

The Representations to the Regulation 19 Consultation of
the Bedford Local Plan 2040
On behalf of Taylor Wimpey UK Limited

**DENYBROOK GARDEN
COMMUNITY, WYBOSTON,
BEDFORDSHIRE, MK44 3AG**

27 July 2022

Our Ref: SRS/22-01099

Contents

Quality Assurance	1
1 Introduction.....	2
2 Development Strategy/Housing Numbers.....	3
3 Little Barford	5
4 The Case for Wyboston	11
5 Procedural Inconsistencies.....	13
6 Conclusions.....	16

Appendices

Appendix A	Rapleys - Viability and Deliverability Report
Appendix B	Rapleys - Infrastructure Delivery Report
Appendix C	Little Barford Infrastructure Constraints Plans
Appendix D	TPA - Wyboston Transport Strategy Note

QUALITY ASSURANCE

This report has been prepared within the quality system operated at Rapleys LLP according to British Standard ISO 9001:2008.

Created by:	████████████████████ Partner - Planning Division
Signature:	
Checked by:	████████████████████ Partner - Planning Division
Signature:	

1 INTRODUCTION

- 1.1 Rapleys LLP is instructed by Taylor Wimpey UK Limited (TW) to submit representations to the Regulation 19 Bedford Local Plan 2040 (2040 Plan). These representations relate to the TW land interests at Wyboston, where the promotion is in the form of the Denybrook Garden Community, a new settlement based on garden city principles, of circa 10,000 dwellings in total, and a first phase of circa 4,000 dwellings specifically within the emerging 2040 Plan period.
- 1.2 TW has been actively engaged in the 2040 Plan process with the submission of representations to -
- the Call for Sites process in summer 2020,
 - the Issues and Options consultation in summer 2020,
 - Regulation 18 consultation in summer 2021.
- 1.3 It should be noted that the idea of a new settlement at Wyboston of circa 5,000 dwellings was first promoted as part of the local plan process associated with the now adopted Bedford Local Plan 2030 (dating back to circa 2016). TW was not involved in that early promotion.
- 1.4 These representations are made in accordance with Regulation 19 of the Town and Country (Local Planning) (England) Regulations 2012.
- 1.5 In short, TW objects to the 2040 Plan on the basis that it does not accord with all of the tests of soundness as identified in paragraph 35 of the National Planning Policy Framework (NPPF) 2021, specifically -
- (a) The plan is **not positively prepared**, in the context of perceived inconsistencies in assessment and reporting procedure between the Regulation 18 and 19 process, and in respect of the Duty to Co-operate requirement,
 - (b) The plan is **not justified** in the context that the spatial strategy, whilst broadly appropriate, is not based on proportionate evidence and does not identify the most appropriate sites,
 - (c) The plan is **not effective**, as one of the chosen new settlement sites, Little Barford, is not deliverable within the plan period as it is predicated on a railway line (and station) that does not yet exist, and
 - (d) The plan is **not consistent with national policy** and other statements of policy as it does not deliver sustainable development.
- 1.6 The representations will set out the reasons for this in the context of :
- The development strategy and housing numbers,
 - The deliverability and viability of Little Barford,
 - The appropriateness of Wyboston as the alternative new settlement solution, and
 - Procedural inconsistencies in the preparation and publication of the Regulation 19 plan, and the failings in relation to Duty to Co-operate.
- 1.7 The representations should be read in conjunction with Appendices identified on the contents page of this document, with particular emphasis on Appendix A 'Viability and Deliverability Report' by Rapleys and Appendix B 'Infrastructure Delivery Report' by Rapleys with input from Stantec.

2 DEVELOPMENT STRATEGY/HOUSING NUMBERS

2.1 Bedford Borough is located towards the centre of the Oxford - Cambridge Arc (the 'Arc') and is one of some 23 local authority areas that fall within it. Bedford Borough itself has little in the way of the environmental constraints that are currently fettering growth and the bringing forward of development in other parts of the country -

- It does not have any designated green belt,
- It is not affected by AONB designations,
- It is not affected by National Park designations,
- It is not affected by the Water directive or phosphate/nitrate issues,
- It is well connected with several main railway lines stopping either in or immediately adjacent to its boundaries, and
- Both the A1 and the M1 are on its eastern and western borders respectively.

