

## **Draft for informal review Riseley Neighbourhood Plan**

Dear Sonia

We were told at the Riseley Parish Council Meeting on 15 September that you would shortly be receiving a copy of the Draft Riseley Neighbourhood Plan for informal review.

When you review it please bear in mind that:

### **Issues relating to the entire Riseley Neighbourhood Planning process.**

- The Terms of Reference of the Riseley Neighbourhood Plan Steering Group (RNPSG) have not been published.
- No agendas for RNPSG meetings have been published.
- The minutes of only two RNPSG meetings have been published.
- No RNPSG Accounts have been published.
- No meaningful discussions with Riseley stakeholders have ever taken place.
- Errors in the AECOM Site Suitability Assessments have not been corrected.
- There has been no appeal process for the AECOM reports.
- Errors in the dubious statistical analysis carried out by Mark Chamberlain - Chair of RNPSG, ignoring the statistical significance of outlier sites in a distribution, not acknowledged or corrected.
- As a result of the statistical correlation analysis, six sites were put forward for allocation by RNPSG and identified in the public consultation questionnaire but it is impossible to understand the logic to get to six. For the detail please see <https://www.riseleyvillage.co.uk/analysis-of-the-site-suitability-assessments-conducted-by-riseley-and-aecom/>
- RNPSG should have let the people of Riseley vote on all 19 sites not just on six.
- The public consultation questionnaire should have been published ahead of the consultation not on the day of the public consultation exhibition.
- Asking for the questionnaire to be completed before residents left the Village Hall Exhibition was inappropriate.
- The poor design of the public consultation questionnaire made it very difficult to analyse.
- The very short time for the September 21 Public Consultation just 6 days, with no workshops or engagement steps, no route to address errors- it was a rubber stamp exercise.
- The total absence of meaningful dialogue between RNPSG or RPC with stakeholders at any time.
- The bland and meaningless monthly reports from the RNPSG to the Parish Council have not helped.
- The absence of a Riseley Neighbourhood Plan website – although promised in 2018 has compromised the ability of Riseley people to engage with the process.
- The decision by RNPSG not to allocate any sites for development is a great loss to the people of Riseley and testament to the failure of the RNPSG to do their job properly.
- It is inappropriate that the Chair and Secretary of RNPSG are husband and wife.

- The Chair and the Secretary have announced that they are shortly leaving Riseley to live in Warwickshire.

### **Issues that relate to Site 512, The Paddock, adjacent to 156 High Street Riseley.**

Errors in the AECOM Site Suitability Assessments meant that Site 512 was not allocated for development when it should have been. The main reason for not allocating Site 512 seems to have been Policy AD40. If Policy AD40 is a blanket ban on allocation in a Neighbourhood Plan then this should be stated clearly, all the evidence says that this is not the case. We have gone back to 2013, when Policy AD40 was adopted by Bedford Borough Council and found 24 planning applications where Policy AD40 has been an issue, but where it did not prevent development. These are detailed in pages 17 to 59 in the attached document

The incorrect statement, on a display board, in the September 2021, Village Hall Exhibition, that Site 512 was effectively “Green Belt Land” was very prejudicial to Site 512. This error was confirmed by Sonia Gallaher in her email to me dated 26/01/2022 Please see page 17 in the attached document. When pointed out to RNPSG the Chair's response was "Noted".

#### **ANALYSIS OF THE SITE SUITABILITY ASSESSMENTS CONDUCTED BY RISELEY AND AECOM: VERSION 5 states:**

The rank order of the sites from the Riseley assessment was different from the AECOM rank order but there was a degree of correlation between the two ranks as shown by the graph in Table 8. The chart provides a visual display of the correlation between the two sets of data. Visual inspection of the data suggests a degree of correlation between the datasets because there is minimum displacement from the line of unity (the diagonal line connecting the origin [lower left] with the 20:20 position [upper right]). However, visual inspection is insufficient to provide a convincing argument for correlation and so a statistical method was used. To determine the degree of correlation, Spearman’s rank correlation (Rho -  $\rho$ , refs. 4 and 5) was determined. This is a non-parametric measure of rank correlation.

This means that just looking at the two rankings does not help you figure out an overall ranking. The use then, of a statistical analysis is inappropriate in this context. The statistical analysis is extremely difficult for people to understand, including the RNPSG and to make matters worse it was not used correctly.

There is a common statistical convention to determine an outlier. Values beyond 1.5 times the interquartile range, IQR, are usually considered outliers. Using this convention and looking at Table 8 in the Analysis of Site Suitability assessments conducted by Riseley and AECOM, four sites can be considered as outliers, Site 211, 20 Rotten Row, Site 219, Riseley Lodge Farm, Site 614 Land at Town Farm, Lowsdon Lane and Site 512, The Paddock. It should be noted that Sites, 211, 219 and 614 have all been listed as potentially suitable for inclusion in the Neighbourhood Plan, subject to the mitigation of identified constraints and/or consultation with Bedford Borough Council, only Site 512, The Paddock has not. So of the four sites that don't quite fit the pattern in Table 8, three are potentially allocated and one is not. If you look at Tables 9 and 10 , Site 512 is always an

outlier, not fitting the pattern. This is reason to reevaluate Site 512, The Paddock. Riseley Parish Council shouldn't judge site 512 just by the incorrect statistical correlation between the local Riseley assessment, where it came 4th and the AECOM assessment where it came 12th (Table 8). There should be a specific decision-making scheme to take into account other factors and Site 512 should have been allocated for development in the Riseley Neighbourhood Plan subject to consultation with Bedford Borough Council.  
[www.riseleyvillage.co.uk/analysis-of-the-site-suitability-assessments-conducted-by-riseley-and-aecom/](http://www.riseleyvillage.co.uk/analysis-of-the-site-suitability-assessments-conducted-by-riseley-and-aecom/)

If the AECOM Site Suitability Assessment for Site 512 is not corrected it should be removed from the draft Neighbourhood Plan, as it is based on incorrect data and gives a misleading impression of Site 512. This may well apply to other sites.

We look forward to hearing from you.  
Best regards  
George and Sue Davies

160B High Street  
Riseley  
Bedford  
MK441DR

**The issues in more detail.**

Email to Sam Langley  
Clerk to Riseley Parish Council  
From George Davies  
24/05/22

Dear Sam

Thank you for your email dated 20/05/2022.

Responding to the statement in your email:

*Neither the RPC or the RNPSG have received notification of any further errors or inaccuracies with the AECOM report that are considered to be factual and/or verifiable at this point in time.*

Please find attached a detailed list of errors / inaccuracies with the AECOM report and the Analysis of the Site Suitability Assessments conducted by Riseley and AECOM report, that I consider to be factual and/or verifiable at this point in time and need correcting. If not corrected then the AECOM report and the Analysis of the Site Suitability Assessments conducted by Riseley and AECOM report, for Site 512 should not be included in the draft Riseley Neighbourhood Plan and should also be removed from the village website.

My document is long, detailed and evidence based, unlike the AECOM report.

It would have been much better to have been able to have meaningful dialogue with the Parish Council / RNPSG rather than enter into email ping pong.

I refer you to Duncan Steward's email, as Chair of the Riseley Parish Council, to me, dated 19 November 2021 where he stated "I will recommend a consultation takes place with landowners and developers, on a one to one basis, to explain the rating system for their site and the rationale in the decision process." This never happened and Duncan resigned from the Parish Council on 31 December 2021.

Extract of email from me to Riseley Parish Council, dated 13 December 2021

*"The RNPSG is working hard in isolation, but as a landowner I am keen to help them get their information right. This must be the case for other landowners and the village - please can we start the meaningful dialogue."*

I made this request in the Riseley Parish Council Open Forum on December 17 2021

*"In the interest of fairness and accuracy I request that meaningful dialogue takes place between the RNPG and village stakeholders including landowners before any output from the public consultation is published."*

At the Parish Council Meeting on 20 January, Mark Chamberlain confirmed that the RNPSG have no intention of talking to landowners,

As you can see in the emails below I raised many issues regarding the AECOM report, with Mark and Riseley Parish Council back in August 2021 before the September public consultation.

*From: George Davies <georgedavies160@gmail.com>*

*Date: 27/08/2021 09:42:10*

*Subject: Fw: The Paddock -Site 512*

*To: Mark Chamberlain <mark@chamberlain-clan.co.uk>*

*Further to my email dated 23/08/21 please find attached the following documents relating to Site 512;*

*Site Access including vision splay details and slope details.*

*Preliminary Ecological Assessment PES*

*SUDS details for surface water*

*Transport Statement.*

*I still don't understand the details of how the RNPSG are going to garner feedback from the public consultation and how the residents of Riseley can let the RNPSG know that they want site 512 to be an allocated site.*

*Can we meet in the next day or two please.*

*Cheers*

*George*

No meeting took place.

*From: George Davies <georgedavies160@gmail.com>*

*Date: 23/08/2021 18:04:48*

*Subject: The Paddock -Site 512*

*To: Mark Chamberlain <mark@chamberlain-clan.co.uk>*

*Cc: DUNCAN STEWARD, Chairman RPC. <duncnik.steward@btinternet.com>, Cllr Martin Towler <cllrmartin.towler@bedford.gov.uk>, Sam Langley <riseleyparishclerk@outlook.com>*

*Dear Riseley Neighbourhood Planning Group*

*Re The Paddock -Site 512*

*The Parish Council supports the development of the site.*

*Martin Towler, our Ward Councillor, supports the development of the site.*

*The majority of the members of the Neighbourhood Planning Group support the development of the site.*

*Duncan Steward spoke enthusiastically about the development of the site at the Planning Committee Meeting in December last year.*

*In our pre planning public consultation 70 village residents voted to support the development of the site.*

*AECOM, a gigantic international organisation, who have never spent a full 24 hours in Riseley and who rely on Bedford Borough Council Policies, rather than the knowledge and experience of local people, decided that it is better for the people of Riseley, if the Paddock remains as it is, undeveloped.*

*The Margaret Beaufort School site gets the green light but it is red for The Paddock.*

*This is not localism, this is not listening to the voice of the people, this is top down control.*

*Site 512 is not suitable for allocation in the Neighbourhood Plan.*

*Summary of justification for red rating:*

*The AECOM report states:*

*This greenfield site is adjacent to the settlement policy area boundary and is partially designated as Village Open Space in Policy AD40. - this is an amber issue in the Planning Policy Constraints section of the document.*

*The whole site is within the Conservation Area. A Grade II Listed Building (135 High Street) and its listed outbuilding are directly opposite and development on the site would likely require a mitigation strategy. - this is an amber issue in "Would the development of the site cause harm to a designated heritage asset or its setting?"*

