria xi to xvi then set out a specific housing requirement for each settlement. However, there is no specific requirement proposed for Wootton. This was explained in the 2017 version of the LP2030 because Wootton had expanded in recent years. This should not be seen as further development at Wootton not being appropriate; rather it confirms its suitability and capacity as a location for growth. We consider that going forward Wootton should be identified as a location for growth and given a specific requirement. This should be at least 500 dwellings as set out in Options 3b, 3c, 4, 5 and 6. That should not mean that all other Key Service Centres are also required to deliver 500 dwellings as they are already required to deliver 500 dwellings in LP2030 and form part of the committed 13,000 dwellings. These settlements could get less or as was the case at Wootton zero in LP2030 as LP2040 progresses. What is clear is that Wootton should have a specific requirement of at least 500 dwellings especially due to its sustainability credentials and its close relationship to Bedford town. If there is a concern about the effects of recent development in Wootton, which in our view do not stand up to scrutiny, there is no reason why the Council cannot suggest a requirement to Wootton to be delivered later in the plan period.
- 5.22 Indeed paragraph 2.8 of the committee report of Application 19/00894/MAO (land west of Wootton Upper School) the LPA states:



*“2.8 Despite the lack of allocation for Wootton, this does not mean that development should not occur.”*

5.23 In that context, Policy W2 of the emerging Wootton Neighbourhood Plan states:

*“Provision will be made over the plan period for up to 105 homes as proposed within site specific policies W3 to W6. Development in excess of this figure will only be permitted where the proposal relates to a site within the SPA in accordance with Policy W1.”*

5.24 That plan is to 2030, yet is not meeting the full need as explained in paragraph 60 of the Wootton Neighbourhood Plan which states:

*“Public consultation was carried out in June/July 2018 on the proposed scale of development in the WNDP, with 73% of respondents strongly agreeing/agreeing with the allocation of sites sufficient to accommodate a total of 145 residential units within the plan period, on the basis of need ascertained by the Housing Needs Survey. This survey aimed to assess the need of local people for either affordable housing or market housing in Wootton, at the time when it was envisaged that the Bedford Borough Local Plan would cover the period to 2035. The quantum of development has been marginally reduced in response to further resident feedback and to reflect the reduced Local Plan period to 2030.”*

5.25 Therefore, the housing need from the evidence base is 145 dwellings. It should be noted that the 105 homes proposed in Policy W2 is seeking to address existing and potential housing needs of the **existing** residents of Wootton and it takes no account of the newly forming households and the increase in households in the plan period across Bedford Borough that the standard method calculates. This is a particularly important point as the LP2040 consultation confirms that capacity within Bedford town for housing is limited and the Plan will rely on growth outside of this to meet needs of which Wootton can play an important role. However, it demonstrates a continuing need for new housing in Wootton which LP2040 should plan to meet.

5.26 Paragraph 4.12 of the Education Paper states that *“Wootton has expanded significantly in recent years and development is soon to commence on land south of Fields Rd. Initially it was thought that there may be scope for some additional capacity in local schools later in the plan period but updated school numbers show that this is unlikely to be the case”*. This is not evidenced in that document, yet the IDP states that there is a surplus of 328 places (Figure 48ID). Are these surplus places being taken up by the less sustainable allocations such as HOU13 and HOU16? For example, HOU13 requires a secondary school contribution which demonstrates there is capacity

to expand existing schools. Therefore, we have significant reservations on the evidence base and how it has been used to prepare the Plan.

5.27 This was a matter assessed by the Examiner for the Neighbourhood Plan. Paragraphs 4.16 to 4.18 state:

*“4.16 Up to 105 dwellings are proposed in policy W2 but it is made clear that this figure could be exceeded on suitable sites within the Settlement Policy Area, subject to the requirements of Policy W1 being met. This approach is based on the findings of the Housing Needs Survey (2017) and is supported by a majority of the local community. I am aware that Wootton is defined within the Bedford Local Plan as a ‘key service centre’ and on my visit I noted the wide range of community facilities and services available. However, I also saw that there has been significant development in the area over recent years and I consider that the Parish Council has adequately justified the reduction in housing numbers from 145 (as set out in policy W2 of the Pre-Submission version of the WNDP document – September 2020) to 105. This reduction is based primarily on resident feedback during consultation on the pre-submission version of the Plan and to reflect the reduced Bedford Borough Local Plan period from 2035 to 2030.*

