

APPENDIX C: POLICY CONTEXT ANALYSIS

This appendix to the Development Brief provides an analysis of the policy context for the development of the Marston Vale New Villages allocation.

Please note that the policies of the Central Bedfordshire Local Plan presented in this appendix may change as a result of Main Modifications by the Council which will be subject to consultation following the further hearing sessions for the Central Bedfordshire Local Plan Examination undertaken in December 2020.

National Planning Policy

The National Planning Policy Framework (NPPF) (February 2019)

The NPPF was revised in February 2019. It sets the government's economic, environmental and social planning policies for England. The policies of the NPPF are material considerations which should be taken into account in dealing with application from the day of its publication.

The NPPF places an emphasis on the need for a positive approach in plan making and decision taking. To achieve this aim, the NPPF is clear that a positive approach should be taken in decision making:

"Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible." (Para 38)

Plans and decisions should apply a 'presumption in favour of sustainable development' (Para 11). For decision-taking this means "approving development proposals that accord with an up-to-date development plan without delay" or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date granting permission unless there are any adverse effects of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in this Framework.

The NPPF identifies the three dimensions to sustainable development (para. 8), those being economic, social and environmental. The planning system is identified as having a role in each of these dimensions as follows:

Economic: ensuring the right land is available to support growth and innovation and ensuring that investment (including infrastructure) is properly coordinated;

Social: supporting healthy and vibrant communities specifically by providing the supply of housing required to meet the needs of present and future generations;

Environmental: protecting and enhancing the natural, built and historic environment.

At paragraph 59 the NPPF outlines that in order to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed.

The NPPF requires developments that generate significant amounts of movement to be supported by a Transport Statement or Assessment and Travel Plan. In keeping with the positive approach to be adopted in decision making, Paragraph 109 states that: "Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe."

Section 8: Promoting Healthy Communities notes that planning decisions should aim to achieve places which promote opportunities for meetings between members of the community, including mixed use developments and strong neighbourhood centres that bring together those that work, live and play in the vicinity. Planning decisions should plan positively for the provision of community facilities and other local services and ensure an integrated approach to the location of housing, economic uses, community facilities and services (Para 92). Local planning authorities should take a proactive and positive approach to development that will widen choice in education (Para 93). Access to high quality open spaces and opportunities for sport and recreation make an important contribution to the health and wellbeing of communities (Para 96).

Significant emphasis is placed on good design which is a key aspect of sustainable development, helping to create better places in which to live and work and makes development acceptable to communities (Para 124). Inappropriate development should be avoided in areas at risk of flooding by directing development away from areas at highest risk (Para 155).

Central Bedfordshire Local Plan

The Central Bedfordshire Local Plan (CBLP) was submitted to the Secretary of State for examination in April 2018. The CBLP will deliver a minimum of 24,000 jobs and 39,350 homes.

The most relevant policies of the emerging CBLP to the development of the Marston Vale New Villages allocation are set out in summary below:

Policy SP1 – Growth Strategy: indicates that the Council will make provision for about 15,822 net additional dwellings and a minimum of 24,000 new jobs in Central Bedfordshire during the Local Plan period.

Policy SP3 – Generic Requirements for Strategic Sites: states that development proposals brought forward at identified strategic allocations should be accompanied by a comprehensive Development Brief (this document) as well as being based on a series of principles and objectives.

Policy SA2 – Marston Vale New Villages: allocates the land for Marston Vale Villages comprising of a mixed-use development comprising approximately 5,000 dwellings and 30ha of employment land. The policy sets a series of principles that the development must be based upon including providing a dedicated and safe pedestrian and cycle links between new and existing villages as well as maximising opportunities to create Green Infrastructure corridors.

The full wording of Policy SA2 is provided in Appendix B.

Policy H1 – Housing Mix: states that development must include a mix of housing types and sizes in order to meet the needs of all sections of the community based on up-to-date evidence to encourage sustainable, inclusive and mixed communities.

Policy H2 – Housing Standards: states that internal spaces standards will be applied to all new developments. In addition to this the council will require new build housing to deliver at least 35% Category 2 Requirement MA (2) adaptable homes (or any new or revised regulations that revoke or modify the Building Regulations); and at least 5% Category 3, Requirement M4 (3) wheelchair accessible homes (or any new or revised regulations that revoke or modify the Building Regulations).

Policy H3 – Housing for Older People: states that all new residential development will be required to respond to the challenges relating to older people and sets a number of principles such as providing accommodation in suitable and sustainable locations, based on the latest evidence base.

Policy H4 – Affordable Housing: states that qualifying sites of 11 or more units will provide 30% affordable housing that are dispersed throughout the site and integrated with the market housing to promote community cohesion and tenure blindness.