*The site would be in conformity with Policy 7S if allocated in the Neighbourhood Plan. However, consultation with BBC would be required to discuss the potential extension of the settlement boundary to include the site. However, the majority of the site has been designated as Village Open Space (as designated in Allocation and Designations Local Plan 2013, Policy AD40) as it provides a gap in the frontage and acts as a transition point from village to countryside. Therefore, it is unlikely the site could be developed without compromising the designation.*

*Policy AD40 States:*

*Development will not be permitted on land designated as a village open space or view unless it can be demonstrated to the satisfaction of the local planning authority that the reasons for designation are not compromised or that other material considerations outweigh the need to retain the village open space or view undeveloped. Source Appendix to the Inspector's Report on the Examination into the Bedford Allocations and Designations Local Plan – June 2013.*

*As all the justification for the decision are amber, we fail to understand how this leads to a red no go decision. There are no reds in the Planning Policy Constraints section and yet the red final decision is based on Planning Policy Issues.*

*We have a design that does not compromise the designation of the site as Village Open Space. The "Justification" reasons do not add up to red and do not support the decision that the site is not suitable for allocation in the Neighbourhood Plan.*

*The Neighbourhood Planning Group might as well have asked Bedford Borough Council to review their site assessments and save our money on the "independent consultant". It is important that the upcoming public consultation really is a consultation and not an attempt to get the village to agree with the AECOM decisions. We are very keen to understand how*

*Riseley people, who want to see our site allocated in the Neighbourhood Plan, can make their views known to the Neighbourhood Planning Group*

*We note we get no credit for providing a public open space and allotments. In real terms this equates to us building two less bungalows for local people than were the case if the whole site was developed.*

*We note we get no credit for restricting the initial and ongoing sales of the bungalows to people with a local connection. Are any of the other proposed sites offering this?*

*Were the positive aspects of the sites ever considered and how will the positive aspects be presented in the consultation?*

*With regard to Site 512 Site Suitability Assessment Version 4*

*Item 6c "What impact would the site have on existing infrastructure :watercourses should be green not amber. Our surface water management proposal, copy attached, has been approved by the Bedford Borough Council Flood Officer - there is no issue here.*

*Item 6d What impact would developing the site have on existing infrastructure: traffic flow and road infrastructure.*

*The RNPG state : However careful design of the access splay will be required to take account of the angle of access and the slope onto the High Street to afford clear site lines in both directions. I attach our detailed traffic report, based on an Automatic Traffic Count (ATC) survey undertaken on Riseley High Street for a period of seven days from Thursday 14th March 2019 to Wednesday 20th March 2019 inclusive, which identifies that there are no site line issues. Based on the 85th percentile speeds measured, the proposed site access would need to achieve a recommended visibility of 50.0 metres to the right and 50.6 metres to the left. The access is fully compliant with site line requirements and has been approved by Bedford Borough Council Highways. The statement in the Site Assessment is misleading.*

*Item 9 the Site Assessment states: "but there is no pedestrian access on that side of the road ". There clearly is pedestrian access, to the site on that side of the road, there just happens not to be a pedestrian paved foot way on that side of the High Street from 170, Andrew Gell's House all the way to 98 High Street, opposite the shop. This includes pedestrian access from the High Street to Bowers Lane, Dodds Close, and Davies Gardens. It should also be noted that there is a bus stop, for pedestrians, less than 50m from the site entrance. Riseley sits in a shallow valley and 95% of the properties, on the school side of the High Street, from 156 to 98 have sloping access.*

*With regard to the AECOM Assessment of Suitability: Section 2*

*"Site is predominantly, or wholly, within or adjacent to the following non statutory environmental designations: Green Infrastructure Corridor, Local Wildlife Site (LWS), Public Open Space, Site of Importance for Nature Conservation (SINC), Nature Improvement Area, Regionally Important Geological Site, Other"- "Yes - designated Village Open Space (Allocations and Designations Local Plan Policy AD40)."*

*It is not correct to raise the issue of Policy AD40 in this section. As is clear from the list, non-statutory designated areas are to do with conserving biodiversity. There are no non-statutory designated areas issues for this site. It is appropriate to bring up Policy AD40 in the section: Is the site allocated for a particular use (e.g. housing / employment) or designated as open space in the adopted and / or emerging Local Plan? where "open space" is specifically listed.*

*Is the land classified as the best and most versatile agricultural land (Grades 1, 2 or 3a)?*

*This broad brush question is very misleading. Just what agricultural use could this field be put to? It is too small for arable crops, too small for sheep -it has no agricultural value. Should be green. **Please see Page 10***

*Site contains habitats with the potential to support priority species? Does the site contain local wild life rich habitats? Is the site part of: UK BAP Priority Habitat; a wider ecological network (including the hierarchy of international, national and locally designated sites of importance for biodiversity); wildlife corridors (and stepping stones that connect them); and/or an area identified by national and local partnerships for habitat management, enhancement, restoration or creation? Yes - The site is located in National Habitat Network Enhancement Zone 2.*

*This exceptionally broad brush question is again very misleading. We have carried out PRELIMINARY ECOLOGICAL APPRAISAL AND IMPACT ASSESSMENT - copy attached. **Please see page 16** It states: Habitats The habitats within the site interior and particularly the proposed working area are of limited ecological value comprising improved and semi-improved grassland which is common and widespread and ultimately replaceable. The mature boundary trees and hedges are of moderate to high ecological value and will be retained and protected during construction. The adjacent wet ditches and ponds are also of moderate ecological value and will not be impacted directly by the proposal. This question should be green. We have done the detailed work to respond properly to this question.*



*Are there any Public Rights of Way (PRoW) crossing the site? Yes, there is a footpath crossing the site.*

*This is not correct. The footpath is adjacent to the site and is not part of the site and does not cross the site. The footpath remains untouched by the proposed development.*

*Are there other significant trees within or adjacent to the site? yes Which trees does this refer to? I am not aware of any TPO trees adjacent to the site.*

*Would development of the site result in a loss of social, amenity or community value? Yes, as development of the site would result in a loss of Village Open Space.*

*Bungalows exclusively for local people is a positive for community value, as is the creation of a public open space and allotments. The Neighbourhood Planning Group should ask the people of Riseley if they see the proposed development as a loss of social, amenity or community value.*

*Is the site low, medium or high sensitivity in terms of landscape? There is no specialist landscape evidence for this site however, there is likely to be medium sensitivity as the site acts as a 'break' in the built up frontage of the village.*

*This question is clearly green not amber, the words of AECOM "There is no specialist landscape evidence for this site " show it should be green not amber.*

*Please correct both the Neighbourhood Planning Group and the AECOM Site Suitability Assessments before the public consultation and please do give equal space to the positives as well as the negatives of all sites and please let the people of Riseley have their say on the suitability of Site 512, The Paddock, for inclusion in the Riseley Neighbourhood Plan.*

Regards

George and Sue Davies

I look forward to getting your response.

Best regards

George

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www.thepaddockriseley.co.uk

07768 197549

**The AECOM Site Suitability Assessment for Site 512, The Paddock, has factual errors as follows:**

**Is the land classified as the best and most versatile agricultural land (Grades 1,2, or 3a)? Yes-Grade 3 (no specification between 3a and 3b)**

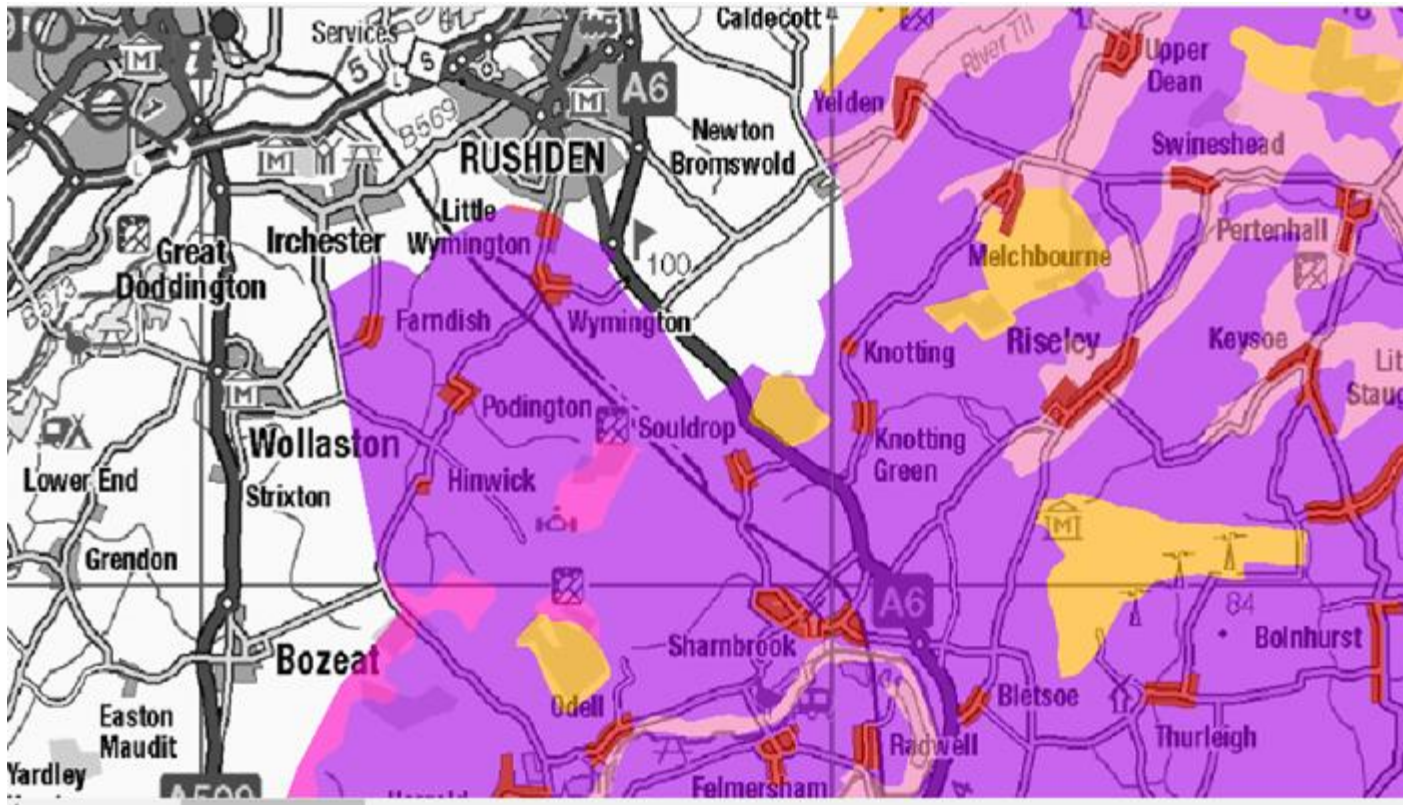
Site 512 is listed as Grade 3 land. This is incorrect. You can't just dream up the Agricultural Land Classification, you must use the best possible data source. Site 512 is identified on the 1969 MAFF agricultural Land classification map as "**Land predominantly in urban use**" and on the Defra 2004 Predictive Best and Most Valuable Land Assessment map, Site 512 is classified as "**Urban/Industrial**". In the absence of an Agricultural Land Classification survey of the site this is the best data available and should have been used by AECOM and the RNPSG. It is not acceptable to just make it up. This item should be scored green.

