Report to Central Bedfordshire Council
by John R Mattocks BSc(Sp. Hons) DipTP MRTPi FRGS
an Inspector appointed by the Secretary of State for Communities and Local Government

PLANNING AND COMPULSORY PURCHASE ACT 2004
SECTION 20

REPORT ON THE EXAMINATION INTO THE MID-BEDFORDSHIRE CORE STRATEGY AND DEVELOPMENT MANAGEMENT POLICIES
DEVELOPMENT PLAN DOCUMENT

Document submitted for examination on 12th February 2009
Examination hearings held between 23rd June and 9th July 2009
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Abbreviations used in this report

- AMR - Annual Monitoring Report
- Doc. No. - Document Number, reference to a document in the Examination Library
- DPD - Development Plan Document an LDD within the LDF
- EEP - The East of England Plan (the RSS)
- EEWA - The East of England Regional Assembly
- ELR - Employment Land Review
- GI Plan - The Green Infrastructure Plan
- ha. - hectare(s)
- LDD - Local Development Document within the LDF
- LDF - Local Development Framework
- LDS - Local Development Scheme
- LNR - Local Nature Reserve
- MKSM - The Milton Keynes and South Midlands sub-regional strategy (a part of the RSS)
- pdl - previously developed land
- PPS (No.) - Planning Policy Statement with number, e.g. PPS12
- RSL - Registered Social Landlord
- RSS - Regional Spatial Strategy (the East of England Plan)
- SA/SEA - Sustainability Appraisal/Strategic Environmental Assessment
- SA DPD - Site Allocations DPD
- SAC - Special Area for Conservation (see also SPA)
- SC - Council’s Suggested Change (with number)
- SCI - Statement of Community Involvement
- SHLAA - Strategic Housing Land Availability Assessment
- SHMA - Strategic Housing Market Assessment
- SPA - Special Protection Area (for Conservation)
- SPD - Supplementary Planning Document (an LDD within LDF)
- SUDS - Sustainable Urban Drainage System
- The Council - Central Bedfordshire Council see paragraph 2.1 in report
- The plan area - The former Mid Bedfordshire administrative area
- The Local Plan - The Mid Bedfordshire Local Plan First Review, 2005
- The 2004 Act - The Planning and Compulsory Purchase Act 2004 (as amended)
1. Introduction and Overall Conclusion

1.1 Under the terms of Section 20(5) of the Planning & Compulsory Purchase Act 2004, the purpose of the independent examination of a development plan document (DPD) is to determine:

(a) whether it satisfies the requirements of s19 and s24(1) of the 2004 Act, the regulations under s17(7), and any regulations under s36 relating to the preparation of the document

(b) whether it is sound.

1.2 This report contains my assessment of the Mid Bedfordshire Core Strategy and Development Management Policies Development Plan Document ("the submitted DPD") in terms of the above matters, along with my recommendations and the reasons for them, as required by s20(7) of the 2004 Act.

1.3 I am satisfied that the submitted DPD meets the requirements of the Act and Regulations. My role is also to consider the soundness of the DPD in the terms of paragraph 4.52 of PPS12, that is whether the DPD is justified, effective and consistent with national policy. In line with national policy, the starting point for the examination is the assumption that the local authority has submitted what it considers to be a sound plan. The changes I have specified in this binding report are made only where there is a clear need to amend the document in the light of the legal requirements and/or PPS12 guidance on soundness. None of these changes should materially alter the substance of the overall plan and its policies, or undermine the sustainability appraisal and participatory processes already undertaken.

1.4 My report firstly considers the legal requirements, and then deals with the relevant matters and issues considered during the examination in terms of testing justification, effectiveness and consistency with national policy. My overall conclusion is that the Mid Bedfordshire Core Strategy and Development Management Policies DPD is sound, provided it is changed in the ways specified. The principal changes which are required are, in summary:

a) Amended wording for area section 3.8, Marston Vale, with revised dwelling requirements for the 2021-26 period, this also necessitating amendments to Tables 3 and 4 and Policy CS5. References to the Marston Vale eco-town proposal have been deleted.

b) Deletion of the proposal for an extension of the South Bedfordshire Green Belt into the Milton Keynes South-East Strategic Development Area (SDA) and deletion of references to the number of dwellings to be constructed within the Bedfordshire part of the SDA pending review through the East of England Plan.

c) Revisions to section 5.2 and policy CS5.
d) A replacement policy DM1 and the merging of policies DM2-4 in a new policy DM2.

e) Replacements for Table 1 and Annex D.

f) A new Annex G containing the Regulation 13(5) statement on policies within the DPD which supersede saved local plan policies.

g) A new Annex H setting criteria for the definition of settlement envelope boundaries.

1.5 I have highlighted in bold within this report all of the changes required to meet the legal requirements and to make the DPD sound. Where these are lengthy or complex (such as tables) they are set out in full in Appendix 1 to this report. Appendix 2 is a list of other changes suggested by the Council during various stages of the examination (numbered and suffixed SC), excluding those covered elsewhere in the report and Appendix 1. These other changes do not affect the soundness of the document and are of a minor nature required to update the DPD or to otherwise correct or clarify the document. I endorse and agree that these additional changes should be made. Any consequential minor corrections, such as paragraph numbering, spelling or grammatical errors may also be undertaken.

1.6 Although I retain overall responsibility for production of this report I have been ably assisted in its drafting by my assistant Inspector Ms Jill Kingaby who presided at the hearings into matters 5, 6, 8 and 9. I also received support through the examination from Mr Mike Hale, a Higher Planning Officer in the Planning Inspectorate.

2 Legal Requirements

2.1 As its name implies the Mid Bedfordshire Core Strategy and Development Management Policies DPD was prepared and submitted (on 12th February 2009) by the former Mid Bedfordshire District Council. On 1st April 2009 Mid Bedfordshire became part of the Central Bedfordshire (Unitary) Council. Accordingly, references in this report to “the Council” should be read as relating to the Mid Bedfordshire District Council up to and including 31st March 2009 and to the Central Bedfordshire Council from 1st April 2009. I use the term “Mid Bedfordshire” to refer to the plan area to avoid any confusion with the larger Central Bedfordshire area.

2.2 The DPD is contained within the Central Bedfordshire Local Development Scheme which was brought into effect, in so far as it relates to the former Mid Bedfordshire District Area, on 19th January 2009. The scope and content of the DPD is as described therein with correct dates for submission and examination. The requirement in s19(1) of the 2004 Act is met.

2.3 The Council’s Statement of Community Involvement (SCI) has been found sound by the Secretary of State and was formally adopted by
the Council in January 2006. It is evident from the documents submitted by the Council, including the Regulation 30(1)(d) and (e) Statements and self-assessment work, that the Council have complied with section 19(3) of the Act and met the requirements as set out in the Regulations.

2.4 Alongside the preparation of the DPD it is evident that the Council have carried out a parallel process of sustainability appraisal (SA) in accordance with section 19(5) of the Act. Criticisms of the adequacy of the SA in relation to particular policies of the DPD are more appropriately dealt with in considering the justification and effectiveness of those policies.

2.5 There are no SACs, SPAs or other European (Natura 2000) sites in Mid Bedfordshire but the Habitat Regulations Screening Report (Doc. SD6) identifies two such sites within a 15km. buffer zone of the plan area boundary and six water dependent sites downstream of the area. The SA screening work concludes that the DPD will have no significant effects on these sites either alone or in combination. Thus, I am satisfied that there is no need for an Appropriate Assessment under the Habitats Directive.

2.6 I am satisfied that, in preparing the DPD, the Council have had regard to national policies and guidance issued by the Secretary of State.

2.7 In response to the Council’s request under section 24(2) of the 2004 Act, the East of England Regional Assembly have indicated that the DPD is in general conformity with the approved (May 2008) Regional Spatial Strategy The East of England Plan. I am satisfied that the Council have had regard to the RSS and that the DPD is in general conformity with it. Mid Bedfordshire adjoins Buckinghamshire which lies within the South East Region and the Council had regard to the emerging South East Plan (adopted May 2009) in preparing this DPD.

2.8 It is clear from section 2.3 of the DPD, that regard has been had to the sustainable community strategy for the district in developing the spatial vision and taking this forward to the strategic objectives. The extent to which the policies, especially for the rural parts of the area, are consistent with these is discussed in the next section of this report.

2.9 The resources available for the implementation of the proposals in the document are set out in the Local Delivery Strategy (Document SD11).

2.10 I have been provided with documents which show that the DPD complies with the specific requirements of the 2004 Regulations (as amended) including the requirements in relation to publication of the prescribed documents; availability of them for Inspection and local advertisement and notification of DPD bodies.
2.11 Regulation 13(5) states that where a DPD contains a policy that is intended to supersede another policy it must state that fact and identify the superseded policy. Although the Council had included a list of “saved” development plan policies in Annex 2 of their published 2008 Annual Monitoring Report indicating which DPD policies would replace them this is not within the submitted DPD and is not “DPD specific”. Therefore, this Regulation had not been complied with. The Council have now published such a list and, as a suggested change, it has been subject to a 6 week consultation period ending on 17th August 2009, see paragraph 3.197 below. Consequently, subject to the inclusion of this list of policies as an additional Annex, G, to the DPD, the requirements of the Regulation have been met. SC001 is a consequential minor amendment.

2.12 **In order to comply with Regulation 13(5) a list of saved local plan policies which are to be superseded by policies in this DPD shall be included as annex G to the document as set out under item 9 in Appendix 1 to this report.**

2.13 Subject to the above change, I am satisfied that the legal requirements have all been met.

**The submission proposals map**

2.14 The Council have submitted with the DPD a “submission proposals map”. This is primarily because policy DM6 relies for its implementation on the definition of settlement boundaries. However, under the Regulations the purpose of the submission proposals map is to show how the adopted (local plan) proposals map would be amended should the DPD be adopted as submitted. As stated in Regulation 6(1)(b) the proposals map is a Local Development Document (LDD) which accompanies a DPD. It is not part of the DPD and is subject to a separate adoption procedure. As submitted, the DPD does not include any guidance or criteria on the definition of settlement boundaries to indicate why existing boundaries should be changed. In this respect the submission proposals map does not accord with the Regulations. This is remedied by the inclusion of an annex to the DPD (annex H) setting out the criteria used. I deal with this in more detail under matter 3B in paragraphs 3.86-121 of this report. I have considered representations on the settlement boundaries as if they were “about a DPD” for the purposes of Regulation 28. Similar considerations apply to the inclusion of a boundary line for the green belt extension, see paragraph 3.38 below.
3 Justification, effectiveness and consistency with national policy

3.1 Matters and Issues for the examination. In the following paragraphs I consider in turn each of the main matters and issues which I have identified as relevant to my consideration of the soundness of the submitted DPD. I have considered the submitted representations as part of the process of identifying these issues.

Matters 1 and 4 – The Spatial Strategy. Issues:

a. The relationship to the Regional Spatial Strategy (RSS) and PPS3 requirements;

b. The use of ranges to express the levels of provision for housing and employment in each part of the district;

c. The distribution of housing development between different levels of the settlement hierarchy - the justification for the 60/30/10 split and compatibility with strategic objective 4;

d. Whether the Core Strategy should provide greater guidance on the priority for development in different locations;

e. The value of Policy CS6;

f. Whether the key diagram should identify directions of growth for the main settlements.

3.2 a. Relationship to RSS and PPS3 The tables in the area sections under policy CS1 which set out the provision for jobs and homes in each area of the district have to be read with those accompanying policies CS5 and CS10 respectively. The provision for both homes and jobs meets the requirements of the adopted Milton Keynes and South Midlands sub-regional strategy (MKSM) to 2021 and the “rest of Mid Beds” element for housing provision to 2026 as set out under policy H1 of the adopted East of England Plan (the RSS). A Strategic Housing Land Availability Assessment (SHLAA) has not yet been finalised but I am satisfied from the evidence base and the housing trajectory that, in so far as it is appropriate at Core Strategy level, the 5, 10 and 15 year requirements under PPS3 for developable and/or deliverable sites for housing are met. The Housing trajectory is Annex F to the submitted DPD but I agree that this need not be included. (SC147 refers) It is sufficient to include it in the Annual Monitoring Report.

3.3 However, paragraph 5.6 in the RSS states that in planning for housing provision after 2021, the continuation of planned annual rates 2001-21 or 2006-21 whichever is the higher (my emphasis) should be used. The Council have accepted that for the MKSM growth area of Northern Marston Vale (see the next section of this report) the 2006-21 residual figure is the higher at an average of 194 dwellings, not the 162 dwelling figure stated in the submitted DPD and that the additional provision 2021-6 should be 970
dwellings rather than 810. This has the effect of increasing the total plan area housing requirement from 17,790 to 17,950 rounded up and the new allocations will need to be for 5000 dwellings rather than 4850. In line with the approach set out in paragraph 3.9.2 of the DPD these additional dwellings should be directed to the Wixams in the first instance. It also means that, after rounding up, only the upper range figure of 1000 additional dwellings at the Wixams should be included in policy CS5 and the table in paragraph 3.9.3. These aspects of the DPD are unsound for these reasons and a series of amendments is required.

3.4 b. The use of ranges. The inclusion of indicative ranges for housing provision at each of the service centres has caused some concern and confusion. To assist, the Council have suggested a restructuring of the statistical elements of policy CS5 to improve clarity and the addition of text to follow paragraph 5.2.9 in the DPD to describe the Council’s intended approach and how the totals will be achieved through the identification of land for housing in the Site Allocations DPD. I agree that this clarification is helpful.

3.5 I think it unfortunate that the Council’s analysis of site availability and sustainability has not been advanced sufficiently to provide a firm indication in the Core Strategy of the precise scale of development expected in each centre, to achieve the “strong direction” expected in paragraph 4.5. The main difficulty with the use of ranges is that they will provide a fertile ground for dispute through the Site Allocations DPD. It is important to stress the point made in the suggested new paragraph 5.2.9c that it is not the Council’s intention to plan for the bottom of the range in each settlement. Indeed, to do so would run counter to the provision in policy H1 of the RSS that district allocations should be regarded as minimum targets to be achieved rather than ceilings which should not be exceeded.

3.6 It is clear from the introductory section of policy CS5 that land allocations will provide “at least” the number of houses stated. The Council have agreed that this should be simplified to refer only to the additional (new) allocations to be made to meet requirements to 2026 as there is no policy intention to hold back such allocations until after 2021. However, the wording in the suggested supplementary text, paragraphs 5.2.9a-c. (SC071-3), should also make clear that the Council’s intention is to ensure that allocations provide at least the required 5000 additional dwellings to 2026, although I agree that they should not be greatly exceeded. I accept that the sub-totals should “broadly equal” those shown in policy CS5 but this should not be interpreted too rigidly should it be shown that additional development could be accommodated sustainably. With those provisos I consider that the inclusion of ranges provides an element of flexibility and is sound.

3.7 c. The distribution of housing allocations; the 60/30/10 split. The main focus of discussion with regard to the distribution of housing
development across the district has been on the Council’s decision to move forward with a hybrid option. Of the four options which were evaluated in the sustainability appraisal it was option 1, concentration in the main centres of Biggleswade, Sandy, Ampthill and Flitwick (meaning up to 85% of new development in those towns), which proved to be the most sustainable option and also received the highest level of support through public consultation. Both options 2 and 3 involve the provision of 40% of new development in the main centres with varying degrees of dispersal to smaller centres, meeting social objectives. Option 4, with a focus of development on one or two locations for developments of 1000 or more dwellings, scored well against a number of sustainability objectives. The chosen strategy with a 60/30/10 split incorporates elements of all four options.

3.8 The Council’s overall spatial approach to accommodating both housing and employment development is set out in the bullet points in paragraph 3.3.1 of the DPD although there are some contradictions between the individual points, for example, as explained in paragraph 3.4.3, the proportions of development attributed to Arlesey and Silsoe do not accord with their position within the settlement hierarchy. The scale of development at Arlesey accords with option 4 but it seems to me that the proposals for Silsoe represent a “special case” which does not fit well with the strategic approach, as I discuss later. Nevertheless, the overall approach, as summarised in paragraph 3.3.5, accords with the preferred options and is sound. I do not see any contradiction between this and strategic objective 4 which, although laying emphasis on the settlement hierarchy refers to “seeking opportunities to direct growth to one or two key locations”.

