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For and on behalf of
Meridian Trust

**BEDFORD LOCAL PLAN 2040 –
PLAN FOR SUBMISSION CONSULTATION**

Lincroft Academy (Site ID: 839 / 832)

**Prepared by
DLP Planning Ltd
Bedford**

July 2022



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| CONTENTS | PAGE |
|--|-------------|
| 1.0 Introduction and Structure of Representations..... | 4 |
| 2.0 Support for the Required Expansion of Lincroft Academy | 7 |
| 3.0 Objections to the Plan for Submission Local Plan 2040..... | 19 |
| Summary of National Policy and Guidance | 19 |
| Detailed Soundness Objections and Suggested Modifications..... | 19 |

APPENDICES

Appendix 1 Representations to September 2021 Preferred Strategy Options and Draft Policies Consultation obo MAT Incorporating Land East of Station Road, Oakley – Indicative Masterplan Proposals

1.0 INTRODUCTION AND STRUCTURE OF REPRESENTATIONS

1.1 These representations to the ‘Bedford Local Plan 2040 – Plan for Submission (Regulation 19) Consultation’ have been prepared by the DLP Planning Ltd (DLP) acting on behalf of the Meridian Trust (‘MAT’) (previously Cambridge Meridian Academies Trust (CMAT)) in respect of its interests at Lincroft Academy, Oakley.

1.2 MAT (and the Sharnbrook Academy Federation (SAF) as former operator of Lincroft Academy) has engaged at all previous consultation stages undertaken as part of plan-making for the Local Plan 2040, summarised as follows:

- Submission of details to the Council’s Summer 2020 Call for Sites Consultation. Details were provided as part of a single site boundary also comprising land owned by the Bedfordshire Charitable Trust and promoted on its behalf by Bedfordia Property. The land East of Station Road has subsequently been considered as one site for the purposes of the Council’s site assessment process (assigned Site ID: 839 and 832).
- Submission of representations to the Strategy Options and Draft Policies Consultation (Regulation 18) outlining (in brief):-
 - The immediate need for the expansion of Lincroft Academy to support the intake of approximately 240no. new pupils per annum
 - Supporting the reclassification of Oakley as a Key Service Centre within the Council’s settlement hierarchy noting the settlement’s range of services and facilities and role in education provision. Reclassification was identified as being consistent with providing measures through the policies of the development plan to enable Lincroft Academy to address the likely potential requirement for further expansion in the future.

1.3 A copy the representations submitted on behalf of our client at the previous Regulation 18 consultation stage is included at Appendix 1 to this Report. In engaging at this previous stage MAT sought to welcome further engagement with the Council regarding the strategic priorities for education associated with the current requirements of Lincroft Academy and future levels of growth in Oakley and surrounding settlements and to secure recognition within the Local Plan 2040.

1.4 For the avoidance of doubt, our client identifies that the Council has failed to acknowledge or address the requirement for expansion of school places within the spatial strategy or policies of the Plan for Submission nor has it identified these requirements as part of the evidence base (including the Infrastructure Delivery Plan). Our client further highlights that the approach to plan-making within the adopted Local Plan 2030 (deferring the allocation of

sites to Neighbourhood Plans) was incapable of addressing these requirements. This represents a failing of the current strategy (alongside the wider reasons related to its requirements for immediate review). The Council's approach to preparation of the Plan for Submission indicates this strategy will also fail.

- 1.5 The failure to address these requirements renders the Plan for Submission in direct conflict with national policy and guidance particularly in relation to providing strategic policies for community facilities (NPPF2021 para 20) together with Paragraphs 93 and 95-96 in Chapter 8 of the Framework. This Representations Report outlines those specific proposals within the Plan for Submission that are unsound – **Not Effective, Not Justified, Not Consistent with National Policy and Not Positively Prepared.**
- 1.6 This Representations Report also provides an updated summary of the current and forecast pupil roll and progress with meeting the immediate requirements for meeting an increase in the school's Pupil Allocation Number (PAN). This is provided together with outlining the importance of considering further potential improvements to the services and facilities available and safeguarding opportunities for potential future expansion.
- 1.7 The project costs associated with delivery of the minimum requirements for expansion in the PAN, within the existing campus West of Station Road are around £8m with no external funding currently secured. This project, and the associated funding gap, is omitted from the Council's Infrastructure Delivery Plan. The origin of the requirements is not new, stemming from the transition to a two-tier education system within the Borough. As part of a staged approach, with the Local Plan having failed to acknowledge these issues, MAT has committed investment of its own resources to deliver immediate priorities for child safeguarding following receipt of the most recent Ofsted Report detailing where the school 'requires improvement' in this area. This investment available is substantially less than that required to support the increase in the PAN.
- 1.8 MAT's interests include the existing Lovell Road Playing Fields located on land East of Station Road, which form part of the existing facilities of the Lincroft Academy. Further to representations to the last consultation stage, heads of terms are agreed between the two parties, as landowners, to deliver a 'land swap' and enable provision of the 'one-site' solution and additional improvements outlined here. The final detail of this agreement is capable of completion within a short timeframe.

- 1.9 CMAT has continued to progress the proposed 'land swap' due to the uncertainties generated by the failure of the Local Plan process to recognise the requirements for expansion of Lincroft Academy and the significant funding gap that needs to be addressed to secure the minimum increase in capacity that is necessary.
- 1.10 Furthermore, even where there is an acceptance of the need for expansion of Lincroft Academy from Bedford Borough Council there is no guarantee of funding from alternative sources such as the ESFA in relation to replacing existing out-dated facilities.
- 1.11 Were the funding gap for these minimum requirements to be filled this would not in any case 'complete the picture' in terms of making best use of CMAT's interests. This is specifically in terms of delivering additional benefits from relocation of the existing playing pitches for both Lincroft Academy and Oakley Primary Academy as well as the wider community.
- 1.12 Negotiations have therefore been continued to provide a potential alternative source of funding to address the funding gap and to confirm the feasibility of securing additional benefits beyond the minimum requirements identified. We reiterate the availability of land East of Station Road and as per the representations submitted previously, we believe that this is a matter where Bedford Borough Council would ordinarily welcome further engagement and assessment of the site option in light of known educational and infrastructure requirements.
- 1.13 As such, these representations should be read alongside submissions on behalf of Bedfordia Property and the Bedfordshire Charitable Trust outlining the indicative proposals for development on land East of Station Road. The details within this submission have been provided with the agreement of the Bedfordshire Charitable Trust and Bedfordia Property.
- 1.14 This Report, which should be read alongside any supporting documents and appendices referred to, addresses our instructions to cover the following topics:
- **Section 2** provides an update on requirement for expansion in the PAN at Lincroft Academy and their relationship with the evidence base for the Plan for Submission, including the Infrastructure Delivery Plan
 - **Section 3** outlines specific soundness concerns with the policies of the Plan for Submission Bedford Local Plan 2040 and further outlines the potential benefits of indicative land use proposals on land East of Station Road as part of Modifications to the scale and distribution of growth.