*4.17 I note that some local residents questioned the need for more housing in the village and suggested that Wootton has ‘reached the limit’<sup>12</sup>. **However, the housing figure is based on the Housing Needs Survey (2017) and NPPF section 5 confirms that it is the Government’s objective to significantly boost the supply of homes. Paragraph 11 of the NPPF confirms that a sustainable pattern of development should be promoted. I consider that the wide range of community facilities and services that are available in Wootton contribute significantly to its credentials as a sustainable location for development.***

*4.18 Conversely it was suggested that in order to ‘boost the supply of homes’<sup>13</sup> more housing should be allocated, and for example, it was suggested that there should be an allocation at the Chequers Public House<sup>14</sup>. On current evidence I am satisfied that the Parish Council has satisfactorily justified its approach<sup>15</sup>, but circumstances may change with the adoption of the Bedford Local Plan Review (scheduled for 2023) and that is one of the reasons I am recommending that the WNDP is reviewed every two years (see paragraph 4.56).”*

5.28 Paragraph 4.10 referred to the out of date nature of the housing needs and proposed an early review. It states:

*“4.10 The Parish Council has based its housing requirement on the 2017 Housing Needs Survey (with a reduction to take into account the reduced Local Plan Period from 2035 to 2030). The Borough Council has not objected to this approach and bearing in mind I am recommending review of the WNDP every*

*2 years (see paragraph 4.56), I am satisfied that, at this time, sufficient land has been identified for housing development in the village."*

- 5.29 Therefore, the Plan is wrong to suggest that sites are not required in Wootton given the dwellings delivered to date and commitments. The Examiner proposing an early review confirms that housing needs need to reassessed to meet current and future needs.
- 5.30 It is clear that the housing needs of the area will not be met the most sustainable village as set out in Appendix 3 of the Settlement Hierarchy with Addendum which scores Wootton as the highest of the 80 settlements assessed. The Plan needs to be altered to identify a specific requirement for Wootton.

### **Policy HOU12 South of Bedford area**

- 5.31 We have significant reservations on how land has been allocated in the south of Bedford area where priority has been given to new settlements and extensions to less sustainable settlements, with such extensions likely to more than double the size of the existing communities. This has been chosen over extensions to more sustainable settlements for example Wootton. It is clear that HOU13 and HOU14 will rely on Wootton for services and facilities but journeys are likely to be by car. Extensions to Wootton would promote shorter journeys by alternative means such as by foot and cycle.

#### HOU13 Land at Gibraltar Corner, Kempston Rural

- 5.32 Notwithstanding the Plan has proposed an allocation of land surrounding Gibraltar Corner, Kempston Rural which is a small residential estate west of the A6. We object to HOU13 as it is proposing significant development in this isolated location which is clearly not as sustainable as an extension to Wootton or adjoining the Bedford urban area. In the Settlement Hierarchy it is a Group 4 settlement (the lowest category) scoring a total of 8, which is for bus services. It did not score for any other service or facility. Policy HOU13 sets out requirements for development but as can be seen by criteria iv, v, vii residents will rely on vehicular connections to more sustainable locations, including Wootton and Biddenham. It is not a new settlement but a larger residential estate in the open countryside. With a need for houses in the area as established by HOU13 and HOU14, then Wootton would be the most sustainable location to deliver some of this need.

Policy HOU15 Land south of Wixams and Policy HOU16 Land at East Wixams

- 5.33 The site is located to the east of the A6 and the existing Wixams development. Figure 8 shows this to be a disparate allocation of three residential parcels one of which (HOU15) is a logical extension to the village. The other two parcels (HOU16) are on the opposite side to the A6 and the largest parcel is a standalone development. In the Settlement Hierarchy Wixams scores 55 points whereas Wootton scores 92 points. Despite this clear difference Wootton has not been allocated. As with HOU13 residents will rely on vehicular connections to more sustainable locations.
- 5.34 The spatial strategy and distribution of development in the Plan requires a fundamental change and greater concentration of sites adjacent to existing settlements. At present Policy DS5(S) is not justified when utilising the evidence base, is not in accordance with national policy and is not effective in delivering housing needs in the most sustainable locations.

