

Central Bedfordshire Council

COUNCIL

Thursday 26 April 2018

Central Bedfordshire Local Plan

Report of: Cllr Nigel Young, Executive Member for Regeneration
(nigel.young@centralbedfordshire.gov.uk)

Responsible Director: Jason Longhurst, Director of Regeneration and
Business (jason.longhurst@centralbedfordshire.gov.uk)

This report relates to a decision that is Key

Purpose of this report

1. This report presents the submission version of the Central Bedfordshire Local Plan. The report seeks authorisation to submit the submission draft plan to the Secretary of State on 30th April 2018. This final submission draft has been prepared using a range of background evidential work. Feedback from the consultation has been used to propose minor modifications to the Plan which will be submitted alongside all representations and supporting evidence to the Secretary of State.

RECOMMENDATIONS

Council is asked to:

1. **authorise the submission of the Local Plan to the Secretary of State for examination.**

Local Plan Overview

1. The Central Bedfordshire Local Plan is the key strategic planning document for Central Bedfordshire and will guide and support the delivery of new infrastructure, homes and jobs. It sets out the long-term vision and objectives for the area, what is going to happen, where, and how this will be achieved and delivered up until 2035. The detailed policies within it will also be used to determine planning applications. This submission version of the Plan and the accompanying schedule of proposed minor modifications constitutes a sustainable strategy informed by consultation and technical evidence gathered to date.

2. The lifespan of the document is 20 years, but it is anticipated that once adopted, elements of it will have to be reviewed earlier in order to be able to respond to a number of emerging strategies; notably the Cambridge–Milton Keynes-Oxford Arc as identified by the National Infrastructure Commission¹.
3. While the potential of Central Bedfordshire to play a core role in relation to the Oxford to Cambridge corridor is acknowledged in the recent National Infrastructure Commission reports, and the Government's response in the Autumn Budget 2017, the timing, service and route selection for new strategic road and rail infrastructure, needs further development and definition. Related issues such as potential for capacity upgrades of the A1 have still to be resolved. These decisions, for example on new east-west rail stations, will have a major impact on the scale of development and growth potential at strategic sites.
4. The Council is therefore putting in hand a further assessment of the potential of the Identified Areas for Future Growth that are referenced at paragraph 21 to run alongside emerging decisions on strategic infrastructure routes, timing and services, together with provision of wider infrastructure and delivery support. This assessment will inform a Partial Review of this Plan and contribute to the ongoing work of the Central Corridor Area. The Partial Review is proposed to start within six months of adoption of this Plan and complete as soon as decisions on routing and financial commitment to strategic infrastructure are in place. This is entirely consistent with national planning policy and emerging government policy approaches as set out in the Housing White Paper (February 2017) and the recent consultation 'Planning for the Right Homes in the Right Places (September 2017).
5. This document is the final draft plan, known as the submission plan which together with the schedule of proposed minor modifications, represents the Council's considered approach to planning for growth based on the Shaping Central Bedfordshire consultation, Community Planning input and the new and updated evidence base. This has been supplemented by some further updates at submission in some areas of supporting evidence, including transport modelling, flood risk, infrastructure and the Duty to Co-operate.

Status of the Local Plan

6. This Local Plan once adopted replaces the North Core Strategy and Development Management Policies Document (2009) and the majority of the remaining policies within the South Bedfordshire Local Plan (2004), the Mid Bedfordshire Local Plan (2005) and the remaining saved policies of the Bedfordshire and Luton Minerals and Waste Local Plan (2005) so far as they affect Central Bedfordshire.

¹ National Infrastructure Commission Report, November 2017

Those residual site allocations in the north Site Allocations Document (2011) that are not already built out will remain in addition to the Minerals and Waste Local Plan – Strategic Sites and Policies (2014) which will sit alongside this new Local Plan once adopted forming the Development Plan for Central Bedfordshire.

