



Intelligent Plans
and examinations

Report on Sharnbrook Neighbourhood Development Plan to 2030

An Examination undertaken for Bedford Borough Council with the support of Sharnbrook Parish Council on the January 2021 submission version of the Plan.

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Main Findings - Executive Summary

From my examination of the Sharnbrook Neighbourhood Development Plan (the Plan/SNDP) and its supporting documentation including the representations made, I have concluded that subject to the policy modifications set out in this report, the Plan meets the Basic Conditions.

I have also concluded that:

- The Plan has been prepared and submitted for examination by a qualifying body (QB) – the Sharnbrook Parish Council;
- The Plan has been prepared for an area properly designated – the Parish of Sharnbrook as shown on Figure 1 (page 1) of the Neighbourhood Development Plan;
- The Plan specifies the period to which it is to take effect: to 2030; and
- The policies relate to the development and use of land for a designated neighbourhood area.

I recommend that the Plan, once modified, proceeds to referendum on the basis that it has met all the relevant legal requirements.

I have considered whether the referendum area should extend beyond the designated area to which the Plan relates and have concluded that it should not.

1. Introduction and Background

Sharnbrook Neighbourhood Development Plan

- 1.1 The Sharnbrook Neighbourhood Plan Steering Group (SNPSG) was established in August 2017 and the Neighbourhood Plan Area for Sharnbrook was approved by Bedford Borough Council (BBC) in September 2017.
- 1.2 The Neighbourhood Plan Area comprises the Parish of Sharnbrook, which covers an area of about 998 hectares. At the 2011 Census the population of the Parish was some 2,293 people. The village of Sharnbrook is the main settlement within the Parish and lies about 8 miles north west of Bedford within Bedford Borough Council. It is set within the gently rolling countryside close to the convergence of the brook, which gives the village its name, with the River Great Ouse. The landscape comprises mainly working arable farms with small woodland blocks enhanced by frequent hedgerow trees and limestone walls. There are local and well used public rights of way.
- 1.3 There has been a settlement at Sharnbrook since Anglo Saxon times and Sharnbrook has 52 listed buildings. These include the Grade 1 listed church of St Peter's which was remodelled from an earlier Norman

building. There was a great period of building in the 17th century including Tofte Manor in 1613 and a number of the distinctive houses at the lower end of the High Street. The village developed as a commercial centre in the 19th century, with the railway coming to Sharnbrook in 1857 (closed in 1960), and a Police Station with cells and a Court House opened in the High Street in 1872.

- 1.4 There were eight Manors in Sharnbrook, of which three now remain. The other Manors are represented in road names around the village such as Templars Way and Loring Road. In 1950 Colworth House and its surrounding farmland became Unilever's Scientific Research and Development Centre, and in 2004 the site became Colworth Science Park. Unilever retains some 750 employees at the Park and a further 200 personnel are employed at other smaller companies on the site.
- 1.5 Reflecting the agricultural traditions of the Parish, it has four mills which have been converted to other uses including the award winning Sharnbrook Mill Theatre which opened in 1979. The village school was founded in 1836 and is now Sharnbrook Primary School. In 1975 Sharnbrook Upper School opened and a Community College was incorporated into the school in 1984. The Upper School became Sharnbrook Academy in 2017.
- 1.6 Major housing development took place in 1960 and in 1985, and in 2002 the village grew by 20% as a result of two developments which totalled some 133 houses. Small scale infilling has also taken place.
- 1.7 The village enjoys a number of facilities including two general convenience stores and other local shops, two public houses, a medical practice and pharmacy. There are three restaurants, two hotels, a residential care home for the elderly and one for adults with learning disabilities. In addition, the village has three places of worship and a number of meeting places within the Parish. There is also a wide range of sports, leisure and play facilities which include bowls, golf, a gym, a sports hall and an all-weather pitch.
- 1.8 The SNDP is required to be in general conformity with the strategic policies of the statutory Development Plan, which is now the Bedford Borough Local Plan 2030 (BBLP) and the Bedford Borough Allocations and Designations Local Plan 2013 (ADLP). I address the matter of general conformity of the SNDP with the strategic policies of the Development Plan throughout my report.

The Independent Examiner

- 1.9 As the Plan has now reached the examination stage, I have been appointed as the examiner of the SNDP by BBC, with the agreement of Sharnbrook Parish Council (SPC).

- 1.10 I am a chartered town planner and retired government Planning Inspector, with more than 45 years of experience in the private and public sectors. I am an independent examiner, and do not have an interest in any of the land that may be affected by the draft Plan.

The Scope of the Examination

- 1.11 As the independent examiner I am required to produce this report and recommend either:
- (a) that the neighbourhood plan is submitted to a referendum without changes; or
 - (b) that modifications are made and that the modified neighbourhood plan is submitted to a referendum; or
 - (c) that the neighbourhood plan does not proceed to a referendum on the basis that it does not meet the necessary legal requirements.
- 1.12 The scope of the examination is set out in Paragraph 8(1) of Schedule 4B to the Town and Country Planning Act 1990 (as amended)('the 1990 Act'). The examiner must consider:
- Whether the Plan meets the Basic Conditions.
 - Whether the Plan complies with provisions under s.38A and s.38B of the Planning and Compulsory Purchase Act 2004 (as amended) ('the 2004 Act'). These are:
 - it has been prepared and submitted for examination by a qualifying body, for an area that has been properly designated by the local planning authority;
 - it sets out policies in relation to the development and use of land;
 - it specifies the period during which it has effect;
 - it does not include provisions and policies for 'excluded development'; and
 - it is the only neighbourhood plan for the area and does not relate to land outside the designated neighbourhood area.
 - Whether the referendum boundary should be extended beyond the designated area, should the Plan proceed to referendum.
 - Such matters as prescribed in the Neighbourhood Planning (General) Regulations 2012 (as amended)('the 2012 Regulations').