Source [Guide to assessing development proposals on agricultural land - GOV.UK](http://www.gov.uk/government/uploads/system/uploads/attachment_data/file/282422/guide-to-assessing-development-proposals-on-agricultural-land.pdf)  
([www.gov.uk](http://www.gov.uk))

**Likelihood of Best and Most Versatile (BMV) Agricultural Land - map Eastern Region (ALC020)**

<http://publications.naturalengland.org.uk/category/5208993007403008>

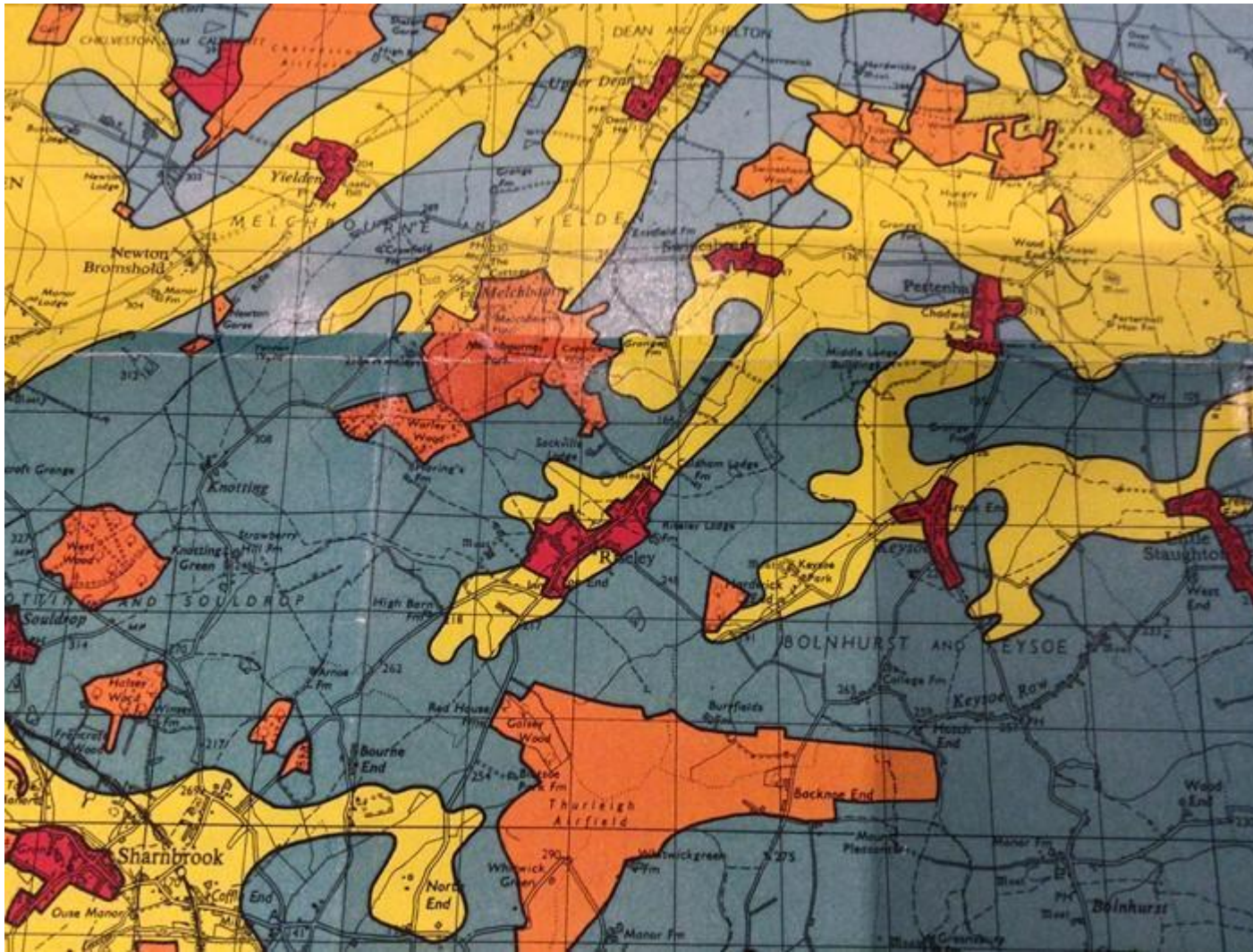
**Published 2017/10/04**



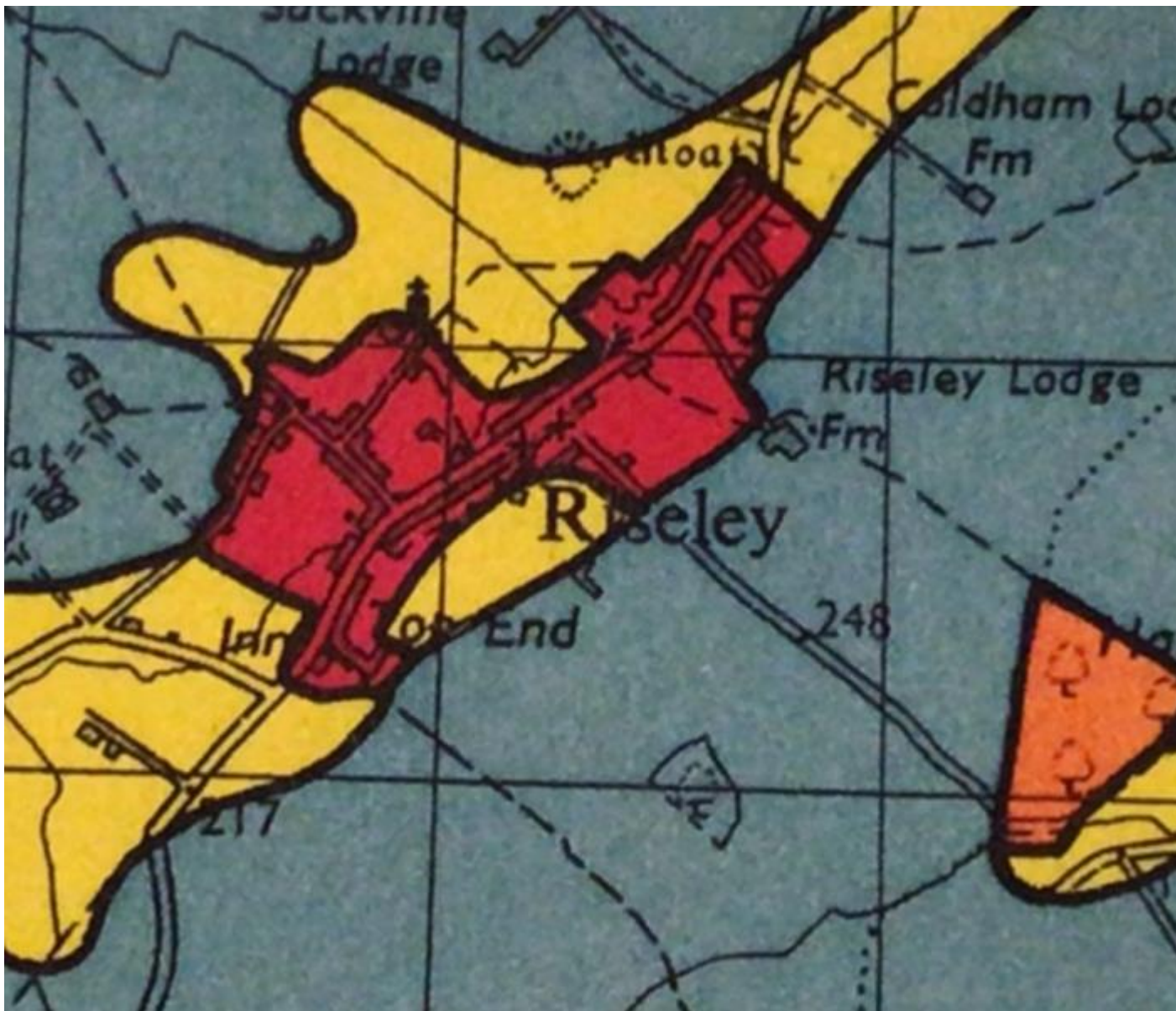
## Predictive BMV Land Assessment © Defra

- High likelihood of BMV land (>60% area bmv)
- Moderate likelihood of BMV land (20 - 60% area bmv)
- Low likelihood of BMV land (<= 20% area bmv)
- Non-agricultural use
- Urban / Industrial