3.9 Arguments have been advanced for different distributions; on the one hand for a greater concentration on the main service centres and, on the other, for a greater dispersal either to minor service centres or villages. I agree that as option 1 has been assessed as the most sustainable, and attracted a high degree of public support, this might have been pursued further but, through technical appraisal (Document TR21), the Council have demonstrated that there are limitations on development capacity of some of the main service centres which require more detailed analysis at the site allocations stage. I consider that the 60/30/10 split achieves, at the strategic level, an appropriate balance of development between settlements at different levels of the hierarchy, including the minor centres and villages, taking account of the strategic objectives and the results of sustainability appraisal. I am not persuaded that any alternative distribution would be sound.

3.10 d. Priorities for development The tables under every area section in chapter 3 of the Core Strategy give a very general indication of the scale of additional allocations for housing to take place after 2011. However, the Council have agreed that there is no particular significance in this date or, indeed 2021 as identified in
Table 3. The overall approach appears to have been simply to identify how much additional development is required to achieve the district requirement to 2026 over and above existing commitments, there is no clear indication of priority. The Council’s response to this is to state that guidance is provided on strategic priorities but that otherwise the most sustainable sites will be brought forward first and this will be decided through the Site Allocations DPD.

3.11 I accept that in the context of individual settlements where the overall scale of additional development is relatively small the timing and phasing of development is a matter of local detail. The programming of development at Wixams is largely decided through the existing consents but for the main strategic priority at Arlesey it is implicit rather than explicit that the 1000 additional dwellings are to be planned for development as soon as the site allocation process is complete, which in reality probably means 2011. With the removal of this date from the box in paragraph 3.17.7 I consider that, to accord with PPS12 guidance, it should be stated in paragraph 3.17.6 that the dwellings will be provided from 2011.

3.12 e. **Policy CS6** Related to the above, section 5.3 in the Core Strategy sets out in some detail how a 5 year supply of land is to be monitored and maintained. This is an important aspect of PPS3 guidance. The whole section leads up to policy CS6 which is actually a statement of intent rather than policy although it does set a context for the way in which the priority for development for individual sites is to be set through the Site Allocations DPD. Although I think it adds only marginal value to the document, policy CS6 is not unsound.

3.13 f. **The Key Diagram** Where the Council have considered it to be appropriate they have included an indication in the text of the DPD as to the likely direction of growth. In particular, this is done for the larger scale proposals at the Wixams and at Arlesey. That could be shown on the key diagram but words are sufficient and I do not consider the DPD is unsound in this regard. Also, as the Council have explained, in most settlements the additional housing requirements beyond existing commitments are relatively small and to identify a direction for growth would be tantamount to specifying a site. Such a level of detail or prescription is not necessary in a Core Strategy.

3.14 **In order to make the DPD sound the words “from 2011” shall be substituted for “in the plan period” in the first line of paragraph 3.17.6.**

3.15 **In order to make the DPD sound the following changes shall be made:-**

Under paragraph 3.2.1 substitute the figure of 17,950 for 17,790;
Replace Policy CS5 by a new table, as set out under Item 1 in Appendix 1 to this report;

In the text, paragraph 5.2.5, third sentence, delete all between “In advance of this work,” and “dwellings per year, together with employment development)” and substitute “and in line with Policy H1 of the East of England Plan the Core Strategy will plan for a continuation of the 2006-2021 average annual rate for the Central Bedfordshire part of the growth area (i.e. 194”;

In the box at paragraph 5.2.7, second bullet, replace 3,560 by 3,720 and 17,790 by 17,950;

Replace Table 3 on page 67 by a new table, as set out under Item 2 in Appendix 1 to this report;

In Table 4 on page 67 in the right hand column “New allocations – indicative range only” and row, Wixams, replace the range 800-1000 by 1000 and in the total line substitute 5000 for 4850. Add a footnote “*** Difference between the total of 4,965 in Table 3 and 5,000 in Table 4 is as a result of rounding up and is intended to ensure no under-delivery of housing.”;

In paragraph 5.2.9, line 3, substitute 4,965 for 4,805;

After paragraph 5.2.9 insert three new paragraphs (5.2.9 a-c), appropriately renumbered, as set out under Item 3 in Appendix 1 to this report.

**Matter 2 – The justification for the approach taken to development in each of the sub-divisions in policy CS1:**

- **A. (Northern) Marston Vale**
- **B. Milton Keynes Growth Area**
- **C. Ivel Valley**
- **D. Ampthill and Flitwick**
- **E. Shefford, Potton and Cranfield**
- **F. Silsoe and the Rural Areas**

**A. (Northern) Marston Vale**  Issues:

(i) Definition of the area;

(ii) Development after 2021;

(iii) The need for a contingency allocation and/or additional development at Wixams.
3.16 Issue (i). The Council have accepted that the heading of section 3.8 in the submitted DPD – The Northern Marston Vale – is misleading in that although this is the term used in the RSS and the MKSM to describe the growth area which lies within both Bedford Borough and Mid Bedfordshire, the plan sub-area of the Marston Vale, as shown on the key diagram, extends further to the south. This is clarified in the Council’s suggested amendments to section 3.8 including the identification of the wider Marston Vale as running from the area around Brogborough towards Bedford.

3.17 I consider that the suggested amendments to the whole of sections 3.8-3.10 assist in ensuring that the DPD relates clearly to the sub-regional and cross-boundary (Bedford) context and is thus sound. In particular, it sets out more clearly in amended paragraphs 3.8.2 and 3.8.8 that for housing purposes the Northern Marston Vale (growth area) within Central Bedfordshire comprises the parishes of Marston Moretaine and Houghton Conquest with a recognition of the contribution by employment sites more widely within the vale, which includes the Millbrook Proving Ground. There is no clear justification for including Lidlington especially as the growth area is not the same as the SW of Bedford strategic corridor identified in the previous structure and local plans. A map-based definition is not appropriate for a Core Strategy.

3.18 Issue (ii). It is explained in paragraphs 3.8.12 and 13 of the submitted DPD why the Council is not in a position to make specific proposals for development within the growth area after 2021. I accept that joint working with Bedford Borough Council, whose adopted Core Strategy extends only to 2021, is needed before further proposals can be finalised. However, I was informed that the idea of producing an AAP is not being actively pursued and the “longer-term growth strategy” is likely be overtaken by the on-going RSS review to 2031. This needs to be clearly stated in revised paragraph 3.8.11 as does the process for incorporating this in the LDF process as envisaged by paragraph 77 of MKSM. In addition, I consider it to be a matter for the review whether the sequential approach should apply after 2021 and the last sentence in the suggested amended paragraph 3.8.4 is unsound for that reason. With such amendments I consider that the Core Strategy presents a sound and pragmatic approach.

3.19 Issue (iii). At the time the DPD was submitted proposals for an eco-town in the Marston Vale were under consideration but have subsequently been withdrawn. I agree that to be sound, and up to date, all references in the Core Strategy to those proposals should be deleted.

3.20 This has implications for the plan in so far as the text in paragraph 3.8.9. indicates that a contingency allocation for additional housing may be required but only if the proposals for an eco-town do not proceed. That proviso has been removed in the suggested replacement text but otherwise the triggers for the release of the
additional land remain as before. It has been argued that the concept of a contingency does not fit with the “minima” approach of the RSS and that the additional land should not be held back until after 2016 as stated in replacement paragraph 3.8.7, but I consider that the concept of providing a contingency against under-delivery provides highly desirable flexibility. In view of the reliance in the strategy on the sizeable new settlement at the Wixams, and taking account of the current downturn in the housing market, it seems almost certain that delivery to 2011 will be well under the MKSM/RSS assumptions. Furthermore, the findings in the Buchanan report on delivery rates suggest that there is a real risk of a shortfall against the trajectory at least until 2016. The factor of the “4000th dwelling” may also pose a potential constraint on delivery.

3.21 However, this does not to my mind justify the identification of an additional housing requirement in the Core Strategy, either by advancing the development of the Wixams southern expansion area or areas additional to that (Wixam Park) with access from the B530. The concept of a contingency provides an opportunity to find the most sustainable option, which may or may not be through further development at Wixams. Furthermore, the Council have explained that the development concept is to provide access through the main part of the Wixams settlement to a new junction on a re-routed A6. Consequently, I am not convinced that the southern areas should be developed “out of phase”.

3.22 I consider that the strategy is sound in this respect despite the benefits which would arise through the provision of additional housing and employment land. I consider that paragraph 3.8.11 (revised as 3.8.9) provides sufficient guidance for the site allocations DPD on the location of employment sites without being unduly site-specific.

3.23 The wording in suggested paragraph 3.8.8 does not preclude the consideration of sites in either Marston Moretaine or Houghton Conquest for the contingency and I consider it important that the rôle and function of settlements in the more rural parts of the growth area should be decided through the wider growth strategy work mentioned above.

3.24 I do not agree with Bedford Borough Council’s comment that the “trigger” for the contingency allocation should be related only to delivery of housing within Central Bedfordshire, rather than as stated in paragraph 3.8.9 (revised 3.8.7) to the trajectory for the whole of the growth area. I have been informed that Renaissance Bedford carry out monitoring work across the growth area as a whole, although I suggest that the Central Bedfordshire Council might give further consideration to the manner in which progress on implementation of housing and employment development within the MKSM growth area is monitored within the LDF. I consider it to be important that any requirement for a contingency is seen in the
context of delivery as much within Bedford Borough as in Central Bedfordshire to ensure the objectives for the growth area are met.

3.25 **In order to make the DPD sound all references to the proposed eco-town in Marston Vale shall be deleted, including in policy CS1 and the whole of section 3.11; sections 3.8-3.10 shall be replaced by new text as set out under Item 5 in Appendix 1 to this report.**

B. **The Milton Keynes Growth Area. Issues:**

(i) The dwelling capacity of that part of the South-East Strategic Development Area within Mid Bedfordshire;

(ii) The principle of making provision for and extension to the South Bedfordshire Green Belt in this DPD or whether it is a matter for RSS review;

(iii) the inclusion of references to (a) the net dwelling density and (b) the proportion of affordable housing to be provided.

3.26 **Issue (i).** The South East Plan, as approved in May 2009, provides for the development and expansion of Milton Keynes as a growth area between 2006 and 2026. In line with earlier studies a Strategic Development Area (SDA) is proposed as a sustainable urban extension to the South-East of Milton Keynes to accommodate a total of 10,400 dwellings. In the text at paragraph 23.12(i) and in policies MKAV1 and MKAV2 of the approved South East Plan it is indicated that of the 10,400 dwellings, 4800 are allowed for within the Milton Keynes Unitary Authority Area and the remaining 5600 dwellings are, as stated in policy MKAV1, “to be found in Bedfordshire subject to assessment through the East of England RSS review.” Similar provision is made in policy MKAV2.

3.27 The Council have taken account of this proposal by including a statement within policy CS1 of the Core Strategy and showing the agreed boundary of the SDA as a dotted line on the submission proposals map. I accept that this is a “strategic site” in accordance with paragraph 4.6 of PPS12. The Council have a statutory duty to have regard to proposals for the adjoining region and I do not accept that there has been inadequate opportunity for the involvement of communities on the Bedfordshire side of the regional boundary during the preparation of the South East Plan.

3.28 Evidence was presented at the Examination in Public of the South-East Plan by development interests which informed the figure of 5600 dwellings for the Mid Bedfordshire part of the SDA. That figure is in dispute and depends upon such things as the average density assumption. It also depends upon the amount of land which will need to be set aside for open space. I have had much evidence on this, including the GVA Grimley study, document TR14, but I do not consider it appropriate for me to come to a firm view as to the capacity of the area because this is a task which has very clearly been identified by the Secretary of State as a matter for the
review of the East of England Plan (RSS). This will also provide another opportunity for community involvement in the process. The review will also need to take account of the additional land for 2500 homes identified by Milton Keynes Council as available in their Local Plan “Strategic Reserve Areas” in order to assess whether this reduces the need for land in Bedfordshire, bearing in mind any sustainability thresholds (e.g. park and ride provision) for the urban extension as a whole. In addition, should an extension to the green belt in Bedfordshire be agreed (see below), and the development capacity reduced to 2000, as now evinced by the Central Bedfordshire Council, that would seem likely to make it difficult to achieve the provision of 10,400 dwellings within the whole of the SDA. That is also an issue for the RSS review.

3.29 Issue (ii). It is stated in paragraph 3.5.4 of the Core Strategy that “new and exceptional circumstances” have arisen as the result of the Milton Keynes SDA proposals such as to justify an extension to the South Bedfordshire Green Belt north of the current boundary which follows the Bletchley to Bedford railway line. It is stated that the extension of Milton Keynes “would lead to visual and physical coalescence with adjoining villages, in particular Aspley Guise …” The boundary of the green belt extension has been shown on the submission proposals map, showing an area of 185 ha. as additional green belt all within the Strategic Development Area. As a result, and from their own capacity work, the DPD states that “approximately 2000 new homes” will be delivered within the administrative boundary of what is now Central Bedfordshire. That is a very big difference from 5600 and is mostly, but not entirely, as the result of the loss of the 185 ha. to development.

3.30 In justifying their proposal for a green belt extension the Council have stressed the very strong degree of support for a statutory green belt designation from the local community and Aspley Guise Parish Council vouch for this. Other alternatives such as a strategic gap or landscape designations were much less favoured on the basis that they do not provide the long-term certainty of a statutory green belt.

3.31 I do not doubt that an extension of the green belt in this area would assist in safeguarding the countryside from encroachment and would check the development of the “large built-up area” of Milton Keynes but the SDA is a planned urban extension which is not “unrestricted”. What is indisputable (see above) is that an extension as proposed would very significantly reduce the capacity for development contrary to the approved strategic intent. Indeed, the concept of a green belt around Milton Keynes was rejected by the MKSM panel. Also, in paragraph 23.117 of their report on the 2007 examination of the South East Plan (Doc. ASD26B) that EiP panel stated that they saw no need for an extension of the green belt to the south-east of Milton Keynes and that, in their view, there were no exceptional circumstances to justify this.
3.32 I agree with the conclusions of the South-East Plan Panel. I have not read or heard anything during this examination to cause me to take a different view. The advice in paragraph 2.7 of PPG2 is that existing green belt boundaries should not be changed unless alterations to the structure plan have been approved or other exceptional circumstances exist which necessitate (my emphasis) such a change.

3.33 Moreover, this is not just a minor adjustment to an existing green belt boundary. It would extend to the north of the firm long-term boundary of the Bedford-Bletchley railway line. In that respect the proposal goes beyond the original purpose of the South Bedfordshire Green Belt as was defined in Policy 23 of the Bedfordshire Structure Plan, i.e. to contain the outward growth of Ampthill and Flitwick and prevent the coalescence of those settlements. In my opinion, this proposal is tantamount to a new green belt, with a new purpose to prevent the coalescence of Milton Keynes and the Bedfordshire villages which, as paragraph 2.14 in PPG2 suggests is a RSS matter. This applies even more to any extension to the north-east of the M1 in the Marston Vale as suggested in paragraph 3.5.5.

3.34 At the very least this should be regarded as an alteration to the general extent of the existing green belt. PPG2 has not been updated to relate to the RSS/LDF process so it is not clear whether determining the general extent of the green belt is a matter for the RSS or can be dealt with at Core Strategy level. However, in this case, the strategic cross-boundary implications of the proposed extension are of such significance that the decision ought to be taken at the regional or sub-regional level as indicated in paragraph 2.1 of PPG2, not unilaterally within an individual Core Strategy.

