



Strategic Planning Research Unit
A specialist team within DLP Planning Ltd

For and on behalf of
Bedfordia Developments Ltd and Bedfordshire Charitable Trust Limited

Regulation 19 Bedford Local Plan 2040

Land East of Station Road, Oakley (Site IDs: 839/832)

**Prepared by
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1.0 INTRODUCTION

- 1.1 This Local Plan Representation has been prepared by DLP Planning Ltd on behalf of **Bedfordia Developments Limited** and the **Bedfordshire Charitable Trust Limited** ('the clients') in response to the publication of the Bedford Local Plan 2040 (Regulation 19) for consultation.
- 1.2 This representation relates to **Land East of Station Road, Oakley**. This representation should be read alongside previous Regulation 18 consultations (Representation ID: 7450 / Site IDs: 839 / 832) (Appendix 1) and Indicative Masterplan Proposals (Appendix 2). This Statement should also be read alongside the overarching Spatial Strategy and Legal Compliance Representation Report covering our clients' wider interests and accompanying representations forms.
- 1.3 Consideration is given to the development potential of our clients' land at Oakley, and these representations provide a response in respect of the draft policies relating to the spatial strategy and scale and distribution of housing of housing provision.
- 1.4 We object to a number of the draft Policies contained within the publication version of the Bedford Local Plan 2040 and consider that in their current form, they would not be found sound at Examination. Further, as outlined within these representations, we do not consider that the Sustainability Appraisal has been prepared in line with the requirements of the SEA regulations and thus do not consider the Plan as drafted is legally compliant.
- 1.5 In-keeping with the approach of our clients at previous consultation stages these representations should be read in parallel with those prepared on behalf of the Meridian Academies Trust (MAT) which seek recognition within the plan-making process of the significant increase in the pupil roll be accommodated through the expansion of Lincroft Academy. These representations support the proposed reclassification of Oakley as a Key Service Centre and endorse the further assessment of potential benefits that would result from the reconfiguration of the current land uses East of Station Road.
- 1.6 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.
- 1.7 MAT 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.

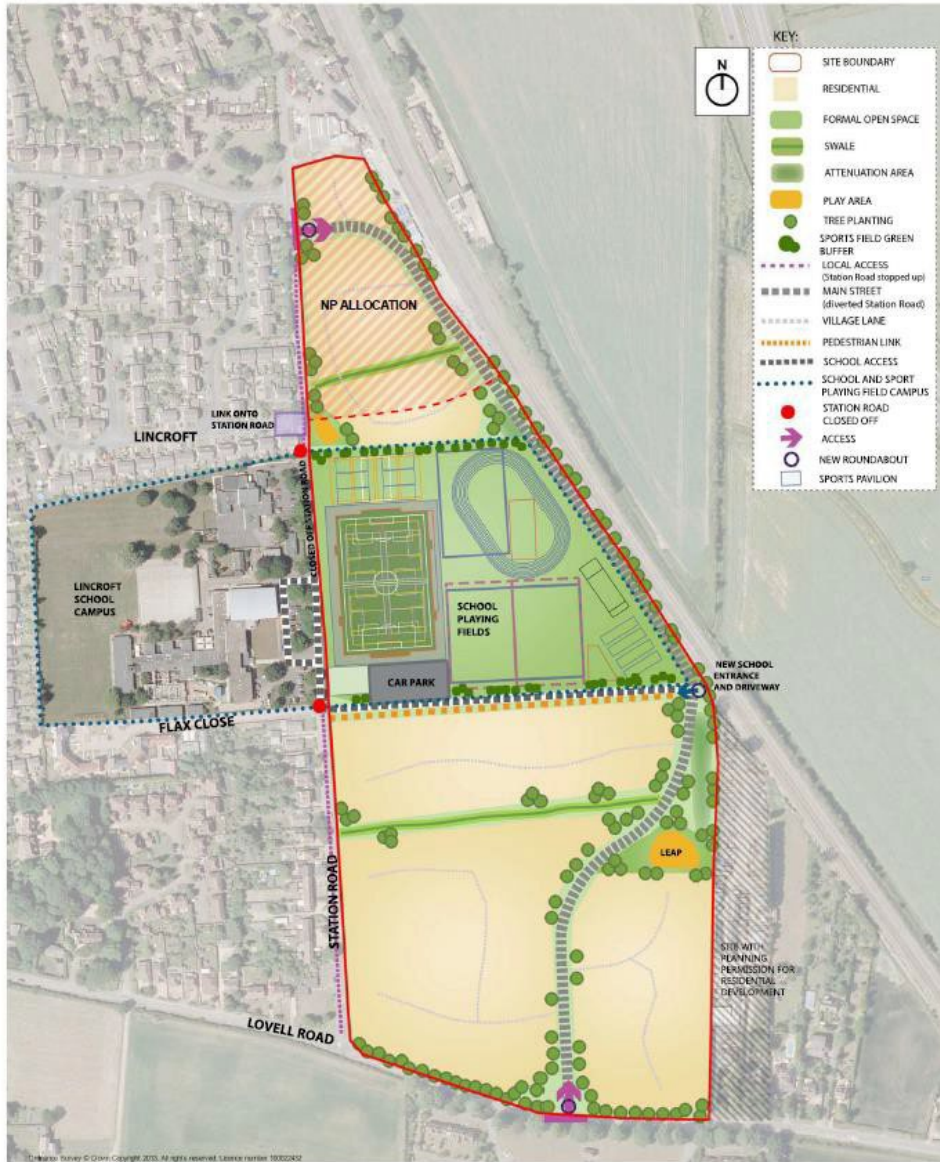
- 1.8 Furthermore, even where there is an acceptance of the need for expansion of Lincroft Academy from Bedford Borough Council there is no guarantee of funding from alternative sources such as the ESFA in relation to replacing existing out-dated facilities.
- 1.9 Were the funding gap for these minimum 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.
- 1.10 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.
- 1.11 We therefore recommend that the Council **pause submission of the Plan** for Examination in Public and undertake the additional work required to achieve a Plan capable of being found sound. If the Council opt to submit the Plan irrespective of outstanding objections in respect of legal compliance, duty to cooperate and soundness, we will advocate an Inspector determining that the submission version Plan is incapable of satisfying the relevant legal requirements and tests of soundness within national policy. Should the appointed Inspector(s) consider that the Plan is capable of being found sound, subject to Modifications, our clients would submit that this is only achievable through the full assessment reconsideration of omission sites including our clients land at Oakley.