2.2 As such, it is an ideal location for advancing the Government housing growth agenda, albeit this has to be tempered to, and reflective of, the need to provide appropriate and necessary transport infrastructure improvements to enable that growth to take place in an appropriate manner.

Plan Period

2.3 With that context in mind, TW has no issue with the proposed plan period for growth. Planning for the twenty year period to 2040 is appropriate. The plan is sound in this respect.

Housing Numbers and Development Strategy

2.4 Similarly, TW support the general level of housing to be provided within the plan period in the context that it is a reflection of the latest Standard Methodology requirements of 1,355 dwellings per annum, albeit, this should be seen as the minimum to be provided to allow for slippage or sites not coming forward.

2.5 The table below sets out the Council's identified housing provision to be delivered within the plan period.

Location of Development		Housing numbers 2020-2040
Standard Method requirement @ 1,355/annum		27,100
Commitments, completions, windfall allowance		14,824
Remaining Requirement		12,276
	Urban area	1,200
	Adjacent urban area/extensions	1,500
	South of Bedford A421/rail corridor, incl. Wixams, Shortstown	3,250
	Kempston Hardwick new settlement	3,800

	Little Barford new settlement	3,800
Overall provision		13,528 (circa 4.5% overprovision)

- 2.6 The 2040 Plan proposes a stepped trajectory to allow the delivery of the adopted 2030 Plan development to come forward and to enable the delivery of major new infrastructure - (i) the A421A1/A428 Black Cat/Caxton Gibbet roadworks which will see the A421/A1/A428 traffic flow and capacity transformed with completion by 2026, and (ii) the completion and operation of the East West Rail line (EWR) between Oxford and Cambridge by 2030. Whilst the principle of a stepped trajectory is supported by TW, there are concerns around the level of the increase of required house delivery from between 970-1050dpa for the first ten years of the plan period (to 2030) to 1,700dpa required to 2040, and particularly, the reliance placed on this in relation to the Little Barford allocation (policy HOU19) (see further commentary at paragraph 3.20).
- 2.7 Bedford is the only settlement of any size in the Borough. There is an inherent finite capacity for development before other options have to be considered to accommodate the growth required. The Council has already shown it is prepared to develop new settlements with the successful example of Wixams to the south of the town. The housing requirements for the 2040 Plan period (a 40% increase above the adopted 2030 Plan) and likely future plans, are such that this can realistically only be accommodated through the development of more new settlements. TW concur that the housing numbers support the development of two new settlements within the 2040 Plan period.
- 2.8 Consequently, TW also consider that the overarching development strategy of the 2040 Plan, with growth relating to the infrastructure of the A421/A428/A1 corridor, is also appropriate, and broadly accords with paragraph 60 of the NPPF. It is based on a combination of urban brownfield sites, sites adjacent to the existing urban area (urban expansion), neighbourhood plan sites in rural service centres/villages and new settlement development. Site size is reasonably varied and should ensure that there is a consistent supply of housing being delivered over the 2040 Plan period.
- 2.9 The identification of a new settlement opportunity in the east of the Borough is also supported in principle. However, the crux of these TW representations is that the allocation of Little Barford (policies DS2(S)x and HOU19) is not the most appropriate location for the development of the eastern new settlement. The 2040 Plan is unsound in this respect.

3 LITTLE BARFORD

3.1 TW consider that the specific allocation at Little Barford, through the spatial strategy policy DS2(S)x and the site specific policy HOU19, is unsound. This is because there is no certainty of its delivery within the plan period arising from the following -

- The anticipated timescales of key transport infrastructure directly affecting, and required for the site, and the lack of transparent evidence around this,
- Uncertainty on the actual yield of the site, and
- Resulting design, layout and severance issues which lead to a less than sustainable development.

TRANSPORT INFRASTRUCTURE TIMESCALES

3.2 Paragraph 4.92 of the Local Plan 2040 states -

'Land at Little Barford is allocated as a new settlement, contributing to the delivery of the Bedford Local Plan's spatial growth strategy. The development of Little Barford will make a key contribution towards the additional homes required to be delivered across the Borough by 2040, delivering at least 4,000 new homes overall, of which an estimated 3,800 will be within the current plan period.' (my underlining)

3.3 The Plan goes on to state at paragraph 4.93 -

'...In addition, EWR will be crossing in the vicinity, possibly through the site, and will include a station offering the opportunity of a highly sustainable site accessible by rail and the strategic road network. In addition, there is further land within the same ownership which is identified as a contingency area, should land be required to facilitate the EWR route and/or station within the site.