2.0 SUPPORT FOR THE REQUIRED EXPANSION OF LINCROFT ACADEMY

- 2.1 Chapter 2 of the representations submitted on behalf of our client to the Council's Preferred Strategy Options and Draft Policies Consultation (September 2021) (contained at Appendix 1) outlined immediate requirement for expansion to support a Pupil Allocation Number of approximately 240 admissions per annum and sought recognition of this within the policies of the Local Plan 2040.
- 2.2 This situation is unchanged. An increase in the PAN remains essential. Current data indicate that if the increase PAN is not capable of being accommodated by the intake of pupils from the 2024/25 academic year (i.e., September 2024) this will directly impact upon the availability of sufficient school places within the Academy's catchment. This issue is still not recognised by the Council's Infrastructure Delivery Plan. An update on MAT's work to address the immediate priorities associated with the increased in the PAN is set out below.

(a) Infrastructure Delivery Plan

- 2.3 The Council's Plan for Submission version Bedford Local Plan 2040 and its evidence base, including the published IDP (Supporting Document ID: 16), both fail to recognise the requirements for expansion at Lincroft Academy notwithstanding our client's earlier submissions. This need is further acknowledged by the Borough Council's Education department.
- 2.4 The origin of these states concerns relates back to our client's previously stated objections regarding the failure to prepare a Draft Infrastructure Delivery Plan (IDP) to inform the testing of reasonable alternatives and identification of an appropriate strategy to identify and address this need. The expectation that these matters would be robustly and accurately addressed as part of plan-making is clearly stated within national policy and guidance.
- 2.5 As part of a collaborative approach this anticipates that the local planning authority will assess the quality and capacity of infrastructure, and its ability to meet forecast demands. Where deficiencies are identified, policies should set out how those deficiencies will be addressed (ID: 61-059-20190315). There has been no constructive engagement with MAT on these matters prior to publication of either the Regulation 18 or Pre-Submission Draft Plans. The Council's evidence base is **not effective, not consistent with national policy and not justified.**

2.6 The details within the Council's subsequent and now published IDP are incorrect for the following reasons.

2.7 Table E.3 on secondary education matters identifies a claimed total of 1,080 places at Lincroft and a suggested pupil roll of only 681 pupils (Source: DfE 2019). The starting point of the Council both at Lincroft Academy and more generally in relation to secondary education is summarised in paragraph 1.5.7 of the document:

"DfE 2019 data indicates an existing surplus capacity of 2,957 secondary school places based on a pupil list size of 11,060 and a capacity of 14,017 secondary school places, although this capacity is spatially variable."

2.8 Inevitably if the application of source data is incorrect then so is the conclusion of a claimed surplus and lack of current identified expansion requirements. Specifically in relation to Lincroft Academy, regarding the admission within the IDP of spatial variation, the use of incorrect data has a greater effect due to the specific characteristics of the site and requirement for expansion. Indeed, footnote 103 of the IDP document does acknowledge:

"BBC provided updated pupil roll numbers for Bedford borough's schools in Spring 2022. This indicates that there are 12,810 secondary school pupils in the borough and therefore the spare capacity could be lower than is stated in this chapter."

2.9 A proportion of this discrepancy relates to the pupil roll at Lincroft Academy, as will be outlined. In terms of the future demand arising from new development the IDP considers that this will predominantly arise beyond 2030 and related to the proposals within the Plan for Submission. Paragraph 6.2.27 states:

"Based on BBC student yield assumptions, potential developments within Bedford borough up to 2040 will create demand for approximately 6,000 new secondary school places. This implies a requirement of five new 8FE secondary schools."

2.10 The IDP document does, however, take account of committed growth under the Local Plan 2030 as part of these totals. Table 6.4 recognises that growth within the Borough's remaining rural parishes (including those at Oakley, Clapham and Bromham) largely arises from the Local Plan 2030's distribution of growth via Neighbourhood Plans. However, the position of the evidence base is that the Local Plan 2030 takes account of how sites allocated in the LP2030 will affect secondary education provision (Para 6.2.10) and that costs for the identified requirements can already be considered as 'funded' (Para 6.2.23). For the avoidance of doubt, however, this profile of infrastructure requirements relates only to an expansion of facilities in the Centre of Bedford and potentially at Stewartby (see rows 33 and

34 of the Project Schedule at Appendix C).

2.11 There is no recognition of any requirement associated with the planned LP2030 requirements north of Bedford and within the rural area or Lincroft Academy catchment specifically as part of the LP2030 summary at Paragraphs 6.2.11-6.2.13. This is despite the fact that the transition of the Borough's education provision from a two-tier to three-tier system occurred only in the course of the LP2030 plan-making process and the generation of additional pupils identified for rural areas within Table 6.4 specifically affects the intake at Lincroft Academy. This also exists within the context that the IDP's understanding of any current surplus capacity at Lincroft Academy (Table E.3) is fundamentally wrong and has reduced materially from the totals provided by AECOM.

2.12 The planned strategy for secondary education provision, reflected the Plan for Submission proposals largely beyond 2030 is summarised in Paragraph 6.2.28 and is entirely unrelated to how the infrastructure requirements summarised by these representations ought to be identified and addressed:

“Based on BBC student yield assumptions, potential developments within Bedford borough up to 2040 will create demand for approximately 6,000 new secondary school places. This implies a requirement of five new 8FE secondary schools.”