2.0 BACKGROUND

a) Background to Site Identification

- 2.1 The site in question is on land at East of Station Road, Oakley and was previously submitted for consideration as part of the 2020 Call for Sites, with submissions in respect of the site having been made throughout the Plan process to date.
- 2.2 The details provided have consistently advocated the benefits arising from development of the site. Promotion of the Bedfordshire Charitable Trust Limited's land is consistent with its aims to support those in need by reason of youth, age, ill-health, disability or in financial hardship or other disadvantage in Bedford Borough and Central Bedfordshire.
- 2.3 The Indicative Masterplan proposals continue to demonstrate provision for the expansion and enhancement of facilities at Lincroft Academy. Promotion of the site by both parties and provides a potential solution to the funding gap associated with delivering the minimum requirements for an increase in school place provision.
- 2.4 Delivery of the identified benefits is necessary as part of providing an appropriate strategy for future growth and satisfying the objectives of the Local Plan 2040.
- 2.5 This Statement informs suggested Modifications to Policies **DS2(S)**, **DS3(S)** and **DS5(S)** as well as outlining a requirement for further testing as part of the Council's Stainability Appraisal process. These Modifications are provided within the accompanying representations forms and are consistent with those also supported by the Meridian Academies Trust in relation to Lincroft Academy.
- 2.6 An overview of specific issues identified within the Council's evidence base is summarised in Chapter 3 to update objections identified at previous consultation stages:

Figure 1. Illustrative Land Use Plan



b) Overview of Development Potential

2.7 The Indicative Masterplan proposals demonstrate one way in which the site could accommodate around 210 dwellings additional to those currently allocated within the Oakley Neighbourhood Plan (See Figure 1 above).

2.8 The benefits of the opportunity for development on land East of Station Road are broadly summarised as follows:

1) The creation of a new, self-contained Lincroft Academy campus (comprising both primary and secondary schools) with the existing school sports facilities, which are separated from the school at present, being moved onto land directly opposite the school, thus increasing convenience and safety, and pre-school provision. These will be re-modelled and new, modern, all-purpose facilities will be created with an indicative scheme comprising:

- Playing fields;
- Multi-purpose artificial sports pitches;
- Athletics track;
- Sports pavilion;
- Extensive new parking and circulation area; and
- Changing and sports teaching/admin facility.

