



Arlesey Neighbourhood Plan 2016 – 2031

**A report to Central Bedfordshire Council
on the Examination of
the Arlesey Neighbourhood Plan**

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Abbreviations

| | |
|--------------------|--|
| ANP | Arlesey Neighbourhood Plan 2016-2031 |
| ANPSG | Arlesey Neighbourhood Plan Steering Group |
| ATC | Arlesey Town Council |
| BRCC | Bedfordshire Rural Communities Charity |
| CBC | Central Bedfordshire Council |
| CS | Core Strategy and Development Management Policies Development Plan Document 2001-2026 (adopted 2009) |
| SADPD | Central Bedfordshire (North) Site Allocations Development Plan Document (adopted 2011) |
| DCBLP | Draft Central Bedfordshire Local Plan 2015-2035 |
| LPA | Local Planning Authority (CBC) |
| MBLP | Mid Bedfordshire Local Plan (adopted 2005) saved policies |
| NDP | Neighbourhood Development Plan |
| NP | Neighbourhood Plan |
| NPPF | National Planning Policy Framework |
| PPG | Planning Practice Guidance |
| SEA | Strategic Environmental Assessment |
| The Council | Central Bedfordshire Council |
| The Framework | NPPF |
| The Steering Group | Arlesey Neighbourhood Plan Steering Group |
| The Town Council | Arlesey Town Council |

1. Introduction

- 1.1 I have been appointed by Central Bedfordshire Council (CBC), with the consent of Arlesey Town Council (ATC), to carry out the independent examination of the Arlesey Neighbourhood Plan (ANP), in accordance with the relevant legislation¹. My appointment has been facilitated by the Independent Examination Service provided by Trevor Roberts Associates.
- 1.2 As required by the legislation, I am independent of ATC and CBC, I do not have an interest in any land that may be affected by the draft plan, and I have appropriate qualifications and experience. I am a chartered town planner and accredited mediator with wide experience in local and central government and private consultancy.
- 1.3 In carrying out this examination I have visited the locality, unaccompanied, and had regard to the following documents:
- Arlesey Neighbourhood Plan, Submission Version, November 2016
 - Arlesey Neighbourhood Plan, Basic Conditions Statement, November 2016
 - Arlesey Neighbourhood Plan, Consultation Statement, November 2016
 - Background and supporting documentation on the Arlesey Neighbourhood Plan website
 - Individual Representations

¹ Localism Act 2011

Town and Country Planning Act 1990 as amended

Planning and Compulsory Purchase Act 2004 as amended

The Neighbourhood Planning (General) Regulations 2012 as amended

- Core Strategy and Development Management Policies Development Plan Document 2001-2026 (adopted 2009)
- Central Bedfordshire (North) Site Allocations Development Plan Document (adopted 2011)
- Draft Central Bedfordshire Local Plan 2015-2035
- Mid Bedfordshire Local Plan (adopted 2005) saved policies

- 1.4 Representations on the ANP were submitted by Anglian Water, Aylesbury Vale District Council, White Peak Planning on behalf of Bloor Homes, Bedfordshire Rural Communities Charity (BRCC), Ickleford Parish Council, DLP Planning Limited on behalf of Taylor Wimpey UK Limited, Historic England, Natural England, Sport England and four departments of Central Bedfordshire Council. I have taken all these representations fully into account.
- 1.5 Some of the representations express support for various policies or make comments of a very general nature. I make no specific reference to these. I deal with the remaining representations under the appropriate policy headings below. In section 4, below, I list only those policies which require comment, either because of the representations or because I have identified matters which require modification.
- 1.6 Wherever possible, the examination of the issues by the examiner should be by consideration of the written representations. The examiner must cause a hearing to be held where it is necessary to ensure adequate examination of a particular issue, or where it is necessary to give a person a fair chance to put a case². In this instance, the written representations are detailed, coherent, and supported by up to date evidence. In my view it was not necessary for a hearing to be held.
- 1.7 Throughout the process of preparing the ANP during 2015 and 2016 the Arlesey Neighbourhood Plan Steering Group (ANPSG) sought to inform and involve the community. The means of doing so included a public exhibition, leaflets, a website, Facebook pages, magazine articles, posters, surveys and meetings.
- 1.8 It is clear that a great deal of commitment and effort has gone into the production of the ANP, and that it is founded on a desire to protect and enhance the character of the parish.

2. Location and characteristics

- 2.1 The parish has a population of over 5500. Arlesey is a linear settlement, covering around three miles from north to south. It lies in the valley of the River Hiz, set in a landscape characterised by arable farmland, with some woodland and small lakes resulting from mineral extraction. There are ten listed buildings within the parish.

