



BEDFORD  
BOROUGH COUNCIL

# Bedford Borough Council Oakley Neighbourhood Plan POST- EXAMINATION DECISION STATEMENT

## **Regulation 18 of the Neighbourhood Planning (General) Regulations 2012 (as amended)**

This document is the decision statement required to be prepared under Regulation 18(2) of the Neighbourhood Planning Regulations 2012 (as amended). It sets out the response of Bedford Borough Council (“the Council”) to each of the recommendations contained within the independent examination report of the Oakley Neighbourhood Plan (“the Plan”) by independent examiner Ms W Burden BA(Hons) DipTP MRTPI, which was received by the Council on 12<sup>th</sup> November 2019.

This decision statement, the independent examiner’s report and the submission version of the Oakley Neighbourhood Plan and supporting documents can be viewed on the [neighbourhood planning pages](#) of the Council’s website.

Paper copies of this decision statement and the independent examiner’s report can be viewed at the following locations during normal opening hours:

- Customer Service Centre, Horne Lane, Bedford
- Bedford Central Library, Harpur St, Bedford

## BACKGROUND

Under the Town and Country Planning Act 1990 (as amended), the Council has a statutory duty to assist communities in the preparation of neighbourhood plans and to take plans through a process of examination and referendum. The Localism Act 2011 (Part 6, Chapter 3) sets out the Local Planning Authority's neighbourhood planning responsibilities.

This statement confirms that the modifications proposed in the examiner's report have been considered and accepted and that subject to making the recommended modifications (and other minor modifications) the Oakley Neighbourhood Plan may now be submitted to referendum.

The Oakley Neighbourhood Plan relates to the area that was designated by the Council as a Neighbourhood Area on 14<sup>th</sup> November 2013. This area is coterminous with the boundary of the parish of Oakley and is entirely within the Local Planning Authority's area.

Between 19<sup>th</sup> September and 31<sup>st</sup> October 2018 Oakley Parish Council undertook consultation on the draft Plan in accordance with Regulation 14.

Following the submission of the Oakley Neighbourhood Plan to the Council in April 2019, the Council publicised the draft Plan for a six-week period and representations were invited in accordance with Regulation 16. This consultation took place between 12<sup>th</sup> June 2019 and 25<sup>th</sup> July 2019.

## INDEPENDENT EXAMINATION

The Council appointed Ms Wendy Burden BA(Hons) DipTP MRTPI, with the agreement of Oakley Parish Council, to undertake the independent examination of the Oakley Neighbourhood Plan and to prepare a report of the independent examination.

The examiner examined the Plan by way of written representations supported by an unaccompanied site visit of the Neighbourhood Plan Area on 2<sup>nd</sup> and 3<sup>rd</sup> September 2019.

The examiner's report was formally received by the Council on 12<sup>th</sup> November 2019. The report concludes that subject to making the modifications recommended by the examiner, the Plan meets the basic conditions set out in the legislation and should proceed

to referendum. The examiner also recommends that the referendum area should be the same as the designated Neighbourhood Area, which is the same as the administrative boundary for Oakley parish.

Following receipt of the examiner's report, legislation requires that the Council considers each of the modifications recommended, the reasons for them, and decides what action to take. The Council is also required to consider whether to extend the area to be covered by the referendum.

## DECISION AND REASONS

Having considered each of the recommendations made in the examiner's report and the reasons for them, the Council has decided to accept all of the examiner's recommended modifications to the draft Plan. These are set out in Table 1 below.

The Council considers that, subject to the modifications being made to the Plan as set out in Table 1 below, the Oakley Neighbourhood Plan meets the basic conditions explained in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990 (as amended), is compatible with the Human Rights Convention and that the requirements of paragraph 8(1) of Schedule 4B to the Town and Country Planning Act 1990 (as amended) have been met.

The examiner recommended that the Plan should proceed to a referendum based on the designated Neighbourhood Area. The Council has considered this recommendation and the reasons for it, and has decided to accept it. The referendum area for the final Oakley Neighbourhood Plan will therefore be based on the designated Oakley Parish Neighbourhood Area.

These decisions were made by the Mayor on behalf of the Council's Executive on the 6<sup>th</sup> December 2019.

As a consequence of the required modifications, the Council will alter the Oakley Neighbourhood Plan in order that it can proceed to referendum.

The Neighbourhood Plan document will be re-titled **Referendum Version**. The date for the referendum and further details will be publicised shortly once a date is set by the Council.

### **Table 1: Decisions on the Examiner's Recommended Modifications to the Oakley Neighbourhood Plan**

<b>Proposed Modification Number</b>	<b>Oakley Neighbourhood Plan Reference</b>	<b>Examiner's Report Reference</b>	<b>Recommended Modification and Reason</b>	<b>Bedford Borough Council Decision/reasoning</b>
PM1	Pages: 15-16, 22, 26, 32-33, 37-38, 41	Page 20	Delete all quotations of the NPPF. Replace with a reference to the relevant paragraph number of the NPPF.	Agree with the modification for the reasons set out in the examiner's report
PM2	Page 22	Page 20	Delete the quotation from BBC's CSRI, and replace "states" in the preceding paragraph by "are relevant".	Agree with the modification for the reasons set out in the examiner's report
PM3	All references to the NPPF	Page 20	Refer to "NPPF 2019".	Agree with the modification for the reasons set out in the examiner's report
No PM4				
PM5	Page 12 Para 5.22	Page 20	Delete final sentence on page 11.  Insert: "The Parish Council will look very closely at any proposed developments in the village and the impact on the sewerage capacity."	Agree with the modifications for the reasons set out in the examiner's report
PM6	Page 11 Para 5.15	Page 20	Delete: "For that reason, no new organisations or expansions to existing organisations requiring additional parking should be permitted if they require access in and out of the village or are likely to increase the volume of traffic within it."  Insert: "In considering proposals for new organisations or the expansion of existing organisations which require additional parking and access through the village, the impact of the proposal	Agree with the modification for the reasons set out in the examiner's report