Scale of Growth

7. The Plan is required to meet the Council's objectively assessed need (OAN) for housing for the plan period together with any agreed unmet need from neighbouring authorities, identified through Duty to Co-operate discussions. When the first draft of the Local Plan was released for consultation last summer, the Council was aware that the government were due to consult on a standardised methodology for calculating the level of housing need by local authority area. In view of this, it planned for a range of between 20-30,000 new additional homes and 24 – 30,000 new jobs.
8. This consultation which included the new methodology was then subsequently published on 14th September 2017. The housing need figure for Central Bedfordshire that was generated by this standard approach was 2553 homes per annum. This represented a substantial 60% increase on our current OAN of 1600 homes per annum and was far in excess of the average increase of 35% across local authority areas nationally. It is proposed that this new methodology applies when the revised National Planning Policy Framework (NPPF) is published in the summer.
9. Currently delivery rates are nearly 1800 homes a year so this would represent a very significant step change where indeed even if this number of homes were planned for in a Local Plan, they could not practically be delivered on the ground due to lack of skilled labour, materials and potentially land banking by developers.
10. There are also very grave implications for five year housing land supply if this new OAN were to be in place. The Council would not be able to demonstrate a five year housing land supply and so consequently it would be more difficult to resist speculative planning applications leading to unplanned and unsustainable development.
11. A Council motion that expressed grave concerns about the fairness and deliverability of this new increased 'need' figure for Central Bedfordshire was unanimously endorsed by Council on 27th September 2017.
12. Following this a timetable that allowed for submission of the Local Plan in advance of the implementation date for this new methodology (the date of publication of the revised NPPF) was endorsed by Executive on 10 October 2017. This means that our current published OAN of 32,000 homes can be retained.

13. This has then been used as the baseline for developing a 'plan target' which is an overall housing requirement figure that includes the OAN, together with any contingency and any agreed unmet need.
14. Therefore in adopting this accelerated timetable, the lower end of the range set out in the first consultation draft has been planned for. The overall plan target is 39,350 homes; this is comprised of the OAN (32,000 homes) and Luton's residual 'unmet need' (7350 homes). This gives rise to the need to plan for up to 20,000 new homes at a range of scales in addition to delivering the growth that is already committed.

Spatial Strategy

15. The spatial strategy is a set of key principles that guides the Council's approach to the distribution and types of growth. The strategy is set out below.

The Plan seeks to:

- Build on our existing and emerging economic strengths in key sectors and deliver a minimum of 24,000 new jobs.
- Deliver around 39,350 new homes through new villages, moderate extensions to existing towns and villages in line with the provision of new infrastructure and to meet identified housing need close to key transport corridors (East-west, A1/East Coast Mainline and M1/Thameslink). This includes 23,845 homes that are already planned for or built.
- Balance the delivery of significant sustainable infrastructure and growth with the enhancement and protection of existing communities, landscape, heritage and countryside and actively prevent the coalescence of settlements across the area, through the creation of Important Countryside Gaps outside of Green Belt.
- Maximise potential opportunities for the intensification and redevelopment e.g. RAF Henlow and the regeneration of urban areas (Biggleswade, Dunstable, Houghton Regis, Flitwick, Leighton Linlade & Sandy) through town centre frameworks or masterplans.
- Identify and deliver spatial options and strategic opportunities that could provide for longer term economic and housing growth at Tempsford, Biggleswade and in the Marston Vale. This growth will support, and must be supported by, new strategic infrastructure particularly the Oxford – Cambridge Expressway, A1 improvements and new rail stations/transport interchanges along the East West Rail route.

- Ensure that growth is designed and delivered in ways which benefit existing neighbouring communities, for example through improved transport facilities or regeneration of local commercial facilities.
- Deliver housing need identified for the Luton HMA and some unmet need from Luton close to where it arises where there is capacity to do so sustainably. This will be through a strategic extension close to Luton's urban edge and moderate extensions to existing villages and towns with good connectivity and access to services. This will mean releasing some Green Belt land where exceptional circumstances can be demonstrated.