3. The basis for this examination

3.1 *The basic conditions*

- 3.1.1 In brief, the basic conditions which must be met by the ANP are:

- it must have regard to national policy and advice

² Paragraph 9 of Schedule 4B to the Town and Country Planning Act 1990 (as amended)

- it must contribute to the achievement of sustainable development
- it must be in general conformity with the strategic policies in the development plan for the local area
- it must be compatible with EU obligations, including human rights requirements
- it must not have a significant adverse effect on a 'European site' (under the Conservation of Habitats and Species Regulations 2010).

3.1.2 I shall deal in more detail with each of these conditions below.

3.1.3 The examination is meant to be carried out with a 'light touch'. I am not concerned with the 'soundness' of the plan, but whether it meets the basic conditions.

3.1.4 Strategic Environmental Assessment (SEA) Screening was carried out by CBC in 2016, and it was concluded that the ANP is unlikely to have any significant effects upon the environment or upon any European site.

3.2 Other statutory requirements

3.2.1 When submitted to the local planning authority (LPA), a Neighbourhood Development Plan (NDP) should be accompanied by a map or statement identifying the area to which the plan relates, a 'basic conditions statement' explaining how the basic conditions are met, and a 'consultation statement' containing details of those consulted, how they were consulted, their main issues and concerns and how these have been considered and where relevant addressed in the plan.

3.2.2 The ANP contains a map of the area to which the plan relates.

3.2.3 A basic conditions statement was submitted with the ANP.

3.2.4 A consultation statement was submitted with the ANP.

3.2.5 The ANP must meet other legal requirements, including:

- that it is being submitted by a qualifying body (as defined by the legislation)
- that what is being proposed is a NDP as defined in the legislation
- that the ANP states the period for which it is to have effect
- that the policies do not relate to 'excluded development'
- that the proposed ANP does not relate to more than one neighbourhood area
- that there are no other NDPs in place within the neighbourhood area.

3.2.6 The requirements listed in paragraph 3.2.5 have all been met.

3.3 National policy

- 3.3.1 National policy is set out in the National Planning Policy Framework (NPPF).
- 3.3.2 The Framework is supported by web-based Planning Practice Guidance (PPG).
- 3.3.3 I have also borne in mind the Written Ministerial Statement on Neighbourhood Planning (HCWS346) made on 12 December 2016, and the White Paper 'Fixing our broken housing market' of February 2017.

3.4 Existing development plan and proposed new local plan

- 3.4.1 The existing development plan for Arlesey comprises the Core Strategy and Development Management Policies Development Plan Document 2001-2026 (adopted 2009) (CS), the Central Bedfordshire (North) Site Allocations Development Plan Document (adopted 2011) (SADPD), and the saved policies of the Mid Bedfordshire Local Plan (adopted 2005) (MBLP).
- 3.4.2 The Draft Central Bedfordshire Local Plan 2015-2035 (DCBLP) is at a very early stage, having recently been published for consultation.
- 3.4.3 PPG advises that a draft neighbourhood plan is not tested against the policies in an emerging local plan, although the reasoning and evidence informing the local plan process may be relevant to the consideration of the basic conditions against which a neighbourhood plan is tested.
- 3.4.4 Where a neighbourhood plan is brought forward before an up-to-date local plan is in place, the qualifying body and the local planning authority should discuss and aim to agree the relationship between policies in the emerging neighbourhood plan, the emerging local plan and the adopted development plan, with appropriate regard to national policy and guidance.
- 3.4.5 At paragraph 1.3 the ANP recognises that the DCBLP is being prepared, and says that the ANP will be reviewed once the new local plan is in place.
- 3.4.6 Policy MA8 of the adopted SADPD allocates land around Arlesey for a mixed use development (known as Arlesey Cross) including a minimum of 1000 dwellings. A Masterplan has been prepared and adopted by CBC as technical guidance for development management purposes, showing the development of the land in diagrammatic form.
- 3.4.7 The land allocated at Arlesey Cross is clearly far more than is required to meet local housing needs likely to arise in the parish during the NP period (see ANP pages 26-28).
- 3.4.8 The recently published DCBLP identifies land east of Arlesey as one of a number of possible locations for future housing development. The DCBLP says that subject to further assessment of sustainability and deliverability, new development will be planned for at a **selection** (my emphasis) of those locations.
- 3.4.9 The emerging local plan is at a very early stage and there is not sufficient evidence before me to support the conclusion that further development in or around Arlesey (beyond that already committed at Arlesey Cross) is inevitable. It is not safe or reasonable to assume that Arlesey will be one of the locations selected for future residential development, beyond that which is already committed. I deal further with this matter in section 5 below.