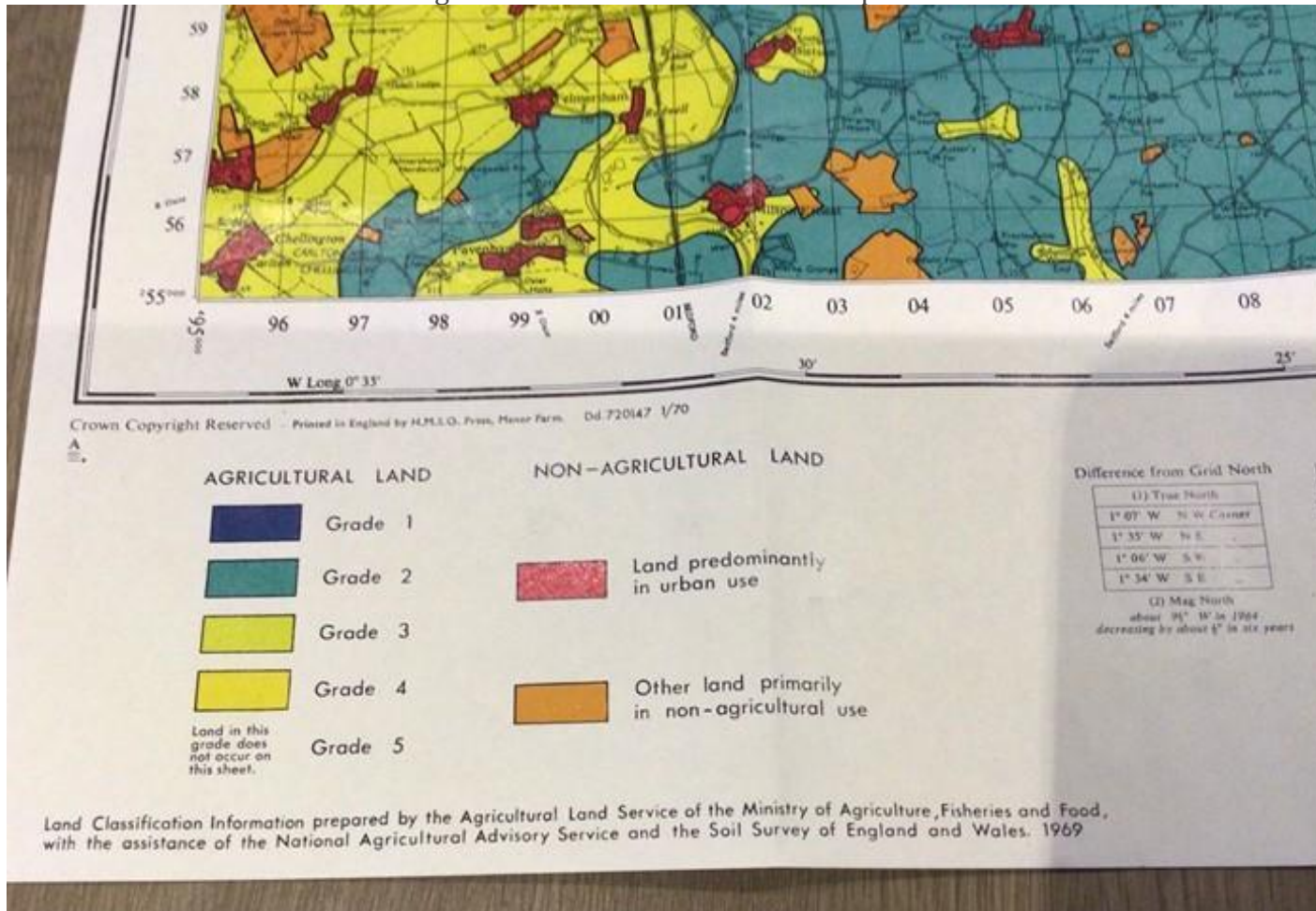
1969 MAFF agricultural Land classification map



1969 MAFF agricultural Land classification map



1969 MAFF agricultural Land classification map





**Aerial view of Riseley June 2019**

**It is easy to see where the best and most valuable agricultural land is. The arable cropping clearly ends and it is well short of Site 512. Site 512 is not ALC 3 and should have been scored green.**

**PF School playing field**

**GA Garden (Gell)**

**G -grass, never cultivated for arable crops**

**512 The Paddock- rough grass never cultivated for crops.**

## **Does the site contain local wildlife-rich habitats? Yes-The site is located in National Habitat Network enhancement Zone 2**

An ecological survey (PES) including GCN eDNA looking for Great Crested Newt DNA in the ponds and a reptile survey was carried out on Site 512 in 2019 and found nothing of note. The ecologist commented that because of its proximity to houses on three sides, the site is patrolled by domestic cats who suppress any wildlife. The PES was sent to Mark on 27 August 2021.

Extract from the Planning Case officer's report for Planning Application 20/01899/FUL

*The application ( Site512) is accompanied by an Ecological Survey. This concludes that appropriate mitigation measures could be implemented to limit the impact of the development on protected species and local ecology, and that biodiversity enhancements can be achieved. Subject to the imposition of a planning condition to implement the recommendations contained within the Ecology Survey, it is considered that impact on ecology is not an impediment to development in this instance.*

This item should be scored green

A link to the Preliminary Ecological Appraisal report is below.



[Preliminary Ecological Appraisal 2 at High Street, Riseley-Eco-Check Ltd-01052019.pdf](#)

Size : 3837.806 Kb

Type : pdf

## **Are there any significant trees within or adjacent to the site? Yes adjacent amber**

There are no significant trees adjacent to the site and the response should be green.

## **Would development of the site cause loss of social, amenity or community value? amber**

There is no loss of social, amenity or community value by developing the site as proposed. The only issue is visual amenity and the next question in the AECOM report re loss of visual amenity is correctly answered No. The answer to loss of social, amenity or community value should also be no and the item should be scored green.



**Is the site low, medium or high in terms of landscape? There is no specialist landscape evidence for this site however there is likely to be medium sensitivity as the site acts as a “break” in the built up frontage of the village. - amber**

So in the absence of any specialist evidence the report makes up an amber response. The proposed layout of the 7 retirement bungalows maintains all the trees and hedges on all four sides of the site and introduces 90m of new hedges. The use of quotes around the word break is significant. The “break” is maintained by our proposed layout. The answer is low and should be scored green.

## **Conclusions section of the AECOM report**

The Village Open Space Policy, AD40, has been presented by AECOM, in its Site Suitability Assessment, as a blanket ban on development. This is not the case. The email from Sonia Gallaher, Senior Planner, Planning Policy, Bedford Borough Council confirms this.

*From: Sonia Gallaher <sonia.gallaher@bedford.gov.uk>  
Date: 26/01/2022 15:09:43  
Subject: RE: [External] Policy AD40 and Neighbourhood Plans  
To: George Davies <georgedavies160@gmail.com>*

*Bedford BC - OFFICIAL-Unsecure*

*Dear George,*

*Thank you for your email.*

*I can confirm that the information in the photo that you supplied about Village Open Spaces and green belt is incorrect. Village open spaces and view designations do not have equivalent protection to green belt. This is only for designated Local Green Spaces.*

*Allocations and Designations Local Plan Policy AD40 allows development on a site designated as a Village Open Space where it can be shown that the reasons for the designation (which differ from site to site) are not compromised, or where there are other material considerations that outweigh the need to retain the open space or view undeveloped. In some circumstances that may mean that development can be justified but in others it may be that development would not be appropriate. The background paper that was produced for the Allocations and Designations Local Plan 2013 outlining these reasons for the designations and the methodology is on our website here. In terms of plan making, it is for the plan maker to weigh up the evidence and justify the selection of sites.*

*I trust this is of help. I would suggest that you contact the Riseley Parish Council Clerk if you have any further queries about the Riseley Neighbourhood Plan production.*

*Many thanks*

*Sonia Gallaher, Senior Planner, Planning Policy, Bedford Borough Council.*

In addition we have gone back to 2013, when policy AD40 was adopted by Bedford Borough Council and found 24 planning applications where Policy AD40 has been an issue, but where it did not prevent development. These are detailed below.

Policy AD40 is a policy, and just like building outside of the SPA, given the right circumstances and subject to consultation with Bedford Borough Council, development is possible.

We note that AECOM declare that 11 sites are potentially suitable for allocation in the Riseley Neighbourhood Plan and every one of them includes the phrase “subject to consultation with BBC” and four of them also require consultation with the Highways Authority.

It seems that the main reason that Site 512 was not allocated for development was its designation as a Village Open Space, Policy AD40.

In the AECOM “summary of justification for the red overall rating” for Site 512, it is stated “therefore, it is unlikely the site could be developed without compromising the (policy AD40) designation.” “Unlikely” is not “can’t”. This is over reach by AECOM. This should not have prevented the people of Riseley having their voice heard on Site 512. It is not up to AECOM to decide. Riseley Parish Council has voiced support for the development of Site 512, as per the recent planning applications and it should have been possible to allocate Site 512 subject to consultation with Bedford Borough Council to see if a layout/design can be developed that does not compromise the two reasons the site was designated as a Village Open Space.

The allocation of Site 512 is supported by the following analysis:

Village Open Space, Policy AD40 states:

“Development will not be permitted on land designated as a village open space or view unless it can be demonstrated that the reasons for designation are not compromised or that other material considerations outweigh the need to retain the Village Open Space or View undeveloped.”

Site 512 in the Riseley Neighbourhood Plan, which includes Riseley site G, on the Bedford Borough Council Policies Map is designated against two criteria:

The gap provides visual relief in an otherwise built up area punctuating the street scene;  
The open space assists the transition between village and countryside providing a soft edge to the village which is pleasing visually.  
Precedents where the designation ‘Village Open Space’ has not prevented appropriate development.

There have been 24 planning applications in which Village Open Space was an issue since 2013, in which officers felt that Policy AD40 need not be compromised by the proposed development. Four of those cases are detailed below and further into this message you can find all 24.

Planning Application 14/02687/FUL Cotton End the Officer notes: “in support of the application.”

“The application site forms part of a **Village Open Space**. The Village Open Space includes the application site and a parcel of land to the south west of the site bounded by the Bell Inn pub car park to the north west, Wood Lane to the south west and dwellings to the south.

The boundary of the Village Open Space with Wood Lane consists of a dense, mature hedge which was approximately 3 metres in height at the time of the officer site visit. This restricts views into the site, but in the event that the hedge is removed the proposed dwelling will be sited approximately 60 metres from the road and the gap provided by the open space will be maintained. There are no views into the site and the site has a limited role in its function, character and identify of the village. The report further states that the site would have a limited role as a gap being that the development would not be visible from the street scene of Wood Lane or Bell Lane. A Landscape and Visual Appraisal has been submitted.”

Comparison to Site 512. With the retained mature trees and hedges on all sides of Site 512 this same analysis should apply. For comparison the bungalows, on site 512, are 60m from the High Street on the Northern side and 40m from the High Street on the South side.

Planning Application 20/00061/FUL , Bromham, is also relevant. The Officer report states: “The application site is designated as a **Village Open Space** on the council’s policies map. The proposed buildings would not be readily visible from public views within Denyvor Close. The northern boundary of the site is landscaped with dense tree and hedge planting. The proposal seeks to retain and enhance the boundary planting which could be secured by condition if planning permission was to be forthcoming. The proposed dwellings would be viewed against the existing built form of Denyvor Close from public. The majority of the site is to be retained as open space with views through the site still being achievable between the proposed buildings. The proposed development is not therefore considered to compromise the reasons that the site was designated as a village open space. Making the space publically accessible again would also contribute positively to its designation. The proposal is not therefore considered to conflict with saved policy AD40 of the Allocations and Designations Local Plan 2013.”

Comparison to Site 512. The proposed bungalows would not be readily visible from public views from the High Street as the boundary of the site with the High Street retains untouched dense trees and hedge except for a 5m addition to the gateway to allow the bin lorry access. New hedges will be planted across the site to screen the view through the gateway. The street scene remains essentially untouched. With the retained mature trees and boundary hedging on all sides of Site 512, this same analysis should apply.

Planning Application 18/00433 by Bloor Homes South Midlands for the erection of up to 65 dwellings is also relevant. Wilstead The Officers Report states: “The front of the site is designated as a **Village View**. The indicative plan submitted with the application shows that the front of the site, including the part of the site containing the designated Village View will be set aside for public amenity space with the first dwelling set back approximately 30 metres from Cotton End Road. **Therefore it is considered that the development can be designed to respect the reason for the designation and the development is not contrary to Policy AD40.**”

Comparison to Site 512. In the proposed layout, the front of site 512 is set out as an open space and allotments and has public access for the first time becoming a public amenity space with the first bungalow is set back approximately 60m from the High Street on the Northern side and 40m from the High Street on the South side. This application also brings into play consulting with Bedford Borough Council to design the development to respect the reasons for designation.