			on traffic congestion and parking will be an important consideration to be weighed against any economic or social benefits.”	
PM7	Pages 19- 20 Policy HG1  After para 8.42	Page 20	<p>Delete Policy HG1 from “<b>This policy—</b>”.</p> <p>Replace as follows:</p> <p><b>To help meet the requirement for new housing within Oakley the following sites are allocated for residential development:</b></p> <ul style="list-style-type: none"> <li>• <b>Land at Station Road to accommodate about 30 dwellings (Site 170)</b></li> <li>• <b>Land to the rear of High Street to accommodate about 10 dwellings (Site 171)</b></li> </ul> <p><b>Planning applications for the development of these allocated sites should have regard to the Housing Site Design Brief set out in Annex 4. In addition to the allocated sites, housing development will be supported on sites located within the Settlement Policy Area and where it would not cause harmful impact on the adjoining rural area.</b></p> <p><b>Housing development outside of the Settlement Policy Area will be supported where it meets all the following requirements:</b></p> <ul style="list-style-type: none"> <li>• <b>It would comprise infill development within an existing housing row or cluster;</b></li> </ul>	Agree with the modification for the reasons set out in the examiner’s report

			<ul style="list-style-type: none"> <li>• It would complement the existing housing and not lead to any harmful change to the established character of the locality;</li> <li>• It would result in existing housing or the proposed housing having adequate garden space to support outdoor seating, drying of clothes, play and other typical garden uses; and</li> <li>• It would avoid the creation of further linear or ribbon development along roads in and around the settlement.</li> </ul> <p>Proposals to bring forward sites as an exception to this policy will be dealt with in accordance with the relevant policies of the Bedford Borough Council Development Plan.</p>	
PM8	Page 21 Policy HG2 After para 8.43	Pages 21 and 22	Delete paragraph 3.	Agree with the modification for the reasons set out in the examiner's report
PM9	Page 23 Policy BE1 After para 8.54	Page 22	Delete Policy BE1 from " <b>Business (B1)</b> ". Insert: <b>Employment development (as defined by Use Class B1, B2 and B8 of the General Development Order) will be supported in the following locations:</b> <ul style="list-style-type: none"> <li>• <b>Within the Highfield Park, Willow Vale and Station Road business parks.</b></li> </ul>	Agree with the modification for the reasons set out in the examiner's report

			<ul style="list-style-type: none"> <li>• <b>Within existing business or industrial sites.</b></li> </ul> <p><b>Providing there is no significant harm to the amenities of nearby residents or to local landscape and rural character; and</b></p> <p><b>Subject to an assessment of the impact of any new employment development on the highway network to demonstrate that the proposals would not result in any unacceptable increase in traffic congestion, noise or vibration and would not cause harm to road safety or the air quality of residents.”</b></p>	
PM10	<p>Page 29-30</p> <p>Policy ONP LE1 and Map page 30</p> <p>After para 8.73</p>	Page 22	<p>Insert “<b>locally</b>” before “<b>significant</b>” in the heading, the policy wording, the supporting text and the key and title of the Map.</p> <p>In the third paragraph delete “<b>must preserve</b>”.</p> <p>Insert “<b>should contribute to</b>”.</p> <p>List the locally significant landscape areas in the policy by number then identify each numbered area on the Map page 30, and ensure any arrows indicating locally significant landscape views are within the boundary of the NP.</p>	Agree with the modification for the reasons set out in the examiner’s report
PM11	<p>Pages 41-46</p> <p>Para 9.3 onwards</p>	Pages 22 and 23	Amend the NPPF paragraph reference on page 43 from 77 to 100.	Agree with the modification for the reasons set out in the examiner’s report

	Plan page 42		<p>Delete Sites 7, 8, 9 and 10 from the list of LGS designations.</p> <p>Modify Site 5 by extending the area designated as LGS to that shown as Village Open Space M1 on the Bedford Borough Council ADLP.</p> <p>Amend the map on page 44 to reflect the deletions of LGS 7, 8, 9 and 10 and the change to LGS5.</p>	
PM12	<p>Pages 31-32</p> <p>Policy ONP LE3</p> <p>Text page 31</p> <p>After para 8.78</p> <p>Map page 31</p>	Page 23	<p>Policy ONP LE3</p> <p>Delete after “<b>and</b>” and insert “<b>the village of Clapham</b>”.</p> <p>Amend the last paragraph on page 31 as follows:</p> <p>Delete “<b>s</b>” from landscapes in the first line.</p> <p>After “<b>Clapham</b>” delete “, <b>Bromham, Stevington and Pavenham</b>”.</p> <p>After “<b>Oakley Village and</b>”, delete “<b>the other nearby villages</b>”, and insert “<b>the Village of Clapham</b>”.</p> <p>Delete the arrows from the map on page 32. Insert one arrow to the east of Oakley within the ONP boundary.</p>	Agree with the modification for the reasons set out in the examiner’s report
PM13	<p>Page 37</p> <p>Policy ONP DH3</p>	Page 23	<p>Delete the first paragraph of Policy ONP DH3. Replace with: “<b>The following are designated as local non-designated heritage assets:</b>”.</p>	Agree with the modification for the reasons set out in the examiner’s report



	After para 8.104			
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December 2019