4. Policies

4.1 *Policy ARL1: Settlement Boundary*

- 4.1.1 The ANP settlement boundary redraws the settlement envelope shown in the adopted SADPD. White Peak Planning, on behalf of Bloor Homes, say that the ANP settlement boundary should follow the boundary of SADPD Policy MA8 (the Arlesey Cross development area). The ANP settlement boundary excludes two areas of land which fall within the Policy MA8 area shown by the SADPD. The first is an area to the north of Stotfold Road identified as floodplain by the SADPD. The second is an area to the east of the railway line identified by the ANP as a County Wildlife Site. The Masterplan does not show either of these areas as locations for built development, and it therefore seems appropriate to leave them outside the settlement boundary.
- 4.1.2 Two areas of open land identified as recreational facilities lie within the SADPD settlement envelope, but lie outside the ANP settlement boundary. Given the function of the land, this seems appropriate.
- 4.1.3 There are other minor differences between the SADPD settlement envelope and the ANP settlement boundary, but they do not appear to be of consequence.

4.2 *Policy ARL2: Design of Residential Development*

- 4.2.1 As it stands, policy ARL2 allows residential development anywhere within the NP area. Clearly that is not what is intended. In order to express the clear intentions of the ANP, the Policy needs to be modified by the insertion of the words 'Subject to Policy ARL1,' before the first sentence, and I so **recommend**.

4.3 *Policy ARL3: Housing Mix*

- 4.3.1 DLP Planning say that this policy is too restrictive and should be amended to allow for the varying characteristics of individual sites. However, the second sentence of the policy allows for an alternative mix of house types provided that this can be supported by robust and up to date evidence. In my opinion the policy already provides reasonable and sufficient flexibility.
- 4.3.2 CBC's Green Infrastructure Coordinator says that there is a demand for self-build housing in Arlesey. The ANP at paragraph 5.13 says that the plan seeks to support self-build where appropriate, but this statement is not carried forward into the policies and therefore has little force. I **recommend** that Policy ARL3 should be modified by the addition of a third sentence, along the following lines: 'Subject to the other policies of this plan, proposals for self-build housing will be supported'.

4.4 *Policy ARL4: Provision for Cycling and Walking*

- 4.4.1 Policy ARL4 requires two small modifications in the interests of accuracy and clarity. In the fourth paragraph the words 'other vehicular' should be substituted for the word 'vehicle', and in the sixth paragraph, the words 'will be supported' should be deleted, and I so **recommend**.

4.5 Policy ARL5: Improvements to Traffic Pinchpoints

4.5.1 Ickleford Parish Council raise concerns about the impact of the Arlesey Cross development upon traffic conditions in the area. However, the Arlesey Cross development is a complex proposal which is being progressed by means of a Masterplan. The ANP takes as a 'given' the Masterplan and its various proposals for handling the traffic generated by the development. Ickleford Parish Council do not propose any specific modification to the ANP. I see no breach of the basic conditions in the way in which the ANP deals with traffic issues.

4.6 Policy ARL8: Protection and Maintenance of Local Green Spaces

4.6.1 CBC's Green Infrastructure Coordinator criticises the selection of, and the justification for, the Local Green Spaces defined in the ANP.

4.6.2 The NPPF says that local communities, through neighbourhood plans, should be able to identify for special protection green areas of particular importance to them. The Local Green Space designation should only be used: where the green space is in reasonably close proximity to the community it serves; where the green area is demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and where the green area concerned is local in character and is not an extensive tract of land.

4.6.3 The ANP identifies ten Local Green Spaces. Appendix B of the ANP sets out the reasons why each was selected, using precisely the criteria laid down by the NPPF.

4.6.4 PPG says that there are no hard and fast rules about how big a Local Green Space can be because places are different and a degree of judgment will inevitably be needed. Nevertheless, it is clear that Local Green Space designation should only be used where the green area concerned is not an extensive tract of land. Blanket designation of open countryside adjacent to settlements will not be appropriate.

4.6.5 In this instance, the ANP identifies some larger tracts of land on the outskirts of the community as Local Green Spaces. But in my judgement, in the local context they are not extensive tracts nor are they in the open countryside, nor are they unreasonably remote from the local community which they serve. The inclusion of each of the larger sites has been carefully justified in terms of wildlife and recreational value. Overall I conclude that the selection of Local Green Spaces is consistent with national policy and advice.