2.13 Comparing the contents of the IDP with the correct position 'on the ground' in terms of Lincroft Academy and its current capacity/surplus:

- The current PAN is 210 (1,050 places)
- The 1,080no. places referred to in the IDP may be inclusive of the Academy's Special Educational Needs (SEN) provision of an Autistic Spectrum Disorder facility of 28 spaces resourced provision
- The number of pupils (recorded as 691) is **wholly incorrect**. An update is provided below.
- The pupil roll has exceeded this total since the 2019/20 (882no. pupils) onwards and has materially increased year-on-year thereafter.
- The IDP (and use of DfE 2019 data) appears to take no account that pupil roll data for Lincroft Academy will reflect its transfer to a secondary education facility. For example, at Lincroft Academy the September 2017 intake (2017/18 data) is based on year 7 to year 9 pupils only while its overall PAN for ages 11-16 was to provide for 1,050 pupils.
- Data and the background that would have allowed accurate reporting of the pupil roll and surplus/deficit of places were provided as part of earlier representations on behalf of our client.

(b) Background to Operation of the Lincroft Academy / Oakley Primary Academy Site

- 2.14 Attention is drawn to the representations submitted on behalf of MAT at the Regulation 18 consultation stage (copy at Appendix xx). The Council's Infrastructure Delivery Plan contains no qualitative assessment of the infrastructure requirements of the Lincroft Academy site and takes no account of the change in operational requirements associated with the transition from a three-tier to a two-tier system within Bedford Borough.
- 2.15 The previously submitted details demonstrate that the campus west of Station Road in Oakley is already operating well outside the expectations of its former function as the location for Oakley Lower School and Lincroft Middle School. As such the requirements for expansion in the PAN now identified and the need for wider expansion and improvement at the site was inevitable and does not represent 'new' information to the Borough Council.
- 2.16 As such, these circumstances should have been taken into account in preparation of the IDP and the identification of relevant infrastructure projects and the related funding gap. It is also evident that qualitative issues associated with the existing campus, such as the location of the Lovell Road Playing Pitches, would be brought into greater focus by the change to a two-tier system. Both aspects would rightly fall within the remit of assessing future infrastructure priorities. The evidence base takes no account of these matters.
- 2.17 As outlined in representations to the Council's previous consultation the Lincroft Academy remains subject to planning condition no.4 attached to application reference 16/00329/MAF **limiting the pupil roll at Lincroft Academy to 855 pupils**. This is instructive of how the planning history of the campus fails to reflect the current and future requirements of the site. The school now operates annually in breach of this condition and furthermore substantially exceeds the total of 1,055 pupils across both facilities assumed when this was imposed (and even accounting for the increase to 1,145 pupils following the expansion of Oakley Primary Academy to 290 pupils).
- 2.18 Any breach of the extant planning condition should be considered to have adverse environmental consequences in terms of (for example) land use and traffic impacts. It is important that the policies of the LP2040 seek to manage and address these challenges, which is not currently provided for within the adopted development plan, which imposes significant restrictions on the development of the campus and surrounding land.

- 2.19 The wider repercussions of this in terms of extant planning history and the requirements for future use and development must be considered further. This includes not only meeting the demand for school places but also acknowledging the campus' (Oakley Primary Academy with Lincroft Academy) role as a key employer and provider of wider benefits to the local community.
- 2.20 MAT is committed to addressing as part of maintaining and enhancing education facilities and outcomes in Oakley itself and across the Borough but notes the absence of any comprehensively agreed funding strategy or development proposals supporting the changes outlined above.

(c) Current and Estimated September 2022 Pupil Roll

- 2.21 As an update to details included within the previous representations to the Council's Preferred Options consultation Table xx below presents an updated time series of the Pupil Roll to the 2021/22 academic year and expected intake for Lincroft Academy in 2022/23.

Table 1. Pupil Roll and Forecast – Lincroft Academy and Oakley Primary Academy

| | URN | 2015/16 | 2016/17 | 2017/18 | 2018/19 | 2019/20 | 2020/21 | 2021/22 | 2022/23 |
|--------|------------------------|-------------|------------------|------------|------------|-------------|-------------|-------------------|-------------------|
| 109474 | Oakley Lower School | 205 | - | - | - | - | - | - | - |
| 143561 | Oakley Primary Academy | - | 211 ¹ | 256 | 295 | 293 | 300 | 287 | TBC |
| 136471 | Lincroft Academy | 852 | 880 | 698 | 682 | 887 | 945 | 1000 ² | 1024 |
| | TOTAL | 1057 | 1091 | 954 | 977 | 1180 | 1245 | 1287 | 1024 + TBC |

- 2.22 As explained in previous representations to the Council these data clearly indicate that the PAN of 210 has been met or exceeded for year 7 and year 8 pupils from September 2019 onwards, often generating an additional waiting list of applicants. Table 1 above demonstrates that from September 2022 onwards the pupil roll will be only marginally below

¹ In the table above, the 211 pupils in 2016/17 should be against Oakley Lower School (the URN changed on 1st November 2016 when the school converted to academy status, but it remained a lower school until 31.8.2017).

² As of July 2022 the DFE report data of 993 pupils and a capacity of 1,000 pupils: <https://get-information-schools.service.gov.uk/Establishments/Establishment/Details/136471>

the current PAN of 210 (1,050 pupils). Oakley Primary Academy has also continued to meet or exceed annually its own capacity of 290no. pupils.

2.23 This is within the context of **none** of the growth distributed to Clapham, Bromham or Oakley as part of the LP2030 having yet been delivered.

