



Clerk to Wootton Parish Council
By email: clerk@wootton-pc.gov.uk

Please ask for: Sonia Gallaher
Direct Line: 01234 718570
E-mail: Sonia.gallaher@bedford.gov.uk
Date: 6 November 2020

Dear Sue,

Wootton Neighbourhood Development Plan – Pre-submission consultation

I refer to your pre-submission consultation on the Wootton Neighbourhood Development Plan.

Officers of Bedford Borough Council have offered informal comments throughout the preparation of the draft Plan with the aim of helping you improve the document. The Neighbourhood Plan is your document and you have final responsibility for its approach and detailed contents.

Now that you are consulting on the final draft Plan, as required under Regulation 14 of the Neighbourhood Planning (General) Regulations 2012, it is appropriate that officers of the Council focus on those matters that could cause issues at the formal Examination, particularly in relation to the operation of the policies when planning applications have been submitted to the Council for determination. These are as follows:

Education issues

Wootton remains in a 3 tier education system. There have been discussions about changing to a 2 tier system, however there is no time frame for that change at this stage. Further development in Wootton may yield that pupils will need to be educated outside of the village for lower / primary phases and therefore, if needed, the Council will seek developer contributions towards school transport as well as funding for infrastructure at the planning application stage. It is therefore recommended that the site allocation policies include a clause for developers to contribute towards education transport if required.

General highways issues

The housing policies allocate sites on the edge of the settlement and there is little indication of how the proposed sites will be linked to the existing highway network and facilities within the village. The cumulative impact of the combined developments will need to be assessed.

To deliver any potential for sustainable transport / movement and access, and encourage journeys by non-car modes, Sites W4 and W6 would need to be connected **AND** the open space (W12) would need to deliver safe and direct walking / cycling routes which connect onto the existing highway network. A reliance on white lines on existing lanes and roads to create spaces for pedestrians and cyclists is no longer supported by LTN 1/20 (the recently published Local Transport Note on the design of cycle facilities) and would be difficult to implement.

Site W3 can be connected to a bus route, as well as W5 (to a different route), but Keeley Lane itself is not on a bus route. Therefore at least two of the 5 proposed sites are dependent on car use and are therefore not sustainable in terms of transport, or a contribution will need to be secured from the developer to fund such a route. It is therefore recommended that the site allocation policies include a clause for developers to contribute towards public transport if required.

Page 5

Please add the OS copyright number to the map.

Para 49

Historic Environment, third bullet point – please remove the last sentence regarding S.72 – this section relates to conservation areas.

Policy W1

Part (d) – we suggest you add the words ‘new proposals shall not affect or compromise open land’ at the start of the sentence.

The policy does not include amenity impacts such as overlooking, overshadowing or visual bulk and these form part of an assessment when considering impact on neighbouring residents.

It is a positive that special mention has been made of non-designated heritage assets “including ridge and furrow earthworks”.

Paragraph 58

The SPA boundary is not out of date because it was reviewed in the Allocations and Designations Local Plan in 2013 and is shown on the policies map. The NP does not make it clear how the SPA boundary will change as a result of the proposed allocations and the plan should reflect this.

Paragraph 61

Wootton is not allocated any development by the Local Plan 2030 spatial strategy, even though it is designated as a Key Service Centre.

Policy W3

The policy mentions that the development must be sensitive to nearby heritage assets, which is a positive. The policy specifically mentions a “pre-determinative archaeological evaluation to mitigate any impact of any heritage assets of archaeological interest”. It is considered that the site can be delivered without causing harm to any heritage asset. Furthermore, the proposal site indicates that there is an area of “possible future housing land to the south east of the area shown

as developed. There would be no heritage constraints to developing here and given the assessment below, it is strongly encouraged that the number of dwellings allocated here is increased to reduce / remove the sites below.

There may be a need for other types of housing to be provided during the plan period and not just that identified in the Housing Needs Survey and there could be a need for larger family homes. You could amend this sentence to read 'to provide a range of housing types including bungalows and smaller homes'.

Vehicular access to the site needs to be assessed to make sure it is acceptable in highways terms before the site is allocated.

The illustrative layout shows possible future housing land. Has it been considered whether more housing could be allowed on this land in the future? If so, the development could be designed to allow this, especially the vehicular access off Bedford Road.

