



The Planning  
Inspectorate

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# Report to Central Bedfordshire Council

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an Inspector appointed by the Secretary of State for Communities and Local Government

Date 24 January 2011

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PLANNING AND COMPULSORY PURCHASE ACT 2004

SECTION 20

**REPORT ON THE EXAMINATION INTO THE  
CENTRAL BEDFORDSHIRE (NORTH) SITE ALLOCATIONS  
DEVELOPMENT PLAN DOCUMENT**

Document submitted for examination on 28 May 2010

Examination hearings held between 26 October and 8 November 2010

File Ref: PINS/P0240/429/4

## Non-Technical Summary

This report concludes that the Central Bedfordshire (North) Site Allocations Development Plan Document (the Plan) provides an appropriate basis for the planning of the area over the next 15 years. The Council has produced sufficient evidence to demonstrate that the Plan is consistent with the Core Strategy for the area, that the allocations it contains have a reasonable chance of being delivered and that it is reasonably flexible.

The allocated sites were selected following a robust site assessment process and, while a number of finely balanced judgements had to be made, the most appropriate sites have been selected following a consideration of reasonable alternatives.

No changes are needed to make the Plan sound.

## Introduction

1. This report contains my assessment of the Central Bedfordshire (North) Site Allocations Development Plan Document (the Plan) in terms of Section 20(5) of the Planning & Compulsory Purchase Act 2004. It considers whether the Plan is compliant in legal terms and whether it is sound. Planning Policy Statement (PPS) 12 (paragraphs 4.51-4.52) makes clear that to be sound, such a plan should be justified, effective and consistent with national policy.
2. The starting point for the examination is the assumption that the local authority has submitted what it considers to be a sound plan. The basis for my examination is the Draft Submission version of the Plan dated January 2010. This is the same as the document published for consultation on 25 January 2010.
3. No substantial changes are needed to make the Plan sound. However, the Council proposes a number of minor changes to the Plan and these are set out in **Annex A**. Some of these have been the subject of public consultation and sustainability appraisal while others have not. All of these changes fall into the category of factual updates, corrections of minor errors or other minor amendments in the interests of clarity. As these changes do not relate to soundness they are not referred to specifically in this report although I generally endorse the Council's view that they improve the Plan. The exceptions to this are proposed deletion of references to the Regional Strategy. The Regional Strategy remains at present part of the development plan and references to it should not be deleted. It may be that the Council will need to make additional minor changes to page, figure, paragraph numbering and to correct any spelling errors prior to adoption. This would be acceptable.

## **Assessment of Soundness**

### **Main Issues**

4. As was made clear at the Pre Hearing Meeting this report does not attempt to deal in detail with each representation relating to each of the allocated sites or each of the alternative sites put forward. Rather it focuses on a number of broad issues derived from the representations made and refined in the light of the hearing statements, the expanded written representations and the discussions which took place at the Hearings.
5. These issues cover the following topics; whether the Plan conforms to national policy; whether the amount and distribution of development in the Plan is consistent with the Core Strategy; whether the Plan is based on an appropriate site selection process; whether there is a reasonable prospect of the housing and employment allocations in the Plan coming forward; whether a contingency allocation should be made for employment land; whether the Safeguarded Key Employment Sites are economically viable; whether there are any insurmountable objections to the allocated sites; whether there is a need to allocate alternative sites; whether any alternative sites are more suitable than the allocated sites; and whether there is a need for major expansion at Old Warden Park/Shuttleworth College?

### **Issue 1a – Does the Plan conform to national policy?**

6. The Plan has been prepared within the context of the Central Bedfordshire Core Strategy and Development Management Development Plan Document (the Core Strategy) which was itself recently found to be consistent with national policy. If the Plan is consistent with the Core Strategy, an issue that will be dealt with next, then it will be consistent with national policy.
7. National policy has, however, changed, or is in the process of changing in some respects since the Core Strategy was found sound. In July 2010 the Government announced the revocation of Regional Strategies, including the East of England Plan. Nonetheless the East of England Plan remains part of the development plan at present and it is relevant to note, therefore, that the Plan is in general conformity with that document.
8. The Government's announcement of July 2010 gave Central Bedfordshire Council (the Council) the opportunity to consider reviewing the housing figures contained in the Core Strategy but, as it is entitled to do, it chose not to do this. It is not part of the remit of this Examination to seek to go behind that decision.
9. Another recent change to national policy is that garden land has been excluded from the definition of previously developed land. This will have little or no effect on the allocations in the Plan as these are mostly on greenfield sites. Where sites do involve garden land, for example site HA18 at Clophill, this change in status does not alter their suitability.

10. The minimum housing density figure has also been removed from national policy but there is no evidence to suggest that this will have a significant effect on the capacity of sites identified in the Plan.
11. The Plan is, therefore, consistent with national policy.

**Issue 1b - Does the Plan make provision for the amount of development envisaged in the Core Strategy?**

12. The amount of housing and employment development allocated in the Plan closely follows the indicative figures for such development set out in Policies CS5, CS9 and CS10 of the Core Strategy.
13. Broadly speaking these policies require the provision of sufficient new sites for a minimum of 17,950 dwellings and for approximately 77ha of B1 – B8 employment land. As far as housing is concerned, when completions and commitments are deducted, this leaves a need to allocate some 4,965 dwellings<sup>1</sup>. The Plan makes provision for 5,258 dwellings and approximately 78 ha of employment land<sup>2</sup>.
14. The Plan does, therefore, make provision for the amount of development envisaged in the Core Strategy.