Policy H7 – Self and Custom Build Housing: states the Council will support applications for delivery of serviced plots in suitable locations where they help meet the demand as demonstrated by the Council's Self & Custom Build Register.

Policy T1 – Mitigation of Transport Impacts on the Network: Travel Plans, Travel Plan Statements and Transport Assessments will be required for any development which meets or exceeds the Gross Floor Area thresholds set out in the Council's Guidance. Development proposals must demonstrate how they will seek to reduce the need to travel and secure a modal shift towards sustainable forms of transport.

Policy T2 – Highway Safety and Design: states that all proposals for new development must not have a detrimental effect on highway safety and patterns of movement as well as provide appropriate access in accordance with the relevant standards.

Policy T3 – Parking: states that provision for parking (of new residential development, for commercial development, cycle parking and lorry parking) must adhere to the relevant guidance and standards.

Policy T4 – Public Transport Interchanges: states that development proposals within close proximity to bus and rail interchanges should provide enhanced access in order to encourage more public transport use, cycling and walking, support the viability of services and enhance the vitality of the town centres in which they are located.

Policy T5 – Ultra Low Emission Vehicles: states that new developments (inc. Residential Developments, Employment sites and Other large-scale trip generating uses) will be required to provide charging points to support the provision of Ultra Low Emission Vehicles. The exact amount of provision will be negotiated on a case by case basis until standards are set out in the Local Transport Plan which will then be applied to all qualifying developments.

Policy EE1 – Green Infrastructure: states that all major development must demonstrate a net gain in green infrastructure; linking, enhancing and extending existing green infrastructure assets, and creating new ones.

Policy EE2 – Enhancing biodiversity: states that development proposals should provide a net gain in biodiversity through the enhancement and creation of ecological networks. Development proposals within, or in close proximity to an ecological corridor should enhance the functionality and connectivity of the corridor.

Policy EE3 – Nature conservation: the Council will ensure important habitats and sites of geological and geomorphological interest will be protected, maintained

and enhanced by not permitting development that would adversely affect County Wildlife Sites, Local Nature Reserves, Local Geological or Geomorphological Sites, Protected species, or; Species and habitats of principal importance.

Policy EE4 – Trees, woodlands and hedgerows: states that developers will be expected to include new planting in developments. The policy also outlines a number of Council expectations which include the design of proposed development schemes to incorporate significant tree features, ensure new planting is designed within a green corridor as part of the site's public realm and ensure any development that forms a rural edge will include an effective landscape edge consisting of native tree and hedgerow planting consistent with the local landscape character.

Policy EE5 – Landscape, Character and Value: states that Council recognises the importance of valued landscapes and that all major development proposals will be required to demonstrate how they incorporate landscape enhancement, in accordance with the relevant guidelines.

Policy EE8 – Greensand Ridge Nature Improvement

Area: states that development within the NIA should demonstrate how a biodiversity net gain will be delivered; enhance wildlife networks and increase ecological connectivity; demonstrate how provision is made for species recovery and resilience; and respect the topography and landscape of the NIA.

Policy EE9 – Forest of Marston Vale: states that developments for new buildings within the Forest of Marston Vale will need to deliver 30% tree cover across the development site. This can be achieved by a combination of retaining and protecting existing trees, woodlands and hedgerows within development sites, and the planting of new trees, woodlands and hedgerows within development sites.

Policy EE10 – The Bedford and Milton Keynes Waterway

Park: states that development on the routes of the route of the Bedford and Milton Keynes Waterway Park will be expected to deliver the section of the Waterway Park within the development boundary, incorporating a Waterway channel and 'towpath' for non-motorised users within a multifunctional green corridor.

Policy EE11 – The River and Waterway Network:

development proposals near to the river and waterway network should support the protection, conservation and enhancement of the waterways' and associated environment; promote the waterway and towpath as part of an ecological and open space network for sustainable transport and recreation uses; and promote the waterway as a catalyst for urban regeneration and in support of waterway related enterprise.

Policy EE12 – Public Rights of Way: states that development proposals should protect, enhance and promote the public rights of way network. Development proposals which will affect a right of way will need to submit a rights of way scheme that demonstrates how the development will protect, enhance and promote the public rights of way network, with improvements where necessary to help restore and re-connect it, in line with the Council's 'Public Rights of Way – Standards and Guidance for Development' guidance.

Policy EE13 – Outdoor sport, leisure and open space:

states that on new residential development the Council will require the provision of open spaces and outdoor sports facilities in accordance with the Leisure Strategy standards and facility requirements.

Policy CC1 – Climate Change and Sustainability:

states that the Council requires any new development to be designed to increase its own resilience and the resilience of the surrounding area within the site to climate change. This will be demonstrated through the submission and preparation of an adaptation strategy which will detail the measures that will be taken in order to minimise the developments vulnerability to the impacts of climate change.