3.4 Put simply, the 2040 Plan is predicated on a new settlement of 3,800 houses being delivered in its entirety at a location where a railway line, let alone a station, does not even exist at the present time (2022).

3.5 This is contrary to -

- NPPF paragraph 16 (b) which requires local plans to be positively prepared in a way that is aspirational, but deliverable,
- NPPF paragraph 68 which requires (a) the supply of specific, deliverable sites within the first five years of the plan period, and (b) specific, developable sites/broad locations for growth for years six to ten, and where possible, eleven to fifteen, and
- NPPF paragraph 73 (d) which requires Planning Authorities to make realistic assessments of the likely delivery rates, especially given the large lead-in times for new settlements/largescale sites.

3.6 Throughout the 2040 Plan and its supporting evidence base documents, there is considerable emphasis put on the delivery of two key elements of infrastructure both affecting the Little Barford allocation - the A421/A428 Black Cat/Caxton Gibbet road improvements/re-alignment completing in 2026 and the construction/completion/opening of the East West Rail line (EWR), particularly that part between Bedford Station and Cambridge by 2030. Specifically, policy HOU19(xx.) states -

'The development is dependent on the delivery of transport improvements which will need to be secured before development can take place..'

3.7 These two major infrastructure projects are at very different stages in their delivery process, and are affected by a number of common constraints within the Little Barford/St Neots area, as is the Little Barford allocation itself -

- The East Coast Mainline (ECML),
- The Wyboston Lakes,
- High pressure oil and gas pipelines,
- The floodplain of the River Great Ouse,
- Heritage assets,
- Various residential and commercial properties.

3.8 The planning and consent regimes for such infrastructure projects take a notoriously long time from inception to completion. Further specific and detailed evidence in this regard is provided in Appendices A and B to these representations, all of which serves to indicate how tenuous the delivery of the EWR by 2030 and therefore, the delivery of the 3,800 dwellings by 2040, actually is. Some key observations are also drawn out below in relation to the Black Cat/Caxton Gibbet and EWR projects.

Black Cat/Caxton Gibbet Roadworks

3.9 These works are much more advanced, but have still been at least eight years in the making before a spade has even been put in the ground. The delivery timescale so far has been -

- First included within the DfT 2014 Roads Investment Strategy put forward in the Governments 2014 Autumn Statement - specifically Aecom produced a report entitled 'Route Strategies: Option Assessment Report, A428:A421 to Caxton Gibbet', September 2014; the Greater Cambridge Greater Peterborough (GCGP) LEP Strategic Economic Plan 2014 also highlighted the need for these upgrade works,
- Pre-application discussions with the Planning Inspectorate from June 2017,
- Preferred route announced in February 2019,
- Formal notification to the Inspectorate by Highways England under the Planning Act 2008 for a Development Consent Order (DCO) in May 2019,
- Statutory consultation, followed by revisions to the scheme during 2020/2021,
- The DCO Examination commenced in February 2022 and completed in June/July.

3.10 The Secretary of State is due to announce his decision on the DCO on 18th August 2022. Following that, Highways England expect to commence construction later in 2022, with completion expected and open to traffic in 2026.

3.11 The Little Barford allocation is directly affected by the route of the Black Cat/Caxton Gibbet roadworks which runs north-south between the 'main' allocation area eastern boundary and the 'contingency land'. The DCO does not include any accesses/junctions off this section of the A428 into either the 'main' allocation or the contingency land other than a 3.5m carriageway bridge over the A428 connecting the land parcels. Any additional junctions or accesses off the new A428 alignment or widening of that bridge that may be necessary to serve either the main part of the allocation and/or the contingency land will require (i) further land which may or may not be in the control of the promoter, and (ii) a separate consent regime once the roadworks are in place. All of this has the ability to severely impact on the overall yield achievable within the allocation and certainly on its delivery within the 2040 Plan.