**Issue 1c - Does the Plan distribute development in accordance with the approach set out in the Core Strategy?**

15. The Core Strategy identifies eight principles to guide the location of development<sup>3</sup>. These will be considered in turn.

*Principles 1 & 2.*

16. The first two principles state that most new development will be focussed in larger settlements and that the settlement hierarchy defined in the Core Strategy will be used as the basis for apportioning growth. The Plan follows these principles in that most of the allocated sites are in the Major and Minor Service Centres and the amount of development allocated to various levels in the settlement hierarchy is broadly in conformity with the indicative levels set out in the Core Strategy.
17. Three particular points were made about the way the Plan interprets these principles. The first of these relates to Brogborough where the plan allocates 8ha of employment land even though it is a Small Village in the rural area in which development would normally be expected to be small scale. However, Brogborough is close to Junction 13 of the M1 motorway and is already the location of a large storage and distribution depot at Prologis Park. The Core Strategy indicates<sup>4</sup> that the search for new employment sites in Northern Marston Vale will include the area

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<sup>1</sup> DPD1. The Core Strategy. Table 3

<sup>2</sup> Table 1 of the Plan. NB housing figure has been corrected to remove minor errors and updated to reflect changes made to site capacities.

<sup>3</sup> DPD1 The Core Strategy, paragraph 3.3.1

<sup>4</sup> DPD1 The Core Strategy, paragraph 3.8.9

around Prologis Park. In this respect, therefore, the Plan is consistent with the Core Strategy.

18. The second point relates to the settlement of Sandy. This is a Major Service Centre where the Core Strategy indicates that a range of between 50 and 200 dwellings should be allocated. The Plan allocates 110 houses to Sandy, a relatively modest number, even though the Inspector examining the Core Strategy expressed concern that 200 houses might not cater for local needs and should not be regarded as an upper limit to development should it be established that additional development could be accommodated in a sustainable manner <sup>5</sup>.
19. However, development opportunities in Sandy are limited by constraints such as the A1, the railway line and the floodplain. Moreover greenfield land to the north of the town is relatively remote from the town centre being over 20 minutes walk away. This is a situation on which a difficult choice has to be made between the need to provide for affordable housing in Sandy and the need to locate development in a sustainable manner. There is nothing essentially unsound in the Council's decision, in this instance, to attach more weight to the needs of sustainability.
20. The third point relates to the way development would be distributed between the Major and Minor Service Centres in the Plan. It is apparent that the Council focussed much of its effort on comparing the relative sustainability of sites within settlements and that is the way that the information is presented in the Site Assessment Technical Document<sup>6</sup>. However there is evidence, confirmed by a local councillor, that members implicitly considered the relative sustainability of sites between the Major and Minor Service Centres<sup>7</sup>. It would have been possible for the Council to have given more formal and explicit consideration to the relative sustainability of sites between settlements but there is nothing in paragraph 5.2.11 of the Core Strategy requiring the Council to do this. This paragraph simply refers to the 'relative sustainability of sites' and does not distinguish between comparisons within settlements and comparisons between settlements. The approach taken by the Council is, therefore, consistent with the Core Strategy.
21. The Plan is, therefore, consistent with the first two principles guiding the location of development as set out in the Core Strategy.

*Principles 3 & 4.*

22. The third and fourth principles state that the Council will seek opportunities to concentrate growth in one or two locations and that it will ensure that development has a positive impact on communities.

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<sup>5</sup> ED15 The Core Strategy Inspector's Report, paragraph 3.45

<sup>6</sup> ED12A Site Assessment technical Document Appendix A

<sup>7</sup> BY47 Council Statement relating to matters raised by Turnberry Consulting (Cranfield)

23. It is clear that in a number of settlements, Arlesey being one example, the Council has followed these principles and concentrated development at large sites which have the potential to bring forward significant benefits in the form of, in this instance, a relief road, shops and community facilities. Clearly such an approach is consistent with the Core Strategy but it has not always been uncontentious.
24. In Potton, for example, it is proposed that development be concentrated at two large sites which would bring with them, amongst other things, a community hall. An alternative approach would have been to accommodate the same amount of development on smaller sites. However, simply dispersing development would not necessarily reduce its impact on the character of the town or make it easier to integrate into the community and such an approach would be unlikely to support the provision of additional facilities – although the value of such provision is a matter that is open to debate.
25. Therefore, while the approach taken in the Plan towards development in Potton has attracted widespread local opposition, it is consistent with the third and fourth principles of distributing development set out in the Core Strategy and there is no strong evidence to suggest that the alternative approach of developing a larger number of smaller sites would be more appropriate.
26. The Plan is, therefore, consistent with the third and fourth principles guiding the location of development as set out in the Core Strategy.

*Principle 5.*

27. The fifth principle is to protect and maintain Green Belts. This the Plan achieves by avoiding allocating any sites in Green Belt.