## 6. Land west of Hall End Road, Wootton (Site ID 371)

- 6.1 We set out below an overview of the site HSL are promoting for residential development in Wootton for *up to* 81 homes, however a reduced scale of development could be considered if necessary.

### Site Location and Description

- 6.2 The site is generally rectangular shape, on the edge of the western built-up area of Wootton, which lies south west of Bedford. The site, as identified by the red line boundary, covers approximately 6.5 hectares (ha) or 16 acres.



- 6.3 The northern edge of the site is defined by Hall End Road (also National Cycle Route 51) and the John Bunyan Trail. There is a field access gate to the northeast corner of the site. From this direction, the settlement of Wootton has recently been expanded towards the site with the construction of 58 dwellings (Ref: 14/02939/MAF) (Allocation AD2) and is a prominent feature. An allocation for a school extension is also located north east of the site on the opposite side of Hall End Road and is yet to be implemented and extends the settlement edge outwards towards the site.

- 6.4 The eastern boundary runs alongside an unnamed road that provides access to Wootton Upper School and commercial/ farm premises. The southern boundary is contiguous with Wootton Wood, an area of ancient and semi-natural woodland. The western boundary is shared with an adjacent field, laid to pasture. These boundaries are all formed from native hedgerow with a combination of post and rail or post and wire fencing within.

### **Sustainable and Suitable Location**

- 6.5 The village centre of Wootton is located approximately 900 metres to the east of the site. The village benefits from many amenities including local convenience stores, pubs and restaurants, several churches, a petrol station, pharmacy, public library and football club. The wider parts of the village contain community services such as the village hall, memorial hall, play areas, skate park and tennis courts.
- 6.6 In terms of transport links, bus services serve Wootton and can be accessed within a short walk of the site. These services provide regular daily services to destinations such as Bedford, Milton Keynes and other local villages, providing residents with the opportunity to access a wide range of employment, shopping, leisure and cultural opportunities without having to rely upon the private car. The site location therefore would accord with NPPF § 110.
- 6.7 The Environment Agency Flood Maps show the site lies entirely within Flood Zone 1 indicating it has a low probability of flooding and is suitable for residential uses.
- 6.8 Wootton has a historic character, with buildings and monuments dating from as early as the 14th Century. Wootton Church End Conservation Area is located approximately 250 metres to the east of the appraisal site and encompasses the Grade I listed Church of St. Mary and several other listed buildings. These heritage assets are separated from the site by Wootton Upper School and so development of the site would not have a negative impact upon their setting. The westernmost part of the site is within an Archaeological Interest Site. The LPA also agreed in the committee report that there is no heritage issue.

### **The Proposed Development**

- 6.9 This proposal submitted to the LPA sought outline planning permission for the construction of up to 81 dwellings with access. The final layout, scale, landscaping and appearance would be the subject of a reserved matters application. The proposed illustrative site layout and Design and Access Statement submitted with the application shows how the dwellings could be comfortably

accommodated on the site along with open space and the conserved and managed meadow. These are enclosed as **Appendix EP1**.

- 6.10 All of the proposed dwellings within the site would be served by a single access road which would be taken from Hall End Road. The main internal access road is shown and the precise details would form part of the reserved matters application. Pedestrian and cycle connectivity can be explored at the reserved matters stage.
- 6.11 The TA states that the proposed site is situated approximately 950m west of Wootton village centre, and coupled with the site's proximity to frequently serviced bus stops, cycle routes and viability to access the nearest rail station, accessibility from the site is considered to be of a good standard with opportunities to promote sustainable travel from the site. A Travel Plan was also submitted with the application to help promote more sustainable choices of travel.
- 6.12 We note the highways comments in the HELAA which state:

*"The site is a Greenfield site and located in the village of Wootton approximately 6 miles south-west of Bedford town centre. The sites proposed access is along Hall End Road and is reportedly considered acceptable by BBC highways through application 19/00894/MAO. There is moderate traffic congestion along Hall End Road and the development could worsen this. The nearest bus stop is located 550m away on Cause End Road. Acceptable footway is located on the opposite side of Hall End Road and it is also considered a bicycle friendly route. Provide crossing to the footway on the opposite side of Hall End Road. A Transport Assessment would be required to assess the impact of this scale of development on the local highway network".*

- 6.13 As we examine in the next section, whilst highways was a reason for refusal at the application stage, contrary to the advice of the highway authority, the Inspector found no highway issue.
- 6.14 With regard to the Site assessment conclusions, the HELAA states:

*"The site has been excluded from further assessment at Stage 1 because its location is not in accordance with the development strategy."*

- 6.15 We have addressed this matter under Policy DS5(S).
- 6.16 I note that some local residents questioned the need for more housing in the village and suggested that Wootton has 'reached the limit'. However, the housing figure is based on the Housing Needs Survey (2017) and NPPF section 5 confirms that it is the Government's objective to significantly boost the supply of homes. Paragraph 11 of the NPPF confirms that a sustainable

pattern of development should be promoted. I consider that the wide range of community facilities and services that are available in Wootton contribute significantly to its credentials as a sustainable location for development.

## **The Application and Appeal**

6.17 Following their consideration of the proposal, the professional officers of the Council concluded that planning permission should be granted and recommended this to the planning committee on 28<sup>th</sup> October 2019. The application was deferred for a site visit and it was considered again on the 25<sup>th</sup> November. The members of the Planning Committee voted to refuse the application solely on highway grounds contrary to the advice of the planning and highway officers.

6.18 The committee report sets out the detailed 22 planning considerations that were examined and the planning officer was informed by statutory and non-statutory consultees and other consultation letters during the determination period with the conclusion that permission should be granted.

6.19 An appeal was submitted and determined. However, following a High Court challenge the Inspector's decision on the appeal dated 15 September 2020 was quashed. The proposal has the following benefits:

- the delivery of open market housing to assist in boosting the supply of housing in Bedford and can meet the a locally-arising need identified in the evidence base for the WNP as well as borough housing needs;
- delivery of a medium sized site by HSL who have a proven track record of delivery which would accord with the clear objective of the Government in paragraph 69 of the Framework.
- the development accords with the spatial strategy as expressed in Policy 3S of the Local Plan which identifies Wootton as a Key Service Centre which can accommodate strategic residential development in a sustainable location.
- the proposed development helps to meet the objectives set out in the Bedford Green Infrastructure Plan (2009) and the provision of open space to meet the needs of existing and proposed residents and maintain a Green Corridor as required by saved policy AD24.
- residential development at the site through the proposed scheme will result in an improvement to the biodiversity value of the site and the net gain benefits to be achieved and secured by the scheme outweigh the estimated loss of c. 3.1 hectares of the neutral grassland at the CWS to achieve compliance with the paragraph 180(c) of the Framework.



- the delivery of 30% affordable housing accords with Policy CP8 and would assist in addressing the very significant and persistent shortfall in affordable housing delivery. There is a significant shortfall of affordable homes since 2003 and there is a significant need going forward. There is also an identified need for 24 affordable homes in Wootton as set out in the Housing Needs Survey.
- highway works that will improve highway safety; and;
- a range of social and economic benefits and increase spending for local services and facilities.

6.20 In the Site Assessment Pro-Formas June 2021 the subject site is Site ID 371. However, the assessment does not take account of the Officers Report to committee for the application and HSL sent an email to the LPA on 2<sup>nd</sup> August 2021 setting out our comments which were noted in an email dated 11<sup>th</sup> August 2021.

6.21 Our position is that the site can be delivered in full in the first five years of the plan period. This is because the land is controlled by HSL, an experienced land promotion company complete with its own housebuilding division. The site is controlled by a willing landowner, and there are no legal or ownership issues that would prevent development. The Council can proceed in the confidence that the site is deliverable, is sustainable overall as confirmed by the application officer's report and should be allocated on that basis.