Policy CC3 – Flood Risk Management:

states that development proposals will be supported: where it is located in areas at lowest risk of flooding; considers the impacts of the land use and layout on offsite flood risk; makes provision for appropriate surface water runoff management and the area of impermeable surface is minimised.

Policy CC5 – Sustainable Drainage:

the Council expects all development to incorporate SuDS as normal practice, giving priority to naturalistic solutions incorporated into the soft landscape of the development.

Policy HQ1 – High Quality Development:

states that the Council will ensure all new developments are of the highest possible quality and respond positively to their context.

Policy HQ3 – Provision for Social and Community

Infrastructure: states that new housing developments will be required to contribute towards the provision of social and community infrastructure and the Council will work with developers to ensure an integrated approach to the location of housing, economic uses and community facilities and services.

Policy HQ4 – Indoor Sport and Leisure Facilities:

on new residential developments the Council will require the provision of indoor sport and leisure facilities, preferably on site, to have regard to the Leisure Strategy standards and facility requirements and be designed and

constructed in accordance with Sport England facility guidance, together with the facility guidance of the relevant National Governing Body for Sport (NGB).

Policy HQ7 – Public Art: the council requires Public Art appropriate to the scale of development to be provided as part of development that meet or exceed set thresholds (inc. residential development consisting of 100 or more units). All development proposals should take account of the detailed guidance presented in the Central Bedfordshire Design Guide.

Policy HQ9 – Larger Sites: the Council expects larger sites to provide a mix of uses to ensure an integrated approach towards delivery of residential, economic and community uses. Where development exceeds certain thresholds (inc. 300 dwellings) a Development Brief (this document) must be agreed with the Council.

Policy HQ11 – Modern Methods of Construction: the Council seeks to encourage innovation and appropriate use of modern building techniques and as such proposals that embrace such modern methods of construction will be considered favourably.

Policy HE1 – Archaeology and Scheduled Monuments: states that development proposals that affect known archaeological heritage assets or areas which have the potential for archaeological heritage assets must be accompanied by an Archaeological Heritage Statement. Where development proposals will impact upon archaeological heritage assets, where possible, the Council will seek the preservation of those remains in situ. Where preservation in situ cannot be achieved, a scheme of archaeological investigation, recording, analysis and publication (i.e. preservation by record) will be required prior to the completion of the development.

Policy HE3 – Built Heritage: states that development proposals that could affect the significance of Listed Buildings, Conservation Areas and non-designated heritage assets of local importance and/or their setting will only be granted permission where they can uphold the key criteria of the NPPF and are accompanied by the required evidence.

Minerals and Waste

The Minerals and Waste Local Plan: Strategic Sites and Policies (MWLP: SSP) was adopted by the Full Council of all three councils in January 2014: Bedford Borough Council (15 January 2014); Luton Borough Council (21 January 2014); and Central Bedfordshire Council (30 January 2014).

The MWLP: SSP sets out the strategic allocations for mineral extraction and for waste management development in the Plan area together with strategic policies which will guide the ongoing supply of minerals and development of waste management facilities.

The Allocation Site lies within a mineral safeguarding area for Oxford Clay and as such policies MSP11 and MSP12 apply.

Policy MSP11 - Minerals Resource Assessment: Surface development proposals within a Mineral Safeguarding Area (excluding exemptions set out under policy MSP12: Surface Development within a Mineral Safeguarding Area) shall be accompanied by a Minerals Resource Assessment.

Policy MSP12 - Surface Development within a Mineral Safeguarding Area: Surface development will only be permitted within a Mineral Safeguarding Area where it has been demonstrated that; the mineral concerned is proven to be of no economic value as a result of the undertaking of the Mineral Resource Assessment; or the development will not inhibit extraction if required in the future; or there is an overriding need for the development and prior extraction cannot reasonably be undertaken; or the mineral can be extracted prior to the development taking place.

Additional Design Guidance

National Design Guide (Published September 2019)

The Ministry of Housing, Communities & Local Government (MHCLG) published the National Design Guide (NDG) in September 2019. The NPPF makes it clear that creating high quality buildings and places is fundamental to what the planning and development process is. The purpose of the NDG is to illustrate how well-designed places that are beautiful, enduring and successful can be achieved in practice.

The NDG forms part of the Planning Practice Guidance (PPG) and should be read alongside the separate PPG on design process and tools.

The NDG recognises that components for good design include: the context for places and buildings; hard and soft landscape; technical infrastructure – highways etc.; and social infrastructure.