- 1.13 I have considered only matters that fall within Paragraph 8(1) of Schedule 4B to the 1990 Act, with one exception. That is the requirement that the Plan is compatible with the Human Rights Convention.

The Basic Conditions

- 1.14 The 'Basic Conditions' are set out in Paragraph 8(2) of Schedule 4B to the 1990 Act. In order to meet the Basic Conditions, the neighbourhood plan must:
- Have regard to national policies and advice contained in guidance issued by the Secretary of State;
 - Contribute to the achievement of sustainable development;
 - Be in general conformity with the strategic policies of the development plan for the area;
 - Be compatible with and not breach European Union (EU) obligations (under retained EU law)¹; and
 - Meet prescribed conditions and comply with prescribed matters.
- 1.15 Regulation 32 of the 2012 Regulations prescribes a further Basic Condition for a neighbourhood plan. This requires that the making of the neighbourhood development plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.²

2. Approach to the Examination

Planning Policy Context

- 2.1 During the early preparation of the draft SNDP, the Development Plan for BBC, not including documents relating to excluded minerals and waste development, comprised the following documents:
- Saved Local Plan 2002 (LP 2002) policies;
 - The Core Strategy and Rural Issues Plan (CSRI) 2008 (to 2021); and
 - The Allocations and Designations Local Plan 2013.
- 2.2 As the emerging BBLP was being drafted, the SNDP has been developed to reflect the reasoning and evidence informing the local plan process. The importance of minimising any conflicts between those policies in the

¹ The existing body of environmental regulation is retained in UK law.

² This revised Basic Condition came into force on 28 December 2018 through the Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018.

Neighbourhood Development Plan and those in the emerging Local Plan during its preparation has been recognised.³

- 2.3 The BBLP 2030 was adopted by BBC in January 2020 and largely replaces the policies in the LP 2002 and the CSRI 2008. It does not replace some policies in the ADLP, which remain a part of the Development Plan.⁴
- 2.4 In view of the close attention paid to the BBLP emerging policies during the preparation of the SNDP, and the opportunity for review and updating of the SNDP prior to its submission in February 2021, the submitted SNDP has been prepared to be generally in conformity with the most up to date strategic Development Plan policies.
- 2.5 The planning policy for England is set out principally in the National Planning Policy Framework (NPPF). The Planning Practice Guidance (PPG) offers guidance on how this policy should be implemented. A revised NPPF was published on 19 February 2019 and has been subject to further amendment. All references in this report are to the 2019 NPPF and its accompanying PPG.

Submitted Documents

- 2.6 I have considered all policy, guidance and other reference documents I consider relevant to the examination, alongside those submitted. These include:
- Submission version Sharnbrook Neighbourhood Development Plan (January 2021);
 - Basic Conditions Statement (January 2021);
 - Consultation Statement (amended 12 March 2021);
 - Habitat Regulations Assessment (April 2020);
 - Archaeology and Heritage Assessment (November 2020);
 - Landscape Character and Built Environment Assessment (December 2018);
 - Sharnbrook Housing Needs Assessment (July 2019);
 - Strategic Environmental Assessment (August 2020);
 - Sharnbrook Site Options Assessment Report (September 2020);
 - Sharnbrook Site Options Assessment Report Appendices;
 - Sharnbrook Transport Study (January 2020);
 - Responses to the Regulation 16 submission consultation; and
 - Responses of 18 & 24 May (SPC), 8 June (DLP Planning) and 11 June (BBC) to the Examiner's questions of 17, 24, and 27 May 2021.⁵

³ PPG Reference ID: 41-009-20190509.

⁴ BBLP 2030, Appendix 1.

⁵ View at: <https://www.bedford.gov.uk/planning-and-building/planning-policy-its-purpose/neighbourhood-planning/sharnbrook-neighbourhood-development-plan/>

Site Visit

- 2.7 I visited the Neighbourhood Plan Area unaccompanied by any interested party on the 2 June 2021. I carried out a general review of the area in terms of its setting and character in order to familiarise myself with it and visited relevant sites and areas referenced in the Plan and evidential documents.

Written Representations with or without Public Hearing

- 2.8 This examination has been carried out on the basis of the written submissions (written representations). The Regulation 16 consultation responses clearly articulated the objections to the Plan and presented arguments for and against the Plan's suitability to proceed to a referendum. Requests have also been submitted from some parties for evidence to be heard at a hearing. However, as noted, in addition to the Regulation 16 responses I have received further clarification from the QB, in response to my letters of May 2021.⁶ As a result, in terms of the appropriate level of scrutiny for the SNDP, I consider that hearing sessions are not necessary.

Modifications

- 2.9 Where necessary, I have recommended modifications to the Plan (**PMs**) in this report in order that it meets the Basic Conditions and other legal requirements. For ease of reference, I have listed these modifications separately in the Appendix.

3. Procedural Compliance and Human Rights

Qualifying Body and Neighbourhood Plan Area

- 3.1 The Sharnbrook Neighbourhood Development Plan has been prepared and submitted for examination by SPC, which is the qualifying body for an area that was designated by BBC on 27 September 2017.
- 3.2 It is the only Neighbourhood Development Plan for Sharnbrook Parish and does not relate to any land outside the designated Neighbourhood Plan Area.