2) The stopping up of Station Road north and south of Lincroft Academy and provision of a new road around the perimeter of the site provides positive benefits. A new, traffic managed 'through-route' would be created on the eastern periphery of the site, which would also provide for the creation of a new dedicated school entrance drive and would also serve as a development access road and serve the new housing area. In doing so, traffic would be externalised and existing issues of school traffic, parking and associated congestion on Station Road would be removed.

3) The site could provide around an additional 200 residential dwellings including the provision of affordable housing. New tree planting would also be provided to the site boundaries, which would provide a landscaped edge to the site, as well as within the site to break up the built development.

4) The site, as stated, is well contained on all sides and there would be no encroachment into the open countryside. Development would be defined by logical and defensible boundaries – notably the railway line to the eastern side and existing residential development on the remaining boundaries.

3.0 PLAN FOR SUBMISSION (REGULATION 19) CONSULTATION RESPONSE

3.1 Assessment of the potential for development of the site relates directly to addressing the following 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)
- A failure to reconsider the re-classification of Oakley as a Key Service Centre due to the Council's stated position of not seeking any further distribution of growth across the settlement hierarchy, notwithstanding that this is supported by the evidence within the Settlement Hierarchy Addendum Topic Paper (2022)
- The proposed use of a stepped trajectory unnecessarily delaying meeting both housing need and the delivery of priorities for community and social infrastructure at Oakley, demonstrating that Policy DS3(S) as proposed is unsound (not positively prepared; not consistent with national policy; not effective and not justified)
- Underpinning all of the above a failure to assess the land in the context of the known requirements for expansion in the PAN at Lincroft Academy and the recent reorganisation of school place provision in Bedford Borough from a three-tier to two-tier system within the Council's Infrastructure Delivery Plan.

These topics are explored further below.

a) Relationship with the Strategic Housing and Employment Land Availability Assessment

3.2 Our clients continue to fundamentally object to the lack of any detailed assessment of Land East of Station Road within the Council's evidence base. This fundamentally precludes the required understanding of the suitability of this location for development and its ability to deliver the priorities and objectives of the Local Plan.

3.3 Our clients previously submitted detailed comments against the individual criteria and Stage 3 Sustainability Appraisal Indicators published as part of the previous Preferred Strategy Options and draft Policies Consultation. This information was prepared and published prior to the Council determining that all sites within the village-related component of growth should be excluded from further assessment due to perceived inconsistency with the selected strategy. This means our clients' land has not been considered in any more detail than that undertaken prior to the previous consultation stage.

3.4 The resulting assessments do not provide a robust justification for the approach taken to site selection and supporting growth. The assessments do not provide a criteria-based assessment of relevant factors (including suitability, availability, and achievability). The view of Bedford Borough Council as part of its 'Initial Site Assessments' (2017) was that the land

East of Station Road is suitable, available and achievable for development. The site assessment also highlights that there are no protective designations restricting development upon the site.

- 3.5 The site assessment pro-forma for the site does not identify future requirements for infrastructure provision or how these might be addressed; and does not assess any relevant constraints in terms of how they might be overcome. Identification of 'wider infrastructure issues' is frequently cited as informing the assessment findings, including in relation to highways capacity, without adequate reference to the associated evidence base and the potential benefits arising from development.
- 3.6 Sites at sustainable locations within the settlement hierarchy have therefore been excluded from an assessment of these considerations, which comprise important strategic priorities that the Plan must address in terms of school place provision, at Stages 2 and 4 of the Council's SHELAA methodology due to being ruled out at Stage 1.

b) Relationship of Oakley to the Spatial Strategy

- 3.7 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.
- 3.8 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).
- 3.9 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 clients, prior to publication of either the IDP or

Settlement Hierarchy Addendum.

- 3.10 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

- 3.11 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.

c) Settlement Hierarchy

- 3.12 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.
- 3.13 The representations submitted on behalf of our clients in Summer 2021 (Paragraphs 4.8 to 4.25 of Appendix 1) 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 clients 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 (including GP services) in Clapham.
- 3.14 The table at the end of this sub-section updates our analysis of the Council's Settlement Hierarchy from that provided in 2021. This continues to reflect where there is no qualitative element of the Council's scoring taking into account, for example, the extent of local employment opportunities and anticipated changes in the settlement's role and function in

terms of school place provision. It is noted that the Council's Settlement Hierarchy Addendum has not provided the breakdown of the revised score of 78 points. We would attribute the increase to the provision of open space and shops/retail.