Well-designed places have individual characteristics which work together to create its physical character. The NDG sets out ten characteristics of well-designed places which help to nurture and sustain a sense of community. The ten characteristics also work to positively address environmental issues affecting the climate.

The ten characteristics of well-designed places are:

- **Context** – enhances the surroundings.
- **Identity** – attractive and distinctive.
- **Built form** – a coherent pattern of development.
- **Movement** – accessible and easy to move around.
- **Nature** – enhanced and optimised.
- **Public spaces** – safe, social and inclusive.
- **Uses** – mixed and integrated.
- **Homes and buildings** – functional, healthy and sustainable.
- **Resources** – efficient and resilient.
- **Lifespan** – made to last.

The NDG notes that a National Model Design Guide will be published in due course. This will be a material consideration for both the drafting and determination of future design codes.

Central Bedfordshire Council Development Brief & Design Code Guidance (October 2019)

The Central Bedfordshire Council (CBC) Development Brief & Design Code Guidance (DB&DC Guidance) was prepared by Places Services on behalf of CBC. The purpose of the guidance has been produced to set out the procedure and expected content for all Development Briefs and Design Codes submitted to CBC.

This guidance provides all users with a reference point for producing an appropriate development brief and design code and should be the first point of reference prior to their preparation.

The Development Brief for Marston Vale New Villages had begun prior to the circulation of this guidance and as such this guidance was not available as a reference point prior to its preparation. However, this guidance has informed the ongoing development and evolution of this Development Brief and will inform the development of future Design Codes at the outset.

Design in Central Bedfordshire (Adopted 2014)

Design in Central Bedfordshire, hereinafter referred to as 'the design guide' sets out CBC's key principles and standards to ensure all new development is of the highest quality. It sets out the key principles and standards to ensure the delivery of high-quality design in Central Bedfordshire and the Council's expectations in relation to: layout; street developments; parking provision and home dimensions. The design guide is supported by a suite of other guidance such as; Sustainable Drainage Systems, Local Transport Plans and Strategies and Landscape Character Guidance.

The design guide was adopted on 18 March 2014 as technical guidance for Development Management purposes and remains the most up-to-date local design guide. Only the most pertinent aspects of the design guide that informed the Marston Valley development

proposal are outlined here, for more detail on the evolution of the design please refer to the Design and Access Statement submitted as part of the outline planning application.

Paragraph 1.04.03 – Design Codes: the Council expects design codes to be produced for development of over 400 dwellings to ensure that a uniform vision is realised across a site.

Paragraph 1.09.01 – User Hierarchy: street design should follow a user hierarchy (1. Pedestrians; 2. Cyclists; 3. Public Transport users; 4. Consider last other motor traffic) which recognises both the need to support sustainable modes of travel and the community function of streets as spaces for social interaction.

Paragraph 1.09.02 – Permeability: development proposals should be structured around a layout that minimises travel distances by private vehicles to key facilities and services

Paragraph 1.13.02 – Parking: new developments will be expected to comply with the Council's minimum parking standards which sets minimum provision based on the number of bedrooms proposed.

Paragraph 1.16.01 – Block Structure: emphasises that new housing development should be laid out such that there is a clear distinction between public and private space.

Paragraph 1.17.01 – Areas of Play: new development will be expected to comply with the provision of open space and play areas based on best practice guidance standards set out in the Central Bedfordshire Leisure Strategy.

Paragraph 1.20.01 – Densities: encourages a variation of density across large development as this creates different character and stimulates interest.

Paragraph 5.04.01 – Accessible and Adaptable Homes: states that homes should be designed to be as adaptable as possible, considering that households evolve as the requirements of families and individuals change.

Paragraph 5.06.04 – Gardens and Private Amenity Space: states that the minimum depth for all rear gardens should be 10m to ensure both that suitable levels of privacy are maintained, and that reasonable sized gardens are created. Wider frontage properties will therefore tend to provide larger gardens. Rear gardens for three- and four-bedroom homes should ideally be about 100sqm but generally no less than 60sqm.

Paragraph 5.07.03 – Frontage Conditions and

Setbacks: states that in all but exceptional cases, the frontage should be no less than 0.5 metres (to allow for opening windows, canopies, steps, planting, bins etc) and is unlikely to be more than 6 metres. The preferred approach for larger homes (4-bed plus) that are likely to accommodate children is a minimum 2m setback.

Paragraph 5.14.05 – The Lifetime Homes Principles:

states that the Lifetime Homes concept is based on five overarching principles (1. Inclusivity; 2. Accessibility; 3. Adaptability; 4. Sustainability; and 5. Good Value). These inform and establish the functional basis for the statements of principle that have been introduced for each of the sixteen Lifetime Homes criteria.

Future updates to design guidance must inform future proposals.