## 7. Land south of Bromham Road, Biddenham (Site ID 7432)

7.1 The site comprises a field located south of Bromham Road and north of the A6. It is a well contained triangular site with roads and development to the north and an extant consent for development to the south. The western boundary adjoins an existing field.

7.2 Enclosed as Appendix EP2 is a Vision and Delivery Statement. This shows that:

- It is an infill site lying with the urban area boundary to the north and south;
- The site extends to 1.81 hectares. The site is currently undeveloped and is considered suitable for the delivery of around 40 dwellings.
- HSL have undertaken initial survey work and due diligence and have fully considering any constraints and opportunities presented by the site as a whole. An overview of the key technical considerations to-date is also provided, which helps to demonstrate that the site is Available, Suitable, Achievable and can therefore be considered Deliverable;
- Given the site's context, the site's attributes and sustainable location make it an ideal logical location for some housing growth on an SME site which the NPPF considers is important. There is an opportunity to provide a sustainable development that meets borough-wide and local housing needs and supports the local economy

7.3 As set out under Policy DS5(S) sites such as this should have been allocated. We now assess how the site was assessed and discounted.

7.4 Page 105 of the SA states:

*"The Council has decided that sites adjoining the edge of the urban area in most instances should not be part of the local plan strategy because, in many locations, the gap between the edge of the town and villages surrounding it is very narrow and the strategic expansion of the urban area in recent years has already reduced that separation. The Council's strategy is not to infill those gaps but to support only two sites adjacent to the urban area, where there are clear benefits associated with delivering the Council's strategic green infrastructure priorities (Bedford and Milton Keynes Waterway Park and Bedford River Valley Park, including the watersports lake)"*

7.5 The omission site is reference 7432. The SA states:

*"The location is not consistent with the Council's preferred strategy. In addition the site is already subject to a development plan allocation (H6) which intended the land to be kept free from development"*

7.6 The Site Assessment conclusion on page 878 states:

*"The site is outside of the urban area. The location is not consistent with the Council's preferred strategy. In addition, this site falls within the development area of Policy H6 of the 2002 Local Plan policy for Biddenham Loop which intended the land to be kept free from development."*

7.7 Given how the site has been assessed it is necessary to set out the planning history since the site was identified for development in 1994. This demonstrates that given the consents to the north and south that this site is now suitable as the reasons why it was not shown for development in the revised 2002 Biddenham Loop designation is no longer applicable. Therefore, the constraint to development no longer applies and importantly with regard to page 105 of the SA there would be no reduction in the gap between Biddenham, and Bromham. The extract from the Vision and Delivery Statement encapsulates this in one image.



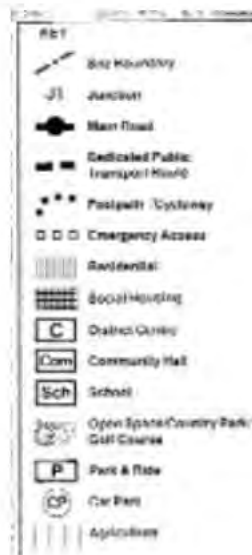
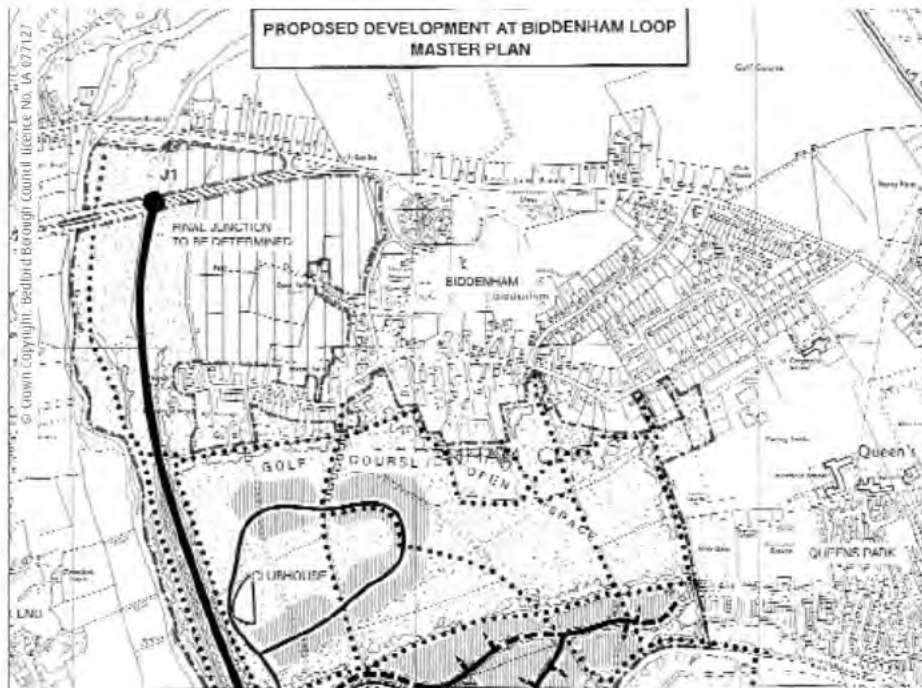
7.8 We now assess why we come to that conclusion.