Plan Period

- 3.3 The Plan specifies the period to which it is to take effect in section 1.2, which is to the year 2030. The SNDP therefore covers the same period as the BBLP and does not therefore raise any issues of compliance. It may however be necessary to review the SNDP when the BBLP is carried

⁶ See Paragraph 2.6 and Footnote 5.

forward beyond 2030. In the interests of clarity, it would be helpful for the Plan to state the date prominently on the front cover [PM1].

Neighbourhood Development Plan Preparation and Consultation

- 3.4 In September 2017 BBC approved the designation of the Sharnbrook Neighbourhood Plan Area as shown on Figure 1 (page 1) of the submitted SNDP. SPC is responsible for providing leadership for the SNDP, which was produced by the SNPSG on behalf of SPC. The SNDP was developed with the involvement of the local community over a period of more than 3 years and is based on evidence from surveys, expert reports and local consultations.
- 3.5 The first SNPSG meeting was held on 24 August 2017. The Steering Group comprised up to 23 members consisting of Parish Councillors and interested local residents to drive forward the preparation of the Plan and to lead on the public engagement and consultation process.
- 3.6 A launch event was held in the village hall in January 2018. Invitations were sent in the Parish Council newsletter which was circulated to all residents in the Parish in November 2017. Public consultation on the issues to be addressed was undertaken between September 2018 and October 2019. Publicity included a Neighbourhood Development Plan website within the SPC website, a Facebook page to post progress and to advertise significant events, roadside banners to advertise the launch of the questionnaire and the consultation on the pre-submission Plan. Regular updates were provided in the SPC and Neighbourhood Plan Newsletter which was distributed to all households as well as the circulation of individual newsletters. There have also been a number of surveys and exhibitions as evidenced in the SNDP Consultation Statement.
- 3.7 The Regulation 14 pre-submission consultation period ran from 19 August to the 5 October 2020 and was extended to 23 October 2020 to deal with additional material. The submission version of the Plan was then the subject of a further round of consultation, as required by Regulation 16 of the 2012 Regulations, from 17 February to 26 April 2021. I have considered the representations that were made at the Regulation 16 stage in preparing this report. I am satisfied that a transparent, fair and inclusive consultation process has been followed for the SNDP. Due regard has been had to the advice in the PPG on plan preparation and engagement, and the SNDP is procedurally compliant in accordance with the legal requirements.

Development and Use of Land

- 3.8 The Plan sets out policies in relation to the development and use of land in accordance with s.38A of the 2004 Act.

Excluded Development

- 3.9 The Plan does not include provisions and policies for 'excluded development'.

Human Rights

- 3.10 No issues have been raised in relation to any potential for a breach of Human Rights (within the meaning of the Human Rights Act 1998). From my independent assessment, I see no reason to find otherwise.

4. Compliance with the Basic Conditions

EU Obligations

- 4.1 The SNDP has been the subject of a Strategic Environmental Assessment (SEA) published in August 2020. Overall, the assessment identifies the potential for significant positive effects in relation to population and community through the delivery in full of the housing requirements of Policy 4S of the BBLP. The SEA did not identify any potential for significant negative effects. I have read the SEA and have no reason to disagree with its findings.
- 4.2 Sharnbrook is designated as being a key service centre in the BBLP. The key service centres are considered to contain a good range of services and to be well connected to larger town centres by regular public transport. They provide a strong service role for the local community and surrounding area. BBLP Policy 3Svi provides for "*strategic residential development in key service centres in association with expanded education provision where necessary*". Growth in the key service centres will provide primarily for new homes but also support those existing and help to deliver new services for the local community.
- 4.3 Policy 4S of the BBLP identifies the level of new housing provision to be delivered. Sharnbrook is one of the four key service centres required to allocate land to provide for 500 dwellings, generally in and around defined Settlement Policy Area (SPA) boundaries. The Policy does not provide for any flexibility in this provision, neither does it suggest that the level of provision may be increased above that figure. Local communities are encouraged to identify the most appropriate means of meeting this requirement through their Neighbourhood Development Plans. The SNDP allocates land to meet the requirement for 500 new homes in BBLP Policy 4S.
- 4.4 The SEA Regulations⁷ require the consideration of the significant environmental effects of the plan or programme, and of reasonable

⁷ The Environmental Assessment of Plans and Programmes Regulations 2004.
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alternatives that take into account the objectives and the geographical scope of the plan or programme.

- 4.5 In terms of the assessment of reasonable alternatives to meet the housing requirement of the BBLP, the report 'Site Options and Assessment' September 2020 sets out the process through which potential housing allocations have been considered. A total of 22 sites were assessed as to their suitability for allocation in the Neighbourhood Development Plan. The sites identified for assessment included sites that were submitted through the Bedford Borough Council 'Call for Sites' for the emerging Local Plan 2030 and through previous Local Plan consultations.
- 4.6 A Transport Study was commissioned in 2019 to support the emerging Neighbourhood Development Plan and to inform the site selection process. The Transport Study was finalised in 2020 and was taken into account in the site assessment report.
- 4.7 Of the 22 sites which were considered, the Transport Study found that the land at Hill Farm, Mill Road (site 901) "will be the most sustainable as it will include a new junction onto the A6, a school and retail and a diverted bus service. The site will therefore be mainly self-contained with minimal need for vehicle trips into Sharnbrook. Development traffic will not need to travel through the village or use existing junctions onto the A6".⁸
- 4.8 The 'Site Options and Assessment' report took into account the conclusions from the Transport Study and found that the concentration of all 500 dwellings at Hill Farm would ensure the funding of community infrastructure and highways improvements. Although the site is outside the current SPA boundary in largely open countryside, it is not in a "valued landscape" in policy terms. The Grade II listed building at Hill Farm could be protected from harm to its integrity and setting within a site of this scale.
- 4.9 The land at Hill Farm is separated from the BBLP SPA for Sharnbrook by the railway line and the housing at Coffle End. BBLP Policy S4 requires that the land to be allocated for the 500 houses "should be generally in and around defined Settlement Policy Area boundaries". There is no requirement for the land to be within the SPA or to be immediately adjacent to the SPA. The allocation would therefore accord with the BBLP.
- 4.10 For the SEA, the Hill Farm site was one of two development scenarios to be assessed. These were the allocation of Site 901 (Hill Farm, Mill Road) and the allocation of Sites 527 and 620 (Land adjacent to School Approach, and Land east of Odell Road). These scenarios were then subject to assessment under the SEA framework. The assessment concludes that Site 901 performs most strongly in relation to four of the SEA themes ('Biodiversity', 'Historic Environment', 'Landscape' and 'Transport') whilst the combination of Sites 527 and 620 performs most