*Principle 6.*

28. The sixth principle is to use previously developed land wherever possible when it is sustainably located. The rural nature of the area means that the vast majority of the allocated sites are on greenfield land. However, when assessing various sites a high score was given to those on previously developed land.
29. In doing so an element of judgement was exercised. Site H105 at Cranfield Airfield is an example of this. This site is entirely previously developed land being part of a redundant third runway within the curtilage of an operational airfield. This is a point the Council has previously accepted at appeal<sup>8</sup> and is a point supported by legal opinion obtained by representors<sup>9</sup>.
30. Nonetheless, when assessing the site, the Council treated it as being only partly previously developed land and scored it accordingly. On the

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<sup>8</sup> Appeal Ref: APP/J0215/A/04/1169129, paragraph 38, page 7

<sup>9</sup> BY50 Turnberry Consulting's reply to Council's position re previously developed land

face of it this is inconsistent with the land's undoubted status as previously developed land.

31. It is, however, made clear in paragraph 41 of PPS3 that there is no presumption that previously developed land is necessarily suitable for housing development nor is there any presumption that the whole of the curtilage of a site should be developed. Much of site H105 is, as is commonly the case with airfields, open and grassed. That being so it is legitimate for the Council to exercise its judgement and, for the purpose of assessing the site for housing, to discount the effect of it being previously developed land. Consequently this site was accorded a lower score than if it were, for example, largely covered by buildings and hardstanding. This is a reasonable approach. The Plan is, therefore, consistent with the sixth principle guiding the location of development as set out in the Core Strategy.

### *Principle 7*

32. The seventh principle in the Core Strategy allows for limited development in rural areas to serve local needs and help support local services. The Plan allocates over 400 dwellings on 15 sites in 11 of the 39 villages in the rural area. Such an approach concentrates development in relatively few villages.

33. An alternative approach would have been to distribute development more widely across the villages as there is a lack of suitable affordable housing across the rural area. However, the Council took the view that development should be focussed in the most sustainable villages. There is nothing unsound in this approach which does not cut across the requirement that such development should serve local needs and support local services.

34. All of the allocated sites would lead to the provision of an element of affordable housing<sup>10</sup> and such housing would be available to people across Central Bedfordshire unitary area. Moreover a number of these sites would help meet other local needs in the form of community and recreational provision. These sites would, therefore, serve local needs and help support local services. In this respect, therefore, the Plan is consistent with the Core Strategy.

35. In Clifton a site of some 80 dwellings is allocated, in Meppershall a site of some 68 dwellings and in Stondon a site of some 70 dwellings which begs the question of whether these are indeed small scale. However the wording of Core Policy CS1, when read as a whole, makes clear that the Plan should make small scale allocations that reflect the size and character of the community. This allows for a wide degree of discretion and what constitutes a 'small scale allocation' will, therefore, vary from village to village.

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<sup>10</sup> Core Policy CS7 states that sites of 4 dwellings should include one affordable house. On all other qualifying sites 35% or more units should be affordable.

36. Clifton, Meppershall and Stondon are all Large Villages which have seen appreciable levels of growth in recent decades. In this context it is not unreasonable to regard the proposed developments as small in scale.

37. The Plan is, therefore, consistent with the seventh principle guiding the location of development in the rural area as set out in the Core Strategy.

#### *Principle 8*

38. The eighth principle set out in the Core Strategy is to control development in the open countryside. The Plan is consistent with this principle as all of the allocated sites are either in or adjacent to settlements.

39. The Plan is, therefore, consistent with all of the eight principles for allocating development set out in the Core Strategy.

### **Issue 2 – How appropriate, open and robust is the site assessment process on which the Plan is based and how consistently has the Council applied it?**

#### *The Site Assessment Process*

40. The site assessment process<sup>11</sup> is a critical piece of the evidence which underpins the Plan. Details of the assessment process vary between housing, employment and mixed use sites but in general terms there was an initial stage at which sites were assessed against criteria such as whether or not they were in Green Belt or in floodplain. Sites not excluded at this stage were assessed in terms of criteria such as their proximity to key services and their relationship to settlements. Sites that passed successfully through that stage were subjected to a more detailed assessment involving consultations with various organisations and an element of professional judgement.

#### *Is the Site Assessment Process based on a sensible range of criteria? Has appropriate weight been attached to those criteria?*

41. It is largely undisputed that the criteria used in the initial stage of the site assessment process, which range from whether the site is in Green Belt to whether it is wholly in an Important Countryside Gap, are sensible. The same is true of the criteria used at the final stage of the process where matters such as highways, archaeology, conservation, landscape, and effect on wildlife were taken into account.

42. More contentious were the criteria used at the second stage of the assessment of housing sites. The selection of these criteria and the weighting attached to them was informed by the results of a public consultation exercise.<sup>12</sup> Close scrutiny of this document reveals that the criteria consulted on vary in some respects from those ultimately used. For instance 'protection of the landscape' and 'protection of

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<sup>11</sup> ED11 & ED12 Site Assessment Technical Documents

<sup>12</sup> SD1 Criteria Consultation Report, Appendix I to the Consultation Statement.



wildlife' both emerged as important criteria for respondents but neither was in the final list.