EWR

- 3.12 The current *earliest* delivery timescale for the EWR to be fully operational along its length is 2030. It is anticipated to be granted consent through the Transport and Works Act Order procedure. However, the timescale so far, and the process that needs to be followed to achieve this, provides absolutely no confidence that this will happen. Whilst Little Barford is affected by the Bedford to Cambridge section, it is important to understand from a timescale perspective, the position relative to the other sections of the line as well -
- Oxford to Bicester has been constructed and is operational involving the upgrading of existing track, completing in 2016,
 - Bicester to Bletchley is currently under construction, involving upgrades to existing parts of the line and reconstructing underused/missing parts - the Environmental Impact Assessment Scoping Report was prepared in 2015 (with the TWAO submission at that time expected to be mid-2016, followed by a 36 month construction period) - the TWAO submission actually occurred in July 2018, the public inquiry for which was held in summer 2019, with the SoS granting the Order in February 2020, construction started in summer 2020 and is expected to continue over a five year period, not the three originally envisaged,
 - Bletchley to Bedford involves similar construction requirements as well as alterations to train timetabling and station provision. It was included as part of the above TWAO, although it is not clear whether there is funding available for this section.
- 3.13 The Bedford station to Cambridge section does not exist. The timetable so far for this has been -
- Initial consultation on five possible broad route locations in early 2019,
 - The preferred broad location E was announced in January 2020,
 - Nine route options were identified, with five being shortlisted, but noting EWR emerging preference for two (route 1 blue, and route 9 purple) with consultation on these taking place March-June 2021 - Bedford Borough Council's response to that consultation identified a preference for route 1 (stations at South St Neots and Cambourne north).
- 3.14 Bearing in mind the above, TW has serious reservations that in the 7.5 years from today, ie, 2030, all the necessary government funding (there is currently no parliamentary backing for the funding), consultations, technical reports (including environmental impact assessment), securing the TWAO, land assembly, construction of the new track, bridge crossings and new stations will have been completed. Further detail relating to this delivery point is provided in Appendices A and B.
- 3.15 Adding further to this uncertainty over the EWR delivery are two recent 'events' -
- Comments made on the 11 July 2022 by Grant Shapps, Secretary of State for Transport, who expressed his opposition to the construction of phases 2 and 3 of the EWR (Bletchley to Cambridge) and that the decision on the construction and funding of the Bedford to Cambridge section was one for the next Prime Minister, and
 - The publication on 20 July 2022 of the Infrastructure and Projects Authority 'Annual Report on Major Projects 2021-22', which, specifically on page 54 identifies the EWR stages 2 and 3 (Bletchley to Bedford and Bedford to Cambridge) as Red where red means '*successful delivery of the project appears to be unachievable. There are major issues with the project definition, schedule, budget, quality, and/or*

benefits delivery, which at this stage do not appear to be manageable or resolvable. The project may need re-scoping and/or its overall viability re-assessed’.

HOUSING YIELD AND DESIGN

3.16 The ambiguity and uncertainty of the route and timing of the aforementioned key infrastructure has serious implications for the planning and design of the site and therefore the actual number of dwellings that can be delivered on the site at all, (see attached plans at Appendix C for a visual representation of the main constraints).

3.17 The critical impacts on design and yield are summarised as -

- Unknown extent of land acquisition required for the railway and its station (pending which route is chosen),
- Unknown land extent and the number of bridge crossings (vehicular, pedestrian/cycle) required on both the EWR and ECML,
- Unknown land extent and the potential need for new vehicular accesses into the site from the re-aligned A428 and whether these will be at grade or bridge structures (beyond the 3.5m width bridge currently allowed for in the DCO),
- The high pressure gas pipeline running parallel to the ECML requires diversion and a new section to be constructed - this is also part of the Black Cat/Caxton Gibbet DCO, but will be the subject of a Nationally Significant Infrastructure Project (NSIP) in its own right - the route is unknown and also therefore, the offsets required,
- Offsets and risks associated with the RWE npower oil pipeline running north to south, also to the west of the ECML, which connects to the Exoleum oil pipeline running south-east to north-west through the western part of the site, and the National Grid electricity lines which cross the site,
- The unknown extent of offset from the railways and the A428 needed for noise mitigation,
- Uncertainty surrounding the decommissioning or otherwise of the 750MW Combined Cycle Gas Turbine power plant operated by RWE on the northern boundary of the site - this size of plant has potential environmental impacts relating to air quality, noise, dust and electromagnetic fields, which will need to be considered as part of any development at the Power Plant and the new settlement,
- Unknown requirements/timing/impacts arising from the Minerals Safeguarding Area in the west of the site,
- The extent of the River Great Ouse floodplain in the west of the site,
- The extent of heritage sensitivity particularly related to setting of both listed buildings and a deserted medieval village to the west of Barford Road around St Denys Church, and
- The County Wildlife Site on the western edge of the site.