Planning Application Number 18/02517 Stagsden is very relevant "The site is currently designated as agricultural land which consists of grass. It is outside of the Settlement Policy Area (SPA) boundary of Stagsden and is therefore considered to be within the open countryside. However, the site adjoins the SPA boundary and is also designated within the Policies Map 2014 as **Village Open Space** and allocated for a small scale housing development (6 houses)

Comparison to Site 512. The Stagsden site is a **Village Open Space but also has been allocated for a small development of 6 houses and it has many similarities to Site 512 and shows that development on a Village Open Space is achievable.**

Based on the analysis above Site 512 should have been added to the 11 sites allocated sites which are also subject to consultation with Bedford Borough Council.

I have been in contact with AECOM and they tell me that no decisions on site allocations were taken by AECOM. Decisions are the responsibility of the Parish Council in consultation with the local community and key stakeholders. AECOM also told me that their reports are intended to assist in this process and that they make it clear to Qualifying Body, Riseley Parish Council that they should continue to engage with landowners and other interested parties when selecting sites for allocation. They said this includes consideration of any evidence which may affect the conclusions in the AECOM site assessment reports, which are intended to be a snapshot in time based on the information available to them at the time of assessment. They also told me that their technical support to Riseley Parish Council formally concluded in February 2021 when they delivered their final report.

An examination of the Site Suitability Assessment carried out by the local Riseley Neighbourhood Plan Group shows that Site 512, based on this local assessment, gets a high score of 4, and should be allocated for development in the Riseley Neighbourhood Plan. The one red score, in the local Riseley Assessment very sensibly states: "The site currently is Village Open Space. The site would fill in a green space but this is not visible from the road due to tall trees bordering the road." It should also be noted that the land rises sharply from the High Street and then very gently slopes to the back of the site. The initial sharp rise means that even without the trees you can't see into the site from the High street except through the gateway.

Table 8 in the Analysis of the Site Suitability Assessments conducted by Riseley and AECOM, confirms the local Riseley Assessment score for Site 512 is 4 while the AECOM assessment gives it a score of 12, which pushes it out of the sites to be allocated. The Neighbourhood Plan Group then use a statistical correlation exercise to try and convince themselves and others that what AECOM have done fits with the local view which it clearly does not.

Since first receiving a copy of the AECOM Site Suitability Assessment on 20 August, AECOM have corrected two RAG errors, giving two additional green scores to Site 512. The Policy AD40 issue is now correctly identified in the AECOM Site Suitability Assessment section in "Policy Constraints" and correctly and significantly is scored amber not red. In the "Summary of justification for the red overall rating" for Site 512, it is stated " therefore, it is unlikely the site could be developed without compromising the (policy AD40) designation". To make the "overall rating" red is over reach by AECOM.

With regard to Policy AD40, we need to go back to the appendix to the Inspector's Report on the Examination into the Bedford Allocations and Designations Local Plan – June 2013. The Inspector stated:

*145. I am concerned, however, about the overly stringent wording of Policy AD42 which states that development will not be permitted on land designated as a village open space or view. I consider that in reality an important consideration in determining proposals on such areas will be whether the reasons for designation would be compromised if the development was allowed to proceed. There may, for instance, be occasions where the loss of a small part of an open space may not prejudice the overall integrity of the space or undermine its contribution to the local area. Furthermore it may be the case that the retention of a designated space may be outweighed by other material considerations, for instance significant community benefits that could not otherwise be achieved.*

*146. Consequently I consider that the wording of Policy AD42 needs to be revised to make it clear that in determining proposed development account will be taken of the reasons for designation and other material considerations. Without these wording changes Policy AD42 would not be effective or accord with the NPPF.*

The wording was changed in line with the Inspectors request and it became Policy AD40. Village Open Space and Views. The word "important" was dropped by Bedford Borough Council in 2013.

It should not be up to AECOM to conclude Policy AD40 will prevent development on Site 512 when the Inspector in 2013 was clearly concerned "about the overly stringent wording" and relaxed Policy AD40 to make it more flexible and therefore accord with the National Planning Policy Framework NPPF.

Policy AD40 designation is not equivalent to "Green Belt" as was stated at the Neighbourhood Plan Public Consultation exhibition in September 2021. Local Green Space designation, of which Riseley has two, the playing field and Ross Meadow is equivalent to "Green Belt". Bedford Borough Council in the 2030 Local Plan acknowledge that Policy AD40 is a lower tier of protection than Policy 46 Local Green Space. Site 512 was not considered worthy enough even be put up for consideration as a possible Local Green Space in Riseley. There are no Green Belt designations at all in Bedford Borough.

Policy AD40 seems to be the main reason Site 512 was not allocated in the Riseley Neighbourhood Plan by AECOM. Site 512 should have been allocated with the caveat that consultation with Bedford Borough Council would be required to determine if a layout/design can be agreed that does not compromise the two reasons for designation D and E and to take into account the material considerations of public access to the site for the first time ever, together with the provision of disabled friendly allotments and a 106 agreement to confine sales of the retirement bungalows to

people with a connection to Riseley. Clear material benefits which are not being proposed on any other sites in Riseley.

## **Issues with Analysis of the Site Suitability Assessments conducted by Riseley and AECOM report**

Why would you attempt to reconcile two different sets of opinions, one based on the views of people who live in Riseley and have nothing but good intentions for the village and the views of a planning consultancy who have never spent a full 24 hours in Riseley and could not care less about Riseley and its future. The way to reconcile the different views is not to run a complex statistical analysis but to go back to the people of Riseley, in a proper consultation and ask them which view they prefer.

I do not doubt that there is a broad statistical correlation between the Riseley Neighbourhood Planning Group rankings and the AECOM rankings. However, the Spearman's rank correlation of 0.71, 0.73 or 0.67 depending on which data set is used, between the Riseley Neighbourhood Planning Group rankings and the AECOM rankings does not mean that the AECOM interpretation is correct for all sites. Some sites, in statistical terms are "outliers". They don't fit the pattern and they should be evaluated differently. Equally it is just as statistically valid to use the Spearman's rank correlation findings to use the Riseley Neighbourhood Planning Group rankings, as the rankings to go with as they correlate with the AECOM rankings at the level of 0.71, 0.73 or 0.67 depending on which data set is used.

Based on the statistical analysis, it would seem that you are asking us to accept that a Riseley Neighbourhood Planning Group ranking of, say 7, means the same as an AECOM ranking of 7. Given the long list of differing assessment criteria used by the Riseley Neighbourhood Planning Group and AECOM this cannot be considered as an assumption that has been met. In other words, correlation and agreement analyses in this context, are for measuring the same quantity with two different ranking systems...is rank=7 the same 'quantity' with either ranking system? Therefore, your measuring of correlation may not work as intended, and particularly, the existence of outlier ranking differences can probably be explained more by the different ranking criteria used by Riseley and AECOM, rather than the person/s making the ranking?

There is a common statistical convention to determine an outlier. Values beyond 1.5 times the interquartile range, IQR, are usually considered outliers. Using this convention and looking at Table 8 in the Analysis of Site Suitability assessments conducted by Riseley and AECOM, four sites can be considered as outliers, Site 211, 20 Rotten Row, Site 219, Riseley Lodge Farm, Site 614 Land at Town Farm, Lowsdon Lane and Site 512, The Paddock. It should be noted that Sites, 211, 219 and 614 have all been listed as potentially suitable for inclusion in the Neighbourhood Plan, subject to the mitigation of identified constraints and/or consultation with Bedford Borough Council, only Site 512, The Paddock has not. So of the four sites that don't quite fit the pattern in Table 8, three are potentially allocated and one is not. If you look at Tables 9 and 10, Site 512 is always an outlier, not fitting the pattern. This is reason to reevaluate Site 512, The Paddock. Riseley Parish Council shouldn't judge site 512 just by the overall correlation between the local Riseley assessment, where it came 4th and the AECOM assessment where it came 12th (Table 8). There should be a specific decision-making scheme to take into account other factors and Site 512 should have been allocated for development in the Riseley Neighbourhood Plan subject to consultation with Bedford Borough Council.

Analysis of Site Suitability assessments conducted by Riseley and AECOM,  
The outliers are the sites where column 'd' (=difference between AECOM and Riseley rank) has a value of greater than IQR X 1.5

Table 8

Sample size:19

Lower quartile (xL): 1

Upper quartile (xU): 4

Interquartile range (xU-xL): 3

$3 \times 1.5 = 4.5$

Outlier sites: 211, 219, 614 and 512

Table 9

Sample size:19

Lower quartile (xL): 1

Upper quartile (xU): 5

Interquartile range (xU-xL): 4

$4 \times 1.5 = 6$

Outlier sites: 211,219,218 and 512

Table 10

Sample size:19

Lower quartile (xL): 1

Upper quartile (xU): 5

Interquartile range (xU-xL): 4

$4 \times 1.5 = 6$

Outlier sites: 211, 219 and 512

## **24 Bedford Borough Council, planning applications approved with Policy AD40 -Village Open Space issues**

**1**

**Application Number 18/02517**

**APPLICANT : Mr And Mrs Newman As Trustees Of Messrs P W And C G Newman**

**LOCATION : Land West Of Village Farm Spring Lane, Stagsden, Bedfordshire**

**PARTICULARS OF DEVELOPMENT :**

**Outline application with all matters reserved for the erection of 6 dwellings and change of use of land to public amenity green space in Stagsden.**

**Approved**

SITE DESCRIPTION and PROPOSED DEVELOPMENT

The site is currently designated as agricultural land which consists of grass. It is outside of the Settlement Policy Area (SPA) boundary of Stagsden and is therefore considered to be within the open countryside. However, the site adjoins the SPA boundary and is also designated within the Policies Map 2014 as **Village Open Space** and allocated for a small scale housing development (6 houses).

It is noted that the Parish Council will manage and maintain the open space to the north of the site in accordance **with ADP policy AD40**, which will be secured by a legal agreement.

2.4 The land is currently designated as **Village Open Space under policy AD40** of the Allocations and Designations Plan 2013 (ADP). The reason for the designation was to provide a gap in a built up area whilst also providing a soft edge between the village and the open countryside.

2.5 Policy H23 of the Bedford Local Plan 2002 (BBLP) is also relevant in relation to this land. Part of this site has been allocated for a small scale development of 6 houses (this is being assessed under ref: 18/02517/OUT) with the remaining land to provide a village green.