⁸ Paragraph 5.4.

strongly in relation to one of the SEA themes ('Population and Communities').

- 4.11 It is not for the SEA to indicate the preferred option. This is the task of the SPC in the preparation of the SNDP. The SEA and its findings were available for public consultation together with the submitted SNDP at Regulation 16 stage.
- 4.12 I have considered the results of that consultation together with the evidence on the site assessment process and the SEA. I find that the decision of the SPC to allocate Site 901, land at Hill Farm, Mill Road is soundly based.
- 4.13 I am satisfied that SPC has taken an appropriate and thorough iterative approach to the consideration of reasonable alternatives for the location of new housing. The SNDP meets the requirements of SEA in the allocation of housing land to accord with housing requirements in Policy 4S of the BBLP for Sharnbrook.
- 4.14 A Habitats Regulations Assessment (HRA) was carried out for the BBLP 2030, which identified the potential for likely significant effects on two European sites, The Ouse Washes and Portholme, downstream of Bedford. Although the policies within the Local Plan should protect the European sites if followed, detail was not available from the other emerging neighbourhood plans in the authority area to confirm this for all developments. Further screening of the SNDP has been carried out to ensure that there were no unforeseen likely significant effects.
- 4.15 This screening of the SNDP identified the same likely significant effects on the two European sites as the BBLP to 2030, but at a reduced scale. Following Appropriate Assessment of the SNDP (AA Stage 2) some rewording of the policies of the SNDP has been undertaken to provide protection to the European sites. The policies provide the framework to avoid or mitigate against any likely significant effects, and their subsequent adverse impact on the qualifying features and site integrity.
- 4.16 The HRA concludes that the Sharnbrook Neighbourhood Development Plan can proceed as it will not have significant effects on any European sites itself or in combination with other plans, on the assumption that other plans avoid or have mitigated against the likely significant effects. Based on my own independent assessment, I agree with this conclusion.

Main Issues

- 4.17 I have approached the assessment of compliance of the SNDP with the remaining Basic Conditions as two main matters:
- General issues of compliance of the Plan, as a whole; and
 - Specific issues of compliance of the Plan policies.

General Issues of Compliance of the Plan

Regard to National Policy and Advice

- 4.18 The SNDP sets out the background and context to its preparation and provides a broad description of the character and appearance of the Plan area, with its historic village and attractive rural setting. A vision statement which reflects the aim of protecting and enhancing the special characteristics of Sharnbrook is set out in Section 3. From the information gathered through consultation, the five 'Key Theme Issues' for the SNDP have been identified as:
- Housing;
 - Transport and Access;
 - Environment and Heritage;
 - Technology, Employment and Business; and
 - Village Facilities.
- 4.19 The core objectives of the SNDP are based on these five Key Themes Issues. The Policies have been developed to address the vision and objectives of the SNDP.
- 4.20 The Key Theme Issues generally relate to the matters identified in NPPF paragraph 28 as appropriate matters to be addressed through non-strategic policies in neighbourhood plans. The SNDP is positively prepared, with an aspirational but deliverable approach to the development of the Parish, and it has been shaped through early, proportionate and effective engagement within the local community.
- 4.21 In general, the policies of the SNDP are clearly written and unambiguous⁹ and I recommend modification where necessary to achieve this requirement. Where there is some duplication of the policy set out in the BBLP 2030¹⁰, I recommend deletion where appropriate.
- 4.22 It is a requirement of the NPPF that neighbourhood plans do not promote less development than set out in the strategic policies for the area or undermine those strategic policies.¹¹ In the allocation of land for 500 houses at Hill Farm through Policy S5, the SNDP provides for the delivery of the housing requirement established through the strategic policies of the BBLP and thus accords with Government policy.
- 4.23 The allocation of the land has been the subject of a thorough appraisal of alternative sites and a process of public consultation to ensure the involvement of the community in the development of the SNDP. Together with the range of policies formulated to meet its vision and objectives, the SNDP demonstrates a positive approach to the level of growth identified

⁹ PPG Reference ID: 41-041-20140306.

¹⁰ NPPF, Paragraph 16 f).

¹¹ NPPF, Paragraph 29.

for the Parish in the BBLP. Subject to the modifications which I recommend, the SNDP has had regard to national policy and advice.