3.18 Policy HOU19 states -

‘The settlement will be developed to a high design quality achieved through a process of masterplanning and design coding ... A strategic masterplan and design code is to be prepared by the Council in conjunction with the Landowners, stakeholders and local

community and adopted as a Supplementary Planning Document. This document will need to be produced ahead of the submission of any planning application...

And -

'...planning permission will only be granted following the adoption of the strategic masterplan and design code. Development must demonstrate how it has been holistically planned...'

- 3.19 It is TW's submission that these requirements cannot start to be progressed at least until the route of the EWR has been confirmed through the granting of a TWAO. Furthermore, in reality, to be '*holistically planned*' also requires an actual understanding of the noise environment arising from the operation of trains along both the EWR and ECML, and vehicles along the re-aligned A428, to allow for the design of appropriate building offsets and mitigation requirements. The earliest timescale for this in relation to EWR is 2030 (though as argued throughout these representations, the timescale is likely much later in the plan period).
- 3.20 The Stepped Housing Trajectory Topic Paper indicates stepped delivery of the 3,800 houses at Little Barford from 2030, with some 100 dwellings being completed in 2030/31 rising to some 600 in 2037/38 to 2040. Not only does TW, as a national housebuilder, consider this an unrealistic expectation from a single site, but the Council's own evidence base (Borough-Wide Viability Study by BNP Paribas) and the Little Barford promotor's own assessment assumes a much lower level of delivery within the plan period - the Topic Paper is at 160/annum for 2030-35 rising to 440/annum at 2035-40 giving a total of **3,000 dwellings**, against the Promoter at 177/annum (2024-29), 200/annum (2029-34), 240/annum (2035-40) and 870 post 2040, ie, a total of **3,085 dwellings - in neither case is it the 4,000 dwellings expected by the Council**. It is noted that the promoter assumes delivery from 2024, which of course is not possible under any circumstances, and only serves to emphasise the point. Further detailed explanation, including some sensitivity testing of different EWR delivery assumptions, is provided in paragraphs 6.15-6.18 of Appendix A.
- 3.21 Given all of the uncertainties identified above, TW maintain that it is impossible to determine the level of housing and development that the allocation can provide per se, let alone deliver within the 2040 Plan period. It would also appear highly likely that additional land will be required to deliver either the 3,085 and 4,000 dwellings and this is undoubtedly the reason for the last minute change to the proposal allocation plan through the inclusion of what is termed 'contingency land' (see paragraph 5.6 of this representation for further commentary on this point). It is an admission that the site is not deliverable without the extra land.
- 3.22 It is also not developable, as required by the NPPF where developable means that '*sites should be in a suitable location for housing development with a reasonable prospect that they will be available and could viably be developed at the point envisaged*', ie, 2030 according to the Council (2024 by the promoter).
- 3.23 The 2040 Plan, specifically policy HOU19, is unsound in this respect.

SEVERANCE AND A LESS THAN SUSTAINABLE DEVELOPMENT

- 3.24 The vision of the 2040 Plan includes the principle of directing development to be 'more accessible' through encouraging sustainable transportation as well as maximising opportunities for connection to strategic infrastructure. This is to be supported through objectives to reduce congestion within and through the Borough, improve East-West

connectivity and enhance multi-modal travel through the EWR as well as improving ‘first mile/last mile’ connections, ie, localised sustainability.