3.35 In addition, East of England Plan Policy SS7 states that the broad extent of the green belt is appropriate and should be retained; it indicates areas where strategic reviews are needed and it also specifies that a local review is required in Broxbourne. MKSM Bedfordshire and Luton Policy 2(a) provides for a review of the green belt around Luton/Dunstable/Houghton Regis but there is no such strategic justification for a review of the South Bedfordshire Green Belt south-east of Milton Keynes. Paragraph 85 of MKSM also states that compensating green belt extensions are to be brought forward through RSS. This area is not so identified in the East of England plan.

3.36 I am aware of local concerns about continuing uncertainty but I am in no doubt that this issue ought to be considered through the RSS process in combination with the review of the 5600 dwelling requirement triggered by South-East Plan policies MKAV 1&2. I also consider that until the number of dwellings to be allocated through the East of England Plan is finalised it cannot be established that a green belt extension is necessary, or the only way, to maintain a strategic gap of open countryside between
Aspley Guise and the expanding Milton Keynes. Until these matters are resolved exceptional circumstances to justify an extension do not exist; the proposal within this DPD is unsound (contrary to national policy) and should be deleted, as should paragraphs 3.5.5 and 5.2.6, the first part of which is replicated elsewhere.

3.37 I recognise that these deletions will result in the loss of any reference to a strategic gap as well as the statutory green belt. This is because I consider that, in the absence of a green belt, the implications for housing provision of identifying a strategic gap may not be dissimilar to that of a green belt and this, and alternatives such as reliance on landscape character analysis, will need to be reconsidered either following and/or as an input to the RSS review process, with further public consultation.

3.38 As an aside, I would also point out that there is no provision in PPS12 for the submission proposals map accompanying a Core Strategy to show a green belt boundary; it is not a “strategic site” under paragraph 4.6. Although there are Development Management policies in this DPD there is no policy or reference in that section to the green belt and no criteria for boundary definition. Such a policy and criteria would have had to have been incorporated before I could have found the detailed line to be sound, on the same principle as for the settlement boundaries (see paragraph 3.87 below).

3.39 Issue (iii.) a. Density. It is stated unequivocally in paragraph 3.12.6 that the net density of the residential development within the SDA shall be at an average net density of no more than 40 dwellings per hectare. I consider there to be inadequate justification for this stipulation, as opposed to any other figure. It is an assumption which has been used as an option for the GVA Grimley work. I consider that density should not be stated in the Core Strategy but will be the result of detailed design work within the objective of creating a soft urban edge. This paragraph is largely superfluous in view of my conclusion on the principle.

3.40 b. The proportion of affordable housing. I would not have seen it as necessary to separate out all policy references relevant to the Milton Keynes Growth area. However, the fact remains that when completed the housing which falls within Central Bedfordshire will be seen as part of an urban extension to Milton Keynes. It makes no sense for the policy for the proportion of affordable housing to be required within the Central Bedfordshire part to be different to that for Milton Keynes simply because it is within another administrative area.

3.41 In paragraph 3.135 below, I accept that the Council have adequately justified the proportion of 35% for affordable housing under policy CS7 to be applied to new development in the plan area. However, the proportion to be applied within Milton Keynes itself is subject to a policy in the Core Strategy for that area which
has not yet reached publication stage. I concur with the content of paragraph 3.12.9 of the DPD in the need for a joint approach to infrastructure provision but agreement on the proportion of affordable housing is something which must follow the independent examination of the Milton Keynes Core Strategy. It should not, nor need it be, determined now. All that this needs to say is “affordable housing as required in the relevant LDD”.

3.42 In order to make the DPD sound the following changes shall be made:-

On the Spatial Issues Map, figure 1, delete the double-headed arrow “NEW GREEN BELT”

In Table 1 “Strategic Objectives”. Objective 2, delete all after “To maintain the existing Green Belt” and under “Intended Effect” delete the second bullet point and the words “and extended” in the first line of the first bullet point.

Delete paragraphs 3.5.4 and 3.5.5.

In Policy CS1 under the heading “Milton Keynes growth area”:

delete “will” in the first line and substitute “is proposed in the South-East Plan to”;

after “infrastructure” on the third line delete the words “with approximately 2,000 new homes being delivered within Mid Bedfordshire’s administrative boundaries.” and substitute “the context and extent of new development and the number of new homes to be delivered within Central Bedfordshire is to be assessed through a forthcoming review of the East of England Plan.”;

delete the whole of the second sentence “A strategic gap ... new city neighbourhood.”

In section 3.12 of the DPD “Milton Keynes Growth Area”, delete the following paragraphs:

paragraphs 3.12.2 and 3.12.3 in their entirety;

in paragraph 3.12.4, delete the heading “Vision”, change the wording of the first sentence between “...new city neighbourhood ...” and “administrative boundaries.” to read as in the first two changes to policy CS1 above; in the fourth sentence delete all after “New development will be planned jointly between the two local planning authorities.” and delete the fifth sentence;

in paragraph 3.12.6, delete the words “, but outside of the proposed Green Belt extension,” and delete the third, fourth and fifth sentences in their entirety;
the heading to paragraph 3.12.7 and the table within it; paragraph 3.12.8 in its entirety.

In the second sentence of paragraph 3.12.6 delete the words “but outside of the proposed Green Belt extension,”

In paragraph 3.12.9, replace the first bullet point by:

- affordable housing as required in the relevant LDD.

Delete paragraph 5.2.6.

On the Key Diagram, in the box for the Milton Keynes Growth Area, delete the words “likely to be around 2,000 new homes”
C. The Ivel Valley
(Sandy, Biggleswade and Arlesey/Stotfold/Fairfield Park) Issues:

(i) The scale of additional housing provision in Sandy;
(ii) Employment provision in Biggleswade;
(iii) The justification for the allocation of 1000+ additional dwellings in Arlesey, including the provision of a relief road;
(iv) Whether the three settlements are likely to function in a polycentric way, particularly in terms of the location of any new retail/commercial centre;
(v) Whether the Core Strategy should give firmer guidance on the location of the centre and employment development.

3.43 Issue (i). The point is strongly made that in order to “build on its rôle as major service centre”, as stated in the vision in paragraph 3.15.4, it might be expected that additional housing allocations in Sandy would exceed the range of 50-200 in policy CS5, especially as there are only 29 dwellings on planned sites. This compares to 426 completions in 2001-8.

3.44 The Council have shown that an initial assumption of 300-400 dwellings in new allocations would, due to constraints on the directions of growth, not achieve their objectives to focus development as close to the town centre as possible in order to support local services and public transport. I accept that there is likely to be additional potential for urban capacity sites and the overall approach, as required by PPS3, is not to rely on windfall provision. The key is sustainable development, including achieving a balance with local employment and reducing the need to travel. I recognise too that there has been local support through the plan preparation stages for the limited development strategy for the town.

3.45 Nothing I have read or heard about the undoubted potential for further development on green field land to the north of the town convinces me that the Core Strategy is unsound. However, the Site Allocations DPD will provide an opportunity for an exploration of site-specific sustainability arguments in more detail. I have some concerns that providing only some 230 new dwellings (plus windfalls) right up to 2026 may not cater for local housing needs in this fair sized town, as required by the vision. It will be important to review this in the light of SHMA findings in order to consider how best to deliver necessary affordable housing. This is certainly a case where the upper end of the new allocations range (200) should not be regarded as a rigid upper limit should it be established that additional development can be accommodated in a sustainable manner.

3.46 Issue (ii). It has been suggested that in view of the considerable potential of Biggleswade as an employment location, with excellent
access to the A1, an employment allocation of up to 25 ha. should be made, rather than the 10-15 ha. as proposed under policy CS10. Nevertheless, as shown in Table 5, development on the existing sites has proceeded only slowly with approaching 19 ha. of land still to be taken up. If the upper range of an additional 15 ha. were to be allocated through the site allocations DPD that would total almost 34 ha.

3.47 It is an important aspect of the plan strategy to seek to balance employment and housing growth. Although significant housing development is proposed in Biggleswade with existing commitments, I accept the Council’s evidence with regard to the need to ensure a spread of employment provision within the plan area and that an allocation of a further 25 ha. would risk an imbalance. The strategy is sound.

3.48 **Issue (iii).** As discussed under matter 1 above, it is an important element of the strategy following the principles under option 4 and objective 4 to identify locations where a significant element of new development, both for housing and employment, would help to improve the sustainability of a settlement. It has been suggested that the Sustainability Appraisal work does not specifically support the proposals for Arlesey in that they have not been fully evaluated or comparisons made with other potential growth points, Cranfield and Henlow/Clifton/Shefford being two mentioned in representations.

3.49 I consider that although the idea of treating Arlesey, Stotfold and Fairfield Park as linked settlements was introduced only in the submission document, little rests on that omission. Nor do I consider that the Sustainability Appraisal was inadequate for the purpose of a Core Strategy. At both “preferred options” and submission stages the SA has supported the proposals for Arlesey.

3.50 Section 13.6 of the DPD sets out in some detail the development aspirations for Arlesey. This is supported by the analysis in documents TR21 and ES3. I consider that the analysis of the planning problems faced in Arlesey with a fragmented linear form, lack of a strong central focus and traffic issues gives a good justification for the promotion of a sufficient scale of development to create the “critical mass” for improved sustainability. I am not convinced that the situation in other settlements presents similar problems, certainly not such as to lead to a conclusion that the whole strategy is unsound.

3.51 I do not accept the contention that the scale of growth proposed for Arlesey is entirely aspirational, unsupported by evidence of delivery or unduly influenced by a desire to finance the construction of a bypass and improved links to the A1(M). There is evidence of a firm commitment by prospective developers to the delivery of the necessary infrastructure as set out in paragraphs 3.16.11-15 in the DPD, supported by the Local Delivery Strategy (*Doc. SD11*). Although a relief road is not a scheme listed in the Local Transport
Plan it is one which it is envisaged will be required to service the new housing areas and, as such, funded by that development. Despite the fact that there has been no formal viability assessment I am assured that the funding requirement for a relief road is not seen by prospective developers as an unduly onerous one. I consider that the analysis undertaken is sufficient to support the proposals at Core Strategy level.

3.52 I also consider that the indication in the vision at paragraph 3.17.5 that large-scale mixed use development will be focussed on the northern part of the town is sufficiently justified and is an adequate level of specificity for a Core Strategy. It is does not preclude the consideration of sites in other parts of the town through the Site Allocations DPD provided sustainability criteria can be met.

3.53 **Issue (iv).** As I understand it, Fairfield hospital always had a close relationship with Arlesey with many of the staff living in the town. It is a matter of some concern that the sizeable new housing development around the converted hospital buildings is somewhat isolated with little apparent use being made of the former West Drive access which should be a footpath, cycleway and local bus link. I have been informed, that the s106 obligation in this regard has not yet been delivered. That is an issue which should be pursued elsewhere but emphasises the importance of such infrastructure improvements if true sustainability is to be achieved. Otherwise links are by road to Stotfold and Letchworth.

3.54 The main barrier to movement between Stotfold and Arlesey is the A507. However, I accept that the focus of development to the north of Arlesey is to be linked to development to the west of Stotfold and Etonbury middle school by a cycleway underpass link which will strengthen ties. The railway station to the north of Arlesey close to the A507 is an important asset. As stated in paragraph 3.16.11 of the DPD developer funding will assist in improving pedestrian and cycle links and to enhance local bus services.

3.55 **Issue (v).** Paragraph 3.16.6 refers to the development of new shopping and service facilities in both Arlesey and Stotfold and that “one of these should function at a higher level, incorporating a new supermarket (of around 2500 sqm gross floorspace) ... appropriate to a town centre.” In paragraph 3.16.7 it is stated that the preferred location is at Stotfold but that this will be decided after further detailed work is done in the Site Allocations DPD. I heard that negotiations are taking place with developers in the southern part of Stotfold for the expansion of the retail offer near the Co-op store on High Street, Stotfold but there would still be the option of larger scale development in West Stotfold.

3.56 I find this aspect of the Core Strategy to be unsatisfactory. I consider that the development of a new town centre with the catalyst of a 2500 sq. m. store is an issue for which a clear spatial
choice requires to be made and, as advised in paragraph 4.5 of PPS12, this is the function of the Core Strategy. I find it difficult to see how a “new focal point” for Arlesey could possibly be on the other side of the A507 in West Stotfold, despite improved foot and cycle links. However, to require the Council to consult at this stage on a specific site for the location of the new centre, when I acknowledge that this will be bound up with more detailed considerations of specific sites, would introduce undue delay. I accept in the circumstances that the DPD provides sufficient guidance for this choice to be made through the Site Allocations DPD and that it is in the public interest to move to the publication and examination of that document as quickly as possible, which can only occur after this DPD is adopted.

3.57 Similar considerations apply to the provision of 10-15 ha. of new land for employment land. However, I consider that paragraph 3.16.8 contains sufficient locational guidance for a specific site or sites to be identified through the Site Allocations DPD. I would expect the issues identified in paragraph 3.16.10 to be dealt with through a DPD in due course, in so far as the proposals involve site allocations, as defined in the Regulations.

3.58 In conclusion, I find that the proposal to provide for the expansion of Arlesey by over 1000 new dwellings with the associated improvements in infrastructural provision to be well justified, albeit as an exception to a strictly hierarchical approach to the settlement strategy. The strategy is sound and I do not propose any changes to sections 3.13-3.18 of the DPD covering the settlements in the Ivel Valley.

D. **Ampthill and Flitwick.** Issues:

(i) The balance of housing and employment provision between Ampthill and Flitwick;

(ii) Whether there should be a local review of green belt boundaries and the treatment of safeguarded land;

(iii) Whether it is appropriate to make formal reference to a “sequential approach” and whether preference should be given to the development of pdl before safeguarded land

(iv) Whether there is adequate justification for giving preference to development of the safeguarded land in Flitwick before that in Ampthill

(v) Whether the DPD should specify mixed uses on the safeguarded land

3.59 **Issue i.** Although Ampthill and Flitwick lie close together geographically they have their own identities, as stated in section 3.19 of the Core Strategy. The Council have carried out a careful analysis of the potential for both housing and employment development in both towns and taken account of the availability of
green field sites on the periphery which include the safeguarded sites, as discussed further below. Although I have been presented with evidence that the assumed potential may be low in some instances I consider that the approach taken, in providing a range for further exploration through the Site Allocations DPD, is sound. I regard the figures given, for both housing and employment, as providing firm guidance for the ongoing LDF process.

3.60 Issue ii. The Council have chosen not to undertake a review of the green belt boundaries around either Ampthill or Flitwick on the basis that they were approved only in 2005 as part of the local plan. I am satisfied that development within the towns and on the safeguarded land (which is the purpose of identifying such areas in accordance with PPG2 guidance) will be able to sustain a build rate over the plan period which is not dissimilar to that during the 2001-8. Consequently, I am not convinced that the constraint posed by the green belt to 2026 will restrict development to such an extent that there would be the exceptional circumstances necessary to warrant a review, certainly not to find the strategy unsound because of the absence of one. I do not see a link between this issue and the Council’s decision to pursue the expansion of Arlesey which is in a distinctly different part of the plan area.

3.61 A local review of the green belt around Ampthill and Flitwick would not have the strategic implications that there are in the Milton Keynes proposal and the green belt in this area fulfils the purpose set out in now expired Policy 23 of the Bedfordshire Structure Plan (see paragraph 3.33 above). Nevertheless, once all of the safeguarded land (see below) has been developed it will need to be decided whether the green belt needs to be rolled back or another strategy pursued. I consider that this issue may need to be addressed as part of the RSS review and/or a future review of this Core Strategy, as indicated in paragraph 3.5.6 of the DPD.