- 3.15 At Paragraph 3.12 of the Settlement Hierarchy Topic Paper the Council falsely relies upon an assumption that existing schools would maintain their existing capacity and have little scope for expansion. This conclusion has been totally undermined by the recent and ongoing requirement for expansion at Lincroft Academy and Oakley Primary Academy within the 2020 to 2040 Plan period.
- 3.16 The current development plan (including the Oakley Neighbourhood Plan) makes no provision for the expansion of Lincroft Academy that is required and is a function of the growth that the current spatial strategy supports across other Key Service Centres without Secondary School provision (including Clapham and Bromham).
- 3.17 Addressing these current unmet strategic priorities together with providing a positive approach towards the longer-term requirements for school infrastructure would be most effectively supported by reclassification of Oakley's role in the settlement hierarchy to reflect its importance to the wider rural area (and strong links to the urban area).
- 3.18 The provision of jobs in each settlement is given no weight in the Council's scoring of the Settlement Hierarchy and overlooks this as an important aspect of providing for sustainable communities. Oakley Primary Academy and Lincroft Academy also generate significant local employment opportunities both presently and in view of the expansion required. This includes around 80 Full-time staff (including teaching and support staff) and at least 50 Part-time roles (including caterers and cleaners), with the vast majority now operating from the campus following the lifting of Coronavirus restrictions. This is in addition to other commercial employment opportunities within the B2/B8 and Class E (including former Class B1) uses, including over 3,500sqm of high quality floorspace at Highfield Park and separate clusters at Whites Engineering and Station Road.
- 3.19 Other elements of community facilities and services remain unaccounted for by the Council include 'early years' provision and other community meeting places (for example, cafés and restaurants). It is immediately apparent that given the sustainability credentials of Oakley its classification as a Rural Service Centre is **not justified** and is hindering the ability to address the strategic priorities of the Plan Area.
- 3.20 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

3.21 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.

3.22 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)

3.23 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.

3.24 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.”

3.25 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.**

3.26 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.**

Table 1: Updated Review of BBC Settlement Hierarchy Scoring

Criteria	Scoring Notes	2018 score	DLP Notes
Bus Services	Based on journey times to town centres during peak time and after peak time (Max 8 points)	8	Highest score achieved
Post Office	Mobile (4) or Permanent (8)	8	
Primary School	Considered more important than secondary	8	Assessment pre-dates expansion of Oakley Primary Academy
General Store	Key day-to-day provisions e.g., bread and milk	8	
GP / Health Centre	(Excluded from Iteration 6 and the Council's selected hierarchy option)		Facilities at Clapham within walking/cycling distance and accessible by public transport Not included in the Council's final hierarchy option
Community Centre / Parish Hall	highest score (8) given to permanent and non-shared facilities	8	
Other Shops	1-3 shops (4 points) 4-6 (6 points) 6+ shops (8 points)	4	Range of facilities considered to exceed minimum score applied in BBC assessment (e.g., noting cluster along Station Road)
Supermarket			
Garage / Filling Station			
Secondary / Middle School	Maximum 4 points - considered of lower importance	4	Council assessment pre-dates change of Lincroft Academy to a Secondary School and identified requirement for expansion
Library	Permanent (4) Mobile (2)	2	
Leisure	Open Space (4) Equipped Play (4) Bowling Green (4) and Allotments (4)	12	
Public House	with food	4	
Public House	without food		
Church / Place or Worship		4	

Criteria	Scoring Notes	2018 score	DLP Notes
Local Employment	Not Scored within Council Hierarchy	N/A	Oakley provides substantial local floorspace not accounted for by the Council. Includes in excess of 3,500sqm of high quality and high-tech employers in the Cluster at Highfield Park (with excellent strategic road links) plus further floorspace at Whites Engineering and at Station Road (site ref BE21)
Café or other Meeting Place	Not Scored within Council Hierarchy	N/A	No account taken of facilities at Station Road, for example
Early Years / Nursery Provision	Not Scored within Council Hierarchy	N/A	Facilities available at Oakley Pre-School: https://www.oakleypreschool.com/
Council Total (2018 Scoring Methodology)		70	
Council Total (2022 Scoring Methodology)		78	Breakdown not provided. Assumed to relate to retail provision and open space
Council Total Applied (Selected Hierarchy - Iteration 6) <i>Excluding Schools and GPs</i>		58	