2.24 A more detailed breakdown of the pupil roll by year group and the catchment geography is shown in Table xx below. The reflects the continued importance and significance of the school's role in in maintaining the supply of school places for the wider rural area. Table 2 below shows the confirmed pupil roll by year group in June 2022 and indicates all catchment districts which represent the origin location of 20 or more pupils on the total roll:

Table 2. Lincroft Academy Confirmed Pupil Roll by Year Group and Origin District Catchment (June 2022)

| District | Year 7 | Year 8 | Year 9 | Year 10 | Year 11 | Total from Districts |
|-------------------------------|------------|------------|------------|------------|------------|----------------------|
| Bedford | 23 | 20 | 22 | 21 | 14 | 123 |
| Biddenham | 9 | 7 | 9 | 6 | 7 | 53 |
| Bromham | 48 | 47 | 33 | 44 | 36 | 176 |
| Clapham | 43 | 62 | 58 | 42 | 46 | 293 |
| Great Denham | 13 | 15 | 13 | 6 | 8 | 75 |
| Kempston | 20 | 11 | 20 | 10 | 11 | 87 |
| Oakley | 41 | 25 | 37 | 33 | 29 | 199 |
| Total Student Yr Group | 208 | 206 | 209 | 190 | 177 | 990 |

2.25 Comparing the year group data in Table 2 and the total committed pupil roll from September 2022 demonstrates that the final stages of transition to a two-tier system means that the distribution across year groups remains slightly uneven. There are 210no. pupils confirmed for the Year 7 September 2022 intake. In effect this means that the school is already operating at capacity.

2.26 The Council's IDP should therefore reflect that there is **no surplus** in school places at Lincroft Academy based on the existing pupil roll.

(d) Update on Engagement with Bedford Borough Council

- 2.27 Instructions provided by our client confirm that the Borough Council's Education department and MAT agree that details of the relevant NOR forecasts necessitate the increase in the Pupil Allocation Number to 240. The Borough Council's Education department further acknowledges an outstanding funding gap relating to delivery of the increased teaching and functional capacity of the school to achieve the expansion required. MAT and the Borough Council are further working on the basis of an agreed position that an increase in the PAN to 2040 must be capable of being accommodated by September 2024.
- 2.28 The evidence base for the Plan for Submission therefore makes no reference to these forecasts and the account they take of growth at neighbouring Key Service Centres including Clapham and Bromham and other committed development. It follows that while the current proposals would address the immediate need for expansion it would be necessary for the evidence base for the Local Plan 2040 to consider the potential demand for a further increase in the PAN over the plan period. Annual applications are apparently at or in excess of the Pupil Allocation Number.
- 2.29 Further details will be provided during the remaining stages of submission and Examination of the Local Plan to reflect data agreed between the parties regarding future pupil yields and the requirements for expansion. For the avoidance of doubt, recognition of this issues simply validates previous submissions on behalf of MAT. Paragraphs 4.26 – 4.33 and Table 3 of our client's 2021 submissions (copy at Appendix 1) estimate the contribution to the pupil roll at Lincroft Academy arising only from allocated growth at Clapham and Bromham. Table 3 estimated a total of 138 pupils across the 11-16 age range (equivalent to 27.6 per year group or approximately 1FE). This is wholly consistent as a proportion of the c. 2 Forms of additional entry for secondary school pupils arising from growth in the rural area identified within the Council's IDP (Bromham and Clapham together comprising 50% of growth distributed to Key Service Centres).

(e) Delivery, Funding and Planning Application Updates

- 2.30 This section provides an update on progress with addressing the identified requirements for expansion in the PAN and improvements to services and facilities at Lincroft Academy.
- 2.31 The representations previously submitted on behalf of our client in Summer 2021 outlined details of the project/scheme identified by MAT to meet minimum requirements for an increase in the Pupil Allocation Number to 240 per year group. These representations were not the subject of any further engagement by Bedford Borough Council during preparation of the IDP. Had this engagement taken place this would have enabled identification of the project within the document and would have reflected an identified **minimum funding gap at that time of £8m**.
- 2.32 The reflects the absence of any funding strategy previously agreed upon as part of the change of Lincroft Academy's role as a secondary school.
- 2.33 Together with the expansion in teaching and classroom space the scheme drawn up offers some limited improvements for staff parking and an 'Activity Centre' is proposed within the new buildings. The proposals allow for some improvement to highways conditions on Station Road.
- 2.34 The plans and any proposed funding sources for expansion take no account of relocation or enhancement of the existing sports pitches and are not expected to raise any implications for the ESFA in this regard.
- 2.35 Due to the immediate and acute pressure upon existing facilities the identified project costs were prepared by MAT to achieve an efficient expansion to 240-pupil entry. In practice this is considered to be a minimum expectation given that in future years Lincroft Academy will meet or exceed its current PAN for each year group. Furthermore, the popularity of Lincroft Academy as a choice for feeder schools in the Bromham catchment is likely to increase. As such, the project and costs identified would not themselves safeguard MAT's interests in terms of longer-term requirements for expansion or further improvements to the site. In practice this would necessitate the use of land beyond the existing campus West of Station Road.
- 2.36 As such MAT further asserts that the starting point outlined in its earlier representations

should have provided the basis for more detailed investigation via the IDP process, including the strong possibility of the requirement to accommodate further increase to the PAN based on committed growth and schemes not yet consented. In terms of infrastructure and delivery requirements this would realistically increase project costs substantially beyond £8m. In land use terms would provide an essential basis to assess the suitability of land East of Station Road (include MAT's interests) for development as part of the plan-making process.

- 2.37 The previously submitted representations confirmed that MAT support in principle indicative land-use proposals for a 'one-site' solution incorporating land East of Station Road within the Lincroft Academy Campus through the creation of a self-contained educational campus allowing for the relocation of existing sports pitches, facilitated by the joint promotion of the land. The objective of jointly promoting the land, for the purposes of MAT's interests, reflects the opportunity to, principally, provide for the relocation and enhancement of the Playing Field facilities and other operational improvements to the school including a creation of a dedicated school access and parking/circulation space.
- 2.38 These details were submitted for the purpose of illustrating the suitability, availability and feasibility of exploring future infrastructure needs beyond the scope of the minimum requirements identified by MAT and this falls squarely within the scope of the IDP (and the plan-making process) to consider further.
- 2.39 The absolute lack of engagement by Bedford Borough Council on these matters as part of the plan-making process has materially increased the prospect of insufficient provision of school places at Lincroft Academy from September 2024 sufficient to accommodate the increase in the PAN. This is a disastrous position for the Council in terms of its obligations. Lincroft Academy can not accommodate the required increase in the pupil allocation without a solution to the £8m 'funding gap' resulting from the minimum project requirements identified by MAT.
- 2.40 An important change in circumstances is that this requirement for expansion in school places is now accepted by Bedford Borough Council (albeit outside of the plan-making process). The responsibility for key components of the strategy to increase and improve teaching space (namely the replacement of existing classrooms within the Oak Block and an increase in classroom space via further extension to the main building) therefore falls upon the Borough Council to ensure that this can be accommodated. The alternative to these circumstances

(i.e., non-delivery of the project as a result of the identified funding gap) would likely lead to substantial costs to transport pupils to school facilities elsewhere. As such it is evident that identification of the project as part of the IDP’s requirements at an earlier stage would have assisted with exploring potential solutions.