43. However, the stage of the assessment at which these criteria were used dealt with essentially quantitative matters such as a site's distance from various facilities, the amount of the site that was previously developed land and how many of its boundaries adjoined a settlement. As has already been indicated, qualitative matters such as the effect on landscape and wildlife were dealt with subsequently. Given the number of sites involved, in excess of 400, a degree of simplification is necessary in the early stages of the assessment and while it would have been possible to adopt a more detailed approach it is not clear that this would have been practical or would have led to different results.

44. As to the weighting given to these criteria, inevitably this involved a degree of judgement but that judgement cannot be dismissed as purely arbitrary since it appears to be logical and reflect to a degree the opinions of the respondents to the public consultation process referred to above.

45. For the most part these criteria have been applied uniformly to various sites and where they have not cogent reasons have been given. For example sites entirely within an Important Countryside Gap were generally excluded as they could lead to the physical or visual coalescence of settlements. This is sensible enough. Site MA8 at Arlesey is an exception to this as it washes over one such gap. However, at Arlesey the situation is unusual in that it does not involve a gap between settlements but rather a gap within a settlement – a gap which it was judged would be a suitable location for a new focal point for the village.

46. The criteria used in the site assessment process are, therefore sensible, the weightings attached to them are appropriate and they have been applied consistently.

*Why have the sites that scored highest in the second stage of the assessment not always moved on to the next stage?*

47. At the end of the second stage of the assessment sites were given various scores. It became apparent, however, that there were more sites with relatively high scores than were needed or could realistically be given a more detailed assessment at the next stage. Consequently the Council exercised its judgement as to which sites should proceed to the next stage and in doing so took into account matters such as the community benefits that a site could deliver, the scale of past development and outstanding commitments in a settlement and its position in the settlement hierarchy, the availability and deliverability of a site and the responses to earlier stages of consultation.

48. This is a sensible and pragmatic approach. The site selection process devised by the Council is an attempt to put its decision making on a systematic basis but it is not an attempt to remove the element of judgement and replace it with a point scoring exercise.

*What role have the benefits offered to the community by various sites played in site selection?*

49. As has been established in previous paragraphs the benefits offered to the community by the development of various sites was a factor in site selection. In principle this is acceptable as the Core Strategy specifically states that development should have a positive effect in the community. The Council only took this matter into account when it had established which sites had the most potential and while it is suggested that the Council gave this matter too much weight in some instances (for example in Potton and Meppershall) and too little in others (for example in Cranfield) there is nothing essentially unsound in the approach taken by the Council.

*What role did professional judgement play in the site selection process and what role did members play?*

50. The point has already been made that professional judgement was brought to bear throughout the site selection process and that this is entirely appropriate.

51. It is also clear that the Council's elected members played an active role throughout that process. A Member Task Force Group oversaw and were involved in the site selection process, they viewed the sites, were involved in the selection of criteria and recommended a list of preferred sites initially to the Overview and Scrutiny Committee, as well as the Council's Executive, and ultimately to Full Council<sup>13</sup>. Elected members were thus able to bring to bear their local knowledge throughout the site selection process.

*How thorough and open has the consultation carried out in connection with the site selection process been?*

52. Between 2006 and 2010 the Council carried out a range of consultations in connection with the site selection process<sup>14</sup> starting with a call for sites, proceeding through various Issues and Options Consultations and a Site Assessment Criteria Consultation and moving on to a consultation on the shortlist of sites. Newsletters were distributed, public exhibitions were held and a web site set up.

53. At the end of this process there were those who were satisfied and those who felt excluded. Certainly taking part in a long and complex consultation exercise of this nature requires stamina and, on occasion, the ability to react quickly. For instance on one occasion Town Councils and Parish Councils were given four days notice of an important meeting - although they were given the opportunity to address a subsequent meeting.

54. Inevitably such exercises do require a sustained commitment on the part of participants and it is helpful to have a degree of computer literacy. While it was argued that more could have been done to involve people or make it easier for them to become involved it was

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<sup>13</sup> BY14 Preparation Timeline from Criteria Development to Submission

<sup>14</sup> SD1 Consultation Statement (Reg 25) & SD2 Consultation Statement (Reg 27)

generally accepted that the Council had met its statutory requirements to consult in a thorough and open manner.

*Are there any critical inaccuracies in the site selection process insofar as it applies to particular sites?*

55. As is to be expected in a site selection process that involved assessing over 400 sites, mistakes were made. For the most part these were minor and were dealt with in the revised version of the Site Assessment Technical Document – a point that is dealt with subsequently. There are, however, several points that warrant closer examination.
56. *Floodplain.* The Council now accepts that a site at Bells Brook, Biggleswade (site E65) is not in the floodplain and has reassessed it accordingly. The results of this exercise are discussed when dealing with Issue 8.
57. A nearby site (E39) is, however, in the floodplain. Consequently, following the sequential test in PPS25, it is right that development should be steered away from it towards land with a lower risk of flooding. The fact that the existing site already has a house on it does not warrant departing from that general advice and developing the site - even if it were developed with less vulnerable uses.
58. *Accessibility.* It would have been impracticable to make a detailed assessment of the accessibility of each of the sites to be considered at the second stage of the assessment. Consequently the Council made use of Accession Software to carry out this task. This only produces a picture at a point in time and does not take account of facilities that have closed recently nor of facilities that are due to open.
59. So, for example, a bus stop in Shillington was removed after the Accession assessment was completed. However, while this produces some reduction in the score<sup>15</sup> for the site that was ultimately allocated (site HA27) this was only one part of the overall assessment and does not seriously undermine the decision to allocate a site in Shillington or the selection of that particular site.
60. The Accession Software only takes account of main roads and footways along these. While this results in a somewhat crude picture and may, in some instances, exclude smaller rights of way and footpaths, this does not undermine the soundness of the site assessment process as a whole which involved a range of judgements being made on a wide variety of factors.
61. *Noise.* The assessment of site H105 in Cranfield states that it had previously been refused by an Inspector at the Local Plan Inquiry because of concerns about noise. That was not the case and the Council confirmed at the Hearings while both this site and the nearby