4.6.6 The term 'Local Green Space' is important in the context of planning policy as it has a precise meaning and confers special protection on the land concerned. It is therefore vital that Figure 7.1 and the proposals maps on pages 68 and 69 of the ANP should use the correct terminology. I therefore **recommend** that the words 'Designated Green Spaces' in the key to Figure 7.1 and the words 'Green spaces' in the keys to the proposals maps on pages 68 and 69 of the ANP be modified to 'Local Green Space'.

4.7 Policy ARL9: Public Open Space

4.7.1 DLP Planning criticise this policy for lack of clarity. As it stands, the policy does not tell a potential developer how much open space, or what types of open space, should be provided within a site of a given size, nor what financial contributions might be expected for off-site provision. Appendix C of the ANP sets out the open space standards for Central Bedfordshire,

but these are expressed in hectares per thousand population, and it is not clear how these figures might be applied to an individual development. It may be that the extent of on-site provision and the level of contributions could only be established by discussion with the LPA. If that is the case, the policy should say so. The policy applies to all 'development proposals'. It is not clear whether that is literally true, or whether the policy is intended to apply only to residential development. I **recommend** that the policy be modified so that it is clear on all of these matters.

4.8 Policy ARL10: Flood Risk Management

- 4.8.1 Paragraph 7.16 contains a typographical error. In the interest of clarity and precision the word 'shows' should be deleted from the first line, and I so **recommend**.
- 4.8.2 CBC's Green Infrastructure Coordinator calls for several modifications to the section of the ANP which deals with flooding. She says that Figure 7.2, a map of watercourses and flood zones, and Figure 7.3, a map of Internal Drainage Board areas, are inaccurate, and that they should be replaced. She says that a map of areas which have flooded should be added. She says that paragraph 7.15 misrepresents national policy on flood zones, and she recommends that a policy should be added specifying floor levels for development in certain areas which are at risk of flooding.
- 4.8.3 In response to my questions on these matters (see Appendix 2 of this Report) CBC and ANPSG have agreed that: Figures 7.2 and 7.3 should be replaced; that a map showing flooding is not necessary; that Paragraph 7.15 should be amended by adding 'Proposals in Zone 2 will need to demonstrate that development is appropriate and submit a Flood Risk Assessment and surface water drainage details to demonstrate that flood risk will not be increased on or off site'; and that it is unnecessary to specify floor levels in the ANP. I so **recommend**. These modifications will ensure that the ANP will meet the basic conditions so far as this Policy is concerned.

4.9 Policy ARL11: Listed Buildings and Buildings or Structures of Character

- 4.9.1 The heading of Appendix D requires correction. It should read 'Sites and Buildings or Structures of Character'. I so **recommend**.

4.10 Policy ARL12: Provision of Sports Facilities

- 4.10.1 The meaning of Paragraphs 9.2 to 9.9 and Policy ARL12 is unclear for a reader with no local knowledge. The first part of the policy appears to be concerned with an 'additional' first school site (presumably that proposed by the Arlesey Cross Masterplan), but there is no map to show where that site might be. The second part of the policy refers to an existing recreation ground and a proposed extension to it. There is a notation on the inset proposals map (page 69 of the ANP) referring to 'possible recreation ground extension'. This in turn adjoins 'green space' (in the interests of accuracy and clarity this should read '**local** green space') number 3, which can be identified as a recreation ground by reference to a separate map on page 42. This is too complex, unclear and inconsistent for a policy document which is intended to become part of the local development plan.
- 4.10.2 The wording of the policy should be made more accurate, and the sites to which it refers should be referenced to the policy and clearly identified on a map or maps, and I so **recommend**.

- 4.10.3 CBC's Head of Estate Management says that the land identified as a possible recreation ground extension is owned by CBC and that it might be allocated by the emerging local plan for uses other than recreation. The proposed alternative uses are not specified. The site is outside the proposed settlement boundary, and as I have concluded elsewhere in this report, there is no need to allocate additional land to meet locally generated housing need. This is not a matter which bears significantly upon my consideration of the basic conditions, and it should be resolved through discussion between CBC as landowner and ANPSG.
- 4.10.4 Sport England welcome the policy but raise a number of very detailed matters in relation to the supporting text and the table of 'Non Policy Actions'. None of these matters has a significant bearing on my consideration of the basic conditions.
- 4.10.5 CBC's Environmental Health Officer raises an issue concerning development management criteria, with which I deal in paragraph 5.11 below.