2.41 For the avoidance of doubt MAT’s activities since submission of the previous representations have been driven by the urgent priority to address minimum and immediate improvements to the operation of the site. This reflects that the project originally identified is capable of staged implementation to some degree. MAT’s priorities have been accelerated following receipt of the most recent Ofsted Report for Lincroft Academy (February 2022). This details that the school ‘Requires Improvement’ in some domains including behaviour and safeguarding matters. The origin of these issues stems from the aforementioned transition from a three-tier to a two-tier education system.

2.42 The Trust has therefore committed its own investment of c. £1.4-1.5m of the identified project costs associated with delivering the following immediate elements. These do not contribute to accommodating any increase in pupil numbers but their progression shows MAT’s commitment to addressing some of the existing identified pressures at the site using its own resources:

Table 3. Delivery Timetable for Lincroft Academy Projects

| Project & Contractor | Timeline |
|---|-----------------|
| Lincroft house offices/J block | Summer |
| Lincroft MUGA | September start |
| Lincroft fencing | Summer |
| Lincroft toilet works | Summer |
| Lincroft extension (comprising dining hall and activity studio) | Planning August |
| Lincroft kitchen upgrade | Planning August |
| Lincroft surveys | Summer |

2.43 Those components relating to delivery of a new MUGA and fencing are currently pending determination of planning application reference 22/01144/FUL (validated 17 May 2022). The

introduction to the Planning, Design & Access Statement for these proposals explains:

“As addressed within this statement, there is a desperate safeguarding need for the fencing to separate the primary and secondary school sites plus a need for additional parking on site to accommodate the existing number of staff and visitors to the site. At present some staff or visitors are required to park on the adjacent roads due to the lack of spaces.”

2.44 The ‘Use’ section of this Statement further outlines:

“Lincroft academy was previously a middle school linked to the adjacent primary school with the transition to a Secondary academy taking place in September 2017. The open site between the two playing fields has become an issue since the number of older children has grown across the site and as the school grows to full secondary school capacity.

As a secondary school the number of staff required to teach has also grown across the site. This has created its own issues with limited parking on site. Parking therefore overflows onto the roads surrounding the school for staff and visitors. It is proposed that the existing underused green space at the front of the school would be repurposed to provide much needed parking spaces.

It is proposed that through carrying out these works it will solve essential safeguarding issues on the site and solve an ongoing issue of congestion at the school due to the lack of parking. Through taking cars off the surrounding roads this will help visibility around both schools to create a safer environment.”

2.45 Those elements of the delivery timetable pending planning applications in August 2021 will not provide any increase in teaching capacity. Provision of an extension to dining hall and activity studio facilities specifically responds to a BB103 exercise undertaken to identify the size and spaces of facilities required for operation of the site. This demonstrated a shortage of space for these uses to support the **current number of pupils on site**.

2.46 For the avoidance of doubt all other elements of the project costs for expansion and improvement are entirely unfunded. An outstanding application to the Department for Education relating to costs associated with the replacement of mobile classrooms at the ‘Oak Block’ is currently awaiting approval. The prospects for funding being provided have been increased as a result of Bedford Borough Council acknowledging the requirement for the required increase in the PAN. The origins of this component of the project costs also, however, principally relate to the increased pressure on the site following its transition to a secondary school.

2.47 In summary, MAT’s current investment relates only to immediate mitigation works and falls far short of the £8m total project costs to support future expansion. MAT’s position remains that substantial delays to acknowledging the underlying requirement for school place

provision as part of the plan-making process, and inclusion of the identified funding gap within the Council's infrastructure evidence base, has materially delayed meeting future needs. These requirements should furthermore be reflected within the policies and spatial strategy of the Local Plan 2040. This is considered necessary to enable an assessment of the longer-term requirements of Lincroft Academy and Oakley Primary Academy; to safeguard the prospects for future improvements; and to consider the potential role of MAT's interests East of Station Road in terms of the reconfiguration of land uses and as a potential funding source.

3.0 OBJECTIONS TO THE PLAN FOR SUBMISSION LOCAL PLAN 2040

Summary of National Policy and Guidance

- 3.1 Chapter 3 of the representations submitted on behalf of our client to the Council's Preferred Strategy Options and Draft Policies Consultation (September 2021) (contained at Appendix 1) provides an overview of relevant national policy and guidance.
- 3.2 This also provides an overview of the adopted development plan in relation to MAT's interests. This includes recognition of the aim of Lincroft Academy to reorganise its land parcels East of Station Road to enable the growth and efficient functioning of the school within the Examiner's Report of the 'made' Oakley Neighbourhood Plan. These observations should be read alongside these specific objections to the Plan for Submission Local Plan 2040.

Detailed Soundness Objections and Suggested Modifications

- 3.3 The following sub-sections detail specific objections to the policies and proposals within the Plan for Submission Regulation 19 Draft Plan and its evidence base. Representation Forms have been provided to accompany each objection. With the exception of specific policies first set out in the Pre-Submission Draft the nature of objections is substantively the same as those identified at the Preferred Options stage in terms of the strategy and scope of the Local Plan 2040.

(a) Vision (Not Effective; Not Positively Prepared; Not Consistent with National Policy)

(i) Issue and Reasoning

3.4 The Vision within the submission version Bedford Local Plan 2040 fails to recognise or provide for needs for community facilities necessary to deliver the objectives for the spatial strategy or to provide for sustainable development specifically in relation to the settlement at Oakley and secondary education provision at Lincroft Academy.

3.5 The draft Vision sets out:

“Well-planned growth supported by appropriate infrastructure and avoiding areas of high flood risk will enable the creation of strong, safe and resilient local communities in environments that facilitate healthy and independent living for all.”