- 3.25 Whilst the location of a station within Little Barford (route 1) would clearly enhance connectivity to the EWR/ECML and larger locations along both railway lines (once it is delivered), it is of lesser value with regard to local trips/sustainability. Reliance on the car and the need to provide pedestrian/cycle and bus based alternatives will remain in this regard. Similarly, if the station is located to the south (route 9), then the sustainability credentials of the location decrease through the need to provide such alternative connections to the station, which will also need to navigate the re-aligned A428 to the south and east of the site (bearing in mind the very limited junctions off this road).
- 3.26 Policy HOU19 emphasises (quite correctly, in accordance with the NPPF and Government agenda for creating ‘beautiful’ places) placemaking through greener, accessible and prosperous neighbourhoods.
- 3.27 However, severance and permeability are major planning and design issues that arise for the site, whichever EWR route is chosen (the viability and deliverability implications of this - relative to the process of providing crossings over or under both railway lines - are discussed separately in Appendices A and B). Severance, permeability and connectivity issues are also prevalent relative to the contingency land as a result of the Black Cat/Caxton Gibbet works, where presently a single 3.5m wide carriageway on a bridge is identified linking the two parts of the allocation. This separation point will be magnified should route 9 of the EWR be chosen, as illustrated on the plans at Appendix C.
- 3.28 The ability to deliver a cohesive and well connected community with easy access to education, recreation, local services and employment within the new settlement in accordance with policy HOU19(xix) (*‘measures should maximise the opportunities for active travel through the provision of a network of footpaths, cycle ways, and bridleways to enhance permeability within the site and to adjoining areas..’*) is therefore severely compromised.
- 3.29 The 2040 Plan, specifically policy HOU19, is unsound in this respect.

4 THE CASE FOR WYBOSTON

4.1 In contrast to the situation with Little Barford, as evidenced in Appendix A, the TW site at Wyboston is both viable and deliverable within the 2040 Plan period. The following key points prevail -

- It is not dependent financially on the delivery of major infrastructure - the improved junction at Roxton Road is being paid for by Highways England as part of the Black Cat/Caxton Gibbet side road works and is scheduled to be in place by 2026,
- Consequently, Wyboston can start to deliver housing earlier in the plan period, and will therefore be able to deliver the full requirement of 3,800-4,000 dwellings by 2040,
- It fits perfectly with the development strategy of the local plan, providing a sustainable new settlement in the east of the Borough,
- All of the land required to enable the development of a new settlement first phase of 4,000 dwellings (as well as subsequent phases to circa 10,000 dwellings) is in the control of a national housebuilder/master developer who is used to bringing development of this scale forward,
- It is unconstrained environmentally, and can deliver circa 20% biodiversity net gain,
- It is unconstrained by any need to divert utilities or services - the gas pipeline that crosses the site north to south can be accommodated within a central green infrastructure corridor within the site which enables the design of a series of separate but interconnected ‘villages’ based on garden community principles to be created,
- Its unconstrained nature means that it can be designed with certainty that the full compliment of housing as well as all associated services, access road, education, recreation and community requirements can be achieved,
- Its viability means that it can deliver policy compliant levels of affordable housing (see Appendix A),
- It has no access constraints and is predicated on a very clear access and mobility strategy which enshrines the principles of safe, sustainable travel combined together with the concept of 15 minute neighbourhoods ensuring mobility within each village is achieved as well as total integration and connectivity via sustainable modes both to St Neots on its eastern boundary, any future railway station near Little Barford/Tempsford, and west towards Bedford - this strategy is identified in the Transport Note and plans in Appendix D, and is one that will enable a truly sustainable development, and
- It can also deliver long term certainty beyond the plan period, reflecting the ambitions of the OxCam Arc, the Government and Bedford Boroughs’ role in achieving that.

4.2 It is notable that within the New Settlement Assessment Topic Paper, the sustainability assessment scores of Little Barford and Wyboston were virtually identical, the only difference being agricultural land quality where Wyboston scored worse, because it potentially has a larger area of grade 2 land than Little Barford as well as some grade 1. However, work undertaken by Reading Agricultural Consultants on behalf of TW has identified that the site is of a significantly greater proportion of grade 3a than grade 2 and that the provisional grade 1 mapped land is predominantly grade 2. In the context of this

area of Bedfordshire where the majority of land is either grade 2 or 3a at worst, most development sites (unless brownfield) will have an impact on quality agricultural land - this may be limited further through careful design relative to the location of the higher grades.