4.11 Policy ARL13: Provision of Community Facilities

- 4.11.1 In the interest of accuracy and clarity, the words 'the development' should be inserted after the word 'or' in the second sentence, and I so **recommend**.
- 4.11.2 CBC's Environmental Health Officer raises an issue concerning development management criteria, with which I deal in paragraph 5.11 below.

4.12 Policy ARL15: Local Centre Retail

- 4.12.1 CBC's Environmental Health Officer raises an issue concerning development management criteria, with which I deal in paragraph 5.11 below.

4.13 Policy ARL16: Small-scale Commercial Development

- 4.13.1 CBC's Environmental Health Officer raises an issue concerning development management criteria, with which I deal in paragraph 5.11 below.

5. Other matters

- 5.1 DLP Planning, on behalf of Taylor Wimpey UK Limited, submit a proposal for around 70 dwellings on land between the High Street and the proposed Arlesey Cross development site. The land in question lies within the settlement boundary proposed by the ANP. In short, DLP argue (with reference to the DCBLP, NPPF, PPG, the Written Ministerial Statement on Neighbourhood Planning and the housing White Paper) that by not identifying this site (or any others apart from Arlesey Cross) for development, the ANP has not been 'positively prepared' as required by the NPPF, has not addressed the future housing need of the area, and is not promoting sustainable development.
- 5.2 PPG says that neighbourhood plans should consider providing indicative delivery timetables, and allocating reserve sites to ensure that emerging evidence of housing need is addressed, in order to minimise potential conflicts and ensure that policies in the neighbourhood plan are not overridden by a new local plan. The land allocated at Arlesey Cross is clearly far more than is required to meet local housing needs likely to arise in the parish during the NP period (see ANP pages 26-28).

- 5.3 The recently published DCBLP identifies land east of Arlesey as one of a number of possible locations for future housing development. The DCBLP says that subject to further assessment of sustainability and deliverability, new development will be planned for at a **selection** (my emphasis) of those locations. DLP Planning say that it is reasonable to assume that Arlesey will be subject to additional housing allocations in the emerging local plan.
- 5.4 However, in this case the emerging local plan is at a very early stage and there is not sufficient evidence before me to support the conclusion that further development in or around Arlesey (beyond that already committed at Arlesey Cross) is inevitable. For this reason I conclude that the absence of specific housing land allocations in the ANP (beyond Arlesey Cross) does not constitute a breach of the basic conditions.
- 5.5 Policy ARL1 says that development proposals within the settlement boundary will be supported subject to compliance with other policies in the development plan. That suggests that housing on the Taylor Wimpey site might be acceptable in principle, and that its development might be secured through the planning application process. There are, however, many issues to consider in such a process, such as the means of access to the site. Whilst DLP submit an access feasibility study, and whilst the traffic generated by the development might be acceptable in terms of highway capacity and safety, there are also issues of amenity to be considered. The detailed consideration of this proposal is far beyond the scope of my examination, and in any event a modification of the ANP of this significance would, in the interests of fairness and openness, require further public consultation. For the above reasons I conclude that the ANP should not be modified by the allocation of this site for housing.
- 5.6 White Peak Planning, on behalf of Bloor Homes, propose a modification to Objective 3 of the ANP (set out on page 16). Their planning application CB/16/01211/FULL, currently before CBC for determination, includes an 85 unit Extra Care Facility which, if the application is approved, will meet the affordable housing requirement for the development. As currently drafted Objective 3 says that affordable housing should be dispersed throughout large developments rather than [being] clustered together. Whilst this is a laudable objective, it would prohibit the Extra Care Facility, which for obvious reasons needs to cluster the housing units in order to fulfil its function. I therefore **recommend** that Objective 3 be modified to read: 'New development should meet the needs of the community as a whole with affordable housing dispersed throughout large developments rather than being clustered together, except in the case of Extra Care Facilities which contribute to the affordable housing requirement'.
- 5.7 The modifications which I have recommended need to be incorporated in Appendix G of the ANP, which repeats (rather than 'summarises') the policies of the plan.
- 5.8 Furthermore, page xxxviii of Appendix G contains an error which needs to be corrected. 'RL10' should read 'ARL10', and I so **recommend**.
- 5.9 In the interests of clarity, I **recommend** that in Paragraph 1.6 of the ANP, 'contiguous' (which means 'touching') should be changed to 'coterminous' or 'the same as'.
- 5.10 I find some of the maps difficult to read. The text is very small and there is insufficient distinction between the colours of the very thin lines used on most of the maps. The maps might be sufficient for the purposes of someone familiar with the locality, but in my opinion they lack clarity for others who wish to understand, interpret and apply the policies in the plan. I shall not make this a formal recommendation, but I strongly urge that the matter be addressed.