Proposed Strategic Site Allocations

16. Given the limited scale of existing urban development across most of Central Bedfordshire, there are not sufficient opportunities to accommodate all of the new growth required either as infill, by re-using redundant sites, or in village or urban extensions. In many of these locations, services and infrastructure are unsuitable (or could not easily be upgraded) beyond moderate scale additions. This Plan has therefore identified draft allocations and safeguarded locations where large scale new communities can be delivered.
17. These new settlements or strategic scale extensions have capacity for a minimum of 1500 homes and can provide a mix of housing types and tenures as well as a range of new services and facilities. These new communities provide the opportunity to secure new physical, social and community infrastructure and higher standards of design and sustainable development; though it is recognised that these need upfront funding and have longer build out trajectories often stretching beyond this plan period.
18. The proposals strategic allocations are set out below:
 - New Villages
 - Marston Vale (up to 5000 homes)
 - East of Biggleswade (around 1500 homes)
 - Town Extensions
 - North of Luton (around 4000 homes)
 - East of Arlesey (around 2000 homes)

Proposed Non-Strategic Allocations

19. In addition to the strategic site allocations identified above, the Plan also allocates 52 small and medium sites for residential development for a total number of 5505 homes; these are set out at Section 7 of the Plan at Appendix A.

Ranging in size from 11 up to 650 dwellings, and spread throughout Central Bedfordshire; these can be brought forward for development more quickly than larger sites, and so aid delivery. These smaller sites will also provide better choice in the market, opportunities for SME builders, and enable our settlements to grow in ways that are sustainable, and respect and enhance the character and identity of our settlements and countryside in accordance with the strategic approach set out at paragraph 14.

Identified Locations for Future Growth

20. Central Bedfordshire is one of the most connected locations in England and sits within the Cambridge–Milton Keynes-Oxford Arc; as such it has been highlighted by Government and the National Infrastructure Commission as an area with high growth potential subject to the necessary infrastructure being delivered. There is however still some uncertainty about the route of East-West Rail, the Oxford –Cambridge Expressway and potential upgrades to the A1 through Central Bedfordshire. The realisation of these significant transport projects will be required to deliver any higher level of growth.
21. The Plan therefore makes provision for a number of locations to be identified for future growth. These are areas which may be required to serve development needs in the longer term beyond the plan period or potentially at an earlier point in time if the wider context changes. These areas have a basic technical capacity but no housing numbers have been attributed to them and therefore significantly they do not contribute to the plan target of 39,350 homes.
22. Essentially there is currently insufficient technical evidence and/or supporting infrastructure to support allocation, but there is significant potential based on their location and Central Bedfordshire’s position right at the centre of the Cambridge-Milton Keynes-Oxford Arc.
23. The safeguarded land areas are therefore included to respond to proposals for future strategic infrastructure delivery; namely the realignment of the A1 or significant improvements through Central Bedfordshire, East West Rail, the Expressway and the expansion of Luton Airport. In each case these are either expected to enable development or in other cases they may mean that development is not feasible in a location due to the sterilisation of the land by the route or impact of the new infrastructure. All locations however based on initial technical assessment have potential for future development.

24. The Identified Areas for Future Growth are as follows:
- Land West of Luton
 - North, South and East of Tempsford (east of the A1)
 - Land East of Biggleswade (east of the allocated new village, south of Sutton and west of Dunton)
 - Aspley Guise (North of the Railway Line)

Employment

25. The Plan seeks to deliver 24,000 new jobs through existing employment sites and also through the housing led mixed use growth locations set out above in order to meet local needs. This figure includes 6000+ jobs will be planned for at the following strategic locations to meet strategic demand in the key transport corridors for warehousing and logistics.
- A1 Corridor – Biggleswade South - Strategic Employment Area
 - M1 Junction 13 – Strategic Employment Area
 - M1 Junction 11a – Strategic Employment Area
 - RAF Henlow – opportunity for mixed use employment supporting the wider visitor economy and research and development sector.