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<sup>15</sup> BY38 Council to Shillington Village Design Association and response. Buses and bus stops.

allocated site (HA7) would probably be affected by noise from the airfield and airpark, it was unlikely to be a determining factor at either site. Once again, this is only one factor in the overall assessment and is not critical to the ultimate decision as to which site to select.

*How were mixed use sites assessed?*

62. Mixed use sites were assessed in parallel as housing and employment sites. If sites scored well on both they were allocated as mixed use sites. In principle such a parallel approach could underestimate the sustainability benefits that, for example, putting housing and employment on the same site could have.

63. In practice there is scant evidence that this happened. The site that this argument was put forward in connection with is in fact allocated for mixed use in the Plan (site MA7) to be developed in accordance with an existing planning permission for employment uses and 5 replacement dwellings. It is previously developed land, a former Pig Development Unit, set in the countryside well away from the edge of the nearest settlement. There is little substantial evidence to indicate that putting more dwellings on the site than are currently permitted would significantly reduce the number of car borne trips or otherwise make the site more sustainable.

*Why was a second version of the Site Assessment Technical Document issued after the publication of the Plan?*

64. The second version of the Site Assessment Technical Document<sup>16</sup> was published in order to clarify the assessment process, to remedy omissions and correct minor errors. It was not an attempt to respond to the representations made and no changes were made to the allocations.

65. It is unfortunate that it was necessary to make late changes to this important piece of the evidence base as it meant that representors were not always clear until late in the day as to how the Council had come to the decisions that it did. However, there is nothing to suggest that the Council used this revised version of the document as an opportunity to systematically bolster the sites it allocated or undermine those it had not. This late modification to the evidence base does not, therefore, undermine to any significant degree the soundness of the Plan.

*Conclusions on the Site Assessment Process*

66. The site assessment process carried out by the Council is appropriate, open and robust. The criteria used in the process are sensible and have been consistently applied. Professional judgement has undoubtedly played a large part in this process and that judgement has been overseen by locally elected members of the Council who have been involved throughout. Such inaccuracies as have been identified have either been remedied in the revised version of the site assessment or

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<sup>16</sup> ED12 and its appendices

do not materially affect the selection of sites. The site selection process does, therefore, provide a firm basis for the decisions made in the Plan.

**Issue 3 – How robust and reliable is the housing trajectory in the Plan? Of the sites allocated in the Plan are a sufficient number genuinely available, suitable and achievable so as to ensure a 5 year supply of housing land? Is there a reasonable prospect of the remaining housing land allocations being developed within 15 years?**

67. The Council's latest housing trajectory<sup>17</sup> indicates that sufficient committed and allocated sites are available, suitable and achievable to provide more than an 8 year supply of housing land and that there is a reasonable prospect of the remaining housing land allocations coming forward within 15 years.
68. The housing trajectory is of course simply an estimate of when various sites will come forward for development and the rate at which they will be developed. Such estimates can be invalidated by changing circumstances. However this trajectory was prepared in 2010 at a time when the housing market was weak and it was informed by the judgements of various land owners and developers who would be well aware of the uncertain economy.
69. Moreover the housing trajectory is not a phasing policy and does not attempt to enforce a strict phasing regime. It simply indicates the priority order in which it is expected that sites will come forward. It will be reviewed annually and if sites have not come forward as anticipated the Council will encourage the earlier development of other allocated sites.
70. The housing trajectory is, therefore, reasonably robust and reliable and indicates that sufficient housing sites will come forward to ensure a 5 and 15 year supply of housing land.

**Issue 4 – Is there a reasonable prospect of the employment allocations identified in the Plan coming forward in the plan period?**

71. Ultimately the rate at which the employment allocations are developed will depend on market conditions. In the current fragile state of the economy progress in delivering employment sites may well be slow. However the Plan runs until 2026 and over that period it is to be expected that the economy will recover.
72. When the allocated employment sites were selected, account was taken of their attractiveness to the market, their accessibility to labour and services and the level of potential demand from developers and

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<sup>17</sup> ED10A

occupiers. Moreover the Council is actively promoting the area and working to identify and overcome barriers to the delivery of these sites.

73. The area is also centrally located in the country and benefits from good communication links, links which are being upgraded with the ongoing A421 improvement scheme, improvements to Junction 13 of the M1, improvements to the A6 and the completion of the Bedford Western Bypass.

74. There is, therefore, a reasonable prospect of the employment allocations in the Plan coming forward over the Plan period.