d) Highways and Transport

- 3.27 In respect of village-related growth, considered under option 3c the Council's Topic Paper, indicates highways constraints as a reason to reject this strategy. This must be read within the context of the lack of detailed testing of site options for village-related growth and within the context of the overall quanta of development assumed, in the absence of more iterative testing. Specifically, for the settlement of Oakley, Option 3c anticipates allocation of only an additional 35 units over and above the distribution of growth identified by Policy 4S of the adopted Local Plan 2030. In contrast, however, the scenario assumes a further 500 units distributed to each of the Key Service Centre locations north of the borough. This precludes an iterative approach to the assessment of individual site options, including the specific highway improvements identified upon Land East of Station Road.
- 3.28 The circumstances of our clients' land adjacent East of Station Road are clearly and materially different to the generic assumptions within the Council's evidence base. Equally it is not the case the cumulative highways impact from growth at these locations within the settlement hierarchy will be as great as the levels included within the Council's generic testing; there is no reason that settlements such as Clapham or Bromham could not provide fewer than 500 dwellings. For example, Bedfordia Property and the Bedfordshire Charitable Trust have submitted separate representations relating to Land Adjacent Milton Hill as suitable for approximately 100 dwellings to complement the direction of growth established in the Clapham Neighbourhood Plan. The combined total of the East of Station Road and additional land at Milton Hill (c.310 dwellings) is materially less than the Council's testing of a generic total of 535 dwellings across the two settlements.
- 3.29 A Technical Note (Note) was prepared by DLP Planning's Sustainable Development and Delivery (SDD) team on behalf of Bedfordia Developments Ltd and submitted as part of the detailed Regulation 18 representation listed above and provides a review of the Bedford Borough Council Transport Model report 'New Settlements and the A6' (April 2021) which was prepared by AECOM on behalf of Bedford Borough Council.
- 3.30 The AECOM report focuses primarily on the evaluation of development in Bedford being given in the form of "either" a new community at Colworth or Twinwoods, or both. The local roadway network's capacity to support a more varied pattern of expansion among nearby communities as opposed to just at Colworth / Twinwoods does not appear to have been evaluated.
- 3.31 There does not appear to be any evaluation of the need for localised mitigation measures to

enable a more dispersed pattern of housing growth within the borough, including the delivery of land at Sharnbrook. There is no explanation given in the report as to why the focus of the assessment was limited to the Colworth / Twinwoods development or whether additional research has been done to establish that this is the preferred method of delivering housing (as opposed to a dispersed method) throughout the borough from a highway capacity perspective. Accordingly, there is insufficient evidence available that would justify the Council's approach to disregarding growth options prior to sufficient testing.

- 3.32 In terms of the Council's evidence base for the Plan for Submission Local Plan 2040 it is recognised that the Bedford Borough Council Transport Model report 'New Settlements and the A6' report as prepared by AECOM has been updated on 30th March 2022. This updated is cited as being in response to "comments from the Local Plan consultation." However, having reviewed this updated report, there appear to be no changes to the content of the report, the methodologies adopted, or findings of the report.
- 3.33 It is therefore deemed that the findings of the Technical Report prepared by SDD in August 2021 remains valid, and that no assessment has been made of a dispersed approach to housing delivery across Bedford, and the impact of this upon the local road network.