3.62 The Council’s position with regard to the safeguarded land has been clarified during the examination. The list of existing saved local plan policies to be superseded by this DPD (Annex G) omits local plan policy GBT5 which means that it will continue in force for the time being. An alternative approach, urged by some, is to abandon the safeguarding on the basis that virtually all of the land will need to be developed by 2026. From what I heard I think that is likely to be the case but I do not agree that it is unsound to continue the safeguarding policy for the time being because it is closely related to site specific issues relating to the timing of development, to which Policy CS6 refers. These are better considered in the Site Allocations DPD. As stated in local plan policy GBT5 the safeguarded land has the status of “white land”. In accordance with paragraph 2.12 of PPG2 and in Annex B such sites are, by definition, between the settlement boundaries and the green belt. It would not be sound to include them within the settlement boundaries.
3.63 My study of this issue has highlighted an anomaly in that although local plan policy GBT5 has been saved, policy GBT1 to which it cross-references has not. I assume this is because policy GBT1 largely repeats national policy in section 3 of PPG2. However, Annex B to PPG2 does not state that green belt policy is to be applied in the interim. In the circumstances, to be sound, I consider that paragraph 3.5.6 of the DPD should be amended to clarify that local plan policy GBT5 is to remain in effect and is to be interpreted, until such time as it is replaced, as applying PPG2 policy to the safeguarded areas.

3.64 **Issue (iii).** There is no longer a reference in PPS3 to a formal “sequential approach” in giving priority to the development of previously developed land over green field sites. The approach should now be to develop a strategy for the development of previously developed land. East of England Plan policy SS2 states that in deciding the location of major development the re-use of previously developed land should be prioritised. I consider that the 6th bullet point in paragraph 3.3.1, with the emphasis on the sustainability of the location, is a proper reflection of the current policy and it is unsound to refer to a sequential approach. Therefore, the third sentence in paragraph 3.19.8 should be deleted.

3.65 The fourth sentence of paragraph 3.19.8 refers to “key redevelopment sites within the urban areas” and indicates that the safeguarded land will not be brought forward until these are developed. The sites identified in the Urban Potential Study (*Doc. TR28*) do not appear to be entirely pdl and so I agree that this should refer to development sites rather than just re-development, as in SC053. (para. 3.19.7) I accept that these sites and the Flitwick town centre re-development proposals are likely to provide a different range of house types to the safeguarded land but it seems to me entirely sound to state that the urban capacity sites and sites within the existing urban area should be developed before looking to the more peripheral safeguarded land.

3.66 **Issue (iv).** It is suggested that as the two towns have different housing markets there should be no priority given to the development of the safeguarded land at Flitwick over that at Ampthill. However, I consider that as the areas of safeguarded land are close together (one to the south of Ampthill, the other to the north-west of Flitwick) they are quite likely to provide for a similar element within the housing market more influenced by house type than location. The reason given by the Council for giving priority to the Flitwick land over that at Ampthill is clearly stated to be because of the relative distance from the railway station and Flitwick and the potential to support the town centre redevelopment. I consider these to be justified reasons to distinguish between the two areas.
3.67 **Issue (v).** It may well be that proposals have come forward for mixed uses on the safeguarded land and there is an identified need for a balance of employment and leisure provision, but I am not convinced that the evidence is sufficiently robust to suggest, as in the first sentence of paragraph 3.19.8, that all of the safeguarded land will provide for mixed-use development. To my mind it is sufficient to state, as in the last sentence, that the appropriate mix of uses will be determined through the Site Allocations DPD.

3.68 **In order to make the DPD sound the following changes shall be made:**

In Paragraph 3.5.6., replace the first sentence by:

“**At Ampthill and Flitwick, detailed Green Belt boundaries are shown on the LDF Proposals Map.”**

Then continue:

“**Between the settlement boundaries and the green belt boundaries, areas of land were safeguarded to meet development needs beyond the end of the Local Plan period (2011). The land is safeguarded to meet longer-term needs under saved Local Plan Policy GBT5 which will remain in effect unless, and until, all of the safeguarded land is allocated for development through the forthcoming Site Allocations DPD. In the meantime, the safeguarded land will be treated as if it were green belt and subject to the policies in section 3 of Annex B of PPG2.”**

Delete the second sentence.

Delete the word “however” in the third sentence (middle, line 5).

In paragraph 3.19.8:-

Delete the words “mixed use” at the start of the second line;

Delete the third sentence and in the fourth sentence delete “therefore” in line 7 and, in line 8, replace “redevelopment” by “development”.
E. **Minor Service Centres – Shefford, Potton and Cranfield. Issues:**

(i) the appropriateness of the allocation of 150-250 additional dwellings for each settlement;

(ii) the adequacy of mechanisms to ensure that new development will provide new community infrastructure to improve sustainability.

3.69 **Issue i.** In paragraphs 2.2.17-19 of background paper ES3 the Council have explained that the strategic apportionment resulted in 200 to each of the Minor Service Centres expressed as a range to provide flexibility for the site allocations process. It seems to me that the weakness in this approach is that it takes no account of the scale of existing commitments in each centre and the differing ranges of facilities available in each. However, as indicated in the Settlement Hierarchy paper, TR21, there has been some analysis of the likely delivery from new housing of new community facilities.

3.70 **Issue i.** In my view, it is important to take account of the fact that these centres are smaller towns which have a good range of services but are not as strong as the major centres. Cranfield is something of an exception with the university and nearby Technology Park providing a strong local employment base, although I heard that some of the community facilities at the university are not easily available to the general public. Nevertheless, I agree that the location of the settlement and the substantial level of existing commitments (almost 400 dwellings) means that the additional range of up to 250 dwellings to 2026 would represent a significant expansion. There is a need for the additional facilities in conjunction with the Home Farm development, which has not yet started, to be completed and to be fully integrated within the community. Proposals by the university for further expansion have been advanced at a late stage in the LDF process and would require further sustainability testing and consultation.

3.71 I consider that the balance of development proposed at Shefford properly reflects the identified potential and will assist in maintaining a constant rate of change within identified constraints. Nearby Clifton is different in character but shares some facilities, most noticeably the upper school. It will be appropriate for such factors to be taken into account in the scale of site allocations as a large village. I agree that it is important to retain a strategic gap to protect local character. I find the approach taken to be a sound one and I am not convinced that there is a case, at least at the present time, for larger scale development in the Shefford/Clifton/Henlow corridor.

3.72 The merits of Potton have been recognised by the Council but, as indicated in paragraph 3.21.2 of the DPD, local employment is limited and there is a tendency for travel to work in nearby larger
centres. I do not accept that the settlement has been viewed in a narrow sense because it is peripheral within Bedfordshire. Nevertheless, the level of housing commitments and allocations for the town represents, on average, only half of the build rate achieved in the 2001-8 period. I do not consider there is strong case for increasing the provision at the present time but I suggest that during the forthcoming preparation of the Site Allocations DPD total housing provision should be at the upper end of the range (250 dwellings) with consideration given to exercising some flexibility if it can be shown that sustainability requirements would not be compromised. Furthermore, the effects of a slower rate of development on the local economy will need to be carefully monitored.

3.73 Issue (ii). The section of Policy CS1 dealing with the Minor Service Centres of Shefford, Potton and Cranfield states that new housing development will help deliver new community infrastructure and facilities that benefit the sustainability of the town. Similar words are contained in the plan text within the vision for each town and then developed in more detail in the sections dealing with infrastructure requirements.

3.74 I think it important to recognise that there is a strategic direction in this Core Strategy. I consider it sound to seek to ensure that where additional development does take place in these smaller centres it should bring positive sustainability benefits to the town and not exacerbate such factors as car-borne commuting which has occurred from Potton, for example. I am satisfied that this can be achieved through policy CS3 and the Planning Obligations SPD in the consideration of individual development proposals.

F. Silsoe and the Rural Areas. Issues:

(i) the provision for additional 400 dwellings in Silsoe;

(ii) whether the Council’s approach to the allocation of an additional 400 dwellings, in total within the rural villages, will be sufficient to provide housing to meet local needs and to help sustain local services.

3.75 Issue (i). As I indicate in paragraph 3.8 above I regard the proposals for Silsoe as an exception to the overall strategy of focussing development in the most sustainable locations. It is not comparable in terms of scale with the Arlesey proposals. Silsoe is a large village within the settlement hierarchy and it has a range of existing community facilities with a lower school, local shops, bus services and recreational facilities. However, its overall sustainability rating (Doc. TR21, Annex 4) is relatively low for a large village and there is little doubt that it would not have been identified in the normal course of events for such a sizeable development.
3.76 The fact of the matter is that the Council have been faced with a situation where, as stated in paragraph 3.23.1 of the DPD, the Cranfield University authorities have decided to vacate the campus at Silsoe which is previously developed land within the settlement boundary as shown on the Local Plan proposals map. A planning permission has been agreed in principle in accordance with the existing local plan taking into account a planning obligation which, if successfully implemented, will deliver a wide range of improvements to the social and community infrastructure to strengthen the sustainability of the location.

3.77 The proposals at Silsoe have been subject to Sustainability Appraisal at both preferred options and submission stages and it is clear that much depends upon this package of community benefits. I have seen little evidence as to the viability of this scheme, especially during the current economic downturn and depressed state of the housing market, and I have reservations as to its deliverability in the short term. However, I have no reason to think that it will not become viable well within the timescale of this plan.

3.78 As the Council have resolved to grant planning permission for this scheme I have considered it as a commitment. There would have been nothing to gain by examining, as urged by some, whether alternatives ought to have been analysed. I consider that, taking account of the history of the scheme, the proposals have been sufficiently justified and thus are sound. Moreover, as approval has come at a very late stage in the examination process, and the text in section 3.23 is correct as at submission, I do not propose any changes to it.

3.79 Issue (ii) The decision to allocate 10% of the total new housing provision to the rural villages is, as discussed, in paragraph 3.9 above, a strategic one. It represents a balance which takes account of the fact that rural locations are more difficult to serve by sustainable forms of transport. It also takes account of the fact that not only is there a stock of existing unimplemented planning permissions but under the terms of policies CS1, CS3, CS5, CS10&11 together with policy DM6 there will be many opportunities to provide small scale development within the settlement boundaries of both large and small villages, with infill housing in the smaller villages. For housing, in accordance with PPS3 advice, these sites will be a bonus and are not counted towards meeting the 400 dwellings to be allocated through the Site Allocations DPD. I do not consider there is anything in this DPD which runs counter to the approach towards development in rural areas stemming from policy SS4 of the East of England Plan.

3.80 It will be necessary for the Council to assess, in identifying allocations through the Site Allocations DPD, the extent to which additional development will positively contribute to supporting the viability of local services in accordance with Strategic Objective 6 of this Core Strategy. Sustainability is recognised to be a key driver in
this process and there is no evidence that the strategy will not assist in meeting the vision of the Sustainable Communities Strategy. I think it right that the Core Strategy should not determine the distribution of the 400 dwelling allocations between individual settlements; that can only be done at the local level in looking at the effect on sustainability of site level proposals.

3.81 I also consider it to be particularly important that the limited amount of potential available for development in smaller rural settlements should, as far as possible go towards meeting identified local needs rather than providing for wider needs which are better located in larger centres with a wider range of facilities. In appropriate cases there will be an element of affordable housing under policy CS7 but the identification of rural exception sites under policy CS8 to my mind offers the best opportunity to provide locally affordable housing. To be effective such a policy requires a restrictive approach to the identification of sites which might otherwise be developed for open market housing.

3.82 Taking all of these factors into account, I conclude that the allocation of 400 additional dwellings should be sufficient to achieve the objectives for rural sustainability. However, as indicated in paragraph 3.6 above, I consider that the sub-area totals should be treated with a degree of flexibility to ensure delivery of the total requirement. That is not to say that the total should be greatly exceeded but where clear sustainability benefits are identified in individual settlements these should not be denied purely to make the figures match.

**Matter 3A – The Rural Settlement Hierarchy. Issue:**

*Whether the methodology used to decide on the ranking of settlements is sufficiently robust and credible to justify inclusion at the various levels of the hierarchy and has been consistently and correctly applied.*

3.83 The methodology used to decide upon the ranking of settlements within the hierarchy is comprehensively described in the Settlement Hierarchy Technical Report, Document TR21. It includes a survey of community facilities, including local shops, which have been checked with community representatives. Annex 4 shows the point scoring for a variety of factors which resulted in the settlement rankings.

3.84 It is inevitable that with any methodology of this kind there will be criticism of certain assumptions and weightings attributed to the different factors. For example, there would be merit in weighting accessibility to employment opportunities simply by distance rather than limiting consideration to those within settlement boundaries. However, this factor was not shown to alter the relative settlement rankings. Future development of the work might also consider the cluster effect of groups of settlements although inclusion in a
growth area need not alter the scale of provision. I agree with the Council that accessibility by public transport is important in sustainability terms and it is right not to weigh road distances to motorway junctions, for example. I also agree that, in general, the analysis should not rely on potential improvements in services which may come about through s106 contributions from committed development because of the level of uncertainty; the exception being Wixams because of its strategic nature and degree of commitment. Logically, the status of Arlesley and Silsoe would change at a future review once development has commenced.

3.85 Overall, I am satisfied that the methodology for the ranking of settlements within the hierarchy has proved to be sufficiently robust and credible to support and justify the inclusion of the individual settlements as in policy CS1. The approach is sound and no changes are warranted. As the Council have indicated it will be appropriate to take account of the relative sustainability of the villages in decisions on the scale of allocations to be made through the Site Allocations DPD.

Matter 3B – Settlement Envelopes Boundary Definition. Issue:

Whether the criteria for the definition of settlement envelopes, as shown on the submission proposals map, have been consistently and correctly applied.

3.86 The Council carried out a review of the settlement envelopes and consulted on them in parallel with the preparation stages of this DPD. The settlement boundaries are a fundamental tool in the implementation of policy DM6 and, as such, it is appropriate for those boundaries to be shown on the Proposals Map to be first adopted with this DPD. However, as I indicate below a further review will be required when the Site Allocations DPD is adopted.

3.87 Although the context for the settlement envelopes is stated in paragraph 3.6.1 of the Core Strategy there is no explanation within the submitted DPD as to why it has been considered necessary to amend the boundaries shown on the existing (Local Plan) Proposals Map. I deal with this in more detail in paragraph 2.14 above. To be sound there should be a clear justification for the settlement boundaries within the DPD which is achieved by the inclusion of an additional annex to set out the criteria for boundary definition, this is Annex H.

3.88 In order to make the DPD sound an additional annex (H) shall be included to set out the criteria for the definition of settlement envelope boundaries as shown on the Proposals Map, as set out under Item 10 in Appendix 1 to this report.

3.89 In the following paragraphs I set out briefly my conclusions on whether the boundaries have been correctly drawn, dealing with the settlements in alphabetical order as in the Council’s documents
TR17-20. I only deal with those settlements for which representations have been made relating to the boundaries. In some instances, for example at Sandy, representations seek amendments to boundaries not in relation to the criteria but in order to widen the scope for potential development. This is a matter for the Site Allocations DPD which I do not consider in this report.

3.90 During my consideration of the issues arising under this matter it has been drawn to my attention that although the basic approach is to include land which has existing settlement related uses it also includes land with planning permission for residential development or community facilities. Land with permission for employment or commercial development has not been included even where this abuts the boundary. This creates an anomaly and inconsistency because the submission proposals map, in many instances, carries forward boundaries from the Local Plan Proposals Map which shows land allocated in that plan, for both housing and employment, as within the settlement envelope where this abuts the developed area. These areas appear not to have been reviewed to exclude them if they have not yet been granted permission.

3.91 It is important to recognise the different status of the Proposals Map within the Local Development Framework as opposed to the Local Plan (see paragraph 2.14 above). When preparing the Site Allocations DPD, the Council will need to re-consider whether to include any extant local plan allocations, as well as new ones, within the settlement envelopes. In any case, the adopted Proposals Map will require amendment to ensure consistency. In my opinion, it would be logical to include land within the envelope only after development has taken place and not to include either permissions or allocations, for any land use.

3.92 Pending such a wider review I consider that the criteria for the definition of settlement boundaries are adequately justified in document TR17 and are sound. However, as the Council have acknowledged, certain of those criteria may conflict and it is a matter of interpretation on the ground as to whether the boundary lines have been correctly drawn on the Proposals Map.