Contributes to the Achievement of Sustainable Development

- 4.24 By taking a positive approach to the delivery of residential development to meet the requirements of the BBLP, the SNDP provides for sustainable development through its housing and other development policies. Whilst the Plan provides for new housing in the village, in doing so it has regard to the economic, social and environmental needs of the local community. The SNDP accords with paragraph 29 of the NPPF since it complements and delivers the strategic policies for the area.
- 4.25 The three overarching objectives of sustainable development are integral to the core objectives of the SNDP. Together with the policies of the BBLP 2030, the policies and proposals of the SNDP contribute to the achievement of sustainable development in accordance with national policies and advice.
- 4.26 Subject to the detailed comments and modifications which I set out below for individual policies, I am satisfied that the Plan makes a positive contribution to the achievement of the economic, social and environmental aspects of sustainable development.

General Conformity with Strategic Policies in the Development Plan

- 4.27 I set out the planning policy context for the SNDP in section 2 above. The SNDP was prepared alongside the emerging BBLP 2030 and the policies, as submitted in the SNDP January 2021, seek to be in general conformity with those in the BBLP 2030, as adopted in January 2020.
- 4.28 As noted in paragraph 4.2 above, the village of Sharnbrook is identified in the BBLP 2030 as being a key service centre. In considering the location of development in rural areas in the BBLP, the distinction between settlements and areas of countryside is established by defining SPAs. The aim of the Local Plan for the key service centres such as Sharnbrook is to meet the requirement for development generally in and around the defined SPA boundaries in accordance with Policy 5S, with all sites to be allocated through the Neighbourhood Development Plan.
- 4.29 The SPA for the village of Sharnbrook is defined in the BBLP Policies Map Inset 30. The SNDP as submitted proposes the allocation of one housing site which is located outside the SPA as currently designated in the BBLP. I propose a modification to Policy S4 to name the site proposed for development [**PM2**]. The SNDP Policies Map (Appendix 3) as submitted proposes an amendment to the SPA to include the “proposed site”. However, the site included in the amended SPA does not include all the land referred as the allocated site in Policy S5. I deal with the issue raised by the discrepancy between the wording of Policy S5 and the site shown on the SNDP Policies Map when I consider Policy S5 below.

- 4.30 Within the village there are sites which were designated as Village Open Space in the ADLP (Policy AD40). The BBLP designates areas for Local Green Space (LGS) in accordance with national policy but does not designate any LGS in Sharnbrook. SPC has carried out its own assessment of proposals for LGS designation as part of the preparation of the SNDP. Three sites are identified under SNDP Policy S10 for designation as LGS. I consider the detail of this Policy below, but in principle the identification of LGS in the SNDP is appropriate since LGS can only be identified in local or neighbourhood plans.¹²
- 4.31 The SNDP has been developed with proper regard to the strategic direction and policies of the BBC Development Plan Documents, which I identify in Section 2 above. In addition, with some modifications which I recommend below, the SNDP demonstrates general conformity with the recently adopted strategic policies of the BBLP 2030. BBC has been involved throughout the preparation of the SNDP and is generally supportive of its policies. Subject to some detailed comments and the modifications which I make to the Plan's policies below, I am satisfied that the SNDP is in general conformity with the strategic policies of the Development Plan.

Specific Issues of Compliance of the Plan Policies

General Policies

- 4.32 Design Principles for Sharnbrook are set out in Policy S1 and reflect the importance given in the SNDP to maintaining and enhancing the special qualities of the area. However, there is no need for the SNDP to seek to duplicate controls which are set out in detail in the BBLP. In this regard there are some criteria in Policy S1 which are well covered in adopted BBLP policies and which should therefore be deleted.
- 4.33 Clause S1b does not serve any clear purpose since it duplicates the provisions set out in national and local plan policies in respect of any listed buildings or scheduled monuments and their settings in Sharnbrook. With regard to non-designated heritage assets, these are dealt with in the NPPF¹³ and in BBLP Policy 41S. In stating that development must preserve or enhance the particular interest of non-designated heritage assets, Policy S1b seeks to place a higher level of protection on non-designated heritage assets than provided in national or local plan policy without any special justification for doing so. Furthermore, the SNDP does not identify the non-designated heritage assets which it would seek to protect.
- 4.34 With regard to clause S1e, the matters covered in this part of Policy S1 are covered by BBLP Policy 92 which deals in some detail with flood risk and Policy 93 which sets out detailed requirements for the use of

¹² NPPF, Paragraph 99.

¹³ Paragraph 197.

sustainable drainage systems. As a result, there is unnecessary duplication of policy in this clause.

- 4.35 I therefore recommend that clauses S1b and S1e be deleted [**PM3**].
- 4.36 In seeking to secure energy efficient development within Sharnbrook, Policy S2 identifies an aspiration for zero carbon emissions, and requires that new development secure at least 10% of total regulated energy from decentralised and renewable or low carbon sources. In the BBLP, Policies S1S and S4 set out clearly the requirements for new development to address climate change and the measures to be taken to achieve energy efficiency. Whilst I understand the desire by SPC to take these requirements further in the SNDP, proposed Policy S2 seeks to achieve a more onerous level of control in respect of energy efficiency than set out in national or Local Plan policy. However, there is no clear justification set out in the SNDP to support a more onerous approach. For this reason, Policy S2 (and the accompanying text below the Policy) should be deleted [**PM4**].
- 4.37 Policy S3 addresses the impacts of construction activity and identifies the measures which the SPC will seek in order to provide mitigation. This policy raises no issues of compliance with the Basic Conditions.