2.6 The proposed open space will be accessible from the High Street and Spring Lane. The location of the open space will provide the visual relief required by ADP policy AD40 and is also consistent with the indicative plan of Stagsden as shown within the Policies Map 2014, which was informed by BBLP policy H23. **The proposed change of use is therefore considered to be acceptable as it is in accordance with the development plan and national policy.**

**2**

**14/02687/FUL | Erection of bungalow and double garage | Land Adjacent To Woodhatch, 6 Bell Lane, Cotton End, Bedford, Bedfordshire MK45 3AD**

**OFFICER: Mr Jonathan Warner**

**Eastcotts Parish Council Objection**

**Approved**

2. MAIN ISSUES ARISING



2.1 Principle of development – The site is located within the Rural Policy Area of Bedford Borough and within Cotton End’s Settlement Policy Area boundary. Cotton End is not a Key Service Centre. Core Strategy and Rural Issues Plan Policy CP14 states that in rural settlements defined by a Settlement Policy Area boundary, but not designated as Key Service Centres, development will be restricted to that which is required to meet local business and community needs and to maintain the vitality of those communities. The incremental growth proposed by the erection of the single dwelling is viewed as helping to maintain the vitality of Cotton End, and notwithstanding the assessment of the impact on the village open space, the principle of the residential development is considered acceptable.

2.2 Village Open Space – The application site forms part of a village open space. The village open space includes the application site and a parcel of land to the south west of the site bounded by the Bell Inn pub car park to the north west, Wood Lane to the south west and dwellings to the south east. The part of the village open space outside of the boundary of the application site is not within the ownership of the applicant and is within private ownership.

2.3 Policy AD40 of the Allocations and Designations Local Plan 2013 states that “development will not be permitted on land designated as a village open space or view unless it can be demonstrated that the reasons for designation are not compromised or that other material considerations outweigh the need to retain the Village Open Space or View undeveloped.”

2.4 The village open space was designated because the site creates a gap which provides a visual relief in an otherwise built up area punctuating the street scene. The site was previously one paddock when it was originally designated in the 1993 Local Plan but this area has since been split into separate ownership with one plot facing Wood Lane and the other plot (application site) being part of the rear garden of 6 Bell Lane.

The main view of the open space is from Wood Lane and this creates the gap in the street scene. The boundary of the open space with Wood Lane consists of a dense, mature hedge which was approximately 3 metres in height at the time of the officer site visit. This restricts views into the site but in the event that the hedge is removed the proposed dwelling will be sited approximately 60 metres from the road and the gap provided by the open space will be maintained.

2.5 A Landscape and Visual Appraisal has been submitted in support of the application. The report states that there are no views into the site and the site has a limited role in its function, character and identify of the village. The report further states that the site would have a limited role as a gap being that the development would not be visible from the street scene of Wood Lane or Bell Lane.

2.6 Whilst views into the site are possible when approaching along Bell Lane and from the pub garden and car park, these are screened to a large extent by the existing conifer trees along part of the south east boundary. Revised plans have been received to show the removal of some of these trees which will increase views into the site but these will be distant and will be partially screened by the proposed close boarded fence. The limited height of the dwelling and distance from the boundary will also reduce the visual impact.

2.7 Given the limited impact of the proposal when viewed from Wood Lane, the reason for the village open space designation is not considered to be compromised and the proposed development is in accordance with Policy AD40.

### 3

20/00061/FUL

APPLICANT : TILCo The Incidental Land Company - Mr S Oldroyd

LOCATION : Rear Of 78 To 82 Dynevor Close, Bromham, Bedfordshire

PARTICULARS OF DEVELOPMENT :

Erection of three 3-bedroom detached dwellings with integral garages, parking and private amenity space.

Refused but not because of AD40

#### 2.3 Village Open Space

The application site is designated as a village open space on the council's policies map. Saved Policy AD40 of the Allocations and Designations Plan 2013 sets out that development would not be permitted on land designated as a village open space unless it can be demonstrated that the reasons for designation are not compromised or that other material considerations outweigh the need to retain the village open space undeveloped. Draft policy GE3 of the Bromham neighbourhood Plan states that village greens and other public green spaces will continue to be maintained to a good standard, and, where necessary, liaison with owners of other green spaces will continue so as to maintain access to sites.

In the supporting documents for the Allocations and Designations Local Plan, the reason that the site was designated was the fact that it provides a gap that provides visual relief in an otherwise built up area punctuating the street scene.

The proposed buildings would not be readily visible from public views within Denyvor Close. The northern boundary of the site is landscaped with dense tree and hedge planting. The proposal seeks to retain and enhance the boundary planting which could be secured by condition if planning permission was to be forthcoming. The proposed dwellings would be viewed against the existing built form of Denyvor Close from public. The majority of the site is to be retained as open space with views through the site still being achievable between the proposed buildings. The proposed development is not therefore considered to compromise the reasons that the site was designated as a village open space. Making the space publically accessible again would also contribute positively to its designation. However, limited information has been submitted with the application with respect to the future use, management and accessibility of that part of the site. The proposal is not therefore considered to conflict with saved policy AD40 of the Allocations and Designations Local Plan 2013.

### 4

**OFFICER REPORT                      RECOMMENDATION : Grant Permission**

**REASON DEFERRED (Where applicable)**

**APPLICATION NO:** 15/00475/FULWM  
**PROPOSAL:** Retrospective application for the siting of a portacabin  
**APPLICANT:** Mr Findlay  
**LOCATION:** Home Farm Cople Road Cardington Bedford Bedfordshire MK44 3SN  
**EXPIRY DATE:** 12 June 2015

**SITE**

The site measures 613m<sup>2</sup> and includes a purpose built 73m access road onto Cople road and a 9.7m by 3.6m portacabin which sits on a grassed area. The site is close to, but outside of the settlement boundary of Cardington village which lies immediately north of the site. The nearest dwellings to the site are Home House and the Home Farm Business Centre.

The portacabin and access road serve the adjacent permitted waste electrical and electronic equipment (WEEE) recycling site. This WEEE facility is located to the south of the application site.

The site is located within a Conservation Area, the Forest of Marston Vale and within a designated Village Open Space. I

## Village Open Spaces and Views.

2.5 The site lies within a designated Open Space area. Under policy AD40 "Village Open Spaces and Views" development will not be permitted on land designated as a village open space or view unless it can be demonstrated that the reasons for the designation are not compromised or other material considerations outweigh the need to retain the village open space or view undeveloped.

It is likely that the area was designated a village open space because it met policy criteria E which states:

"The open space assists the transition between village and countryside providing a soft edge to the village which is visually pleasing."

2.6 The WPA does not consider the proposal undermines the reason the area was designated open space and therefore does not unduly conflict with policy AD40. This is because it is small scale and hidden from view by existing vegetation and the WEEE facility.

## 5

**APPLICATION NO: 13/01551/COU**

**PROPOSAL: Change of use of garage / store to dwelling**

**APPLICANT: Mr D Netherway**

**LOCATION: Land And Barns At Junction Of Church Road And Honeydon Road Colmworth Bedfordshire**

**EXPIRY DATE: 23 September 2013**

**Approved**

**2.2 Village Open Space** – The front part of the site is allocated as a Village Open Space and View in the Allocations and Designations Plan 2013. Policy AD40 states: "Development will not be permitted on land designated as a village open space or view unless it can be demonstrated that the reasons for designation are not compromised or that other material considerations outweigh the need to retain the village open space or view undeveloped." The open space was designated on the basis that it is a gap which provides visual relief in an otherwise built up area punctuating the street scene (policy criteria D). Amended plans have been submitted to address concerns that the proposal could have a harmful impact on the open space. The plans now show the following: A visibility splay that can be achieved without removing the existing bund on site, a reduced car parking area, landscaping to remain as existing and cycle parking to the rear. Permitted Development rights can be removed from the site to ensure that no extensions, outbuildings, hard standings and boundary treatments can be built without planning permission that might compromise the village open space. The plans now indicate that the rear garden will be used for cycle storage and domestic uses (such as hanging out washing) which will leave the front area as non domesticated as possible. The rear

garden is 11m in length so complies with the Councils recommended length of 9m for residential dwellings.

### 3. CONCLUSIONS

3.1. Subject to conditions to remove permitted development rights, the proposal is considered to not have a harmful impact on residential amenity, the village open space or the setting of the adjacent listed building. The proposal is therefore recommended for approval.

## 6

**APPLICATION NO: 15/01761/FUL**

**PROPOSAL: Erection of a new 4 bedroom two storey dwelling house and detached garage (adjacent to existing house)**

**APPLICANT: Mr & Mrs Robert Robson**

**LOCATION: Church Barn Church Green Milton Ernest Bedford MK44 1RH**

**EXPIRY DATE: 3 December 2015**

**Approved**

2.1.4 In addition consideration has been given in this instance to Policy AD40 of the ADLP as Church Green is designated as a Village Open Space and View. The policy sets out that open spaces identified as Village Open Spaces / Views meet one or more of the following criteria.

- i) They are publicly accessible and valuable to the local community for sport, recreation or as amenity space;
- ii) They give identity to a settlement or village by helping to retain its form and reflect past history (examples include village greens);
- iii) They provide a gap or break in the frontage which contributes to the character of a settlement for example by providing a view into a village which forms part of the village setting, or a view into open countryside establishing the relationship between the form of the village and the countryside beyond;
- iv) The gap provides visual relief in an otherwise built up area punctuating the street scene;
- v) The open space assists the transition between village and countryside providing a soft edge to the village which is pleasing visually.

2.1.5 Development is not permitted on land designated as a village open space or view unless it can be demonstrated that the reasons for designation are not compromised or that material considerations outweigh the Village Open Space or View undeveloped. In this instance Church Green has been designated on the basis of criteria i and ii above and on the basis that the new dwelling will not encroach onto the green it is considered the proposal does not conflict with the aims of Policy AD40.

## 7

**APPLICATION NO:17/02417/S73 V**

**15 Vicarage Green, Thurleigh**

**Approved**

**The site is currently part of the garden to no. 15 Vicarage Green, Thurleigh The majority of the site is located within an area identified as an important local gap (Village Open Space).**

## Open Space Designation

Part of the site in question is designated as village open space under **policy AD40** of the Allocations and Designations Local Plan 2013. This policy states that development will not be permitted on land designated as village open space or view unless it can be demonstrated that the reasons for designation are not compromised or that other material considerations outweigh the need to retain the Village Open Space (VOS) or View undeveloped.

The reasons for the designation of this VOS were:

☑ That it is publicly accessible and valuable to the local community for sport, recreated or as amenity space.

The gap provides visual relief in an otherwise built up area punctuating the street scene.