- 5.11 CBC's Environmental Health Officer sets out various matters (noise pollution, light pollution, anti-social behaviour, odour, and fumes) which need to be addressed when considering planning applications for sports facilities, community facilities, retail facilities and small scale commercial development. Policy ARL2 ('Design of Residential Development') contains a criterion covering such matters, but Policies ARL12, ARL13, ARL15 and ARL16 do not. I do not think that this issue bears significantly on my consideration of the basic conditions, but I can see that there is a question of consistency between the level of detail in the Policies mentioned. I therefore **recommend** that CBC and ANPSG should discuss this issue and decide whether to add criteria covering the above matters to Policies ARL12, ARL13, ARL15 and ARL16.
- 5.12 Paragraph 1.9 of the ANP deals with local planning policy, but appears under the heading of 'National Policy'. In the interests of clarity and precision, a new sub-heading, 'Local policy', should be inserted before paragraph 1.9 and I so **recommend**.
- 5.13 Paragraph 1.9 is inaccurate, and should be replaced by the following: 'The existing development plan for Arlesey comprises the Core Strategy and Development Management Policies Development Plan Document 2001-2026 (adopted 2009), the Central Bedfordshire (North) Site Allocations Development Plan Document (adopted 2011), and the saved policies of the Mid Bedfordshire Local Plan (adopted 2005). The Draft Central Bedfordshire Local Plan 2015-2035 is at a very early stage, having recently been published for consultation.' I so **recommend**.
- 5.14 Bedfordshire Rural Communities Charity (BRCC) call for a policy allowing exception sites for affordable homes. In response to my question on this matter (see Appendix 2 of this Report) CBC and ANPSG have agreed that whilst the Housing Needs Survey 2015 (carried out by BRCC) identified a need for both affordable and market housing, this new housing will be provided through the existing Arlesey Cross allocation. They say that policy on exception sites is to be found in national and existing local policy, and that a policy is not required in the Neighbourhood Plan. In my opinion there is little to be gained by repeating the existing local plan policy in the ANP. For the above reasons I conclude that the ANP should not be modified in this respect.

6. Conclusions on the basic conditions

- 6.1 For the reasons set out above, I conclude that, subject to my recommended modifications, the ANP has appropriate regard to national policy and advice.
- 6.2 There is no evidence before me to suggest that the ANP is not in general conformity with any saved strategic policies of the development plan for the local area which are not out of date.
- 6.3 The ANP will in my view contribute to the achievement of sustainable development.
- 6.4 There is no evidence before me to suggest that the ANP is not compatible with EU obligations, including human rights requirements.
- 6.5 There is no evidence before me to suggest that the ANP has any significant adverse effect on a 'European site' (under the Conservation of Habitats and Species Regulations 2010).

7. Formal recommendation

- 7.1 I have concluded that, provided that the recommendations set out above are followed, the ANP would meet the basic conditions.
- 7.2 I therefore recommend that the ANP, as modified, should proceed to a referendum.
- 7.3 There is no evidence to suggest that the area of the referendum should be anything other than the Neighbourhood Plan Area, as defined by the map on page 2 of the ANP.