### Planning History and Context

- 7.9 On the Interactive Policies Map for the current local plan, the site is shown under Policy H6 of the 2002 Local Plan and states “Site Name: Biddenham Loop Development Brief – Policy Number: H6”. The inclusion of the site in H6 is used as a reason to discount the site but given that H6 is to be deleted (Page 123 of the Plan), then the site needs to be assessed on the current position.



- 7.10 In the extract below, which is from the Biddenham Loop Development Brief in 1994, which we have taken from the 2002 Local Plan, the subject site is shown hatched as residential.



7.11 The fact that it was identified for residential development demonstrates its suitability as far back as 1994. However, in the Revised Biddenham Loop Development Brief dated 2002 the subject site was shown as part of a wider River Protection Area.



7.12 Paragraphs 4.12 to 4.14 of the Development Brief then explains the purpose of that designation as follows:

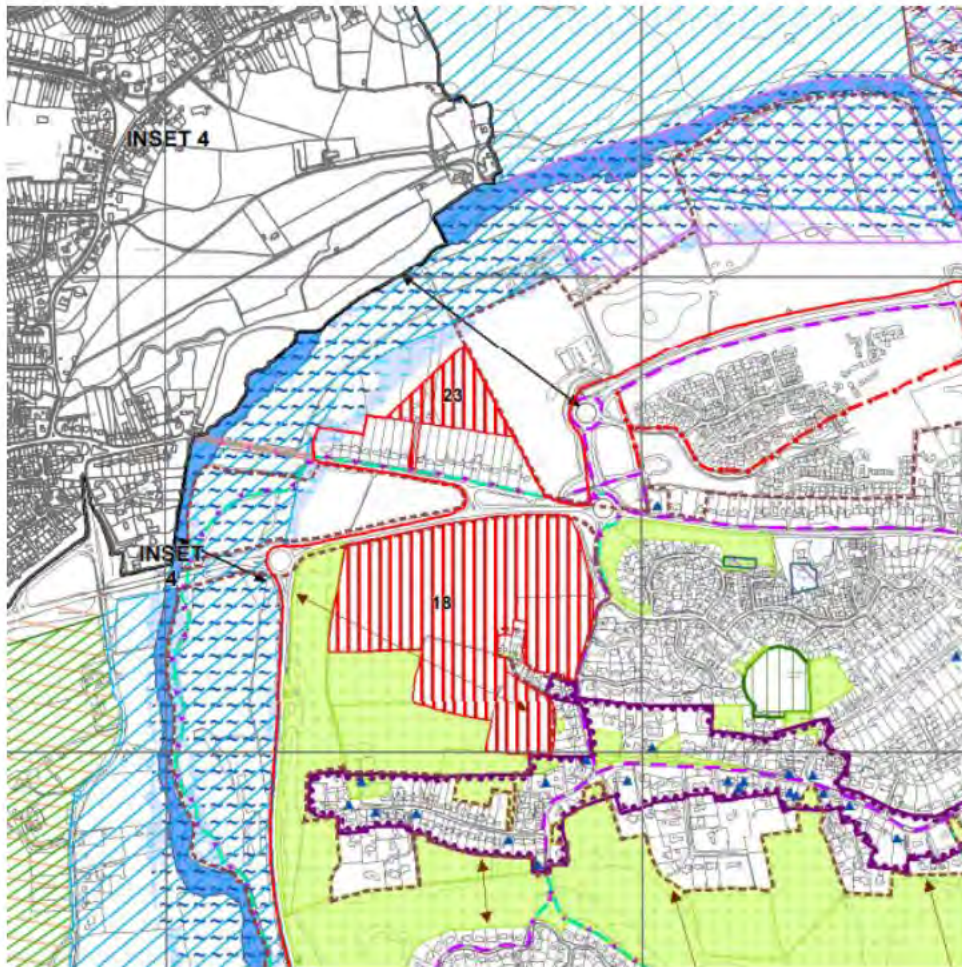
### **Ecology and Landscape**

4.12 The river valley at Biddenham is part of the Great Ouse corridor. It is both an attractive landscape feature and an important area for wildlife. These attributes, together with its drainage and flood protection functions, have led to the area's designation within the River Protection Area of Policy NE15 of the Local Plan. This means that as part of any development proposals, the river corridor must be retained and provision made for its appropriate management to maintain and enhance its character. Tree planting and other landscaping should be provided, subject to the advice of the Environment Agency.

4.13 Given the sparse distribution of landscape features on the remaining undeveloped part of the Biddenham Loop, it is imperative that existing features, in particular trees and hedgerows, are retained and incorporated into the design of the new development.

4.14 Appendix 1 contains an assessment of the ecological value of the site along with a set of recommendations for the retention and enhancement of areas of ecological interest. Wildlife conservation mitigation measures should take account of the Bedfordshire and Luton Biodiversity Action Plan.