The part of the site that the dwelling itself is proposed for however is not designated as Village Open Space, with the proposed garden land for the dwelling instead falling within that designation. This situation mirrors that of the existing dwelling on site which is also just to the south of the VOS with its garden falling within the designation. The presence of a second dwelling outside the VOS would therefore not materially affect the VOS itself. One garden in essence would become two. The site is also fenced off, with the garden separated from the wider open space. **This division was in place when the VOS was designated. If nothing else on site was to change, the presence of another dwelling within the curtilage of the existing one would not materially affect the VOS designation.**

## 8

**APPLICATION NO: 16/02024/FUL**

**PROPOSAL: Change of use of agricultural building to a single dwelling house with associated works.**

**Approved**

2.13 The front of the drive serving the new house runs through a designated “Village Open Space” and Policy AD40 of the adopted Allocations and Designations Plan applies. In this case as the drive and **building already existing it is not considered that the conversion of the barn will change the impact on the open space and the aims of this policy are therefore complied with.**

## 9

**16/02903/FUL | Construction of two 4-bed residential dwellings and associated works | Land Adj The Bell, 61 High Road, Cotton End, Bedford, Bedfordshire, MK45 3AET**

**Approved**

Policy comments were previously made on an application for one dwelling (14/02687/FUL) for which permission was granted for the erection of a bungalow and double garage. The current proposal is for two dwellings to the rear of The Bell. Access to the site will be from Wood Lane along the western boundary of the site. The site is currently used as garden land for 6 Bell Lane, but is overgrown and unmanaged.

## Policy issues

The site is partly designated as Village Open Space B in Cotton End. The reason for the designation was criteria D – the gap provides visual relief in an otherwise built up area punctuating the street scene. The site was previously one paddock when it was originally designated in the 1993 Local Plan but this area has now been split into separate ownership with one plot facing Wood Lane and the other plot being the rear garden of 6 Bell Lane. Policy AD40 states that development will not be permitted on land designated as a Village Open Space unless it can be demonstrated that the reasons for designation are not compromised. The reason for designation of this site was a gap in the built up area which punctuates the street scene. The Village Open Space spans across to the plot fronting Wood Lane which is currently undeveloped. In addition the western boundary of the plot to the road frontage of Wood Lane is approximately 53 metres deep and of importance in the street scene providing a gap in the built up area when viewed from the north and west. The proposed gravel driveway and surrounding planting would mean that the north / north west part of the site is to be free from built development. In addition the significant boundary planting along Wood Lane is to be maintained. Whilst it is unfortunate that both plots are now to be developed the proposal is not considered to undermine the gap in the built up area. I do however question the boundary with 11 Wood Lane. It is not clear from the submitted documents whether the trees and hedges along this boundary will be retained as the dwellings seem to be proposed right up against this boundary. Retention or replacement of planting along here is important to the street scene and maintaining the gap when viewing the site from Wood Lane to the south east of the site.

## Conclusion

The proposed development of two dwellings is to be located in a designated Village Open Space. The gravel driveway and surrounding planting on the north / north west part of the site is to be free from built development. The significant existing boundary planting along Wood Lane is to be retained. Pending acceptable clarification about the boundary treatment adjacent to 11 Wood Lane I do not think that the proposal would compromise the reasons why the site was designated as a village open space.

## 10

**APPLICATION NO: 18/00249/FUL**

**PROPOSAL: One and two storey rear building and new covered area to rear/side and external alterations.**

**APPLICANT: Christopher Reeves Lower School**

**LOCATION: Christopher Reeves Lower School Hinwick Road Podington Wellingborough NN29 7HU**

**EXPIRY DATE: 23 March 2018**

**Approved**

## Principle

2.1 The application site is an established educational school site within the village of Podington. The main school building falls within the Settlement Policy Area for the village but the playground on which

the rear extension is to be built falls outside of the boundary. Land to the rear is also a designated village open space where policy AD40 of the Allocations and Designations Local Plan and LR15 of the

**Bedford Borough Local Plan applies.** The whole site falls within the Rural Policy Area and is not a key service centre, as defined in the development plan. As such the Core Strategy & Rural Issues Plan policies CP13 and CP14 apply. CP13 restricts development to that which is consistent with national policy, particularly that in PPS7. As PPS7 has now been replaced by the National Planning Policy Framework (NPPF), the NPPF is considered to be relevant to this case. CP14 requires that in rural settlements defined by a settlement policy area boundary which are not designated as Key service centres development will be restricted to that which is required to meet local business and community needs and to maintain the vitality of those communities.

2.2 In this case the proposal meets the requirements of policy CP14 in that it provides an expansion and improvement of the local school facilities which are key to the success of the local school as well as providing a new community facility for members of the local community to use for a wide range of events and occasions.

2.3 **It is therefore considered that the proposal in principle meets the policy requirements.**

## **11**

**APPLICATION NO: 17/03591/FUL**

**PROPOSAL: Erection of two new dwellings and associated access.**

**APPLICANT: Mr & Mrs Tom & Jeanette Dormer**

**LOCATION: Old Pond House High Street Upper Dean Huntingdon PE28 0ND**

**EXPIRY DATE: 6 March 2018**

**Approved**

Village open space

2.5 The application site is **adjacent to a designated Village Open Space (VOS).** ADLP Policy AD40 states that 'development will not be permitted on land designated as village open space or view unless it can be demonstrated that the reasons for designation are not compromised or that other material considerations outweigh the need to retain the Village Open Space or View undeveloped'. **The proposed development has been sited to the rear of this open space and as such the proposed built development does not encroach into this land.** Whilst this land will be allocated as garden land to plot 1, this land is already used as garden associated with the main house at Old Pond House and therefore the continued use of this land as garden is considered acceptable. **The development therefore complies with the aims of ADLP Policy AD40 in that the open space will not be compromised.** To safeguard the open space being laid to hardstanding/being built on and to protect the character of the Conservation Area and setting of the main house it will be necessary to restrict permitted development rights for hard surfacing/extensions etc. by condition.

## **12**

**17/00334/FUL Date: 27 February 2017**

**Proposal: Construction of a new dwelling including access, parking and turning area at Shepherds Cottage, High Street, Swineshead**

**Approved**

Village open space designation

**The site is designated a village open space under policy AD40 of the Allocations and Designations**



**Local Plan (ADLP), adopted in 2013.** The policy states that any development on a village open space must not compromise the reason for its designation. This particular village open space was designated because it meets criterion D of Policy AD40: "The gap provides visual relief in an otherwise built up area punctuating the street scene".

Previous policy comments were provided under 15/02046/FUL and 16/02156/FUL with the block plan submitted under each of the schemes showing an incremental set back of the dwelling. The policy comments provided on each occasion concluded that such a development would have compromised the village open space designation, given the siting of the dwelling would have eroded the existing open vista when viewed from the street frontage.

The current application now offers a much more appropriate siting for the dwelling house, no longer set within the middle of the plot. The proposed dwelling is now served by a deep front garden which would retain the gap in the built up area providing visual relief to the street frontage. It is considered that this additional set back retains the overall quality of the village open space, and would therefore not compromise the reason for the site's designation.

Conclusion

**On the basis of the above considerations, the current proposal overcomes the previous policy objection and accords with Policy AD40 of the ADLP**

## 13

**APPLICATION NO: 17/02832/S73A**

**PROPOSAL: Erection of Front Wall and Gate (revised scheme) (development already carried out) GATE OMITTED BY CONDITION.**

**APPLICANT: Mr T Sherlock**

**LOCATION: Bull Barn 45A Silver Street Stevington Bedford Bedfordshire MK43 7QN**

**EXPIRY DATE: 1 December 2017**

**Approved**

**. It is noted that the application site is within an area designated as AD40 Village open/space view.** The Allocations and Designations Plan 2013 Policy AD40 specifically identifies the land as being a village open space [...]. The specific reason this site was designated is for criteria 'D' in the plan: "The gap provides visual relief in an otherwise built up area punctuating the street scene". The committee report for the 2014 application goes onto to establish that: The policy states that: 'Development will not be permitted on land designated as a village open space or view unless it can be demonstrated that the reasons for designation are not compromised or that other material considerations outweigh the need to retain the Village Open Space or View undeveloped'.

To meet the policy requirements the applicant must demonstrate that the visual relief of **the gap punctuating the street scene will not be compromised.** The Parish Council and some objecting neighbours have made reference to the views across the site including of the windmill. The policy is however very specific and views across the site and of the windmill would fall under criteria C "Providing a gap of break in the frontage which contributes to the character of the settlement for example by providing a view into a village or a view into open countryside establishing the relationship between the form of the village and the countryside beyond". The land has not been designated for this

reason.

## 14

**APPLICATION NO: 17/01801/FUL**

**PROPOSAL: One and two storey rear extension and new covered area to rear/side and external alterations.**

**APPLICANT: Christopher Reeves VA Lower School**

**LOCATION: Christopher Reeves Lower School Hinwick Road, Podington Wellingborough NN29 7HU**

**EXPIRY DATE: 25 August 2017**

**Approved**

2.1 The application site is an established educational school site within the village of Podington. The main school building falls within the Settlement Policy Area for the village but the playground on which the rear extension is to be built falls outside of the boundary. Land to the rear is also designated village open space where policy AD40 of the Allocations and Designations Local Plan and LR15 of the Bedford Borough Local Plan applies. The whole site falls within the Rural Policy Area and is not a key service centre, as defined in the development plan. As such the Core Strategy & Rural Issues Plan policies CP13 and CP14 apply. CP13 restricts development to that which is consistent with national policy, particularly that in PPS7. As PPS7 has now been replaced by the National Planning Policy Framework (NPPF), the NPPF is considered to be relevant to this case. CP14 requires that in rural settlements defined by a settlement policy area boundary which are not designated as Key service centres development will be restricted to that which is required to meet local business and community needs and to maintain the vitality of those communities.

2.2 In this case the proposal meets the requirements of policy CP14 in that it provides an expansion and improvement of the local school facilities which are key to the success of the local school as well as providing a new community facility for members of the local community to use for a wide range of events and occasions.

2.3 It is therefore considered that the proposal in principle meets the policy requirements.

## 15

**16/02994/FUL Date: 18/11/2016**

**Subject: Sub-division of site and erection of new dwelling at land adjacent 15**

**Vicarage Green, Thurleigh**

**Approved**

Open Space Designation

Part of the site in question is designated as village open space under policy AD40 of the Allocations and Designations Local Plan 2013. This policy states that development will not be permitted on land designated as village open space or view unless it can be demonstrated that the reasons for designation are not compromised or that other material

considerations outweigh the need to retain the Village Open Space (VOS) or View undeveloped.

The reasons for the designation of this VOS were:

☑ That it is publicly accessible and valuable to the local community for sport, recreation or as amenity space

☑ The gap provides visual relief in an otherwise built up area punctuating the street scene.