3.93 Biggleswade Land at Bells Brook (Doc. TR17, areas 02 and 03). This is an instance where considerable commercial development has been permitted outside of the settlement envelope. There is a large out-of-centre Sainsbury’s store and to the east a site has been approved for a petrol filing station with an implemented permission for a lorry park to the north. This is certainly not open countryside but the uses are not “settlement related” and they are separated from the main built-up part of Biggleswade by a dwelling (Bells Brook House) standing in an extensive curtilage and a strip of open country, with a barn, to the east of that. Therefore, the area does not meet the criteria for inclusion. No change required.
3.94 **Rowlett’s Close (Doc. TR19 area 05, revised area 01, doc. TR17).** I agree the revised assessment is correct to reduce the area for inclusion within the settlement boundary. When I visited in July, the permission for 11 dwellings had been largely implemented. As the Council state (TR19) the agricultural building and shrubland to the east is not settlement-related and should be excluded, although part appears to have been used in connection with the construction works. No change required.

3.95 **Blunham (Doc. TR17, area 02).** The Council propose to amend the settlement boundary to include only that part of the land off Old Station Court to the east of the stub end. Two existing houses lie outside of the local plan boundary and logically should be included. In contrast, the area to the west is rough, overgrown open land which has rightly been excluded under the criteria. Whether development takes place in this area is a matter for the Site Allocations DPD. No change required.

3.96 **Broom Gardens to the rear of 2, 3 and 4 The Maynards (Doc. TR19, area 04).** I do not agree with the Council that these very long rear gardens have more in common with the surrounding countryside than they do with the dwellings. They are distinctly different, obviously in residential use and well enclosed by hedgerows. There are other instances of large curtilages to the south which have been included within the envelope. What is not similar in character is to maintain a boundary which runs right against the rear walls of the dwellings. There is clearly a planning history here which should be respected. Any development potential could only be realised by obtaining access from other land which may be considered elsewhere. To comply with the criteria this land should be included. It also correct to include the curtilage of 71B The Maynards (Broom 03, Doc. TR17). Change recommended.

3.97 **Cranfield The University and Technology Park (Doc. TR17, area 02).** Although a substantial area of existing development there is no sound basis, given the approach to the definition of settlement boundaries, for the identification of a separate envelope here given the distinct identity compared to the village. These are not “settlement related uses”. No change required.

3.98 **Lodge Road/Harter Avenue (Doc. TR17, area 06) and Lodge Road/2&4 High Street, Cranfield (Doc. TR18, area 07).** At the present time the existing groups of houses appear isolated from the rest of the settlement. They abut the existing settlement envelope only because the very extensive area of Home Farm to the north is allocated for housing in the local plan. However, that is a firm commitment and, once developed, these additional areas of longer established housing will form logical extensions to the envelope within the criteria. I confirm their inclusion. No change required.

3.99 **Everton Area 01 (Doc. TR17)** is the church and its graveyard which immediately abuts the settlement envelope. It seems to me that
the church is definitely a settlement-related and community use and a very permanent structure which ought to be included within the envelope under the criteria. Change required.

3.100 Area 02 (Doc. TR17), the Old Vicarage with converted farm buildings, to the east, stands in extensive grounds quite different in character to the housing to the south and, as such, does not meet the criteria for inclusion. There is no clear evidence that area 03 (Doc. TR17) is legally part of a residential curtilage in planning terms and the permission for use of area 04 (Doc. TR17) as a playing field is, evidently, not to be renewed. As those areas have the characteristics of open land I agree that they should be excluded from the envelope. No changes required.

3.101 Flitton-Greenfield Gardens to the rear of 1-5 Moor View and land at Poplar Farm (Doc. TR17, area 03). The inclusion of these rear gardens meets the criteria and will result a more logical boundary to the settlement envelope. As the land previously attached to Poplar Farm is occupied by a new dwelling its curtilage also complies with the criteria. Possible pressure for backland development is not a reason to maintain the local plan boundary. No change required.

3.102 I consider that the Council are correct to include 37 Mill Lane (Doc. TR17, area 04) and its curtilage within the settlement envelope. Primarily inclusion will maintain a more consistent line with the settlement’s eastern edge, capturing a further area that is consistent with the land and property to the south which is already included within the envelope. No change required.

3.103 Henlow Land to the rear of Nos. 53 and 55 High Street (area 06). This proposal, included in document TR20, is simply to acknowledge the fact that the extended residential curtilages have a lawful use as such. The criteria for the inclusion of the land are met in so far as this is not out of character with other areas of land included to the south. I do not agree that there is any pre-judgement of the site allocations process although it is difficult to see on the ground how this area differs from land to the north. No change required.

3.104 Lidlington Land at Greensand Ridge (Doc. TR17, area 03). When viewed from adjoining land to the south there is no defining, man-made or natural topographical feature evident to distinguish clearly between area 03 and area 05 (Doc. TR19), which is included within the settlement envelope. Indeed both of these areas of overgrown land generally rise towards the adjoining areas which are in use for a variety of obviously agricultural uses. In view of this, I consider not only that area 03 does not meet the criteria for inclusion within the envelope, having the characteristics of open countryside, but neither does area 05 despite the fact that it is included on the existing (local plan) adopted proposals map.
3.105 It appears to be an error that area 05 is included in document TR19 as Open Space when such areas (under policy DM7) have not yet been included on the proposals map. This is an issue which can be resolved in a subsequent DPD. Until then, as the criteria are not met, area 05 should be excluded from the envelope. Change required.

3.106 Employment site off Marston Road, (Doc. SD3, area 03). Although this area has planning permission for employment development it has not been implemented and therefore does not meet the criteria for inclusion within the settlement envelope (see paragraph 3.90 above). There is no special case here and, furthermore, the inclusion of this area was not suggested during the earlier consultative preparatory stages for this DPD. The Council’s decision to exclude the area is sound. No change required.

3.107 Maulden Land to the rear of 9 Silsoe Road (Doc. TR17, area 02). Although there is disagreement as to whether this land is a paddock, it is contained by agricultural buildings on two sides and is outside the residential curtilage of the neighbouring properties, as indicated in the Council’s assessment. It meets several criteria for exclusion from the settlement envelope and I support the Council’s conclusion in this regard. No change required. I also agree that as the land to the rear of 54 Ampthill Road (site 06 document SD3) is part of the residential curtilage and distinguishable from the adjoining countryside, it should be included in the envelope. Change required.

3.108 Land to the rear of 70b, The Brache. (Doc. SD3, area 05) This strip of land is different in character to the larger rectangular area to the south. It is fenced and mown. Nevertheless, the Council’s evidence is that the permission for change of use relates only to that part within the curtilage of No. 70b., which is within the settlement envelope. The larger area does not meet the criteria for inclusion as it extends into the countryside, albeit somewhat enclosed. No change required.

3.109 Moggerhanger This area, identified in document SD3 as site 04, has been put forward for inclusion only at publication stage and so has not been consulted upon. I also agree with the Council’s assessment of the land as being primarily agricultural in character. The mobile home and garden are detached from the main part of the settlement and are quite different in appearance to the dwellings to the east of Park Road which form a well defined western edge to Moggerhanger. The area does not meet the criteria for inclusion within the settlement envelope. No change required.

3.110 Potton Land off 109 Everton Road (Doc. TR17, area 02). The fact that this area is occupied by a mobile home with a Certificate of Lawful Use does not necessarily mean that the area should be included within the settlement envelope. It does not reflect the
character of other development in the vicinity and so does not meet the criteria. I agree that it should remain excluded from the envelope. No change required.

3.111 Recreation Ground and Play Area, Mill Lane (Doc. TR17, area 04). Under the published criteria a recreational area of this kind is recognised as a settlement-related use which is properly included within the envelope, even though it extends beyond the housing development and is otherwise adjoining open countryside. No change required.

3.112 Sandy Land adjacent to Pope’s Farm, Tempsford Road (Doc. TR17, area 03). This is a detached dwelling with outbuildings evidently last used for commercial storage with a boarding kennel to the west. These are non settlement-related uses. It is different in form from the nearby row of cottages at Georgetown and so does not meet the criteria for inclusion within the settlement envelope. No change required.

3.113 The land at Mill Lane (Doc. TR19, area 05) does not form part of a residential curtilage being an area of paddock land. Whilst the site adjoins the grounds of a large detached residential dwelling to the east it is not in itself used for any settlement related use. Consequently I agree with the Council that Mill Lane itself forms a logical line for the settlement boundary to follow at this point and the land should remain excluded. No change required.

3.114 As I indicate elsewhere, the settlement boundaries will need to be reviewed further in conjunction with the Site Allocations DPD to decide whether allocations for housing or employment should be included. This will cover such sites as New Road/Station Road, Sandy.

3.115 Shefford Land to the rear of 24a Ampthill Road (Doc. TR17, area 02). The characteristics of this area emphasise the difficulty of interpreting the criteria when applied to residential curtilages. There are also some permanent outbuildings on the site which the evidence establishes have been associated with No. 24a since it was built around 35 years ago. There are other large gardens to the west, and abutting to the east is an industrial area. However, the area concerned is extensive and largely open in character which, the photographs show, has the appearance of a well mown field rather than a garden. I consider that it comes under the criterion of a “large expanse of land associated with dwellings” and so should remain excluded from the envelope. No change required.

3.116 As the approach to settlement boundary definition does not allow for potential future development sites it is not appropriate to include the area to the east of Ashdown Road within the envelope.

3.117 Stotfold (Fairfield Park) (Doc. TR19, area 07) The local plan proposals map shows, in red, the area allocated under Local Plan
policy HO8(12). This is not a settlement boundary and the fact that area 07 was previously covered by the development brief is not a reason to include it in the settlement envelope boundary defined for the first time. The area of land is open in character and is not settlement-related such as to meet the criteria for inclusion within the envelope. No change required.

### 3.118 Tempsford

The representations seeking inclusion of both Stonebridge and Library Farms (Doc. SD3, areas 08 and 09) within the settlement envelope for Tempsford were made only at publication stage and so there has not been an opportunity to consult the wider community. The buildings at Stonebridge Farm are substantial but the whole complex has the appearance of a farm and there is some remaining agricultural use. Those at Library Farm are semi-derelict and the area has a more open agricultural aspect. I do not consider in either case that the uses are settlement-related within the criteria for inclusion in the settlement envelope. No changes required.

### 3.119 Upper Caldecote

Swallowfields (Doc. TR17, area 02). The five modern bungalows have been constructed outside of the local plan settlement boundary and it is right that the envelope should be amended to incorporate the residential curtilages. However, the most northerly strip of the land in question is divided from the main garden areas of the two northern most bungalows by a line of trees and, as indicated in the representation, appears to be in agricultural use. It should not be included within the settlement envelope under the criteria. Change required.

### 3.120 Upper Gravenhurst

13 Orchard Close (Doc. TR17, area 03). The large modern bungalow has been constructed beyond the existing settlement boundary and it would be consistent with the criteria to include the bungalow itself and the adjoining garden area, i.e. that in obvious domestic use, within the envelope. Otherwise I agree with the Council’s assessment that the paddocks and stables, poultry houses etc., are more rural in character and do not reflect the pattern of adjoining development. In order to maintain consistency with the approach elsewhere, the envelope should continue to exclude the larger part of the site on three sides of the property. Change required.

### 3.121 In order that the settlement envelope boundaries shown on the Proposals Map are consistent with the criteria in Annex H, and thus for the DPD to be sound, the following changes should be made to the boundaries shown on the submission proposals map before it is adopted:-

Broom, Inset 9. The full garden curtilages of Nos. 2, 3 and 4 The Maynards are to be shown as included within the settlement envelope boundary;
Everton, Inset 18. The church and surrounding graveyard is to be shown as included within the settlement envelope boundary;

Lidlington, Inset 30. The area currently within the settlement envelope at Greensand Ridge, described in Document TR19 as Lidlington 05, is to be shown as lying outside the settlement envelope boundary;

Maulden, Inset 32. The full garden curtilage of No. 54, Ampthill Road is to be shown as included within the settlement envelope boundary;

Upper Caldecote, Inset 11. The strip of land to the north of the bungalows at Swallowfields (area 02) is to be excluded from the settlement envelope boundary;

Upper Gravenhurst, Inset 21. The bungalow at 13 Orchard Close and the domestic garden area immediately adjoining it is to be shown as included within the settlement envelope boundary.

Matter 5 – Affordable Housing. Issues:-

a. Housing need

b. Targets and Economic viability

c. Site size thresholds

d. Off-site contributions, on-site development factors and rural exception sites

3.122 a. Housing need. The Housing Requirements Study 2003 (Doc. ASD17) indicating a need for 28% to be affordable housing is somewhat dated but work on a Strategic Housing Market Assessment (SHMA), which is being undertaken with neighbouring local authorities, will not be available until later in 2009. Therefore, it has not informed the DPD, as expected by PPS3.

3.123 In the absence of a SHMA, I have considered whether the evidence base relating to the needs of current and future occupiers satisfies PPS3 in principle. PPS3 defines affordable housing as including social-rented and intermediate housing, and excluding low cost market housing. The 2003 study included some 83 units of “shared equity or discount market housing” as affordable units amounting to 9.1% of the total housing shortfall. Paragraph 5.4.3 of the Core Strategy should recognise that the definition has been revised, and I recommend a change accordingly.

3.124 The Council argued that the 83 households would today be unable to afford the shared equity of an average home in Bedfordshire,
which has risen from £137,234 in 2003 to £186,670 in 2008. The EEP refers to the widening ratio of house prices to incomes within the region (paragraph 5.7). The Affordable Housing (Stage 1) Report *(Doc. TR1)* advises that provision of affordable housing for each year from 2003/04 to 2006/07 was: 131, 62, 57 and 74 units. These figures fall well short of the requirement for 260 units in each year and indicate that there will have been a growing backlog of need since the 2003 study. Although house prices may have fallen in the last year or so reflecting the credit crisis and economic downturn, the scarcity of mortgages and rising unemployment could have offset any beneficial effects. Housing waiting lists for the area, I was advised, are rising.

3.125 The Housing Requirements Study was not, however, based on the housing list. The 2003 Study involved a large scale, face to face interview survey, and a complex modelling exercise which used a whole housing market approach and was based on Government guidance prevailing at that time. In view of the above evidence, I consider that the need for affordable housing based on the PPS3 definition is likely to be at least 28% of all new housing required at the present time. I have seen nothing to suggest that the need has reduced, even when account is taken of the changed definition. I am satisfied that 28% referenced in paragraph 5.4.4 of the Core Strategy is justified and should remain.

3.126 b. **Targets and economic viability.** Policy H2 of the EEP, Affordable Housing, expects DPDs to set appropriate targets for affordable housing. At the regional level, delivery should be monitored against the target for some 35% of housing coming forward through planning permissions. The text preceding policy CS7 should state this more precisely. The EEP refers to variations of housing stress across the region which would mean that higher targets than 35% would be justified in the more pressurised areas. I accept that the Mid-Bedfordshire Core Strategy should not promote a figure above the regional target of 35%. Even if the regional target was not subject to economic viability testing, as was suggested at the Hearing, the EEP has been published with the 35% figure, and EERA have confirmed that the current DPD is in conformity with the EEP.

3.127 PPS3 states that LDDs should set a planwide target for affordable housing which reflects an assessment of the likely economic viability of land for housing within the area, taking account of risks of delivery and drawing on informed assessments of likely available finance. The Council commissioned Fordham Research Ltd to carry out a Site Viability Study in 2007 *(Doc. TR2).* This provided financial appraisals for some eight actual or proposed housing sites of differing size, location and character.

3.128 The information was used to demonstrate whether the individual sites were viable at different levels of affordable housing provision. With free land, the model showed that all sites were viable for all
options of affordable housing provision up to 45%. Alternatively, with zero grant/ shared ownership at 25% share, all sites were viable with 35% affordable housing but at 45% affordable housing, some sites were not viable.