Important Countryside Gaps

26. A number of relatively sensitive and narrow gaps of undeveloped countryside outside of Green Belt where there is a risk of coalescence as a result of development pressure have been identified (see Appendix 5 of the Submission Draft Local Plan for locations). It is considered essential that the open nature of countryside in these gaps is maintained in order to retain the character of these settlements and prevent the potential loss of their individual identity. For example an Important Countryside Gap has been identified at Cranfield to prevent coalescence with Milton Keynes which is expanding to the west close to the authority boundary.
27. Whilst other policies in the Plan seek to prevent inappropriate development in the countryside generally and in Green Belt, it is considered that in some instances, incremental built development, which may otherwise be appropriate to a rural area, would cause the separate identity of settlements to be eroded or lost entirely. Four categories of Important Countryside Gap have therefore been determined. These are:
- Land where development has the potential to cause coalescence between existing settlements;
 - Land where development has the potential to cause the coalescence of 'ends' within a settlement;
 - Land where development has the potential to cause coalescence between existing settlements and the Identified Areas for Future Growth (paragraph 19);

- Land where development has the potential to cause coalescence as a result of strategic cross boundary proposals.

Consultation and Main Issues Identified

28. At pre-submission stage (regulation 19) which ran from 11 January to 22 February, the consultation sought views on the site-specific allocations that have been identified and the accompanying policies in the document. Local plans must be positively prepared, justified, effective and consistent with national policy in accordance with section 20 of the Planning and Compulsory Purchase Act 2004 (as amended) and so those responding were asked to comment on whether they considered the Plan had met these tests of soundness.
29. A total of 6275 representations were submitted to the consultation with 442 in support, 1282 commenting and 4551 objecting. Subject to the authorisation of Council, all representations received, together with all of the evidence work will be submitted in full to the Secretary of State on 30th April 2018. The reason that the number of objections is still comparatively high is that this was the first formal opportunity to make comments on the small and medium allocations, as previously in the first consultation (summer 2017) they were just listed as sites that were still be considered.
30. The regulations also require the Council to provide a summary of main issues raised by the consultation on the pre-submission version of the Plan. The main issues centre around the scale of growth, the delivery rates of sites, the delivery of infrastructure, the impact on countryside/agricultural land, increase in traffic and the impact on heritage assets. It is considered that these issues have been adequately addressed by the supporting evidence for the Plan, but it is these issues that will form the basis of the 'matters and issues' that the Planning Inspector will identify for discussion at the hearing sessions. The main issues will also be summarised in the Consultation Statement published at submission.

Schedule of Proposed Modifications to the Plan

31. Local Planning Authorities can propose changes to a plan following the Regulation 19 consultation. The Council has sought Counsel advice and determined that the modifications proposed are minor rather than main modifications. This means that they do not alter policy; rather in response to representations, they update matters where necessary, correct any errors or provide clarification as to how the Council intends to apply a particular policy.
32. Where minor changes are proposed, no further consultation is required. In addition, while it is helpful for clarity, it is not a requirement to prepare these changes in advance of submission.

33. The minor modifications are spread across the plan with some providing additional updated detail on infrastructure in relation to sites, others providing specific wording changes where requested by statutory consultees for compliance with national policy and guidance; but with the vast majority correcting minor errors or omissions. The schedule of minor modifications can be reviewed at Appendix A.

Reasons for Decision

34. Producing a Local Plan is a priority for the Council for a number of reasons. The Government is clear that Local Authorities are expected to have up to date plans in place to guide development within their area to plan for the infrastructure, homes and jobs that our residents need.
35. This pre-submission version of the Plan sets out a number of proposed site allocations, which constitute a sustainable strategy informed by consultation and technical evidence gathered to date.
36. By failing to meet the date at which the NPPF is published as the deadline for submission, this authority area will have the new housing need figures imposed on it and will need to plan for these as well as any unmet need from neighbouring authorities. This could elongate the timeline significantly as brokering agreement with multiple neighbours on this issue could potentially prove very challenging.
37. Failure to submit a plan before this deadline would also risk a resulting loss of control of the process and speculative development with no prospect of maintaining a five year housing land supply in the face of an annual requirement of 2553 homes. Having a submitted Local Plan will mean that the Council retains control over where development should be located rather than it being delivered in an ad hoc way, sometimes without sufficient benefit to local communities

Council Priorities

38. The Central Bedfordshire Local Plan, as an overarching planning policy document, has the potential to contribute to each of the Council priorities. The main focus of the document is “Enhancing Central Bedfordshire” through planning for the new homes, jobs and infrastructure the area needs while protecting the countryside. However, the strategy can also help contribute to creating stronger communities, improved educational attainment and promoting health and wellbeing, through the delivery of ‘walkable’ neighbourhoods, new open space and leisure facilities funded by developer contributions.