Housing Policies

- 4.38 In the identification of potential housing allocations, some 22 sites were considered within the site selection process; the site selection criteria were subject to consultation with the Parish Council and the local community, and the results are set out in the Site Options and Assessment report. Policy S5 identifies the land to be allocated to accommodate the full 500 new homes required in BBLP policy at Hill Farm, Mill Road.
- 4.39 The Policy provides for the allocation of an area of 38.8 ha of land at Hill Farm. As submitted the SNDP includes an indicative site layout for Hill Farm on page 24. This identifies areas for housing, and also includes open space, landscaping and other community uses. However, the indicative layout is the subject of ongoing discussion between BBC, SPC, the developers and the land owners, and there is concern that its inclusion in the SNDP would cause confusion in the event that a different layout is agreed and developed.
- 4.40 The area of 38.8 ha is greater than the area of land which would be required to deliver the 500 new houses without the associated open space and community uses, and as a result the whole of the site allocated in Policy S5 for a comprehensive development is not included in the SPA as proposed for the SNDP Policies Map (Appendix 3). A smaller area of land as required to accommodate 500 houses, together with a new primary school, is identified on the Policies Map as the proposed site and is set within a new SPA which is separate from the existing Sharnbrook SPA.

- 4.41 I understand that the SNDP seeks to follow the principles set out in the ADLP Chapter 13 on the definition of SPAs. This states that playing fields, open spaces and allotments should generally not be within the SPA. I have questioned the inconsistency between the overall area which the SNDP seeks to allocate for comprehensive development and the smaller area defined on the Policies Map as the proposed housing site. However, this is the result of the SNDP seeking to follow the ADLP principles and leave the areas to be provided as part of the comprehensive development for open space and playing fields outside the new SPA.
- 4.42 In view of the ongoing discussions for the layout of the full 38 ha site, I have considered the replacement of the indicative layout on page 24 by a site plan which outlines the whole of the 38 ha in red. However, the discrepancy between the area of land outlined in red on a site plan of the allocation and the significantly smaller area of land proposed to be included within the SPA on the Policies Map is a potential cause of confusion.
- 4.43 To address this lack of clarity in the SNDP, I consider that it would be appropriate to delay the definition of the new SPA boundary for Sharnbrook until the layout of the comprehensive scheme for the whole of the allocated site referred to in Policy S5 has been agreed.
- 4.44 In order to accord with BBLP Policy 4S, the SNDP is required to allocate the land to accommodate 500 new homes. However, there is no requirement in the BBLP for the SNDP to define the new SPA boundary. The current SPA boundary is defined in the BBLP Policies Map, and the BBLP is now subject to review. A deferral in the definition of the new SPA for Sharnbrook, to be dealt with in the current or a future review of the BBLP, would provide an opportunity to resolve the layout of the whole allocated site and to amend the SPA to reflect that layout. To demonstrate that the SNDP has met the requirement of BBLP Policy 4S, I propose a modification to the SNDP Policies Map to remove the new SPA boundary from the Map and to identify (through shading or cross hatching) the whole of the site referred to in Policy S5 as land allocated for comprehensive development [**PM5**].
- 4.45 The supporting infrastructure currently shown on the Indicative Site Layout on page 24 would provide the community infrastructure benefits referred to in the transport study and the SEA, which influenced the choice of the site to accommodate the full 500 homes required by the BBLP. In order to control the level of housing to be built on the allocated site and to secure the provision of the infrastructure benefits, I consider that SNDP Policy S5 requires modifications to identify more precisely the community and other infrastructure required to support the 500 new homes, and I set these out below.
- 4.46 With the changes to the Policies Map, the first sentence of Policy S5 will be consistent with the Map and requires no modification.

- 4.47 Policy S5 criteria a. refers to the Housing Needs Assessment of July 2019 and identifies a need for 2-3 bedroom houses in the new development. However, the criteria does not set a requirement to provide only 2-3 bedroom houses and does not therefore exclude the provision of 4-5 bedroom houses. The criteria as drafted is justified by the Housing Needs Assessment and is not unduly prescriptive.
- 4.48 Neither criteria a. or b. raise any issues of compliance.
- 4.49 In terms of the uses for the land which will not be developed for housing, the Sharnbrook Concept Masterplan Revision K, submitted in response to my letter of the 27 May 2021, indicates the areas to be allocated to the various uses of the land. Whilst the precise distribution of the uses and the scale of those areas remains subject to negotiation it would not be appropriate to prescribe the exact areas to be allocated to each use. However, in the interests of clarity I consider that an approximate area should be included as a guideline to master planning.
- 4.50 Criteria c. refers to sport and leisure facilities but gives no indication of the scale required to support the new development. The Concept Masterplan includes 13.99 ha of open space. To ensure that a provision of similar scale is provided in the final scheme, I propose a modification to c. as set out in **PM6**.
- 4.51 Criteria d., e. and f. seek the provision of a new school, retail units and community hall and/or doctor's surgery. The masterplan shows 2 ha for the school and 0.2 ha for other community uses. I propose a modification which sets out the requirement for these community facilities and identifies an approximate area to be included in the final scheme. [**PM6**]
- 4.52 Criteria g. becomes e. with a modification to provide clarity in the drafting. [**PM6**]
- 4.53 Criteria h. becomes f. with a modification to provide clarity in the drafting. [**PM6**]
- 4.54 Criteria i. becomes g. with a modification to provide clarity in the drafting. [**PM6**]
- 4.55 Criteria j. becomes h. with a modification to provide clarity in the drafting. [**PM6**]
- 4.56 Criteria k. becomes i. I propose the deletion of the first sentence of the criteria which is unnecessary, since it is a statutory requirement for development to comply with the policies of the Development Plan. For the second sentence, I propose some modifications to refer to the woodland and the Grade II listed farmhouse at Hill Farm. [**PM6**]
- 4.57 With these modifications, Policy S5 raises no issues of compliance.

