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# **Bedford Borough Local Plan 2040 – Regulation 19 Consultation**

Land West of Milton Road, Clapham

On behalf of  
L&Q Estates and Bedfordia Developments Ltd

July 2022

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Regulation 19 Consultation**

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## **1.0 INTRODUCTION**

- 1.1 These representations have been prepared on behalf of L&Q Estates Ltd and Bedfordia Developments Ltd (the 'Promoters') in response to the Bedford Borough Council (BBC) Regulation 19 Local Plan 2040 consultation.
- 1.2 These representations relate solely to the Promoters' land interests west of Milton Road, Clapham (the 'Site') as shown in **Appendix 1**. The Promoters submitted an outline application to BBC for 500 dwellings, land for a new primary school and associated infrastructure and works in February 2021 under reference 21/00332/EIA.
- 1.3 The Site is allocated in the Clapham Neighbourhood Plan which was adopted by BBC on the 4 July 2022.
- 1.4 The Promoters have worked collaboratively with the Parish Council, its associated Neighbourhood Plan Development Group, and other stakeholders in promoting the Site.
- 1.5 These representations address the Local Plan and its associated evidence base.

## 2.0 COMMENTS ON THE EMERGING LOCAL PLAN AND EVIDENCE BASE

- 2.1 The Promoters continue to support the neighbourhood planning for Clapham. As the Clapham Neighbourhood Plan is now 'made', the text in paragraph 1.31 of the Local Plan should be updated to reflect this.
- 2.2 Policy DM5 – Self-Build and Custom Housing: The promoters continue to support the premise of the policy and welcome the 'by negotiation' position on larger sites. However, as raised in our Regulation 18 Consultation representations, the policy still does not provide guidance on how these should be dealt with, when larger sites require the submission of a Design Code. A clearer mechanism should be inserted into the policy which outlines how this may be dealt with i.e. a self-build 'passport' scheme. There is always a danger of gaps in the streetscene, or unfinished properties, by including self-build plots into development proposals and this needs to be avoided to ensure cohesive and consistent developments.
- 2.3 We would request further explanation of how specific percentages required by different scales of development have been arrived at. For example, a requirement of 2no. self and custom build plots on a 10-dwelling site equates to 20% provision, and a requirement of 7no. self and custom build plots on a 90-dwelling site equates to approximately 8% provision. Typically, many local plans require roughly 5% provision or are negotiated on a case-by-case basis according to evidence of need. This also represents an imbalance in how much provision is sought based on the scale of a site, when there is no evidence to support such an approach.
- 2.4 Policy DM7 – Environmental Net Gain: The principle of seeking biodiversity net gain is supported. We welcome flexibility in the wording of this policy which reflects the ability to provide net gain offsite should it not be possible on site. The policy should be further updated for the purchase of biodiversity net gain credits as a 'last resort', the conditions for which should be defined. This would be consistent with the Environmental Bill.
- 2.5 As raised in our Regulation 18 consultation representations, the policy in the blue box focuses primarily upon biodiversity net gain. However, it requires the following:

***"Planning applications should demonstrate how net biodiversity and net environmental gain will be achieved through the production of a supporting statement that***

*considers the contribution the proposal could make to the borough's natural capital."*

2.6 In the pretext to the policy under point 6.62, the following sum example is provided:

***Environmental net gain = biodiversity net gain + natural capital gain***

2.7 This appears inconsistent with the policy which suggests the approach is: environmental net gain + biodiversity net gain = natural capital gain.

2.8 It is unclear what 'environmental net gain' means in the context of this policy and if this requires more than ecological net gain measures. Paragraph 8 of the NPPF already defines the environmental objectives of sustainable development as protecting and enhancing our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy. Environmental net gain could therefore encompass several features leading to confusion in the interpretation and application of this policy and ultimately its soundness. This will inevitably lead to issues for decision makers when trying to apply the policy to developments.

2.9 If the Council's ambition is to secure greater levels of green infrastructure or green corridors to boost natural capital in the Borough, we would suggest this is best set out in a separate strategic policy, which is informed by a Green Infrastructure Study to identify areas of deficiency and opportunity. As this is a Borough-wide issue it requires a more planned, joined-up approach underpinned by evidence to maximise opportunities to improve the natural capital of the area, rather than relying on individual site appraisals that risk a more piecemeal, uncoordinated approach.

2.10 Policy DM1(S) Affordable Housing: we note the requirement for a 50% discount to be applied to First Homes which is above the minimum 30% discount set out in national policy. Whilst national policy does allow for the discount to be increased above 30%, we do not believe that the Borough Wide Viability study demonstrates a clear position that this approach to First Homes is viable. In fact, regarding affordable housing as a whole there are potential concerns regarding several sites and the ability to deliver the 30% of the whole mix.

2.11 In the absence of compelling evidence to justify 50% discount, and instead putting the onus on developers through Policy DM2(S) regarding viability, is an unsound approach.

We instead suggest that the First Homes discount is reduced to 30% of open market value which is consistent with National Policy.

### **3.0 SUMMARY AND CONCLUSIONS**

3.1 These representations have been produced on behalf of L&Q Estates Ltd and Bedfordia Developments Ltd regarding their land interests for land west of Milton Road, Clapham as shown in **Appendix 1**.

3.2 The Promoters have submitted an outline application under reference 21/00332/EIA provides the Council with a comprehensive evidence base to assess the suitability of the Site for development. The Promoters have worked closely with local stakeholders through to the adoption of the Neighbourhood Development Plan which has recently been adopted.

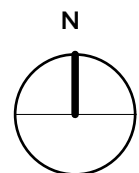
3.3 We have provided feedback on the updated policies proposed by the Council, and whilst we generally support them, we have requested further refinement or information to ensure they are sound and can be clearly applied by a decision maker. These relate to:

- Application of the self-build policy;
- Clarity around environmental net gain calculation and provision;
- The percentage of discount on First Homes.

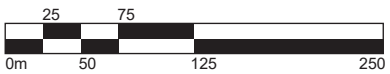


# **APPENDIX 1**

## **Site Location Plan**



SCALE 1:5,000



Rev	Description	Date
	DE_287_01	Drg No
	L & Q Estates	Client
	Milton Hill, Clapham	Project
	Red Line Plan	Title
	1:5000@A3	Scale

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