3.129 I have taken account of the criticism of the appraisal that it relies on producing a net land value which is higher than the next best alternative use value, for example industrial use. In reality, if the landowner sees too little return, it was argued, there will be no sale and no housing development. It seems to me that the market for land transactions is an imperfect one; landowners may have various reasons for wishing to sell or retain their land, they may have different expectations and different timescales for considering a sale. Where affordable housing provision has been low in the past, there may be a need to adjust to the effect on land values of policies seeking a significant increase in affordable housing development.

3.130 However, the Site Viability Study 2007 was based on empirical evidence from the eight sites and an assessment of the local market conditions including land values. I consider that the study was soundly based and included reasonable assumptions about relative land values and the behaviour of landowners and developers. I am satisfied that, when produced in 2007, the study provided a credible basis for affordable housing policy development.

3.131 However, because of economic change since 2007 affecting housing markets, the findings of the study may no longer be valid. The Council commissioned an Update Report from Fordhams, which was published in June 2009. This was discussed at the Hearing session and made available on the Council’s website (Doc. SD12). The Update assumed that house prices had fallen by 15% since the earlier study, that build costs had risen by 10% and that current new build costs would need to increase by 4.2% to achieve level 3 of the Code for Sustainable Homes. Alternative use values for two of the eight sites were also adjusted downwards.

3.132 The appraisal results based on free land showed that the viability of residential development has declined markedly since 2007. The majority of the sites considered could deliver 35% of affordable housing (5 and perhaps 6 out of 8). One of the two sites which could not be expected to deliver 35% would be unviable whether or not affordable housing were provided. The two sites that would not be viable with affordable housing were those with exceptional development costs. It was suggested that, as this plan area is not undergoing major regeneration, overall such sites would be relatively rare.

3.133 A difficulty for the Council is that the DPD runs to 2026, whereas the viability assessments reflect a single point in time. The Update study observes that viability will not remain static over such a long period. Although there are currently some signs of improving
market conditions nationally, this does not mean that an improvement in viability is imminent. However, past experience suggests that prices will begin to rise and, in due course well before 2026, viability will strengthen. If affordable housing targets were set to ensure that all sites in present circumstances were viable, they would have to be extremely low and close to zero. This would be damaging to those in need of affordable housing, and would lead to an escalation of housing problems for the Council and other providers to address in the future. It seems to me that as the viability assessment has demonstrated, a proportion set at 35% would be achievable on the majority of sites and should be used as a basis for affordable housing provision.

3.134 Fordham’s Site Viability Study (Doc. TR2) concluded that affordable housing provision on a “free land basis” would achieve viability for more schemes at higher proportions than zero Social Housing Grant. The Council argued that where developers supplied fully serviced land, this allowed RSLs to provide more units on a given site as they only had to meet build costs. However, the absolute requirement implied in policy CS7 is seen as inflexible by some, and it is argued that it would be unreasonable if applied in all circumstances. I accept that it is helpful if developers take account of affordable housing and infrastructure requirements at the outset when embarking on a development scheme. However, I consider that free land should not be a policy requirement, but an approach which is encouraged within the text of the DPD. In the interests of greater flexibility, I shall recommend a change accordingly.

3.135 Policy CS7 adopts prescriptive language, saying that “The Council will require provision of affordable housing” and “... at least 35% of homes ... to be affordable”. Affordable housing will be secured through planning obligations and in my view, the tone of the policy is contrary to the approach outlined in Circular 05/2005 for negotiated agreements. I recommend a changed form of wording which retains the threshold and refers to a proportion of 35%, but reflects a degree of flexibility and willingness to negotiate with developers where the full amount of affordable housing would undermine the economic viability of a scheme. Also, in the interests of effectiveness in delivering much-needed affordable housing and having regard for contingencies, paragraph 5.4.11 is important. However, any departure from the 28% target would need to be subject to viability appraisal, and I recommend a change to confirm this.

3.136 c. Site size thresholds. PPS3 describes the national indicative minimum site size threshold for affordable housing provision as 15 dwellings, but accepts that lower thresholds can be set where viable and practicable, including in rural areas. As the Core Strategy explains, the amount of affordable housing delivered in this predominantly rural area where much development occurs on small sites will be influenced by the threshold for qualifying sites and the proportion sought. Past low levels of provision are partly a
reflection of the small numbers of qualifying sites under the old Local Plan policy. The lower threshold of 4 resulted from research in 2007. This found that sites with 1-3 units would be likely to yield 25% of total housing provision. If 35% of housing on the remaining sites with 4+ units were affordable, this would provide 26% affordable housing overall. With an additional contribution from rural exception sites of about 2%, the Council could achieve the 28% for the District which is needed.

3.137 Fordham’s viability appraisal included sites for 3, 6 and 8 dwellings. It was suggested at the hearing session that whilst the popular view is that “economies of scale” help the achievement of large numbers of affordable units on large sites, it is not necessarily the case that small sites are unviable with an element of affordable housing. Small sites commonly do not have to provide major infrastructure such as new roads, as do medium and large sites. I am satisfied that the threshold and the proportion have been carefully selected with regard to site viability and delivering the required quantity of new affordable dwellings.

3.138 A practical problem arises on the smallest schemes as “at least 35%” of four dwellings would have to mean provision of two affordable units and this would mean 50% affordable housing. I shall recommend a change to policy CS7 to clarify that just one unit would be sought on the sites for four dwellings. The DPD policies seek a step change in the level of affordable housing provision and I consider that the threshold and proportion put forward should aid delivery of higher numbers of units than in the past.

3.139 d. **Off-site contributions, on-site development factors and rural exception sites.** PPS3 allows for off-site provision or a financial contribution in lieu, where it can be robustly justified. Policy CS7 and paragraph 5.4.13 of the Core Strategy permit this, but as expressed the approach is open to some misinterpretation. Paragraph 5.4.13 adds detailed information on prices which will quickly become out-dated. I recommend changes to simplify the paragraph and bring it more closely into line with PPS3.

3.140 Paragraph 5.4.14 refers to tenure split and gives precise figure derived from existing SPG for clustering of affordable housing (*Doc. ASD1*). I consider it too detailed for the Core Strategy and overly prescriptive. In order to emphasise the purpose of the paragraph that developments should achieve mixed communities of affordable and market housing with variety of tenure, price and size, I recommend some change to wording, with a cross-reference to policy DM12, Housing Mix.

3.141 On policy CS8, the Council advise that they have enabled rural exceptions schemes in the past. The LDF Team works closely with the Strategic Housing Team and Bedfordshire Rural Community Charity to identify particular requirements and achieve implementation. The recent Taylor Review of the Rural Economy
and Affordable Housing (Doc. ASD40), found that allocation of sites would not necessarily deliver more affordable homes than a robust exceptions’ policy partly because allocations could boost “hope” land value. The policy refers to sites adjacent to settlements with “envelopes”. I consider that this is necessary to encourage housing provision in reasonably sustainable locations.

3.142 It was suggested that larger exception sites on the edge of urban settlements could be promoted as a ‘one-off’ policy response in the short to medium term. This approach would, however, conflict with the aims of PPS1 and PPS3 to achieve mixed communities and development in sustainable locations. Proposed changes to the policy and text to confirm that 100% affordable housing in perpetuity is intended would give compliance with national policy and secure effectiveness.

3.143 Providing they are changed as shown below, I conclude that policies CS7 and CS8 make appropriate provision for affordable housing to meet the current and future needs of the population, taking account of the economic viability of so doing, and are sound.

3.144 In order to make the DPD sound the following changes shall be made:–

Paragraph 5.4.2 – Add new sentences to the end: “This study pre-dated PPS3, and some low cost market housing was included which PPS3 no longer defines as affordable housing. However, provision of new affordable dwellings since 2003 has been below planned targets and the price of an average home in Bedfordshire has increased faster than average earnings. There is currently no evidence to suggest that the need for affordable housing has reduced since 2003.”

Paragraph 5.4.5 – Change to read: “At the Regional level, the East of England Plan states that delivery should be monitored against the target for some 35% of housing coming forward through planning permissions to be affordable.”

Paragraph 5.4.11 – Extend the last sentence to read “.... through subsequent SPD if it is demonstrated that this would be economically viable and would deliver more affordable homes.”

Paragraph 5.4.13 - Delete the last sentence and amend the rest of the paragraph to read: “PPS3 states that there is a presumption that affordable housing will be provided on site. However, off-site provision or a financial contribution in lieu may be acceptable where it can be robustly justified. Such occasions will be rare. Commuted sums .....open market split.”
Paragraph 5.4.14 – Change to read: “…..will be expected to be ‘clustered’. All units will be designed and constructed to the same high standards as market housing. Policy DM12 details the main considerations for determining the appropriate mix of all housing.”

Policy CS7 – Replace the first sentence with: “New housing development for 4 or more dwellings should provide an element of affordable housing. Sites of 4 dwellings should include one affordable dwelling. On all other qualifying sites, 35% or more units should be affordable.”

Modify the second paragraph to read: “The Council’s preference is for developers to provide fully serviced land on site, at no cost to the affordable housing provider. Use of alternative mechanisms should be fully justified with evidence that this would not prejudice the level of delivery of affordable homes. A mix of tenures ....”

Modify the penultimate sentence to read: “In exceptional circumstances and where robustly justified, commuted sums may be considered to achieve off-site provision of affordable housing.”

Paragraph 5.5.2 – Extend the first sentence to read “….Settlement Envelope and provide 100% affordable housing.”

Policy CS8 – Extend the first sentence to read “The Council will support proposals for 100% affordable housing designed to meet ...”

Amend the third bullet to read “the scheme will remain available in perpetuity to local people ....”

Matter 6 – Employment Provision. Issues:-

a. the strategic objectives for employment to 2026;

b. setting out how much development of the local economy and job provision is intended, and when;

c. where it will take place;

d. provision for the rural economy and tourism;

e. the means by which development will be delivered, and arrangements for managing and monitoring.

3.145 a. Strategic objectives. Policy B&L1 of the MKSM Sub-Regional Strategy and policies E1 and E2 of the EEP refer to the need for increased employment land to be linked to rates of dwelling provision, minimising commuting and achieving a closer relationship between jobs and homes. Chapter 6 of the Core Strategy, “Providing Jobs”, advises that the level of net out-commuting from
Mid-Bedfordshire has long been identified as a weakness in the local economy. The Council’s Employment Land Review (ELR) examined growth in non-B uses and confirmed that the district has a lower level of self-containment than comparable rural local authorities. The Core Strategy plans for an additional 14,000 new jobs by 2021 and 17,000 by 2026. These targets would provide approximately 1 new job per new home, and I consider that they should secure a better relationship in future, helping to slow the growth of net outward commuting. I am satisfied that the targets would be consistent with policies in the EEP and MK&SM Sub-Regional Strategy. Overall, the DPD defines the strategic objectives for employment to 2026 appropriately.

3.146 b. How much development and when? Policy CS9 states that approximately 77 ha. of net additional B1-B8 employment land will be identified for the period 2010-2026. There is an existing supply of some 57 ha. of employment land (at 31 March 2008), and half the jobs growth will occur in non B1-B8 uses such as leisure, retail, tourism and public services with different land requirements. The figure of 77 ha. includes a 50% over-allocation of land to enable choice in terms of size, type and location to developers and occupiers. In view of these factors and having regard for the supporting evidence in the ELR (Docs. TR4, TR5 and TR6), I consider that the target of 77 ha. is robust and sufficiently flexible. The Council proposed changes to paragraphs 6.2.4 and 6.2.7 of the DPD to clarify how the target of 77 ha. was derived, and to provide reassurance that the Council would adopt a supportive approach to meet the needs of new and expanding businesses. I consider that these changes should improve the effectiveness of the document, which need not describe the target for 77ha. as a “minimum”.

3.147 Policy CS9 indicates that the Site Allocations DPD will provide a 5 year supply of employment sites to balance the 5 year supply of housing sites; the supply-demand balance will be reviewed annually through the AMR. However, whilst this reflects the desirable aim of achieving new jobs to keep pace with housing development, it could unduly restrict some potential for job growth and economic development. This would be particularly harmful given the current need for economic recovery. The Consultation Draft for a new Planning Policy Statement: Planning for Prosperous Economies (Draft PPS4) makes no provision for a five year supply requirement. It does, however, in EC4.2, promote planning for new and emerging sectors, and maintaining flexibility on the supply and use of land to accommodate sectors not anticipated in the plan; to allow a quick response to changing economic circumstances. I accept that the markets for housing and employment land provision are complex and dissimilar, and that optimum phasing of housing and employment land provision may not coincide. Employment land may need to be allocated ahead of housing land in some instances and following it (when the new workforce is in place) in others.
3.148 A suggested change to policy CS9 would firstly remove the reference to balancing the 5 year supplies of employment and housing land. This, in my view, would overcome the problem that strict application of the policy could constrain much-needed development. The proposed change would secondly include a broader reference to phasing to reflect the Council’s concern that release of all the land at the same time might flood the market and jeopardise retention of some good established employment sites. I consider that the revised wording should assist in directing development to the most sustainable sites and locations. Policy CS9 should be changed thus to achieve effectiveness in delivering the planned job totals. Supporting text should be added to explain the approach to phasing, monitoring and managing in a new paragraph 6.2.8.

3.149 c. Where? Policy CS10 begins by stating that the Council will safeguard Key Employment Sites to be set out in the Site Allocations DPD (SA DPD). The Council proposed additional text in 6.4.1 and minor amendment to policy CS10 which clarify that the Key Employment Sites are those safeguarded in the Local Plan 2005. I consider that these changes are necessary to demonstrate the starting point for the location of employment sites’ policy.

3.150 The ELR (Doc. TR6) reports on a subsequent assessment of the demand for and supply of employment sites in the former district. The study identified 166 sites which went beyond the Local Plan key or allocated sites, carried out site surveys, desktop assessments, an occupiers’ survey and agents’ survey. A shortlist of 50 sites was drawn up and the sites were rated in terms of their “fitness for purpose”. Tables 11-14 of the ELR provide a categorisation of sites ranging from those recommended and those not recommended for safeguarding in the LDF. On the basis of this evidence, I am satisfied that policy CS10 would not conflict with EC4.1 - 7 of Draft PPS4 which expects site allocations to be reviewed before they are carried forward from one version of the development plan to the next.

3.151 The Council have not concluded which existing sites will continue to be safeguarded pending review for the SA DPD. I have considered whether this amounts to a failure of the Core Strategy to take the tough decision and provide a clear way forward for employment land distribution and allocations. However, the Council argued that it needs to consider in a holistic way the scope in each main settlement and growth area for safeguarding existing and providing new sites before concluding on the portfolio of sites. I have accepted this explanation noting that policy CS10 provides useful guidance and criteria for handling unfit or under-performing key sites and identifying new employment sites.

3.152 Policy CS10 also shows the broad level of employment provision in main settlements and growth areas. The figures, also shown in Table 5, reflect the distribution of new development to provide
homes and jobs which is put forward in Chapter 3 of the DPD. It seems to me that the indicative range of the figures in policy CS10 provides essential guidance for the forthcoming SA DPD, as well as flexibility, and should be retained.

3.153 I make no detailed comment on the distribution, accepting the Council’s argument that if higher figures were introduced, even for the growth areas, this would make the total out of conformity with policy E1 of the EEP. The site of some 30 has at Rookery Pit was described by the Council as one for waste purposes, not for B1-B8 uses, the future of which would be considered in the Waste and Minerals LDF. The Council’s proposed change to paragraph 6.2.7 would enable proposals which might take employment land allocations above the indicative range of a particular settlement to be considered sympathetically. This flexible approach would accord with Draft PPS4, EC4.2 – 1.

3.154 The South East Milton Keynes Consortium advised that the new Plan for Milton Keynes: A Strategy for Growth to 2031 made an estimate of likely employment land provision of 30 has, and some 10-15 has could be located in Central Bedfordshire. Although new jobs created would contribute to the MK Growth Area rather than Mid Bedfordshire, it was argued that policy CS10 or a new policy should make provision for monitoring the delivery of new jobs on this basis. The Council, however, consider that the majority of new employment provision should be made within Milton Keynes’ city boundary. As any employment provision would not count towards the 77 ha target in the Core Strategy, and collaborative work with Milton Keynes Council would be needed to finalise figures following the forthcoming review of the East of England Plan (see paragraph 3.26 above), there is no allowance for it either in Table 5 or Policy CS10. Paragraph 3.12.4 of the DPD, as revised, provides a satisfactory hook for future planning.