7.13 In the intervening period, the site no longer has any such ecology or landscape designation on the policies map. In addition, as can be seen from the extract of the Policies Map, with the allocations to the north and south in the 2030 Local Plan and the Upper Great Ouse River Valley, then there has been a material change and the site is white land and has no constraint to development.



7.14 The omission site also lies between Biddenham and Bromham, however the arrows on the policies map for AD42 do not include this site is within the gap. With the development and allocations to the north and south that can only be correct.

7.15 The developer for Policy 18 applied for 249 dwellings which extended the development area shown in the Plan significantly westwards and was won at appeal where a key issue was the gap between Bromham (AD42) and the development of urban open space (AD43).

7.16 Following the refusal of the 249 dwellings scheme the developer submitted an application for 160 dwellings (18/03100/MAO). The committee report states:

*"2.17 It was on this basis that the previous application was partly refused: that the proposal for up to 249 dwellings did not adequately respond to ADLP Policies AD42 and AD43. The current application however constrains the extent to which the proposed development would extend westwards and northwards such that the important open visual attributes of the Biddenham – Bromham Gap would not be significantly compromised. The current proposal which is set further off the northern boundary with the A4280 than the previous application proposal and allows a much greater area of existing farmland to be retained west of the site, along with the proposed mitigation planting, would not significantly alter the sense of 'visual relief' and openness experienced, and thus the perception of the 'Gap', beyond the Deep Spinney roundabout upon leaving Biddenham / Bedford. By constraining the proposed development area to an area comparable to that shown in Figure 6 accompanying Policy 19 in the ELP (accepting that limited weight should be given to the ELP at this current time), the proposal as it stands would not inappropriately intrude into the 'Gap' and alter the perception and sense of arrival when approaching Biddenham and Bedford from the west and / or alter the perception of where the urban edge starts. Both physically and visually the existing 'Gap' between Biddenham and Bromham would not be unreasonably compressed, a criticism of the previous scheme."*