- 4.58 Policies S6 and S7 address matters to be considered in any new housing development and raise no issues of compliance.
- 4.59 I am satisfied that with the modifications identified above, the Housing Policies of the SNDP meet the Basic Conditions.

Transport and Access

- 4.60 Policy S8 deals with car parking provision in new developments and S9 requires provision for pedestrians and cyclists in new housing schemes. They raise no issues of compliance with the Basic Conditions.

Environment and Heritage

- 4.61 The SNDP designates 3 sites as Local Green Spaces (LGS) in Policy S10. Regard has been paid to the criteria for LGS set out in the NPPF and supplemented by the advice in the PPG. I am satisfied that the sites generally meet those criteria. However, as regards the wording of the second sentence of Policy S10, policies for managing development within a LGS should be consistent with those for Green Belts (NPPF, paragraph 101). National guidance is that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in "very special circumstances" (as opposed to 'exceptional circumstances'). Therefore, I shall recommend a modification of the Policy to make it consistent with the management of development in the Green Belt (**PM7**).
- 4.62 Evidence has been gathered by the SNPSG of those countryside views and vistas which sustain the character of Sharnbrook and the retention of which would prevent the coalescence of Sharnbrook with adjoining settlements. Policy S11 provides for the protection of those views and raises no issues of compliance.
- 4.63 Policy S12 deals with the protection of heritage assets. The first clause of the Policy is local and specific in so far as it sets out the approach to be taken to development within the Conservation Area as defined on the Policies Map. However, the second part of the Policy refers to "important character buildings and sites". In the explanatory paragraph 4.44, reference is made to "non-statutory but locally important heritage assets which should be identified as being protected". Reference is then made to the list of Heritage Assets provided in Appendix 1.
- 4.64 The issue with this part of the Policy is its lack of clarity. Appendix 1 lists Statutory Listed Buildings and Monuments. There is no identification in the SNDP of non-statutory but locally important heritage assets. Without such a list, it is not clear precisely what "important character buildings and sites" this part of Policy S12 is intended to protect.
- 4.65 Listed Buildings and Conservation Areas are subject to statutory control under the Planning (Listed Buildings and Conservation Areas) Act 1990. Scheduled monuments are protected by the Ancient Monuments and

Archaeological Areas Act 1979 (as amended). The NPPF sets out the strategy to be taken towards the conservation and enhancement of the historic environment and the approach to be taken in determining applications which might have some effect on heritage assets.

- 4.66 In BBLP Policy 41S “Historic environment and heritage assets”, the Council’s requirements when considering an application which might affect a heritage asset is comprehensively established. Whilst the desire of SPC to include the second part of Policy S12 in the SNDP is understood, the Policy does not serve any clear purpose since there is no definition or identification of the “important character buildings and sites” it is intended to protect. The NPPF¹⁴ and BBLP Policy 41S deal with non-designated heritage assets and provide the appropriate level of protection for these. Whilst a different wording is used in the SNDP, there would appear to be some duplication of the statutory policy provision.
- 4.67 Furthermore, in the absence of any definition or identification of the “important character buildings and sites” referred to in Policy S12, it is not evident how a decision maker should react to development proposals. I therefore recommend the deletion of the second part of Policy S12. [**PM8**]
- 4.68 In the event that SPC wishes to identify the “important character buildings and sites”, a list could be prepared in consultation with BBC’s historic environment team and its inclusion in a future iteration of the SNDP be considered.
- 4.69 I am satisfied that with the modifications identified above, the Environment and Heritage Policies of the SNDP meet the Basic Conditions.

Technology, Employment and Business

- 4.70 Policies S13–S16 set out the local policy position in relation to small businesses, home working, and the protection and provision of new community facilities. The policies are positively worded and Policies 13, 14 and 16 raise no issues of compliance with the Basic Conditions.
- 4.71 However, Policy S15 provides for the protection of community facilities and includes a number of shops, public houses and other service providers such as a veterinary clinic and care homes. It is appropriate for the SNDP to include a policy which identifies the community facilities which it wishes to retain, but in the choice of facilities to include in the list the definition has been widely drawn. In the BBLP, community facilities are identified as follows: “*meeting places, village halls, social club venues, sports venues, cultural buildings and places of worship*”¹⁵ and Policy 99 provides for the protection of such facilities, where it is appropriate for the SNDP to identify these types of facilities which are to be protected within Sharnbrook.

¹⁴ Paragraph 197.

¹⁵ BBLP 2030, Paragraph 12.60.

- 4.72 With regard to locally essential shops such as: small supermarkets, butchers, greengrocers; newsagents and confectionery shops; pharmacies and chemists; cafés, restaurants, hot food takeaways and public houses in the rural key service centres, provision for their retention is provided through Policy 82.
- 4.73 Whilst the BBLP policy does not specifically name the premises to be protected in Sharnbrook, it is clearly structured to ensure that any change of use of a number of the premises which SPC seek to retain would be subject to an appropriate level of scrutiny to provide sufficient protection. There is therefore no justification for them to be listed in Policy S15 of the SNDP.
- 4.74 Other facilities in Policy S15 which fall outside the definition of community facilities in the BBLP (Policy 99) and outside those uses which would be subject to Policy 82 include Scott's Veterinary Clinic, The Leys Residential and Day Care, and Sharnbrook House Residential Care for the elderly. Whilst I understand SPC's wish to include these facilities, they are not within the range of social, recreational and cultural facilities and services identified in paragraphs 91 and 92 of the NPPF, nor are they subject to any protection within the policies of the BBLP. The SNDP is proposing a more onerous level of control in respect of these premises than is set out in national or Local Plan policy with no clear justification to support such an approach.
- 4.75 In these circumstances I recommend a modification to Policy S15 to delete from the list of community facilities those premises which would be subject to the provisions of BBLP Policy 82 together with those premises which lie outside the national and local policy definition of community facilities. **[PM9]**
- 4.76 Policy S17 identifies the priorities for investment in community infrastructure. From the list it is clear how developers may contribute positively to the priorities of the local community. The Policy raises no issues of compliance.
- 4.77 I am satisfied that with the modifications identified above, the Technology, Employment and Business Policies of the SNDP meet the Basic Conditions.