Legal Implications

39. Once adopted the Local Plan will form part of the statutory Development Plan and will be used to determine planning applications. Until this happens the existing adopted plans will continue to set the planning framework. The Local Plan has been prepared in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012.
40. This submission stage is prescribed by Regulation 22 of these regulations and is the final stage in ensuring that the Plan is sound and robust and will meet the requirements of the regulations when it reaches Public Examination.

Financial and Risk Implications

41. Other than staff costs already built in to the base budget, the main financial cost associated with producing this draft Local Plan are specialist consultant's costs in preparing technical studies. Costs are being met from within the Development Plan budget already approved by Council. Funding will be drawn down as required from the budget and Local Plan reserve. Approximately £180K was spent from the budget in 15/16 and £280K in 16/17 with £73,500 recouped via contributions from other Local Authorities in relation to joint work on the evidence base. In 17/18 these costs remained broadly similar with costs of £273K incurred.
42. The scale of the Council's investment should be seen in the context of the scale of new investment (new commercial and retail development as well as residential) into Central Bedfordshire that a Local Plan will enable. The cost of plan-making should also be seen against the cost of the alternative approach of fighting costly appeals against speculative development.
43. Failing to adopt a "sound" Plan could lead to a failure to deliver the required levels of housing, jobs and infrastructure proposed for growth and regeneration in the area in a planned way. This draft of the Plan has taken into consideration the soundness tests set out in the NPPF. These tests need to be complied with otherwise there is a risk that a planning inspector could find the Plan unsound. To help minimise this risk, the evidence base has been refreshed and specialist external advice sought on the robustness of the process, including an advisory visit with the Planning Inspectorate and engagement with the Department of Communities and Local Government (DCLG).
44. An internal officer Project Board which reviews risks and mitigation on a regular basis through a risk register has also been in operation throughout the lifespan of the Local Plan programme.

Sustainability

45. The Local Plan is subject to a Sustainability Appraisal (SA), which promotes sustainable development through assessing the extent to which the emerging Plan, when judged against reasonable alternatives, will help to achieve environmental, economic and social objectives. Health and equality considerations have been integrated to ensure that these issues are also well represented in the assessment. The SA makes a varied appraisal, identifying mostly positive and neutral effects with some negative effects of the emerging approach.
46. Further detail through the SA work produced to support the pre-submission version of the Plan will help address some of the potential neutral or negative effects. The Council must consider the findings of the SA alongside the wider evidence base to inform decision-making in relation to the selection or rejection of alternatives and development of policy for the Local Plan. SA is an iterative and ongoing process that has been undertaken at each stage of plan-making.

Equalities Implications

47. The Draft Plan has been the subject of a specific Equalities and Diversity Impact Assessment (EqIA). The assessment demonstrates that the draft Local Plan covers a broad range of issues and does not discriminate against protected groups. Overall, the Plan was mostly positive in terms of helping to advance equality of opportunity. However some key equality issues were identified including affordable housing, accessible housing and in relation to Gypsy and Traveller accommodation needs. The EqIA has therefore been revised and updated as the Plan policies have been updated to take account of these areas as a result of new evidence.

Conclusion and next Steps

48. The submission Plan is the culmination of just over two years of extensive technical evidence gathering and analysis, underpinned by` consultation and community planning work. This consultation document is a robust strategy which meets legislative and policy requirements. Council is therefore asked to approve the Local Plan for submission to the Secretary of State.
49. Once submitted, the Examination process commences and a Planning Inspector is appointed. The inspector will determine what the main matters and issues should be and invite the Council and representors to respond formally to his/her questions before convening hearing sessions so that the evidence can be heard in public.

If the plan is determined to be 'sound', Council will be asked to adopt the Local Plan as the development plan for Central Bedfordshire.

Appendices

Appendix A: Schedule of Proposed Minor Modifications

Background Papers

The Central Bedfordshire Local Plan (Pre-submission Draft, January 2018)

Report author:

Connie Frost-Bryant, Head of Strategic Growth connie.frost-bryant@centralbedfordshire.gov.uk