Policy W4

First dot point – There may be a need for other types of housing to be provided during the plan period and not just that identified in the Housing Needs Survey and there could be a need for larger family homes. Could amend this sentence 'to provide a range of housing types including bungalows and smaller homes'.

Whilst the policy does require any future development to "be sensitive to the site surroundings and nearby heritage assets", we have serious concerns that the layout shown and the number of dwellings proposed could not feasibly avoid harm to the setting of surrounding listed buildings. The asset most clearly and significantly affected would be Deep Thatches (list entry number: 1249336), however the proposal could also cause harm to 35, Keeley Lane (1249335). This is identified in the very brief site assessment made, which recommends that "a smaller scheme responding to the pattern of development could be viable". This means that the scale of the allocation is contrary to the NP's own published assessment.

The site forms part of the setting of Deep Thatches, a grade II listed dwelling located to the west of the proposal site. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that the Local Planning Authority: "shall have special regard to the desirability of preserving the building or its setting". Historic OS mapping shows that Deep Thatches' historic setting was entirely rural; although this has been eroded by early 20th century residential development on the north side of the street as well as the later farm complex to the south. The proposal site contributes positively to how the listed building is appreciated as well as revealing how the building is understood in relation its use and the wider development of the setting. Given the amount of intervening development, screening and relative distance between the sites; the harm to No.35 is likely to be considerably less.

The indicative plan shows development running deep into the site. The plan bears no relation to the historic pattern of Keeley Lane, which is typical of an 'End' type settlement common in Bedfordshire. Development will remove the existing character of the site entirely and will increase the amount of harmful development within the setting of Deep Thatches; destroying the wider rural character (especially if the site

put forward under Policy W6 is supported). Whilst there may be some scope for 2-3 houses in the site, fronting the road and isolated from the listed building; the scheme currently proposed will undoubtedly cause at least moderate, less than substantial harm to the significance of Deep Thatches cumulatively, when also considering the development at Tinker's Corner. 25 dwellings could not be realistically delivered without causing this level of harm.

The NPPF is clear in that "great weight should be given to the asset's conservation" and "any harm to, or loss of, the significance" of the listed building "should require clear and convincing justification". This presents a fundamental problem should the NP go to independent Examination in its current form, as it cannot currently demonstrate that special regard has been taken to the desirability of preserving any listed building (see paragraph 065 Reference ID: 41-065-20140306 of the NPPG). Notwithstanding this issue, as the cumulative harm to the listed building would be moderate, less than substantial it is not clear that the public benefits arising from the scheme would outweigh the harm caused. It is therefore strongly advised that this site is removed from the allocation, or reduced to a nominal number, and the 25 houses are accommodated in the land allocated at Policy W3.

Policy W5

First dot point – There may be a need for other types of housing to be provided during the plan period and not just that identified in the Housing Needs Survey and there could be a need for larger family homes. Could amend this sentence 'to provide a range of housing types including bungalows and smaller homes'.

We have similar concerns regarding this proposal for 25 dwellings located within the setting of two listed buildings – The Chequers Inn Public House (1249334) and 41-45 Hall End Road (1263796). Again, the policy states that development will need to be sensitive to heritage assets (and specific mention is made to The Chequers Inn); however development of this scope on the site will invariably be insensitive. The proposal does not replicate the historic, linear form of development and will crowd the listed building; removing the rural character of the proposal site and harming the way in which the asset is appreciated and experienced. The character of the proposal is suburban in terms of layout and scale and this would not fit in well with the character of the settlement. Crucially, it would appear that no assessment of significance has been provided in support of the allocation and it cannot be demonstrated that special regard has been taken to preserve the significance of the listed building.

Specifically, harm to The Chequers Inn is likely to be at least moderate, less than substantial; the harm to 41-45 Hall End Road will likely be minor, less than substantial. It is unlikely that such a proposal would receive officer support and it is advised that this site is removed from the Neighbourhood Plan.

It should be determined before the site is allocated whether vehicle access can be achieved in terms of highways safety.

Policy W6

First dot point – There may be a need for other types of housing to be provided during the plan period and not just that identified in the Housing Needs Survey and

there could be a need for larger family homes. Could amend this sentence 'to provide a range of housing types including bungalows and smaller homes'.