3.6 This aspect of the Vision will not be achieved in the context of the Plan for Submission, with the selected strategy omitting all of the borough's KSCs and RSCs from the distribution of additional growth and failing to provide for the additional development required to secure balanced communities.

3.7 Theme 4 (Better Places) of the Council's proposed Objectives for the Local Plan 2040 sets out:

“Provide appropriate amounts and types of housing to meet the needs of the borough's urban and rural communities over the lifetime of the Plan making the housing stock more adaptable and resilient

Achieve a borough where everybody has appropriate access to high quality health and social care, as well as everyday essential services and community facilities where social and cultural wellbeing are supported, enabling all residents to lead healthy and independent lives.”

3.8 The principle of these objectives is supported but is reliant on flexibly supporting diverse opportunities for development across the settlement hierarchy. There are a substantial number of centres where the level of development identified is insufficient to secure the opportunities identified or, as in the case of Oakley, to provide for a long-term strategy for improvement of the facilities at Lincroft Academy.

(ii) Remedy and Suggested Modifications

3.9 In order to achieve a justified and appropriate strategy responding to the issues identified

Modifications are required in relation to the distribution and allocation of growth within the strategic policies of the Plan itself. However, it is suggested that in relation to the priorities at Oakley this could be appropriately reflected through Modification of the approach outlined in the Vision itself:

“Well-planned growth supported by appropriate infrastructure and avoiding areas of high flood risk will enable the creation of strong, safe and resilient local communities in environments that facilitate healthy and independent living for all. **An increase to the distribution of growth has been supported at locations across the settlement hierarchy where this is necessary to deliver identified priorities for social infrastructure, including the sufficient provision of school places, and contributes to the Borough’s overall need for development.**”

(b) Oxford-Cambridge Spatial Framework (Paragraphs 1.9-1.10) (Not Effective; Not Positively Prepared)

(i) Issue and Reasoning

3.10 The progress of the immediate review of the Bedford Local Plan 2030 is not contingent upon the adoption of the Oxford-Cambridge Spatial Framework nor any alternative changes or additions to national planning policy. Nevertheless, it is relevant to note that as drafted and in terms of its provision for social infrastructure the Plan for Submission does not adequately reflect the proposals within the Creating a Vision for the Oxford-Cambridge Arc' (October 2021) document published for consultation and in-particular the importance this places upon the 'place-making' pillar of sustainable development.

3.11 Specifically, paragraph 4.1 of the consultation document 'Creating a Vision for the Oxford-Cambridge Arc places significant emphasis on reducing the need to travel. Connectivity is not just about strategic road/rail links - it means:

"improving communities' access to the services they need – like a good quality, sustainable water supply and broadband, schools, cycle lanes and healthcare, as part of a great approach to place-making."

3.12 Paragraph 4.4 also states the importance of recognising the needs of an ageing population in terms of service delivery. At Paragraph 4.5 the document goes on to explain:

"the policies of the Framework will be used to create a clear infrastructure plan giving communities access to the public services they need – including education and health"

3.13 The settlement hierarchy in Bedford Borough means that Rural Service Centres and Key Service Centres across the authority have a key role in delivering these requirements for sustainable communities and serving a wider rural hinterland – both in terms of immediate needs and their role throughout the plan period. The strategy in the Local Plan 2030 has deferred important decisions relating to these priorities both in terms of avoiding the reclassification of centres such as Oakley and in placing the requirement to allocate sites upon Neighbourhood Plans. Priorities have therefore not been addressed and in any event the current strategy has only sought to address a foreshortened period to 2030.

(ii) Remedy

3.14 In order to achieve a justified and appropriate strategy responding to the issues identified Modifications are required in relation to the distribution and allocation of growth within the

strategic policies of the Plan itself. The identified requirements for place-making and connectivity can only realistically be addressed as part of a comprehensive ‘hybrid’ strategy.

- 3.15 In the shorter-term the Plan for Submission should not proceed to Examination. The starting point for any remedy relies upon updates to the Council’s Infrastructure Delivery Plan to recognise the identified requirements for expansion at Lincroft Academy in the first instance. Due to the immediate and pressing need to deliver these infrastructure priorities it is evident that opportunities for sustainable development in accordance with these requirements (and the objectives of the emerging Spatial Framework) must be embraced both in the period to 2030 (to address the immediate uplift in the need for growth) and across the entire plan period to sustain the role and function of the borough’s most sustainable settlements.

(c) Policy DS2(S) (Not Effective; Not Positively Prepared; Not Justified; Not Consistent with National Policy)

(i) Issue and Reasoning

- 3.16 For the reasons outlined within these and earlier representations the approach to the Plan for Submission Local Plan 2040 does not provide for a justified appropriate spatial strategy with reference to NPPF2021 paragraph 20 and specifically the requirement for strategic policies to provide for social and community infrastructure. In terms of MAT's interests this relates specifically to addressing the required expansion of Lincroft Academy, which was rendered incapable of being addressed under the approach to the Local Plan 2030.
- 3.17 More generally the requirements for plan-making under current national policy, and the scope of Policy 1 of the Local Plan 2030 in terms of delivering an immediate review, anticipates that these issues can and must be addressed and not deferred further. This is eminently capable of being achieved in the context of providing a substantial increase in overall development needs. The latitude of the plan-making process must provide for the assessment of site options and opportunities to revisit the settlement hierarchy all within the background of the known requirements for expansion at Lincroft Academy. National Planning Practice Guidance also anticipates matters such as the role of settlements in service provision when providing housing requirements for designated neighbourhood areas (ID: 41-101-20190509).
- 3.18 In-keeping with this the evidence base provided by the Infrastructure Delivery Plan should be completed in-tandem with the review of the settlement hierarchy, whereby these representations endorse Oakley's reclassification as a Key Service Centre to better reflect the important role of Lincroft Academy and to support further expansion of enhancement of the facilities as required in the future. This was made clear in the Regulation 18 representations submitted on behalf of our client, prior to publication of either the IDP or Settlement Hierarchy Addendum.
- 3.19 It is fundamentally unsound that Policy DS2(S) seeks to provide for a far more limited scope for development to meet identified priorities for the rural area than Policy 3S of the Local Plan 2030 that it is proposed to replace. Policy 3S in relation the Key Service Centres and Rural Service Centres states:

vi. Strategic residential development in key service centres in association with expanded education provision where necessary.