#### **Issue 4a – Should more employment land be identified as contingency allocations?**

75. The Core Strategy sets an indicative target of 77 ha of B1 to B8 employment land. This target includes a deliberate 50% over allocation<sup>18</sup> - the purpose of which is to provide choice in the size, type and location of sites. The Plan allocates over 78 ha of such land and thus exceeds this target. Given the element of deliberate over allocation in the Plan there is no need to identify further employment sites as contingency allocations.

#### **Issue 4b – Are all Safeguarded Key Employment Sites economically viable?**

76. Policy E1 of the Plan identifies a number of existing employment sites to be retained in that use. Evidence was put forward to indicate that two of these Safeguarded Key Employment Sites (Eldon Way Industrial Estate and Hampden House/Hitchin Road) are only marginally viable or unviable as employment sites. However it does not follow from this that they should be allocated for housing. Core Strategy Policy CS10 acknowledges that such sites may under perform and supports the development of appropriate non B1-B8 uses that provide additional job creation. There is little evidence that such an option has been seriously pursued on these sites. Moreover there is little substantial evidence to indicate that the economic viability of providing housing on these sites has been thoroughly explored taking into account the existing use value of the land and, in the case of Eldon Way, the cost of any noise mitigation measures required as a result of its location alongside the A1 and the East Coast railway line<sup>19</sup>.

#### **Issue 5 – How will progress on the development of allocated sites be monitored and what contingency plans are in place to cover the possibility of growth targets not being met?**

77. Progress on the development of the allocated sites will be monitored through the Annual Monitoring Report, particularly through the Housing Trajectory which despite its name includes information on employment sites.

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<sup>18</sup> DPD1 The Core Strategy, paragraph 6.2.5

<sup>19</sup> BY49, BY59 & BY64 Noise Assessment for Eldon way, the Council's comments and the representors response

78. Policy MA4 reserves land for 320 dwellings to be brought forward after 2016 if there is a shortfall in housing delivery. This contingency allocation applies only to the Northern Marston Vale.
79. As to the remainder of the Plan area, there is little evidence to suggest that there are any major site specific hurdles that could delay the development of the allocated sites unduly; nor is there substantial evidence to suggest that the alternative sites promoted by representors would perform markedly better in this respect. The one major obstacle to development, and this affects both the allocated sites and the alternative sites, is the weak state of the economy. If this were to delay the development of a particular site the Council would then seek to bring forward allocated sites which are phased for future years in the housing trajectory.
80. It is difficult to see what else the Council could do in the face of uncertain market conditions other than allocate a range of potentially deliverable and developable sites and, if shortfalls occur, do what it can to enable other allocated sites to come forward more quickly.
81. Adequate provision has, therefore, been made to monitor the Plan and the Plan is flexible enough to cope with changing market conditions.

**Issue 6 - Are there any demonstrable objections to individual sites allocated in the plan that could not be overcome by planning conditions, planning agreements or by suitable design?**

82. The short answer to this question is no. The sites selected in the Plan have been allocated in accordance with the principles set out in the Core Strategy (see Issue 1c of this report) and in allocating these sites the Council carried out an appropriate, open and robust assessment of the alternative sites put to it (see Issue 2 of this report).
83. The Council was faced with a large number of potentially acceptable sites and had to make a series of often difficult decisions not all of which have pleased everybody. However, having visited all of the allocated sites and read and listened to the representations for and against them I am satisfied that they are all in sustainable locations, that they conform with the Core Strategy and do not suffer from any insurmountable drawbacks. While the decisions in a number of instances were finely balanced, they are decisions that it is entirely appropriate for locally elected members of the Council, equipped with the relevant information, to make. A number of instances illustrate this point.
84. *Biggleswade. Site EA1.* This proposed employment site is close to the Stratton Park Scheduled Ancient Monument. This monument, which includes a moated enclosure and an area of earthworks, stands a short distance to the east of the urban edge of Biggleswade. In views of the monument from the north a large industrial building is a prominent feature and there are a number of scattered buildings, including a chalet park, around it. The setting of this monument is not, therefore, entirely open and rural. However, the land to the south east of Dunton Lane is undeveloped and allows for views to and from the monument

across an agricultural landscape. It is on this land that site EA1 would be located.