Brian Dodd

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7 September 2017

APPENDIX 1 – SUMMARY TABLE OF RECOMMENDATIONS

| Examiner's report paragraph | ANP reference | Recommendation |
|-----------------------------|---|---|
| 4.2.1 | Policy ARL2 and Appendix G | Insert the words 'Subject to Policy ARL1,' before the first sentence of Policy ARL2 |
| 4.3.2 | Policy ARL3 and Appendix G | Add a third sentence, along the following lines, to Policy ARL3: 'Subject to the other policies of this plan, proposals for self-build housing will be supported'. |
| 4.4.1 | Policy ARL4 and Appendix G | In the fourth paragraph the words 'other vehicular' should be substituted for the word 'vehicle', and in the sixth paragraph, the words 'will be supported' should be deleted. |
| 4.6.6 | Figure 7.1 | Change 'Designated Green Spaces' to 'Local Green Space'. |
| 4.6.6 | Proposals maps, pages 68 and 69 | Change 'Green spaces' to 'Local Green Space'. |
| 4.7.1 | Policy ARL9 and Appendix G | Modify the policy as set out in paragraph 4.7.1 of this report. |
| 4.8.1 | Paragraph 7.16 | Delete 'shows' from the first line. |
| 4.8.3 | Figure 7.2, page 46, and Figure 7.3, page 47. | Figures 7.2 and 7.3 should be replaced; |
| 4.8.3 | Paragraph 7.15 | Paragraph 7.15 should be amended by adding 'Proposals in Zone 2 will need to demonstrate that development is appropriate and submit a Flood Risk Assessment and surface water drainage details to demonstrate that flood risk will not be increased on or off site'. |
| 4.9.1 | Appendix D | Change heading to read 'Sites and Buildings or Structures of Character'. |
| 4.10.2 | Policy ARL12 and Appendix G | The wording of the policy should be made more accurate, and the sites to which it refers should be referenced to the policy and clearly identified on a map or maps. |
| 4.11.1 | Policy ARL13 and Appendix G | The words 'the development' should be inserted after the word 'or' in the second sentence. |
| 5.6 | Objective 3, page 16 | Modify Objective 3 to read: 'New development should meet the needs of the community as a whole with affordable housing dispersed throughout large developments rather than being clustered together, except in the case of Extra Care Facilities which contribute to the affordable housing requirement'. |
| 5.8 | Appendix G, Page xxxviii | 'RL10' should read 'ARL10'. |
| 5.9 | Paragraph 1.6 | In the interests of clarity, 'contiguous' should be changed to 'coterminous' or 'the same as'. |
| 5.11 | Policies ARL12, ARL13, ARL15 and ARL16 and Appendix G | CBC and ANPSG should discuss and decide whether to add criteria covering environmental health matters to Policies ARL12, ARL13, ARL15 and ARL16. |
| 5.12 | Paragraph 1.9 | Insert a sub-heading, 'Local policy', before paragraph 1.9. |

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| 5.13 | Paragraph 1.9 | <p>Replace the text with the following: ‘The existing development plan for Arlesey comprises the Core Strategy and Development Management Policies Development Plan Document 2001-2026 (adopted 2009), the Central Bedfordshire (North) Site Allocations Development Plan Document (adopted 2011), and the saved policies of the Mid Bedfordshire Local Plan (adopted 2005). The Draft Central Bedfordshire Local Plan 2015-2035 is at a very early stage, having recently been published for consultation.’</p> |

APPENDIX 2

EXAMINER'S QUESTIONS AND CBC/ANPSG AGREED RESPONSES

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| EQ1. | Policy MA8 of the adopted SADPD allocates land around Arlesey for a mixed use development (known as Arlesey Cross) including a minimum of 1000 dwellings. A Masterplan has been prepared and adopted by CBC as technical guidance for development management purposes, showing the development of the land in diagrammatic form. Is this factually correct? |
| RESPONSE | <i>Yes, this is correct.</i> |
| EQ2. | The ANP settlement boundary redraws the settlement envelope shown in the adopted SADPD. The ANP settlement boundary appears to exclude two areas of land which fall within the Policy MA8 area shown by the SADPD. The first is an area to the north of Stotfold Road identified as floodplain by the SADPD. The second is an area to the east of the railway line identified by the ANP as a County Wildlife Site. The Arlesey Cross Masterplan does not show either of these areas as locations for built development. Is this factually correct? |
| RESPONSE | <i>Yes, this is correct.</i> |
| EQ3. | Two areas of open land identified as recreational facilities lie within the SADPD settlement envelope, but lie outside the ANP settlement boundary. Is this factually correct? |
| RESPONSE | <i>Yes, this is correct.</i> |
| EQ4. | The recently published DCBLP identifies land east of Arlesey as one of a number of possible locations for future housing development. The DCBLP says that subject to further assessment of sustainability and deliverability, new development will be planned for at a selection (my emphasis) of those locations. Is this factually correct, and is it the most up-to date position? |
| RESPONSE | <i>Yes, this is correct.</i> |
| EQ5. | Have CBC and ANPSG discussed the emerging local plan, and in particular whether it would be appropriate for the ANP to allocate land for housing, in addition to that already allocated for Arlesey Cross? If there were discussions, what was the outcome? |
| RESPONSE | <p><i>One of the objectives of the ANP is that new development should “meet the needs of the community as a whole, with affordable housing dispersed throughout large developments rather than clustered together”.</i></p> <p><i>As part of the preparation for the neighbourhood plan, Arlesey commissioned a Housing Needs Survey which was undertaken in mid-2015. This illustrated that over the course of Plan, the likely need for affordable housing, measured at that point, was for an additional 46 units and the likely need for market housing was an additional 35 units.</i></p> |