vii. Limited development in rural service centres in line with existing and potential capacity of infrastructure and services

- 3.20 Evidently under the existing planned strategy growth in the Rural Service Centre of Oakley has not captured support for the potential or indeed imperative requirement to increase the required capacity at Lincroft Academy and safeguard its longer-term functions and potential improvements utilising Land East of Station Road. It is also the case that strategic residential development under Policy 3S part (vi) has reinforced the need for this increase in capacity, which is now accepted by Bedford Borough Council, but not provided for under the development plan.
- 3.21 In relation to the Settlement Hierarchy Addendum itself (Supporting Document ID: 24) this identifies that Oakley achieves a score of 78 points for all services and facilities. This is greater than Wilstead or Shortstown and Wixams (the latter two of which are both identified for additional growth under the selected strategy). The score for Oakley is also increased from 70 points recorded in the 2018 version.
- 3.22 The representations submitted on behalf of our client in Summer 2021 (Chapter 5 of Appendix xx) outline a detailed justification, consistent with the findings of the Council's own evidence base, for Oakley's reclassification as a Key Service Centre. Our client further reiterates that it is not justified or effective for the Council's scoring methodology to exclude school provision for classification of the settlement hierarchy (particularly given the increased profile of Lincroft Academy as a secondary school) nor the failure to recognise the physical proximity of services and facilities in Clapham.
- 3.23 While there is support in principle to deliver an increase in school places within the existing campus under the existing policies of the development plan Oakley's role as a Rural Service Centre is not consistent with an effective strategy for the long-term planning of community infrastructure in this location. The risks associated with the current strategy can be summarised as follows:
- The current issues with Station Road (although potentially not a reason for refusal in themselves) would benefit from knowledge of the ability to deliver highway improvements to be set out in the policies of the emerging Local Plan 2040; and
 - Securing wider benefits associated with optimising the playing field situation, which will not be addressed by the current scheme proposals and could be a barrier to further expansion

3.24 The scale and distribution of growth to Rural Service Centres contained in Policy 4S of the LP2030 has not enabled a solution to these issues being provided through the Oakley Neighbourhood Plan albeit there is no prejudice to opportunities to resolve them in future.

3.25 The Council's testing of strategy options has consistently 'baked in' this lack of flexibility in providing for a long-term sustainable solution at Oakley in two ways:

- Its selected option excludes the possibility of further village-related growth north of Bedford
- In any event, testing has retained the use of arbitrary figures for Key Service Centres and Rural Service Centres (500/35 units respectively)

3.26 Within this framework there is no reasonable prospect of securing the required transformation in an approach the best addresses the provision of services and facilities at Oakley.

3.27 Paragraph 5 of the Settlement Hierarchy Addendum concludes:

“the spatial strategy in the Local Plan 2040 does not rely on further allocation of development sites in key service centres or rural service centres so there is no need to progress any updates to the settlement hierarchy.”

3.28 However, the preceding paragraph 4 the Addendum was prepared in the context of the plan-making process acknowledging that further growth in the rural areas might be required. In relation to Oakley the Council has concluded that this is not the case whilst **having failed to identify or make provision for the required expansion at Lincroft Academy**.

3.29 It therefore cannot be sound for the spatial strategy in Policy DS2(S) to constrain the scope for development within the rural area only to that identified in the LP2030 and the conclusions to support this decision within the Council's evidence base are **not justified**.

(ii) *Remedy*

3.30 The remedy for the issues identified, specifically in respect of Oakley, requires the spatial strategy to reflect the identified infrastructure priorities of Lincroft Academy.

3.31 These priorities, and the minimum requirements for expansion to meet an increase in the school's Pupil Allocation Number, are in themselves consistent with the reclassification of Oakley's role as a Key Service Centre.

3.32 Securing the delivery of these improvements and safeguarding the longer-term opportunities for future expansion and improvement to facilities means that this amendment to the spatial strategy means that MAT in principle supports the assessment of Land East of Station Road in the context of a potential ‘one-site’ solution that would justify Modification of the distribution and allocation of growth within the strategic policies of the Plan itself (see Policy DS5(S) below).

3.33 Policy DS2(S) is suggested to be Modified as follows:

“Rural area

xii. The completion of strategic Key Service Centre and more limited Rural Service Centre residential development identified in Local Plan 2030 on sites which are allocated in neighbourhood plans and the completion of Local Plan 2030 Policy 27 Land north of School Lane, Roxton;

xiii: Make provision for the identified requirement for an increase in school place provision and improvement in facilities at Lincroft Academy, together with support for levels of growth necessary to ensure their delivery, consistent with the reclassification of Oakley as a Key Service Centre

*~~xiii~~ **xiv.** Safeguarding the intrinsic character of the countryside and the environment and biodiversity within it through the careful management of development to meet local needs whilst supporting the rural economy.”*

3.34 Separately, it is also necessary for the policies and supporting text of the Local Plan 2040 to set out the specific classification of locations within the settlement hierarchy. Where these are currently contained at Paragraph 6.14-6.15 of the Local Plan 2030 it is unclear whether this text will be retained following the proposed replacement of Policy 3S and in any case the list in supporting text will require Modification to reflect the reclassification of Oakley.

(d) Policy DS3(S) (Amount and Timing of Housing Growth) (Not Effective; Not Positively Prepared; Not Justified; Not Consistent with National Policy)

(i) Issue

- 3.35 MAT objects to this policy on the basis that the proposed approach unnecessarily delays meeting housing need and more specifically the identified requirements for expansion at Lincroft Academy. This is inconsistent with PPG ID: 68-021-20190722 and development that prioritises delivery of the required expansion and improvements should be supported as a solution to the unreasonably ‘stepped’ trajectory.
- 3.36 In relation to Oakley and Lincroft Academy this is particularly important as notwithstanding the overall increase in needs for development it is predominantly pressure within the current pupil roll and committed development under the Local Plan 2030 that has generated the requirements identified (together with the reorganisation of education provision locally). The approach to maintain the housing requirement at levels set out in the Local Plan 2030 (i.e., 970dpa 2020-2025) will therefore not be effective in supporting the delivery of this solution without either the confirmation of alternative funding sources or an increase in support for levels of growth (including at Oakley) that support those within the existing strategy.
- 3.37 Furthermore, the later ‘steps’ within the trajectory are predicated upon large-scale strategic growth at locations elsewhere in the Borough. An increase in the housing requirement in these elements of the plan period will not safeguard any future ability for Lincroft Academy to secure further improvements to services and facilities nor does it reflect the reality that over the same period the requirements for further expansion (based on growth already identified) are highly likely to mean a further increase in the Pupil Allocation Number beyond the total of 240 admissions per annum currently acknowledged.