- 4.3 Interestingly, the transport sustainability criteria were scored exactly the same, notwithstanding the potential accessibility advantage of Little Barford to rail transport options (supposedly the key criteria for choosing Little Barford over Wyboston). Whilst Wyboston is not contingent on the EWR coming forward, the Black Cat/Caxton Gibbet works would enable a direct sustainable mode link to be provided to the Little Barford railway station in the event that the EWR did come forward in any event.

5 PROCEDURAL INCONSISTENCIES

5.1 There are also number of procedural inconsistencies with the 2040 Plan preparation, particularly between the Regulation 18 and 19 stages which render the plan unsound as it is not consistent with statements of national policy intent, nor is it positively prepared.

CONSISTENCY WITH POLICY

5.2 The following points are of note -

- The 2040 Plan is consistent with preparatory policy timescales as set out in Policy 1 of the adopted Bedford Local Plan 2030, however -
- It falls short as it does not plan effectively for deliverable sustainable development within the plan period arising from the delivery of major infrastructure required to make the emerging plan strategy sustainable, and continued uncertainties around the OxCam Arc,
- Both Little Barford and Kempston Hardwick have a finite capacity, but Little Barford has major question marks over its deliverability within the plan period due to its reliance on the delivery of major infrastructure that does not even exist and which is outside its control (see earlier paragraphs of this representation). The allocation of Wyboston would provide Bedford Borough Council (BBC) with certainty of housing numbers and their delivery within the 2040 Plan period and for the years beyond, and
- Paragraph 1.34 of the 2040 Plan acknowledges the ‘*many*’ uncertainties around planning in the Borough as a result of the Arc and the EWR, but has still progressed ‘*so that the Council and local communities can maintain control through their planning policies over where and when new development takes place*’. Bearing in mind the foregoing paragraphs, TW do not consider that this is a sound reason or basis on which to plan development for the next 10-15 years - it is not ‘*maintaining control*’, it is premature for BBC to be allocating development at Little Barford, where delivery of housing is programmed between 2030-2040.

5.3 The 2040 Plan is unsound and not consistent with national policy as it cannot deliver sustainable development within the stated timeframe.

DUTY TO CO-OPERATE (DTC)

5.4 The following points are of note -

- The Duty to Co-operate Topic Paper advises in section 3 that ‘*at the current stage of plan preparation, which is the publication of the Plan for Submission for consultation, our neighbours and partners are yet to have sight of the detail contained in the plan’s policies and they do not know which sites are proposed for allocation (my underlining),*
- Central Bedfordshire’s position is (i) rail that could have a significant impact on both authorities - ‘*although the precise route of the EWR is yet to be decided, there will be opportunities and a need for further co-operation*’ - even more so now, with the Little Barford allocation on their border, and (ii) transport - ‘*..CBC have raised concerns around transport mitigation and the capacity of key routes and junctions, which are yet to be resolved*’ that could similarly have a significant impact on both authorities - the last meeting between the authorities was in respect of highways at the end of February,

- Interestingly, the CBC Regulation 18 plan (of summer 2017) identified that whilst there was great future potential for large scale growth in the A1 corridor as a result of service improvements on the ECML, to bring forward significant growth, there needed to be greater clarity on the routing of the EWR. As a result, CBC rejected the notion of allocating any large scale development around the Tempsford area - a very different approach to BBC some four years later, when the final alignment of the EWR and the location of its station on the ECML is still not confirmed.
- Section 2 the DTC Paper lists the organisations (excluding local authorities) that BBC *'aim to produce more detailed statements with'* including National Highways, but not Network Rail or the East West Rail Company (EWRCo). EWR and rail infrastructure are, however, identified as *'strategic matters that require ongoing engagement'* with the neighbouring authorities of Central Bedfordshire (CBC) and Huntingdonshire Council (HC) - when circa 65% of the 2040 Plan's housing is centred in locations predicated on the delivery of the new rail infrastructure, the seeming omission of such engagement with the delivering authorities is strange and unacceptable.