85. However, Policy EA1 specifies that the development of this site would depend, amongst other things, on the appropriate mitigation measures being carried out to reduce its impact on the monument. Such measures could include archaeological investigations on the proposed site and the provision of screening. While any screening would not render development invisible in views to and from the monument it could, in conjunction with careful control over the design and height of buildings, soften its impact considerably. The Council is justified in concluding, therefore, that the development of site EA1 would not cause significant harm to the setting of the Scheduled Ancient Monument.
86. Shefford. Site HA10. This site is located to the north of the floodplain of the River Ivel. This is notwithstanding the fact that the Core Strategy states<sup>20</sup> that the flood plain effectively prevents the northwards expansion of the town and that if development were to take place to the north it would be difficult to maintain coherence and proximity to the town centre.
87. However, there is nothing in this general statement, nor indeed in the comments by a previous Local Plan Inspector about another site to the north of the river, to stop the Council from starting afresh when assessing sites. This it did and, contrary to the indications in the Core Strategy, this particular site is in a sustainable location being only a short walk from the centre of Shefford and would integrate well with the existing built up area. There are no insurmountable barriers to its development and such development would enable provision to be made for the preservation and enhancement of the riverside meadows. These advantages outweigh the fact that the site is in a prominent location on one of the main approaches to the town. There is, therefore, nothing unsound about the allocation of this site.
88. Clifton. Site HA16. Meppershall. Site HA25. It has been established (paragraphs 35 and 36 of this report) that it is not unreasonable in the context of villages of the size of Clifton and Meppershall to treat sites of some 80 and 68 houses respectively as being small in scale. It has also been established (paragraph 34) that these sites would help to meet local needs and support local services. In these respects, therefore, these allocations are sound.
89. As to the site in Clifton, having consulted Natural England, there is no evidence that the site acts as an important wildlife corridor. The site is not in the Conservation Area and the Council has judged that any loss that the development of the site would cause to the rural setting of the Conservation Area would not be significant. Given that any development on the site would not be easily seen from points within the Conservation Area - particularly from around the pond area - and that

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<sup>20</sup> DPD1 The Core Strategy, paragraph 3.20.2



the New Road frontage is screened by a hedge that could either be retained or replaced, this is not an unreasonable judgement.

90. The Highway Authority considers that the site has two acceptable access points but would discourage access onto New Road. While work has been done to demonstrate that access could be gained onto New Road this is not a final scheme and further negotiations will have to take place.
91. In allocating the site, therefore, the Council has taken into account all relevant considerations. There is no question therefore, of this allocation having taken place in a void. While further negotiations would be expected to take place at the planning application stage the acceptability in principle of this site for housing has been established.
92. *Clophill. Site HA18.* This site is in the Clophill Conservation Area and would affect the setting of the listed thatched cottage at No 124 High Street. In allocating the site for housing the Council was clearly conscious of the sensitivity of its setting and as a result has reduced the capacity of the site to approximately 6 dwellings- a change that led to the Council's Conservation Team supporting the allocation. Moreover, the Plan makes clear that any development on this site would be expected to respect that setting.
93. The site is centrally located in the village and otherwise free of constraints. While this is a finely balanced decision it is one that the Council is entitled to come to having had regard to all the relevant facts, including the fact that the existing garden which forms part of the site is no longer regarded as previously developed land<sup>21</sup>.

#### **Issue 7 - Is there a need to allocate alternative sites?**

94. Again the short answer to this question is no. For the reasons set out when dealing with the Issues 1, 3, 4 & 5 it is apparent that the Plan makes sufficient provision for housing and employment development, that there is a reasonable prospect of the allocated sites coming forward and that the Plan is sufficiently flexible to deal with changing circumstances. Moreover, it has been established when considering Issues 2 & 6 that these sites have been selected in a sound manner and are suitable.

#### **Issue 8 - Are there any alternative sites, sites which have themselves been the subject of public consultation and sustainability appraisal, that are more suitable than those allocated in the Plan?**

95. Essentially this issue seeks to explore the question of whether the sites allocated by the Council are the most appropriate when considered against the reasonable alternatives. The short answer is yes.
96. The point has already been made in this report that the Council assessed all the sites that were put to it at the appropriate time (see

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<sup>21</sup> BY61 Council's response regarding Site HA18

Issue 2) and that it was faced with more potentially suitable sites than were needed. In some instances the decisions it faced were fairly clear cut, for example where a site was in Green Belt or where a site was identified too late in the process to allow for public consultation or sustainability appraisal to be carried out.

97. In other instances, however, it was faced with a number of potentially acceptable sites where judgements had to be made, some of them finely balanced. However, in all of these instances, these were the sort of judgements that it was appropriate for locally elected members, armed with the relevant information to make (paragraph 83 of this report).
98. It follows from this that the sites selected are the most appropriate when considered against reasonable alternatives. This general conclusion applies to all the alternative sites set out in document ED22 none of which appear to be clearly superior to those allocated by the Council. This can be illustrated by considering a number of examples.
99. *Cranfield. Site H105.* The merits of this site, as compared to the main housing site actually allocated in this settlement (site HA7), were extensively canvassed at the Examination. Site H105 is larger than the allocated site. While it is a possibility, and it is no more than a possibility, that a comparison of sites across the various Minor Service Centres such as Cranfield would have led to a larger housing allocation there, the point has previously been made (paragraph 20 of this report) that there is nothing in the Core Strategy which requires this to be done.
100. It was also suggested that the housing allocation in Cranfield should be increased to bring it into balance with the high level of employment commitments there. However, while balancing jobs and homes is an aim of the Core Strategy, Policy CS1 of that strategy makes clear that in Minor Service Centres such as Cranfield new employment opportunities are to be provided to balance recent and new housing growth – not the other way round. The principal purpose of seeking this balance is to combat high levels of out-commuting from the area as a whole. This would not necessarily be achieved by making a larger housing allocation in Cranfield as it does not experience high levels of out-commuting.
101. While Cranfield has experienced less housing growth than other Minor Service Centres in the recent past there is, therefore, no overriding evidence to support the contention that its housing allocation should be increased.
102. As to the relative merits of the two sites, it has been established (paragraph 61 of this report) that while the Council was wrong to state that this site had previously been rejected by a Local Plan Inspector because of concerns about noise, it and the allocated site would both be affected by noise to some degree but that this was unlikely to be a critical factor. The two sites are fairly equal in this respect.