7.17 The refused 249 scheme referred to in the above quote was then allowed on appeal (Ref 3227767) in October 2019. Policies AD42 and AD43 were assessed in that decision. The Inspector concluded that *"given the presence of the Western Bypass and open space between the Local Gap and the appeal site, along with the additional open space to be retained within the appeal site, this is not a case where the proposed development would adjoin the local gap. Consequently, there is no conflict with policy AD42"*. He then states:

*"22. Therefore, even taking account of the 160 dwelling scheme as a baseline (to which I have given significant weight) the appeal proposal would compromise the purpose of the Gap contrary to the aims of policy AD43 of the ADLP. Taking account of all my reasoning above, I consider that the level of resulting harm would be moderate."*

7.18 The Inspector states that *"whilst the benefits of the scheme are considerable, they would not, under a normally weighted balance, outweigh the need to retain the urban open space and gaps as undeveloped"*. However, as paragraph 11(d) was engaged the appeal was allowed (see below).





7.19 For the outline consent (19/01394/MAO) for Policy 23 to the north of the subject site, the officer report states:

*"2.19 The local gap identified between Bromham and the Bedford urban boundary at Biddenham varies between 200 metres at its closest and 1 km. At the position where the site is located the gap between the two settlements is approximately 570 metres wide. Whilst the intervening open land contains some frontage development on Bromham Road, there is no development at depth, except for a single dwelling which is set back and mainly screened from outside of the site. The application site is an undeveloped grassed area, containing no buildings (except 112 Bromham Road), which contributes to the openness of the area and its importance as a visual break between the settlements of Bromham and Biddenham."*

*2.20 The previous planning application on this site was refused in principle (reason 1) and due to the character of the development to the rear (reason 2 and 3) and the impact the development would have on the Local Gap. Since that decision the allocation of the land within the emerging local plan 2030 under Policy 23 for housing has been a significant material change in circumstance. This allocation accepts the principle of development at depth on the site and the impact this may have on the landscape and character of the area.*

*2.21 Given that the emerging policy 23 accepts the principle of housing on the site the general impact of the development on the gap will be a matter for the details of the reserved matters application. At this stage only the access is being considered with all other details being the subject of the further reserved matters applications."*

- 7.20 The site was approved. Therefore, the planning history demonstrates the fact that the western boundary of the site is in line with the proposed developable area for Phase 2 of the Gold Lane site for the pending application 21/03302, and with the existing and consented (Policy 23) development to the north.
- 7.21 With respect to the gap between Bromham and Biddenham these consents are a material consideration for the omission site (south of Bromham Road) as it would be a logical infill with no harm. The approved developable area for Policy 18 is in line with its western boundary of the omission site. Therefore, the evidence base has wrongly concluded that the site should be kept free from development. To the contrary it is a most logical site for allocation and early delivery.

### **Conformity with SA and Policy DS5(S)**

- 7.22 In the assessment in the HELAA the site is scored very highly and should have been given further serious consideration in the choice of allocations, particularly as the SA found growth adjoining the urban area performed almost as well as growth within the urban area, was better than new settlement growth, and was better in relation to economic growth. It was also noted that the Council recognises development in the urban area will be more challenging compared with adjacent to the urban area.
- 7.23 In terms of the Council's preference for only two sites adjacent to the urban area (based on their benefits associated with the strategic green infrastructure priorities) there is no clear reason why Omission Site 7432 would not deliver any green infrastructure benefits. Indeed, the HELAA assessment recognises that *"the site is within or adjoining the green infrastructure opportunity network and is able to enhance the network"*.

### **Conclusion**

- 7.24 To conclude, the site is a logical well contained site that was identified for development as far back as 1994. The gap between Bromham and Biddenham would not be reduced by the allocation of this site. The land south of the A6 (Policy 18) now has consent for 249 dwellings and with the site to the north (Policy 23) also consented, then the development of the subject site will

not bring Biddenham any closer to Bromham. With the emerging housing requirement, this site should be allocated.

7.25 This concludes our representations.

## 8. Appendices

- EP1. Wootton Masterplan, Officer's Report and Design and Access Statement
- EP2. Bromham Road Vision and Delivery Statement