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| | <p><i>The Arlesey Cross development will deliver a minimum of 1,000 new homes, 30% of which are likely to be affordable (circa 300 units), as per CBC policy. This is clearly more than enough to meet the proposed local housing need as measured through the Housing Needs Survey and also contributes to the wider strategic housing need across the CBC area.</i></p> <p><i>It is worth noting that extensive community engagement took place to inform the ANP process and residents consistently stated that it is important to retain the existing character – defined by its size and design – of the town. Clearly the Arlesey Cross development will impact greatly on this, which is why the ANPSG engaged strongly with the team working on the Masterplan to ensure that the community could input into its design and the emerging facilities being provided through the scheme.</i></p> <p><i>Following the Regulation 14 consultation, the revised ANP was submitted to CBC in December 2016 in order to progress to Regulation 16, which has been completed. It was felt that the position reached on housing development in Arlesey within the ANP was sufficient both to meet local housing need and bearing in mind the strategic housing need, which was to be partly addressed by Arlesey Cross.</i></p> <p><i>The new draft Central Bedfordshire Local Plan was available for the first time in July 2017. It sets out a need for a greater number of dwellings than proposed in the existing Plan. It proposes five scenarios that would deliver the needed growth, one of which includes a potential strategic site in Arlesey parish. These scenarios are currently being consulted on.</i></p> <p><i>The draft Local Plan also discusses the role of Neighbourhood Planning with an emphasis on any housing coming forward via that route as being ‘windfall’ and essentially with a focus on addressing local need.</i></p> <p><i>Because the Arlesey Cross development will deliver well beyond the identified local housing need for Arlesey, the ANPSG do not consider that including small sites in the ANP would be necessary to deliver against local need as local need is met. Nor would it contribute significantly to the wider strategic housing need of CBC, hence the use of the term ‘windfall’ for neighbourhood planning sites.</i></p> <p><i>Therefore, the group are content with the existing housing numbers within Arlesey which include the Arlesey Cross site.</i></p> <p><i>However, they remain aware that the option of a further strategic allocation within the parish is being considered, but that this would be too large to fall within the remit of the ANP. The emphasis, should this happen, would be on engaging with the developer to ensure that any development is complementary to what exists already.</i></p> |
| EQ6. | <p>CBC’s Green Infrastructure Coordinator calls for several modifications to the section of the ANP which deals with flooding.</p> |

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| | <ul style="list-style-type: none"> • She says that Figure 7.2, a map of watercourses and flood zones, and Figure 7.3, a map of Internal Drainage Board areas, are inaccurate, and that they should be replaced. • She says that a map of areas which have flooded should be added. • She says that paragraph 7.15 misrepresents national policy on flood zones. • She recommends that a policy should be added specifying floor levels for development in certain areas which are at risk of flooding. <p>These are technical matters which require discussion and agreement between the CBC and ANPSG. In the absence of any response from ANPSG the examiner is not in a position to determine whether the suggested modifications are necessary, and in particular, whether national policy and guidance has been misrepresented.</p> <p>The Examiner requests that CBC and ANPSG resolve these issues and submit an agreed response to him.</p> <p>If the parties are unable to agree, a hearing might be required in order for the Examiner to understand the parties' positions, and to reach reasoned conclusions upon the matters raised.</p> |
| RESPONSE | <ul style="list-style-type: none"> • <i>Figures 7.2 and 7.3 should be replaced with the attached maps.</i> • <i>Whilst a map showing flooding would be useful, it is not necessary for it to be provided.</i> • <i>Paragraph 7.15 is very brief and incomplete and does not explain national policy. However, it is not incorrect and could be amended simply by adding an additional sentence at the end: 'Proposals in zone 2 will need to demonstrate [that] development is appropriate and submit [a] Flood Risk Assessment and surface water drainage details to demonstrate [that] flood risk will not be increased on or off site.'</i> • <i>Specifying floor levels is already in the NPPF guidance and therefore a policy does not need to be included. This NP does not allocate land for housing so it is not necessary.</i> |
| EQ7. | <p>BRCC call for a policy allowing exception sites for affordable homes. What is the CBC and ANPSG response to this suggestion?</p> |
| RESPONSE | <p><i>Whilst the 2015 Housing Needs Survey (carried out by BRCC) identified a need for both affordable and market housing, this new housing will be provided through the Arlesey Cross large allocation. 'Exception sites' by their very nature are exceptions to policy and therefore a policy is not required in the Neighbourhood Plan. These are provided for by national and CBC policy.</i></p> |