103. The point has also previously been made (paragraphs 29-31) that because of the sites open, grassed nature the Council was justified in discounting its status as previously developed land when carrying out its site assessment. Once again, therefore, this site is on a more or less equal footing with the allocated site.
104. The development of site H105 would bring with it a range of community infrastructure provision, more than would the allocated site. However, the Council, supported by the Parish Council do not regard this as decisive and point to the range of such provision being made in conjunction with the development of Home Farm, another large housing site in the village. This is a decision that it is entitled to come to.
105. Both sites relate reasonably well to the existing settlement and there is little to choose between them in terms of their effect on the local road network.
106. As to local opinion, ultimately the Parish Council supported the allocated site but a minority of its members did not. This illustrates the finely balanced nature of the decision faced by the Council in selecting site HA7. However, having examined the process by which it arrived at this decision it is clear that the Council was entitled to arrive at the conclusion that it did, that it took into account all relevant matters and there is no strong evidence to suggest that site H105 would have been a clearly more appropriate choice.
107. *Shefford. Sites H162/H222/H298.* The principal choice faced by the Council was between the site allocated north of the River (Site HA10) and various combinations of sites to the east and west of Hitchin Road (H162/H222/H298). Essentially the Council gave more weight to the sustainable position of the former close to the centre of the settlement than to the enhanced range of educational and recreational provision offered by the latter sites. This was a judgement that it was entitled to come to on the evidence before it.
108. *Biggleswade. Site E65.* The Council accept that this site is not, as it originally considered, in the floodplain and reassessed it accordingly. While there is some dispute about the details of this assessment it is agreed that the site has potential for employment uses, indeed it already has planning permission for a B8 use.
109. However, the Plan allocates sufficient employment land in Biggleswade to meet the indicative requirements set out in the Core Strategy and while it is suggested that this site could meet a need for B1 uses, there is conflicting evidence as to the demand for such uses in this out of centre location. Given the absence of clear and unambiguous evidence for a need or demand for such uses the Council is entitled to conclude that it is not necessary to allocate this site.
110. *Biggleswade. Site H201.* This is a small triangle of land wedged between the settlement envelope and the boundary of the allocated site at HA1. While the exclusion of this sliver of land from the settlement envelope is, on the face of it, anomalous it does not affect the soundness of the Plan. This report is concerned solely with whether the

Plan is sound and not with suggesting minor ways the Plan could be improved.

111. To reiterate, none of the alternative sites put forward by representors and set out in Document ED22 are clearly superior to those allocated in the Plan. The Plan is, therefore, sound in this respect.

**Issue 9 – Is there a need for major expansion beyond the existing boundaries of Old Warden Park/Shuttleworth College?**

112. Policy CS10 of the Core Strategy supports the growth/intensification of employment uses at Shuttleworth College and Policy DM11 sets out the context within which such proposals would be considered. There is no need for the Plan to restate this position. The Core Strategy does, however, indicate that any major expansion of such sites beyond their boundaries should be addressed though the Plan where possible but the Council has established that no such major expansion is proposed in this instance.

113. Nonetheless, it is the intention of the site's owner to develop not only at the main campus but also on outlying satellite sites and it is suggested that it would be useful if the boundaries of the existing campus and other parts of the site were defined to provide a basis for the future assessment of proposals. That may be so but while the Council and the landowner are working on the definition of such boundaries through, for example, the preparation of a Conservation Management Plan, they have not reached agreement and it is not for the Plan to pre-empt those negotiations.

114. There is no need, therefore, for the Plan to define boundaries within Old Warden Park/Shuttleworth College or to refer to major expansion at this site.

**Legal Requirements**

115. My examination of the compliance of the Plan with the legal requirements is summarised in the table below. I conclude that the Plan meets them all.

<b>LEGAL REQUIREMENTS</b>	
Local Development Scheme (LDS)	The Plan is identified within the approved LDS January 2009 which sets out an expected adoption date of March 2011. The Plan's content and timing are compliant with the LDS.
Statement of Community Involvement (SCI) and relevant regulations	The SCI was adopted in February 2006 and consultation has been compliant with the requirements therein, including the consultation on the post-submission proposed minor changes (PC).
Sustainability Appraisal (SA)	SA has been carried out and is adequate.
Appropriate Assessment (AA)	The Habitats Regulations AA Screening Report (March 2010) sets out why AA is not necessary.

National Policy	The Plan complies with national policy.
Sustainable Community Strategy (SCS)	Satisfactory regard has been paid to the SCS.
2004 Act and Regulations (as amended)	The Plan complies with the Act and the Regulations.

## Overall Conclusion and Recommendation

**116. I conclude that the Central Bedfordshire (North) Site Allocations DPD satisfies the requirements of s20(5) of the 2004 Act and meets the criteria for soundness in PPS12. For the avoidance of doubt, I endorse the Council's proposed minor changes, set out in Annex A, with the exception of those which propose the deletion of references to the Regional Strategy.**

*RJ Yuille*

Inspector

This report is accompanied by:

Annex A (separate document) Council's Minor Changes