(ii) Remedy

- 3.38 In order to achieve a justified and appropriate strategy responding to the issues identified Modifications are required in relation to the distribution and allocation of growth within the strategic policies of the Plan itself.

(e) Policy DS5(S) (Distribution of Growth) (Not Effective; Not Positively Prepared; Not Justified; Not Consistent with National Policy)

(i) Issue and Reasoning

- 3.39 Section 6 of the representations on behalf of our client submitted in Summer 2021 provided details of indicative land use proposals for Site IDs: 839 and 832 East of Station Road. This section of the original representations (and these submission) should also be read alongside submissions on behalf of Bedfordia Property and the Bedfordshire Charitable Trust relating to the wider development opportunity upon these sites.
- 3.40 The previous representations confirm that MAT support in principle indicative land-use proposals for a ‘one-site’ solution incorporating land East of Station Road within the Lincroft Academy Campus through the creation of a self-contained educational campus allowing for the relocation of existing sports pitches, facilitated by the joint promotion of the land. The objective of jointly promoting the land, for the purposes of MAT’s interests, reflects the opportunity to, principally, provide for the relocation and enhancement of the Playing Field facilities and other operational improvements to the school including a creation of a dedicated school access and parking/circulation space.
- 3.41 This position of in-principle support remains unchanged and has in-fact been reinforced as a result of the failures of the Council’s plan-making process including:
- A failure to undertake and further detailed assessment of the area submitted (or details provided) as part of the Strategic Housing Land Availability Assessment
 - A failure to update any Site Assessment or Sustainability Appraisal indicator findings in relation to the details provided and the additional benefits outlined (included no assessment of the land under Stage 4 of the SHLAA methodology)
 - Underpinning both of the above a failure to assess the land in the context of the known requirements for expansion in the PAN at Lincroft Academy.
- 3.42 As such, MAT support in principle Modifications to the distribution of growth outlined in Policy DS5(S) that would enable delivery of the Land East of Station Road and the wider benefits identified. The delivery facilities for the school upon this land (including relocation of the sports pitches) is outside of the current (unfunded) project costs of £8m associated with the minimum requirements for expansion within the existing campus West of Station Road. This does not, however, preclude assessment of MAT’s interests East of Station Road as part of safeguarding future opportunities for expansion and improvement in-tandem with the delivery of the minimum requirements identified nor does it preclude recognition of the wider potential

benefits of the additional land in terms of enhancement of the identified project costs and a potential source of additional funding. It is therefore hugely disappointing that the Council's evidence base, and distribution of growth, has not assisted consideration of these matters.

- 3.43 As a result of this background to the plan-making process and the Academy's requirements MAT and Bedfordia Property (on behalf of the Bedfordshire Charitable Trust) have maintained regular engagement since publication of the Council's Preferred Strategy Options.
- 3.44 Further to the details provided in representations at the last consultation stage an agreement in principle exists between the two parties, as landowners, to facilitate a 'land swap' and enable provision of the 'one-site' solution and additional improvements outlined in these representations. The remaining details of any agreement are capable of completion in the short-term and would only relate to matters such as indexation reflecting the likely timescales for any relocation of land uses and development upon the wider site.
- 3.45 MAT has encouraged the basis for these recent and ongoing negotiations due to the uncertainties generated by the failure of the Local Plan process to recognise the requirements for expansion and the significant funding gap necessary to secure the minimum increase in capacity that is necessary.
- 3.46 Furthermore, even where there is an acceptance of the need for expansion from Bedford Borough Council is not guaranteed to secure funding from alternative sources such as the ESFA in relation to replacing existing out-dated facilities.
- 3.47 Were the funding gap for these minimum requirements to be filled this would not in any case 'complete the picture' in terms of making best use of MAT's interests. This is specifically in terms of delivering additional benefits from relocation of the existing playing pitches for both Lincroft Academy and Oakley Primary Academy as well as the wider community.
- 3.48 Negotiations have therefore been continued from the perspective of providing a potential alternative source of funding to address the identified funding gap and as part of confirming the feasibility of the ability to secure additional benefits beyond the minimum requirements identified. This further demonstrates the availability in principle of land East of Station Road and as per the representations submitted previously it is anticipated that this is a matter

where Bedford Borough Council would ordinarily welcome further engagement and detailed assessment of the site option in light of known infrastructure requirements.

- 3.49 These representations demonstrate that this engagement has not taken place and the resulting distribution of growth within the policies of the Local Plan 2040 is unsound (**not effective and not positively prepared**).

(ii) *Remedy*

- 3.50 Subject to updates to the Council's evidence base these representations support in principle the Modification of Policy DS5(S) to reflect an increase in the distribution of growth to Oakley.
- 3.51 The basis for this Modification is provided through the details of an indicative layout making provision for these improvements and wider benefits is included at Appendix 1 of the Summer 2021 representations. This would provide for approximately 210 additional dwellings over those currently identified as part of the Oakley Neighbourhood Plan. Policy DS5(S) is therefore proposed to be Modified as follows:

"Remaining rural area / villages

*Completion of sites previously allocated in local plans and neighbourhood plans **plus additionally:***

210 dwellings (Oakley Village)"

- 3.52 This Modification would be accompanied by a new policy within Section 4 of the Plan (**HOU20**) providing for the allocation of Land East of Station Road Oakley subject to appropriate criteria including specifically the relocation of the Lovell Road Sports Pitches.

Appendix 1 Representations to September 2021 Preferred Strategy Options and Draft Policies Consultation obo MAT Incorporating Land East of Station Road, Oakley – Indicative Masterplan Proposals

(Provided under Separate Cover)



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