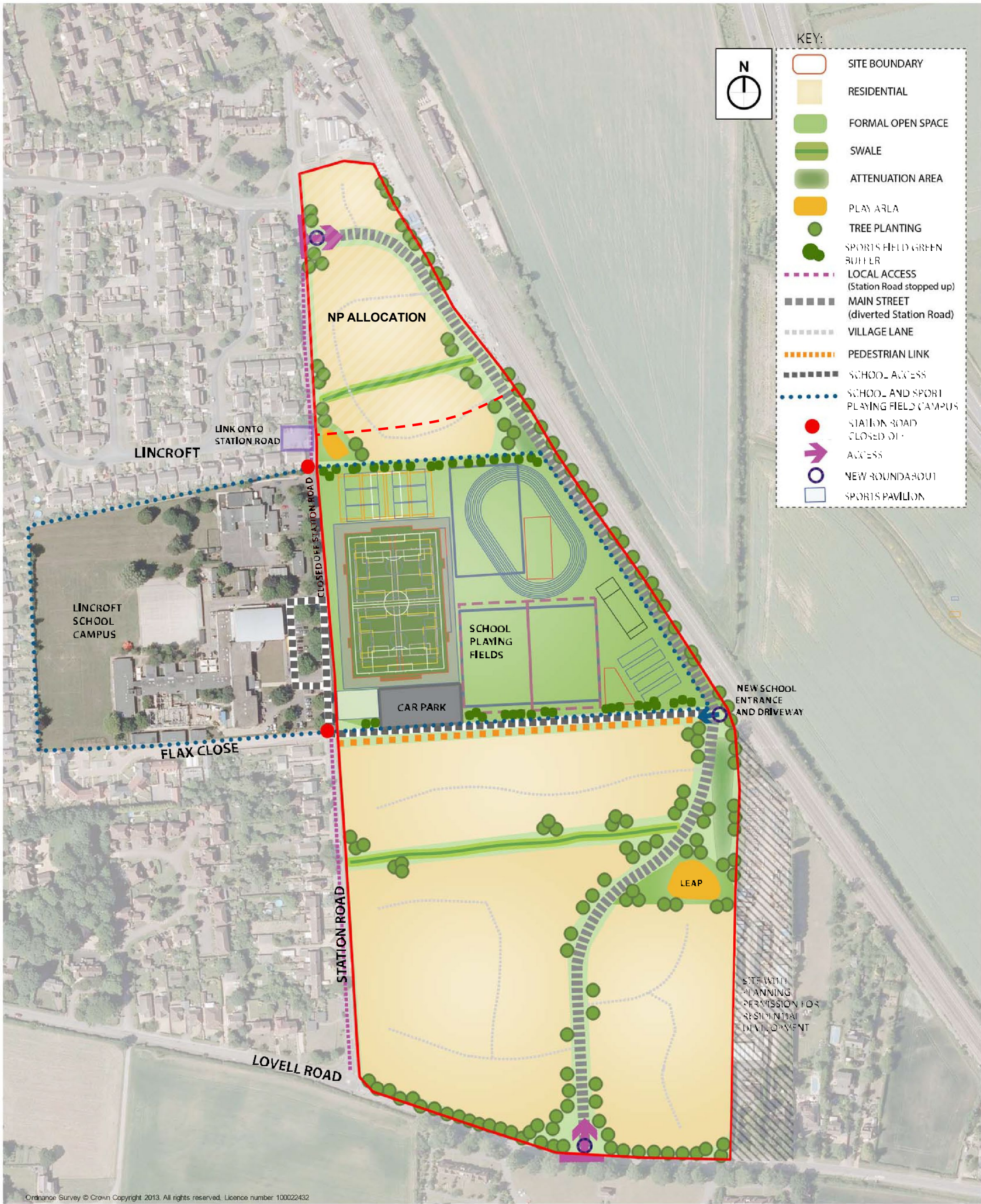
BE1564-16P – Land East of Station Road, Oakley
Bedford Local Plan 2040 Regulation 19 Consultation
Bedfordia Developments Limited and Bedfordshire Charitable Trust Limited

**APPENDIX 1 REPRESENTATIONS TO LP2040 PREFERRED OPTIONS AND DRAFT
POLICIES CONSULTATION (SEPTEMBER 2021) (ID: 832 & 839 / REP ID: 7450)**

(UNDER SEPARATE COVER)

BE1564-16P – Land East of Station Road, Oakley
Bedford Local Plan 2040 Regulation 19 Consultation
Bedfordia Developments Limited and Bedfordshire Charitable Trust Limited

APPENDIX 2 LAND EAST OF STATION ROAD, OAKLEY INDICATIVE MASTERPLAN PROPOSALS



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CLIENT Bedfordia	Date	09.12.2015	OS Ref.	501478,253364	Drawn By	SK
	Scale	1:2500 @ A3	Drawing no.	SK09B	Checked By	MEH
	Job no.	BE1564-2	Rev.	B		
PROJECT Land at Station Road, Oakley	DRAWING TITLE Masterplan Concept		be1 Architects 5 Abbey Court, Fraser Road, Priory Business Park, Bedford MK44 3WH Tel: 01234 261 266 Fax: 01234 831 437 Email: enquiries@be-1.co.uk Web: www.be1architects.co.uk <small>Offices also at: Bristol, Cardiff, East Midlands, Leeds, London, Milton Keynes and Sheffield</small>			





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