3.155 Paragraphs 6.4.2 and 6.4.3 refer to B8 employment and a strong demand for warehousing and distribution near the M1 and A1. There could be some restriction of this type of use, which the Council justified on grounds that B8 use can be very land hungry without providing large numbers of jobs. In my opinion, the sentence in policy CS10 beginning “Sites will be allocated in sustainable locations close to major transport routes that will include a mix of type and scale ....” would offer support for some new B8 uses in sustainable locations. A quality business park close to the A1 is also mentioned in paragraph 6.4.3 and its inclusion in the DPD, ahead of any sustainability appraisal, was questioned. However, the reference is highly generalised and aspirational, and its inclusion could offer encouragement to new investors or businesses, without breaching the requirements of sound planning.

3.156 I conclude that the DPD sets out adequately how much development of the local economy and job provision is intended. As to the “where” question, it leaves the detailed decisions to the SA
DPD. However, with the inclusion of data from Table 5, policy CS10 provides just enough information for a Core Strategy on the direction of future development. With the proposed changes to policy CS9, the approach to phasing (“when”) provides a broad approach of flexible management which should be pursued through the SA DPD.
3.157 d. Rural Economy and Tourism. The Core Strategy should not repeat or reformulate national or regional policy (paragraph 4.30 of PPS12). I have some concern that policy CS11 adds little to PPS7, although I recognise that Mid Bedfordshire is predominantly rural and that the rural economy must be nurtured. The policy includes an element of local distinctiveness in that it highlights the problem surrounding redundant horticultural buildings, and the potential for growth in the emerging tourism industry associated with large scale visitor attractions at NIRAH and Center Parcs. I therefore accept that CS11 provides the necessary context for further development of the rural economy through the SA DPD. Whilst the policy does not explicitly seek the expansion of existing rural businesses, it aims to safeguard existing sites and support diversification. I regard it as sufficiently supportive. Since paragraph 3.8.11 (amended as 3.8.9) informs the reader that NIRAH would include a science research park as well as a visitor attraction, there is no need to repeat the information in this section of the DPD.

3.158 e. Delivery, monitoring and managing. Paragraph 4.4 of PPS12 states that the delivery strategy should be central in a core strategy. The weakness in the local economy of a high level of net out-commuting has already been referenced. The ELR (Doc. TR6) informs that net out commuting increased by 25% between 1991 and 2001. The Council therefore face a huge challenge to increase job creation substantially in order to provide jobs for an expanding population, and slow down if not reverse the established growth in outward commuting. Simply providing an abundance of employment land may not achieve the necessary step change; sites could remain undeveloped especially in view of the current economic downturn. I therefore welcome the Council’s suggested proposed changes to add paragraphs 6.1.4 and 6.1.5 to the DPD. 6.1.4 commits the Council to take a positive and pro-active stance to secure a step change in employment growth, and 6.1.5 refers to collaborative working with private and public sector partners and the Joint Economic Development Strategy. Also, changes are required to Table 5 to correct the figures for Northern Marston Vale so that they accurately reflect the footnote and exclude the 16ha at Wixams which would be located outside the District and within Bedford Borough.

3.159 Section 6.3 addresses the important matter of non-B employment uses. The Council have commissioned work in this area, and the Roger Tym Study (Doc. TR4) has identified potential growth sectors. Paragraphs 6.3.3 and 6.6.3, town centres, outline the intended approach to developing these sectors, whilst recognising that they are difficult to plan for. I am satisfied that this element of the job market has been given proper consideration.

3.160 The Council are a lead member of the Strategic Tourism Advisory Group (STAG) with other Bedfordshire authorities, and hold the budget to implement a number of projects to promote tourism. The Council’s suggested replacement for Annex D (Item 8 in Appendix 1
3.161 **In order to make the DPD sound the following changes shall be made:**

Add new paragraphs 6.1.4 and 6.1.5 and extend paragraph 6.1.6 (paragraph 6.1.4 in the submitted DPD); modify paragraphs 6.2.4 and 6.2.7 and add a new paragraph 6.2.8 as set out under Item 6 in Appendix 1 to this report;

Policy CS9 – Change the second paragraph to read: “In support of this target, approximately 77 hectares of net additional B1-B8 employment land will be identified for the remainder of the period 2010-2026. Land will be allocated through the Site Allocations DPD which will identify whether phasing is required. The AMR will inform when sites should be released to ensure a sufficient range, quantity and quality of land is available to cater for all employment sectors, or identify where there is a demand that cannot be met by available sites.”

Paragraph 6.4.1 – Add a new sentence at the end: “The adopted Local Plan 2005 identified a number of ‘Key Employment Sites’ (listed in policy EMP1 and shown on the Proposals Map) which were to be safeguarded for future employment use. Employment uses on those sites will continue to be safeguarded pending review by the Site Allocations DPD, subject to the provisions of policy CS10 of this DPD.”

Table 5 – Amend the figures for Northern Marston Vale to 16.84* (remaining commitments) and 22.47* (sub-total).

Policy CS10 – Change the first sentence to read “The Council will safeguard for future employment use the Key Employment Sites pending review by the Site Allocations DPD.”

**Matter 7 – Town centres and Retailing. Issue:**

**Whether Policy CS12 should be more specific in order to achieve the objectives set out in paragraph 6.6.3**

3.162 Policy CS12 is very generally worded. It does not provide any clear indication of the scale of new retail provision in the area either for convenience or comparison retail goods. However, the accompanying text makes extensive reference to the retail studies undertaken (Documents TR25 and 26) which have not identified scope for significant expansion of either convenience or comparison shopping provision in the area. I accept that the nature of the settlements in Mid Bedfordshire and the location is such that there
is likely always to be a reliance on higher order centres in surrounding areas (Milton Keynes, Bedford and Stevenage). I do not consider it realistic to plan for increased “claw back” of trade.

3.163 I accept that it is only in Flitwick, where town centre redevelopment proposals have reached an advanced stage, that there is likely to be a significant growth in capacity. This might have been quantified but I accept that in the circumstances this was not deemed necessary. The policy makes specific reference to Stotfold/Arlesey and details are given in the area section. As the Council state, the scale of development in the minor centres will be limited and is most appropriately determined through the Site Allocations DPD. The policy is sound.

Matter 8 - Climate Change. Issues:-

a. the principle that the Core Strategy should be locally distinctive and provide a clear way forward;

b. justification for local requirements, including economic viability of development;

c. coverage of flooding and drainage.

3.164 a. Locally distinctive. One of the key principles in PPS1 is that development plans should contribute to global sustainability by addressing the causes and potential impacts of climate change. Policy CS13 covers a range of matters from renewable energy to sustainable water supply and drainage infrastructure and would not conflict with strategic policies. However, it is debateable whether it adds anything new to national and regional policy, as expected by PPS12, as its coverage is highly general and not locally distinctive.

3.165 The Council contend that the policy includes a selection of actions which make up a package of climate change measures relevant to Mid-Bedfordshire reflecting its characteristics and geographical location. Whilst the carbon-offsetting potential of the Forest of Marston Vale is clearly a local resource and water stress has been identified as a problem for Mid-Bedfordshire by the Environment Agency, I consider that the other features – renewable energy, energy efficiency, waste handling, over-reliance on the private car and flooding – are relevant to most areas of England.

3.166 Even if policy CS13 identifies the main challenges for the former district, it does not advance specific plans or positive local solutions. Whilst paragraph 7.2.4 refers to scope for wind power or biomass energy generation facilities of strategic consequence, the policy does not address how that potential might be realised. However, in my opinion, the broadly aspirational policy CS13 is not so contrary to national policy, unjustified or undeliverable that it needs to be removed. The Council put forward a possible addition to policy CS13 but, whilst the Site Allocations DPD could be referenced, I consider that it should not allude to an unspecified DPD which is not
shown in the LDS. Other than to explain that biodiversity is not covered in this section, I see no advantage in adding paragraph 7.1.3 to the introduction as the Council proposed.

3.167 It is not obvious how policy CS13 links to the development management policies, and there is some overlap and duplication between policy CS13 and policies DM1-4. The start of the core policy itself is written to manage or control development. I recommend changes to remedy these faults. The Council proposed a new paragraph 7.2.16 which will guide the reader to the Development Management Policies. I consider this helpful, but shall not refer to a DPD of uncertain status. It was suggested that paragraphs 7.2.3 to 7.2.5 provide a level of detail which would be better suited to the Development Management section of the report than the CS. I agree and recommend that most of the text together with 7.2.6 is moved to Chapter 10.

3.168 b. Justification and viability. As work on affordable housing has shown, the viability of developments has reduced in the last two years, and raised targets for decentralised or renewable energy or sustainable building are likely to lead to higher costs for housing and other development projects. The Supplement to PPS1 makes clear that viability should be assessed when local requirements or targets are considered. Care should be exercised to ensure that the supply and pace of housing development, and the provision of affordable housing, would not be inhibited by setting unreasonable targets for decentralised or renewable energy or sustainable building. Until the Council has undertaken its own assessments, it is premature and unsound to make references to undefined, local targets and “require” new development to comply. The Council’s proposed change to paragraph 7.2.3 would refer to support from “local evidence”, but this is too vague in my view to secure consistency with paragraphs 26 or 33 of the Supplement to PPS1, or policy ENG1 of the EEP. Policies and text should be changed further to achieve soundness.

3.169 Paragraph 8 of Planning Policy Statement 22: Renewable Energy (PPS22) also requires viability to be addressed. Turning to policy DM1, the 10% target must be re-worded to incorporate more flexibility. I agree that reference to a target of at least 17% by 2020 should be omitted as it derives from policy ENG2 of the EEP which refers to region-wide renewable energy development.

3.170 In paragraph 10.1.3, additional text is proposed to reinforce the important point that a narrow view of ‘on-site’ renewable solutions will not be taken. Policy DM1 should be amended so that it sets out the criteria that will be applied in assessing proposals for renewable energy projects, in accordance with the Key Principles of PPS22. Paragraph 10.1.5 states that noise and traffic resulting from a scheme will be among the factors that the Council will take into account when considering planning applications. These should be covered directly in the policy. In view of the difficulty in defining
renewable energy developments other than small scale ones, the Council suggested that the policy need not differentiate “major” schemes and I consider that this would be a sensible approach.

3.171 Policies DM2 and DM3 support the delivery of buildings which comply with the national standards for reducing carbon emissions from domestic and non-domestic buildings. Although the policies and text refer to local targets, the Council provided no evidence to demonstrate that local circumstances warranted and allowed these. The policies add little to national policy and I recommend that they be reduced to a single policy, and that the wording of supporting text is modified to encourage rather than require local targets.

3.172 Policy DM4 also largely reformulates national and regional policy. Measures for water efficiency in new housing are covered in the “Code for Sustainable Homes”, and BREEAM covers water efficiency in non-residential buildings. Although the vulnerability of the Ivel Valley to flood risk is acknowledged, the proposed requirement for the provision of SUDS in all developments has not been justified by local evidence. There would be a need to demonstrate that financial viability would not be compromised by the ‘requirement’ to provide SUDS in every case. The policy should be amended and included in a new composite policy with DM2 and DM3.

3.173 c. Flooding and drainage. These are considered in section 7.2 on Climate Change and also through the area profiles in the Development Strategy. The Core Strategy is underpinned by a Strategic Flood Risk Assessment carried out in 2007, and I am satisfied that the planning approach has been consistent with PPS25. It is unnecessary to expand coverage within the DPD.

3.174 I conclude that, with the changes shown below, the policies on climate change would be consistent with national and regional policy and sound.

3.175 In order to make the DPD sound the following changes shall be made:-

Add a new paragraph 7.1.3 to read “Biodiversity is not covered specifically in this chapter, as the relationship with climate change is recognised in section 8.6 of the Core Strategy.”

Add a new paragraph 7.2.16 to read “The Development Management Policies provide further detail on the climate change measures set out in Policy CS13. These measures will be carried forward through the Development Management Policies, mandatory targets and other LDF documents, including the Site Allocations DPD, District Wide Design Guide SPD and other local strategies. The Local Delivery Strategy and Planning Obligations Strategy will provide a delivery mechanism.”
Policy CS13. Amended wording so that it reads: “The Council working with other stakeholders will secure new development including new housing……leisure facilities, which incorporate measures to take account of climate change.

Individual targets for new allocated developments may be set through the Site Allocations DPD where these can be justified by local circumstances taking account of economic viability.

The range of measures ..... drainage infrastructure.

The Council will consider positively energy generating proposals with low carbon impact.”

Add a new paragraph to follow paragraph 7.2.2 to read as follows: “The East of England Plan requires new development to be located and designed to optimise its carbon performance. Government policy including the Code for Sustainable Homes and Building Regulations provide the starting-point for more sustainable building. The Council expects these policies to be taken forward through Development Management Policies and through its Site Allocations DPD.”

Delete paragraphs 7.2.3 and 7.2.4.

Move paragraphs 7.2.5 and 7.2.6 to follow paragraph 10.2.1.

Add a new sentence to paragraph 10.1.3 as follows: “…..emissions from development. However, the Council recognises that on-site solutions may not always be feasible or viable. In such cases, the near-site solutions will be considered to allow greater flexibility to the developer and increase the feasibility and viability of renewable energy developments. Medium to large-scale ....”

In paragraph 10.1.5, after first sentence. Insert “Such facilities could include technologies for harnessing photovoltaic energy, solar energy, wind energy, energy crops and biomass. Currently Bedfordshire has landfill gas generators at Arlesey, Brogborough, Stewartby, Elstow and Sundon, but no wind power or biomass energy generation facilities of strategic consequence. It does however have some scope to provide for both. In accordance with PPS22, careful consideration will be given to proposals which could affect the landscape of the Chilterns Area of Outstanding Natural Beauty. In other areas ...” (continue as in submitted DPD “...a scheme that may have an impact ...”

Move the second sentence of paragraph 10.1.5 “Noise....applications” to the end of that paragraph.
Amend the first two sentences of paragraph 10.2.2 to read: “The ‘Code for Sustainable Homes’ which seeks to provide stepped changes in sustainable home building practice measures the sustainability of a home against design categories …..”

Amend Policy DM1 to read as follows: “The Council will consider favourably proposals for renewable energy installations. Proposals should satisfy the following criteria:

- Have good accessibility to the transport network;
- Not be harmful to residential amenity, including noise and visual amenity;
- Be located and designed so as not to compromise the landscape and scenic beauty of the Chilterns AONB;
- In other areas identified through landscape character assessment as having high sensitivity, be located and designed so as to respect the character of the landscape.

Proposals for all new development of more than 10 dwellings or 1,000 sqm of non-residential buildings should contribute to renewable energy targets by incorporating on-site or near-site renewable or low carbon technology energy generation. Developments should achieve 10% or more of their own energy requirements through such sources, unless it can be demonstrated that this would be impracticable or unavailable.”

Amend the first sentence of paragraph 10.2.6 to read as follows: “New housing development will be encouraged to meet or exceed Level 3 of the Code for Sustainable Homes from 2010.”

In the second sentence of paragraph 10.3.4 delete “expected” and substitute “encouraged”.

Amend the first sentence of paragraph 10.3.6 to refer to the “Site Allocations DPD”.

Add a new sentence at the end of paragraph 10.4.4 to read: “There are no mandatory standards in place for non-residential buildings. Water is one of the ten BREEAM standards of sustainability, in which water consumption, re-use and recycling are measured.”

In the first sentence of paragraph 10.4.7 delete “require” and substitute “seek”.

Delete policies DM2, DM3 and DM4 and combine them to form a new policy DM2 to read as follows:
“Policy DM2: Sustainable Construction of New Buildings

All proposals for new development should contribute towards sustainable building principles. Where the minimum standards are not met, evidence will be required to demonstrate why this would not be feasible or viable.