Non-Neighbourhood Planning Issues

- 4.78 In addition to the SNDP policies which I am required to consider against the statutory tests, Section 5 of the Plan addresses issues which are not land use matters but which are of importance to the local community. They relate to measures which may be sought in order to improve the general quality of life and well being within the village rather than land use issues which relate to the development and use of land in the statutory sense. As such they are not matters that can be addressed through a policy in the SNDP.

- 4.79 Section 5 covers matters relating to transport and access, environment and heritage, and village facilities. Although I have taken note of these, they will not form part of the statutory Development Plan for the area and are not therefore considered against the Basic Conditions.¹⁶

Factual and Minor Amendments and Updates

- 4.80 I have not identified any typographical errors in the text of the SNDP that would affect the Basic Conditions. Minor amendments to the text can be made consequential to the recommended modifications, alongside any other minor non-material changes or updates, in agreement between SPC and BBC.¹⁷

5. Conclusions

Summary

- 5.1 The Sharnbrook Neighbourhood Development Plan has been duly prepared in compliance with the procedural requirements. My examination has investigated whether the Plan meets the Basic Conditions and other legal requirements for neighbourhood plans. I have had regard to all the responses made following consultation on the Neighbourhood Development Plan, together with the evidence documents submitted with the Plan and in the course of my examination.
- 5.2 I have made recommendations to modify some of the policies to ensure that the Plan meets the Basic Conditions and other legal requirements. I recommend that the Plan, once modified, proceeds to referendum.

The Referendum and its Area

- 5.3 I have considered whether or not the referendum area should be extended beyond the designated area to which the Plan relates.
- 5.4 The Sharnbrook Neighbourhood Development Plan, as modified, has no policy or proposals which I consider significant enough to have an impact beyond the designated Neighbourhood Development Plan boundary and which would require the referendum to extend to areas beyond the Plan boundary. I therefore recommend that the boundary for the purposes of any future referendum on the Plan should be the boundary of the designated Neighbourhood Plan Area.

Overview

- 5.5 The production of the SNDP has undoubtedly required a high level of commitment and hard work by a group of volunteers from the local

¹⁶ PPG Reference ID: 41-004-20190509.

¹⁷ PPG Reference ID: 41-106-20190509.

community. This task has no doubt been made more difficult by the abnormal conditions arising from COVID-19. I commend the Parish Council and the Neighbourhood Development Plan Steering Group for producing a well written and effective Neighbourhood Development Plan.

- 5.6 The Plan has achieved the difficult task of setting out positive proposals to enable Sharnbrook to accommodate the new housing required by the BBLP. SPC has consulted with and taken into account the views of the local community, whilst seeking to allocate a site which will benefit the community and protect the character and setting of Sharnbrook as an attractive and historic village within the countryside. As a result, the SNDP meets the Basic Conditions with the recommended modifications appended to my report, and the SNDP should provide an effective Plan for the management of the future planning of Sharnbrook.

Wendy J Burden

Examiner

Appendix: Modifications

Proposed modification number (PM)	Policy and page no./other reference	Modification
PM1	Front cover	Insert under Heading "to 2030".
PM2	Policy S4, page 22	After "500 homes" insert "at Hill Farm, Mill Road".
PM3	Policy S1, page 20	Delete clause b. and clause e. and amend alphabetical listing.
PM4	Policy S2, page 21	Delete Policy S2 and accompanying text below the Policy.
PM5	Page 24 and Appendix 3 Policies Map	Delete Indicative Site Layout plan page 24. Modify Policies Map to delete SPA boundary around "Proposed Site". Increase area of "Proposed Site" to include all that shown outlined in red on the submitted Indicative Site Layout on page 24.
PM6	Policy S5, page 23	Insert after c. and before "land" "approximately 13.99 ha of". Delete d., e., f. and insert: "d. approximately 2.2 ha will be provided for a community hub to include a potential site for a community building and/or a new doctor's surgery and provision of small scale retail units to address the day to day needs of local residents. Within the community hub 2 ha will be provided as a serviced site for a replacement primary school." Change g. to e. and insert after "treatment": "will be incorporated". Change h. to f. and insert after "cycle access": "will be provided". Change i. to g. and delete "the provision of " then insert after "vehicular access": "will be provided".

		Change j. to h. and insert after "parking": "will be provided". Change k. to i. and delete the first sentence. Replace "should" with "shall". Insert after "environment.": "The development shall include the incorporation of at least 3 ha of existing and new woodland and provide for the protection of the setting of the Grade II listed former farmhouse at Hill Farm."
PM7	Policy S10, page 27	Replace the second sentence of Policy S10 with: "Policies for managing development within Local Green Space should be compatible with their designation, being consistent with those for Green Belt."
PM8	Policy S12, page 29	Delete that part of the Policy which follows "Conservation Area".
PM9	Policy S15, page 31	Delete the following from the list of community facilities: "k. – v." "y. z." "aa." "cc." Amend the alphabetic list to reflect the deletions.