5.5 As a result, the Plan fails in its Duty to Co-operate and is therefore, unsound.

REGULATION 19

5.6 The following are of note -

- The Executive Committee of the Council was presented with a report in April 2022 explaining the reasoning behind the proposed Regulation 19 version of the 2040 Plan: Plan for Submission, and a copy of the Plan to approve for consultation purposes. A list of 52 supporting evidence base documents was also provided, 8 of which had not been completed, notably the Development Strategy paper,
- The reason given for this was to take account of the late March 2022 changes to the standard method based housing need which increased the annual requirement to 1,355 dwellings (a 40% increase on the adopted 2030 Plan) and an increase from 1,275 in the Regulation 18 Plan. The Executive resolved that the Submission version of the Plan be published for consultation and that the eight incomplete evidence base documents be approved by further Executive Decision via the Mayor,
- The Regulation 19 Plan introduces Kempston Hardwick as a specific 'new settlement' for the first time. There is no previous promotion or transparent evidence base in support of the site for residential development, let alone a capacity of 3,800 dwellings - all promotion has been in relation to employment development, including the submission of an application for this in 2018 which remains undetermined,
- The promotion and testing of Little Barford has consistently been as a site of circa 300 ha with a capacity of circa 3,000 dwellings, NOT the 3,800 now being allocated. It is also not at all transparent where and how the inclusion of the 'contingency' land now included in the Regulation 19 consultation version of Policy HOU19 came about. It is noted this is referred to in the context of possibly being necessary arising from EWR routing through the site. As this possible routing has been the case since at least March 2021 when the preferences for routes 1 and 9 were published, TW suggests it is a very late admission that the promoted and allocated land cannot, in fact, deliver the housing numbers being required of it, either at the 3,000 or 3,800/4,000 level.

-
- 5.7 TW do not believe that the above is an appropriate basis on which to draft and produce a plan for consultation as members are approving something without the knowledge of the full facts and evidence base behind that. This is neither justified nor positively prepared.

6 CONCLUSIONS

6.1 The foregoing commentary, supported in particular by the papers in Appendices A and B, has demonstrated that there are real and legitimate concerns over the deliverability of the Little Barford new settlement allocation -

- It is predicated on the delivery of a national infrastructure project that does not yet exist and where there are serious questions at all levels over its future funding and timescales of its delivery by 2030,
- Even if EWR is in place by 2030 there is no prospect of delivering 3,800 units from 2030 to 2040. The Council's viability consultants do not support this and the promoter in the call for sites suggests a 15-year delivery programme. Therefore, the Council's assessment of Little Barford in the Stepped Trajectory Paper is not sound,
- The prospect of the EWR being operational with the new station in place by 2030 is very unlikely given all that needs to be done in the next 7.5 years. The sensitivity analysis (Appendix A) on absorption rates if the scheme were to start delivering dwellings in either 2033, 2034 or 2035 show that there would be a significant shortfall in the number of dwellings delivered during the 2040 Plan period,
- There is insufficient evidence to confirm that it is possible to deliver the allocation of 3,800 new dwellings during the 2040 Plan period. TW does not believe it is possible. Furthermore, the projections for delivery set out by the Council are not supported by the Council's own viability consultant (BNP Paribas) nor the delivery timetable put forward by the Promoter of Little Barford during the call for sites,
- The available viability information does not account for the infrastructure that needs to be in place to enable the delivery of housing,
- There is an insufficient evidence base to demonstrate that the proposed quantum of housing can be delivered within the Plan period due to site constraints caused by existing and proposed infrastructure, and
- Severance and permeability issues arising from the proposed and existing infrastructure will result in a less connected and cohesive and sustainable community, contrary to well established design principles and that required through Policy HOU19.

6.2 Consequently, the policy HOU19 allocation of Little Barford as part of the 2040 Plan's development strategy (policy DS1(S)x), is unsound as it is -

- Not positively prepared,
- Not justified as it is not based on proportionate evidence is not the most appropriate site,
- Not effective, as it is not deliverable within the plan period as it is predicated on a railway line (and station) that does not yet exist, and
- Not consistent with national policy in enabling the delivery of sustainable development.

6.3 In order to make the 2040 Plan sound, the HOU19 policy and DS1(S)x should be deleted/reworded with the identification/allocation of Wyboston as the eastern new garden community site for 4,000 dwellings.