This site is located at Tinkers Corner, a historically undeveloped rural area of land to the west of Keeley Lane hamlet. The site takes in an agricultural field to the west of Deep Thatches (grade II). Much like Policy W4, the proposed development does not respond to the context of the wider area and the pattern of development. It would also remove a sizable aspect of Deep Thatches' remaining rural setting which contributes positively to how the asset is appreciated and understood. The cumulative impact of development arising from W4 and W6 would remove any vestiges of this historic setting entirely. Whilst an effort has been made to screen the development from Deep Thatches; the perceived loss of its rural setting and its failure to mask the loss of its former character will cause harm – probably moderate, less than substantial (cumulatively with Policy W4). Again, the NP does not demonstrate that special regard has been taken in terms of preserving the significance of the listed building, and again it is advised that this site should be removed from the allocation or significantly reduced to better reference the established grain of development.

The NP's own site assessment classifies the site as unsuitable whilst a "smaller scheme may be viable".

Policy W7

First dot point – There may be a need for other types of housing to be provided during the plan period and not just that identified in the Housing Needs Survey and there could be a need for larger family homes. Could amend this sentence 'to provide a range of housing types including bungalows and smaller homes'.

This site contains well preserved ridge and furrow earthworks, development as proposed would involve the destruction of the earthworks across the frontage of the site. The Historic Environment Team (Archaeology) would be likely to object to a planning application for development at this site.

Here, the depth of development is limited to the northern end of the site, and there is a degree of screening offered to the front. The plan form responds better to the settlement pattern than in W4, 5 and 6, but still appears too deep in relation to that seen along Keeley Lane (which has a generally strong linear built form). The indicative site plan shows, in relation to No.35 Keeley Lane a linear development and the development at depth will not be readily appreciated when experiencing the asset (the site to the rear of No.35 appears to be left as rural in character). If this is the case, the impact on No.35 will be reduced. The proposal is still likely to harm the significance of 18 and 20 Keeley Lane (1249348) and Pear Tree Cottage. Despite a level of screening to the northern boundary, the existing rural character of the site will fundamentally change and be incongruous to the pattern of development, i.e. at depth and into an existing open field will result in harm. The scale of harm will depend on the way in which the site contributes to each specific asset, but is likely to be 'very minor, less than substantial' at least, depending on the form of development.

This is the only site which appears to have been appraised in terms of its impact on heritage assets (by EDP in July 2019). Whilst the report is of sufficient detail and elements are agreed with in terms of the assessment of impact on the setting of listed

buildings, the ridge and furrow here forms part of a larger block which represents some of the best preserved ridge and furrow earthworks surviving in Bedford Borough. The Historic Environment Team therefore disagrees with the assessment made in the report.

Additionally, the NP's own site assessment document states that: "given the site's location on the edge of the built up area of Wootton, a smaller scheme could be viable subject to meeting technical requirements detailed above". The assessment also notes that "86.5% of responses "strongly disagreed / disagreed with this site being a preferred site".

Policy W8

After affordable housing insert '(where applicable thresholds have been met).

Policy W9

This can only be for exception schemes and not general affordable housing in accordance with the Borough Council's allocation scheme. This policy should therefore be deleted.

Policy W10

Insert after SPD – 'or any successor document'.

Policy W12

How will this policy work and what weight will this have in assessing planning applications? It is not necessary to secure the transfer of land to the Parish Council as a planning obligation or condition. The owner of the site could manage this open space and still allow public access.

Policy W13

What are prominent sites and where are they? There needs to be some sort of designation i.e. Listed Building, Conservation Area or a Village Open Space to be able to justify their protection because no one has a 'right' to a view per se.

If development would not adversely affect the views in and out of the settlement, would it be acceptable?

The protection of views is not something which planning can take into consideration so the title of this policy needs to be reconsidered.

Protection of views is not a material consideration unless it relates to something like setting of listed buildings or the conservation area or area of special landscape value. This would be a very hard policy to apply as it is relatively subjective without more substance to identify the key features that need protection. It might also be helpful for the important local views to be mapped instead of described by words.

Policy W14

Point (i) only says 'seek' which does not give much certainty. What does point (i) mean and how would this be applied? Point (g) is already covered in Policy W10.

Policy W17

It would be helpful if you could define 'major development' in the supporting text.