- Future new housing development will be expected to comply with mandatory standards in relation to the Code for Sustainable Homes.
- Non-residential buildings should comply with building regulations. The Council will encourage and support the design and implementation of features that will increase the environmental credentials of a building including green roofs.
- Major developments and developments which will have high water consumption should incorporate measures to minimise their use of ‘white’ water.
- The provision of Sustainable Urban Drainage Systems for the disposal of surface water within and leading from development sites will be expected.”

Issue 9 - The protection and provision of open space. Issues:-

a. compliance with national policy (PPG17) and regional policy (Policy ENV1 of the East of England Plan);
b. affording a clear and justified framework for open space policy in the forthcoming Site Allocations DPD.

3.176 a. Compliance with national and regional policy. Policies CS3, CS17, DM7, DM18 and DM19 and Annex E deal with open space within the broad definition used in PPG17: Planning for Open Space, Sport and Recreation. Policy CS3 seeks to safeguard existing open space, recreation, sports and play facilities, among other things. PPG17 advises that buildings and land for such purposes should not be built upon unless an assessment has been undertaken which has clearly shown that they are surplus to requirements. An Open Space, Sports and Recreational Needs Assessment was undertaken for the Council (Doc. TR15) in 2008, building on the Recreational Open Space Strategy compiled in 2005 (Doc. ASD23). The former includes a typology which largely follows that set out in PPG17 and demonstrates deficiencies in most types of open space across the former district. Against this background, I consider that policy CS3 as a broad statement of intent is justified.

3.177 Policy ENV1 of the EEP expects LDDs to define a multiple hierarchy of green infrastructure and identify where additional green infrastructure is required. Policy CS17 and supporting text confirm that the Bedfordshire and Luton Green Infrastructure Consortium has prepared a Strategic Green Infrastructure Plan and this has informed a Mid-Bedfordshire Green Infrastructure Plan (Doc. TR12)
which will, in turn, help inform Parish level plans. Whilst policy CS17 and the Key Diagram have highlighted the strategic priority areas, more information on priorities at a district level is given in the Area Profiles in Chapter 3. Whilst more detail from TR12 in CS17 would have been beneficial, I accept that there is just sufficient information in the DPD as a whole to take forward ENV1.

3.178 Policy DM18 delegates the choice of locations for new green space to the Green Infrastructure Plan which is not part of the LDF. I consider that the policy should refer instead to the Infrastructure Requirements outlined in the Area Profiles in the earlier part of the DPD. The Council proposed a change to refer to the Planning Obligations Strategy which is SPD, and this together with a reference to the Local Delivery Strategy in paragraph 14.4.4 would usefully provide additional information concerning delivery. However, in changing 14.4.4, I shall avoid conveying any impression that the GI Plan has development plan status.

3.179 b. Framework for the Site Allocations DPD. The Council rely on paragraph 16 of PPG17 for its approach to Important Open Space in settlement envelopes. The review of specific sites identified on the Local Plan Proposals Map will not be undertaken until the Site Allocations DPD is published. However, set against this, the principle of the policy has been considered at Issues and Options Stage of the DPD. A change to the first bullet in policy DM7 would clarify the approach to protection and should be made.

3.180 The relationship of “accessible green space” (policy DM19) to “green infrastructure” (policy DM18) could usefully be clarified, and the sites of strategic importance as well as major visitor sites listed in paragraphs 14.5.3 & 14.5.4 should be shown in the Core Strategy rather than DM section. The text should be moved to new paragraphs ahead of 8.5.5. In order to avoid repetition, paragraphs 14.5.2 - 14.5.4 should be deleted. I recommend accordingly.

3.181 Annex E, Standards for Open Space, is explained in paragraph 4.4.4 and a proposed change would add a reference to it in paragraph 14.5.5. The Annex is highly detailed, and seems premature when new designations have been left for identification in the forthcoming Site Allocations DPD. Although its details have not been subject to a sustainability appraisal, policy CS3 which refers to the Annex, has been. The Annex is evidence-based (Doc. TR15), and has been the subject of public consultation. With its standards for quantity and quality, it should be capable of identifying open space which is or is likely to be over-used. Minor changes agreed with the Greensand Trust would improve clarity and accuracy and I do not oppose them (see Appendix 2). Inclusion of Annex E does not make the DPD unsound.

3.182 Overall, I conclude that these policies concerning open space are compliant with PPG17 and the EEP, and just provide a satisfactory framework for the Site Allocations DPD. Each policy is justified and,
with the changes I recommend, should aid the protection and provision of open space.

3.183 **In order to make the DPD sound the following changes shall be made:-**

*Policy DM7 – replace “The Council will ... refuse planning permission” with “The Council will protect designated Important Open Space within Settlement Envelopes by refusing planning permission where proposals would result in the loss of Important Open Space and this would have an unacceptable adverse impact on its value either in visual or functional terms.”*

*Paragraph 14.4.4 - amend the penultimate sentence to read “The Mid-Bedfordshire Green Infrastructure Plan identifies specific opportunities for enhancement. The Local Delivery Strategy sets out strategic projects and priorities. Developers will be expected to contribute towards GI in accordance with the Infrastructure Requirements for areas in the Spatial Strategy, and with reference to these other documents.”*

*Policy DM18 - amend the first bullet point to read: “will contribute to the provision, extension and maintenance of green infrastructure in accordance with the requirements outlined in the area profiles in Chapter 3 Spatial Strategy, and in accordance with the mechanisms in the Planning Obligations Strategy.”*

*Insert a new sentence at the start of paragraph 14.5.1 to read: “The Green Infrastructure network comprises assets and opportunities from a number of themes: accessible greenspace, access routes, biodiversity, historic environment and landscape.”*

*Delete paragraphs 14.5.2 to 14.5.4 inclusive. The text of paragraph 14.5.3 except for the first sentence and all of paragraph 14.5.4 shall be inserted before paragraph 8.5.5 which shall be amended to begin “The remit of the Strategic GI Plan is to integrate ...”*

*In paragraph 14.5.5 add “Annex E” after “Core Strategy” in line 5.*

**General Matter A – Deliverability Considerations. Issues:**

a. *Are the linkages between the strategic objectives and the policies sufficiently clear?*

b. *Are the delivery mechanisms for each of the policies in the DPD adequately identified?*
c. **Should there be a clearer indication of targets and indicators linked to the monitoring process?**

3.184 a. **Strategic Objectives** Although the Core Strategy includes, as Table 1, a list of the strategic objectives with their intended effect, it is not always clear from references within the body of the document how these objectives relate to the policies. This is necessary to show how the objectives are to be achieved to accord with the guidance in paragraph 4.3 of PPS12. This weakness is remedied by the inclusion of an amended table which includes an extra column to relate the policies to the objectives. This is necessary to make the DPD sound.

3.185 b. **Delivery mechanisms** As stated in PPS12, paragraph 4.1(3) the Core Strategy should include a delivery strategy for achieving the strategic objectives and should show how much development is intended to happen, where, when and by what means it is to be delivered. The central rôle of the delivery strategy is stressed in paragraph 4.3 of PPS12 but, in Mid Bedfordshire, a delivery strategy (*Document SD11*) has been prepared separately and was finalised shortly after submission. It has, however, been available through the examination and has been circulated widely to interested parties. There are frequent references in the document to the delivery strategy (more are suggested) with sections on infrastructure requirements backed up by the Infrastructure Audit.

3.186 Annex D in the submitted document only goes some of the way towards identifying the key delivery agencies and indicators but the expanded version put forward by the Council during the examination includes the policies (as in Table 1) and also identifies targets. I agree that this should be substituted for the original after which Annex D, with its targets, indicators and other information should provide a good framework for implementation, including managing and monitoring delivery and be sound.

3.187 c. **Targets, Indicators and Monitoring process** As I indicate above, the replacement Annex D will strengthen the DPD in its reference to targets and indicators, linked to policies. The advice in paragraph 4.47 of PPS12 is that the Core Strategy should include clear arrangements for monitoring and reporting results to the public. The main avenue for this is through the Annual Monitoring Report and I agree with the Council’s suggestion (SC064) that, to more fully meet the PPS12 advice and thus be sound, an additional reference to the AMR should be made at the end of paragraph 4.2.9.

3.188 **In order to make the DPD sound the following changes shall be made:-**

At pages 13-15 of the DPD replace Table 1 by a revised version as set out under Item 7 in Appendix 1 to this report.
In paragraph 4.2.9, in the first line after "Local Delivery Strategy" insert "and Monitoring Framework". At the end of the paragraph insert "More detailed arrangements for monitoring and reporting results are set out in the Annual Monitoring Report which is produced by the Council."

Replace Annex D to the DPD by a revised version as set out under Item 8 in Appendix 1 to this report.
Minor Matters - Issues:


b. Does policy CS18 together with policy DM17 provide sufficiently positive context for the enhancement of biodiversity in line with national and regional policy?

c. Whether policy DM12 provides adequate or useful guidance on housing mix;

d. The justification for the viability test in policy DM14;

e. Whether policy DM15 is sufficiently locally specific and/or adds to national policy guidance (PPG15);

f. Whether policy DM16 is in line with government policy on carbon offsetting through tree planting;

g. The absence of criteria for the provision of Gypsy and Traveller Accommodation to comply with ODPM Circular 01/2006;

h. Whether the list of existing local plan policies to be superseded by policies in this DPD, as in suggested Annex G (Appendix 1 to this report, Item 9), would ensure that the LDF is effective and/or fully consistent with national policy.

3.189 a. Planning Obligations, Policy CS2 and table 2 The policy states that developer contributions will be expected from any development which would “exacerbate an existing deficiency”. There is, perhaps, a somewhat fine line to be drawn between using development to make good an existing deficiency of provision and relating contributions only to the additional provision required to support the development without which permission would be refused. However, the Council recognise that the policy can only be operated within the terms of national policy. I am sure that unreasonable requests for contributions would be challenged. As it is, I do not find the use of “exacerbate” to be contrary to the spirit of Circular 05/2005. The terms of table 2 are also very wide but I do not see anything in the list which it would definitely be unreasonable to seek a contribution towards provided it is directly related to the development proposed. I consider the policy to be sound.

3.190 b. Biodiversity, Policies CS18 and DM17. Policy CS18 is generally worded to support and enhance biodiversity and I do not see any inconsistency with national or regional policy. The third bullet point in policy DM17 does not suggest that the need to protect or enhance biodiversity will be the exception rather than the
rule although there must be occasions when this provision will not apply. The policies are sound.

3.191 c. **Housing mix, policy DM12.** It is disappointing that this policy does not go further to set more specific requirements for mix but I accept that the evidence base, in the absence of an SHMA, would not support greater prescription. As a criteria based policy it has some added value over and beyond PPS3 guidance and does not conflict with it, thus I consider it sound but only as an interim policy which should be updated following completion of the SHMA. Caution is needed in doing this by way of an SPD (let alone non-statutory guidance notes) as there is likely to be an issue as to the effects on viability.

3.192 d. **The viability test in policy DM14.** Although PPS7 and the draft consultative version of PPS4 suggest a positive stance towards farm diversification and encouragement for commercial and employment related development in the countryside generally, I accept that a degree of caution is called for otherwise the policy might provide an “open door” for changes of use despite the criteria set. I suggest that particular caution would be required for proposals for out-of-centre retail development. I find the policy to be sound.

3.193 e. **Heritage policy DM15.** I accept that the policy does develop PPG15 guidance in respect of registered parks and gardens and the use of Conservation Area Appraisals. The language used is more about the actions the Council intend to take rather than being in a form which might directly enable development management but that does not make it unsound.

3.194 f. **Landscape and Woodland, policy DM16.** My attention has been drawn to the reference to carbon sinks in the PPS1 supplement and, as parts of the area lie within a Community Forest, I accept that the policy is sound.

3.195 g. **Gypsies and travellers** The Core Strategy does not include a criteria based policy as a context for development management policies or to guide the choice of sites in a subsequent DPD. This is a failing and I would normally have looked to the Council to include such a policy to make the DPD sound. However, the Local Development Scheme provides for the preparation of a specific DPD to identify provision for gypsies and travellers. I accept that in these circumstances it would not be in the public interest to delay adoption of the Core Strategy simply to comply with the requirements of the Circular. Nevertheless, it is necessary to amend paragraph 5.2.10 of the DPD to refer to the recent single issue review of the East of England Plan. The last sentence in policy CS5 also needs to reflect this for the DPD to be sound.

3.196 **In order to make the DPD sound paragraph 5.2.10 and the final sentence in policy CS5 shall be amended as set out under Items 1 and 4 in Appendix 1 to this report.**
3.197 h. **Superseded policies** As indicated in paragraph 2.11 above, the Council carried out a further consultation on the list of policies in this DPD which are intended to supersede certain saved local plan policies. This list has to be included in the DPD to meet the regulatory requirements and I have recommended that it be added as a new Annex G.

3.198 I have considered the position with regard to the treatment of green belt safeguarded land at Ampthill and Flitwick under saved policy GBT5 in paragraph 3.62 above.

3.199 The Council have clearly sought to follow national policy, as stated in PPS12, paragraph 4.30, in not seeking to repeat or reformulate national policy. It is not necessary to continue the detailed heritage policies contained in local plan policies A2, CHE11 and CHE13 and I consider that the rather more generalised policy context in DPD policies CS15 and DM15, together with current advice in PPGs15 and 16, provides a sound approach. Although a new PPS15, to replace both PPGs, is only now on consultation I do not see that as a reason to continue in force existing more detailed policies.

3.200 I am satisfied that DPD policy DM5 will provide an equivalent basis for the protection of privacy to local plan policy DPS9. The approach in DPD policy CS3 is somewhat different to that in local plan policy SR2 but the third and fourth bullet points, taken together with policy DM5, should ensure that new sport and leisure facilities are located in the most accessible and sustainable places. I consider that the suggested additional Annex G is sound.

**Concluding comments about the content of the Core Strategy**

3.201 Work on the preparation of this DPD had begun under the 2004 Regulations, before the clarification about the expected content of a Core Strategy which is contained in the 2008 revision of PPS12. This may explain why the Core Strategy contains some policies of a somewhat generalised nature which do not always address the key questions (PPS12, paragraph 4.1) of where, when and by what means, which are so important to the meaningful delivery and effectiveness of the strategy. Indeed, the fact that the Delivery Strategy itself was not complete at submission suggests that the central rôle of this element was not adequately recognised by the Council. The strategy is adequate in indicating where development is to take place but rather vague as to when, other than to suggest that the new allocations will come forward once existing commitments are taken up.

3.202 The evidence base for this DPD is impressively extensive but I have had cause to criticise the approach taken in the strategy of delegation to the forthcoming Site Allocations DPD of decisions on development priorities, in particular the timing of development in the individual settlements. In several instances, which I mention in this report, I consider that the Core Strategy should, ideally, have
contained more specific spatial guidance for the lower level DPDs. However, I have not found the DPD unsound for this reason because a requirement for greater detail to be imported into the Core Strategy would cause delay to the production of the Site Allocations DPD with its importance in housing delivery.

3.203 My only other general comment is on the proposals map. It would seem that the different status of the proposals map within the LDF compared to that under the local plan system may not have been fully appreciated. It was certainly not necessary to produce a fully coloured version at submission stage. I have drawn attention under matter 3B to the inconsistencies which will arise until the map is reviewed again at adoption of the Site Allocations DPD.

4  Overall Conclusion

4.1 I conclude that, with the amendments I recommend, the Mid Bedfordshire Core Strategy and Development Management Policies DPD satisfies the requirements of s20(5) of the 2004 Act and is sound in that it is justified, effective and consistent with national policy in accordance with the guidance in paragraph 4.52 of PPS12.

John R. Mattocks

INSPECTOR

Attached:

Appendix 1 - Full details of the more extensive changes referenced in the main body of the report.

Appendix 2 – Schedule of the Council’s suggested changes to the DPD, as amended by recommendations within the report and appendix 1.