Policy W18

The second sentence which starts – 'All such proposals' should be reworded to identify that the support in the first sentence of the policy is contingent on the proposal not negatively impacting on the criteria listed in i) to iv).

Policy W19

Most developments will already be required to pay CIL contributing to all of these things already. This policy may therefore not be needed.

This policy needs to acknowledge the Reg 122 tests for requiring contributions. A blanket policy requiring contributions is not acceptable.

Planning obligations may only constitute a reason for granting planning permission if they meet the tests that they are necessary to make the development acceptable in planning terms. They must be:

- necessary to make the development acceptable in planning terms;
- directly related to the development; and
- fairly and reasonably related in scale and kind to the development

This is why contributions are generally only required for major development and not for single dwellings, for example. The policy is a blanket policy and does not reflect that not all new developments would tip the balance for a contribution being necessary.

Policy W21

We suggest an additional point here to cover the retention of extant historic earthworks including ridge and furrow.

Appendix 1

This is not a map produced by Bedford Borough Council so the logo needs to be removed and the OS copyright number of Wootton Parish Council added to the map. How does the Settlement Policy Area change as a result of the allocations? This should be shown on the Policies Map as well.

Glossary of terms

Affordable housing – the definition in the NPPF 2019 should be used.

Conservation Area definition should be added –

Conservation Area: An area of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance.

The Core Strategy definition is no longer relevant and can be deleted.

Village Design Statement

It is a positive that the VDS charts the importance of the various 'Ends' of Wotton and their individual importance, and makes a good point here: "the relationship between

the built form and the open space is less segregated in the various Ends, where small clusters or individual houses relate to and address the landscape in a way more typical of village morphology". It seems odd therefore to support a NP which plans on introducing a suburban character at odds with the surrounding rural landscape and the existing built form through four of the five allocated sites.

Page 7 - "there is no clear and prevailing settlement pattern or grain which it is expected new development should follow". This is disagreed with. The settlement pattern of the specific location should be reflected, for example in the instance of Keeley Lane any cul-de-sac providing access to residential development at depth (completely at odds with the linear grain of development of the historic End) will not be sympathetic to the character of the area in the slightest.

Page 15 - The Hall End Character Area is a good summary and in itself highlights why the proposed development to the rear of The Chequers is not in any way characteristic of the settlement.

Page 17 – Keeley Lane Character Area – again, a good assessment which captures the character of the area – rural, dispersed, linear and un-engineered. This does not appear to have informed the design of both W4 and W5.

Page 18 – Keeley Green Character Area – again this assessment does not point to W7 being reflective of the existing urban grain except in reference to modern development (Hollies Walk) which is harmful to the significance of the group of listed buildings.

Page 25 – Important Views and Landmarks – we agree with the assessment that the rural surroundings contribute positively to the character of the area and create "a positive experience when approaching along the footpaths from the west". It would also appear that existing attractive views of the rural surroundings in conjunction with historic, in some cases statutorily listed buildings will be impacted by Policies W4, 5, 6 and 7. For example, views of the rear of The Chequers from footpaths 33 and 32 in particular will be detrimentally affected by Policy W5. The same is clearly the case on the approach to Keeley Lane from footpaths 38 and 28 from the south as well, in terms of the development proposed there.

The document is very well written, and in the absence of a Character Appraisal and Management Plan for the Conservation Area, welcomed. However, the allocated sites clearly fail to replicate the form and character of existing surrounding development.

Page 59 – in the section about Stewartby brick, this is not always achievable and we are not convinced that we would win an appeal against refusing a development if a suitable quantity of bricks could not be sourced. It may not always be possible to achieve with materials for roofing materials.

If the Council adopts the footpaths the materials will be whatever the s38 and s278 agreements require.

Supporting Documents

Green Infrastructure Plan

The designated Local Green Spaces need to be checked against the existing permitted development such as at Berry Wood to ensure that the boundaries are correct.

The Wootton Neighbourhood Plan Site Assessments Report – Housing

This document provides an assessment for the 16 sites put forward (including those now put forward in the NP as preferred sites). It would seem that the sites have been allocated despite this report suggesting that four sites are unviable, at least with the numbers proposed. In some cases this document recommends further investigation and assessment, which does not appear to have been undertaken.

If you have any queries please feel free to contact us.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Kim Wilson', with a horizontal line underneath it.

Kim Wilson
Team Leader Planning Policy