The part of the site that the dwelling itself is proposed for however is not designated as Village Open Space, with the proposed garden land for the dwelling instead falling within that designation. This situation mirrors that of the existing dwelling on site which is also just to the south of the VOS with its garden falling within the designation. The presence of a second dwelling outside the VOS would therefore not materially affect the VOS itself. One garden in essence would become two. The site is also fenced off, with the garden separated from the wider open space. This division was in place when the VOS was designated. **If nothing else on site was to change, the presence of another dwelling within the curtilage of the existing one would not materially affect the VOS designation.**

## 16

**APPLICATION NO: 16/03253/FUL**

**PROPOSAL: Erection of one dwelling and a detached outbuilding**

**APPLICANT: Mr And Mrs Rogers And Mrs W Cox**

**LOCATION: Orchard To East Of Dove Lane Harrold Bedfordshire**

**EXPIRY DATE: 23 January 2017**

**Refused**

Village Open Space

2.4 The site forms part of a wider designated village open space referred to as site K under policy **AD40 of the Allocations and Designations Local Plan (ADLP)**. The background paper supporting policy AD40 advises that the reason for the designation of the site is that it is 'publicly accessible and valuable to the local community for sport, recreation or as any amenity space' and 'the gap provides visual relief in an otherwise built up area punctuating the street scene' (reasons A and D respectively). The application relates to the part of the site which is not publicly accessible and as such reason A does not apply to this part of the site.

2.5 Policy AD40 advises that development will not be permitted on land designated as a village open space unless it can be demonstrated that the reasons for designation are not compromised or that other material considerations outweigh the need to retain the Village Open Space or View undeveloped.

2.6 This part of Harrold is characterized by high density housing synonymous with a 1970s housing estate. There are limited pockets of soft landscaping, open space or amenity land in this setting. Although the site may not be publicly accessible, it provides a valuable backdrop of mature landscaping and trees for properties on Peach's Close and Dove Lane. Within this otherwise built up area, the site's trees and shrubbery punctuates the Peach's Close and Dove Lane street frontages and as such is intrinsic to the quality of the village open space.

2.7 Given that the trees on the north and eastern parts of the boundary are protected under a tree

preservation order, and the proposed dwelling is to be positioned towards the south western boundary of the site, it is considered that the proposal would largely preserve undeveloped a significant proportion of the site, and in particular it's important landscape features. For these reasons it is considered that the proposal would not compromise the reason for the site's designation.

## **17**

**18/03139/FUL**

**APPLICANT : Pure Planet Recycling**

**LOCATION : Home Farm Cople Road Cardington Bedford Bedfordshire**

**PARTICULARS OF DEVELOPMENT :**

**Retrospective application for a portacabin office and change of use of a storage container for storage of fridges.**

**Approved**

2.8 The land sandwiched between the farmyard / business centre and Cople Road is designated as a Village Open Space / View and forms part of the Home Farm estate with no public access. The designation appears to be based on the following policy criteria as listed in Policy AD40 of the ADLP: - it provides a gap or break in the frontage which contributes to the character of a settlement by establishing the relationship between the form of the village and the countryside beyond; and - it assists the transition between the village and countryside providing a soft edge to the village which is pleasing visually.

2.9 The Village Open Space is defined by an undeveloped landscaped gap on the Cople Road frontage. There is a general presumption against development within such designated areas unless it can be demonstrated that the reasons for designation are not compromised or other material considerations outweigh the need to retain the village open space or view. The portacabin lies wholly outside but almost adjacent to the designated area. It is similar in external appearance to the previous building and occupies essentially the same position on the edge of the farmyard which is not open to view from the Cople Road frontage due to intervening trees and hedgerow. The application is not considered to give rise to any material impact over and above that for which planning permission has been granted. It is judged that the reasons for designation of the Village Open Space would not be undermined or devalued should the current structure be retained. The application therefore conforms with Policy AD40.

## **18**

**APPLICANT : Oakley Pre-School 18/02691**

**LOCATION : Land Rear Of Methodist Church High Street Oakley Bedford Bedfordshire**

**PARTICULARS OF DEVELOPMENT :**

**Erection of prefabricated building for Oakley Pre-School in paddock to the rear of Oakley Methodist Church**

**Church**

**Approved**

2.6 Notwithstanding the above assessment, the attention of Members is drawn to the fact that the site is designated as Village Open Space in the Council's Allocations and Designations Local Plan 2013 (ADLP). Policy AD40 of the ADLP sets out that open spaces which have particular importance in maintaining the function, character and identity of villages are identified on the Policies Map as Village Open Spaces. The policy goes on to state that open spaces have been identified as Village Open Spaces / Views where they meet one or more of five criteria.

2.7 In this instance the site has been identified as Village Open Space / View as 'the gap provides visual relief in an otherwise built up area punctuating the street scene'. Members are asked to note that ADLP Policy AD40 states that development will not be permitted unless it can be demonstrated that the reasons for designation are not compromised or that other material considerations outweigh the need to retain the Village Open Space or View undeveloped'.

2.8 The applicant has therefore in support of the application submitted a Planning Statement (dated October 2018) and an Addendum Statement (dated 4th January 2019). This information sets out (in part) how the proposed development would ensure the continuation of the established Oakley Pre-School close to its existing location and which predominantly serves families within Oakley Village.

2.9 The information also explains how alternatives to the current proposal have been considered. Despite the deteriorating condition of the existing hall of the Methodist Church and its spatial limitations for preschool use, the applicant tried to obtain a lease from the Methodist Church which would have allowed for the building to be modified and extended. Suitable terms could not however be agreed with the Church.

Furthermore, discussions with Oakley Primary School and Lincroft Academy have been held to discuss the option for space to be made available at these sites for pre-school facilities. However, besides concerns that neither school are likely to be able to provide appropriate space for the Pre-School, the applicant submits that neither school expressed an interest in the Pre-School on such a proposal in any event. Other alternative locations within the village (not identified in the supporting information) have also been considered by the Pre-School. However, it is submitted that these would incur significant outlay in terms of the purchase of land and property, making the alternatives financially prohibitive as the Pre-School is a registered charity.

2.10 The site of the current proposal to the rear of the Methodist Church has become potentially available to the Oakley Pre-School by virtue of a sympathetic local farmer who owns the land and is willing to lease it to them on favourable terms. This would, according to the applicant, ensure that the Pre-School (which has been operating from this part of Oakley since 1972) will be retained close to its existing location for the benefit of families living in Oakley and the vitality of the local community.

2.11 In conclusion it is considered by officers that the reasons for the designation of the site as Village Open Space would be compromised by the development. However, weight in the planning balance should be given to the specific case being put forward by the Oakley Pre-School, and government guidance that states that planning decisions should guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs (parents living within the village would potentially need to look outside of the village for alternative childcare provision).

Weight should also be given to ensuring that Oakley Pre-School is able to develop and modernise (an important consideration for Ofsted Inspectors) and is retained for the benefit of the community. In this respect officers are of the opinion that in this specific instance there are other material considerations that outweigh the need to retain the Village Open Space undeveloped.

## 19

19/00466

**APPLICANT : Pure Planet Recycling Ltd - Mr P Gibbs**

**LOCATION : Home Farm Cople Road Cardington Bedford Bedfordshire**

**Approved**

2.12 By virtue of Policy AD40 of the ADLP, the land sandwiched between the farmyard / business centre and Cople Road is designated as a Village Open Space / View where there is a general presumption against development. This designation appears to be based on the following policy criteria:

- the land provides a gap or break in the frontage which contributes to the character of a settlement by establishing the relationship between the form of the village and the countryside beyond;
- the land assists the transition between the village and the countryside providing a soft edge to the village which is pleasing visually.

2.13 The Village Open Space is defined by a landscaped block on the Cople Road frontage which is not accessible to the public and forms part of the Home Farm Estate. The proposed variation of conditions would not have a harmful effect on the open space designation and as such the application is judged to accord with Policy AD40.

2.14 The Village Open Space contributes to the rural character of Cardington Conservation Area (CA) and the designations overlap. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention be paid to the desirability of preserving or enhancing the character or appearance of a CA. At the local level, Policy CP23 of the CSRIP and BBLP Policies BE9 and BE11 reflect these duties. The proposed operational changes would not have a harmful effect on the setting or character of the CA and this view is held by the Council's Conservation Officer who has confirmed there are no conservation concerns. Accordingly the application is considered to comply with the above policies.

## 20

18/00433

**APPLICANT : Bloor Homes South Midlands**

**LOCATION : Land To Rear Of 85 Cotton End Road Wilstead Bedford Bedfordshire**

**PARTICULARS OF DEVELOPMENT :**

**Outline application with all matters reserved except access for the erection of up to 65 dwellings and associated landscaping, drainage, engineering operations and demolition of existing buildings.**

**Refused.**

2.4 Village View

The front of the site is designated as a Village View. The Village View designation measures approximately 50 metres x 20 metres and objections on the grounds that the development will harm the Village View have been received. Allocations and Designations Local Plan Policy AD40 states that "development will not be permitted on

land designated as a village open space or view unless it can be demonstrated that the reasons for designation are not compromised or that other material considerations outweigh the need to retain the Village Open Space or View undeveloped”.

The reason for the designation was due to the gap providing visual relief in an otherwise built up area punctuating the street (criterion D). Residential development extends along Cotton End Road in a linear form. This ribbon development is punctuated by a number of gaps. Two of the more significant gaps are located on the north side of Cotton End Road and act as the access point for two historic farmsteads (Village Farm and Manor Farm). Both gaps are designated as Village Views and provide visual relief in the street scene with both farmsteads located a significant distance back from the road.

The proposal will result in the removal of part of the hedge running parallel to Cotton End Road and the construction of a vehicular access and road into the site. The indicative plan submitted with the application shows that the front of the site, including the part of the site containing the designated Village View will be set aside for public amenity space with the first dwelling set back approximately 30 metres from Cotton End Road. The indicative plan also shows that the dwellings nearest to the access road into the site and visible from Cotton End Road could be designed to replicate a farmhouse and farm courtyard arrangement to acknowledge the farming heritage of the site and respect the existing views into the site. It therefore considered that the development can be designed to respect the reason for the designation and the development is not contrary to Policy AD40.

## 21

19/00468

**APPLICANT : Tumblepups Pet Services Ltd - Mr A Naughten**

**LOCATION : The Factory Willow Vale Pavenham Road Oakley Bedford Bedfordshire**

**PARTICULARS OF DEVELOPMENT :**

**Change of use from B2 to Sui Generis (Dog Daycare Centre) (continued use after expiry of temporary permission)**

**Approved**

### **Impact on village open spaces**

2.18 Adjacent to the west boundary of the site is a public community nature reserve which is owned and managed by Oakley Parish Council and which is laid out with seating facilities. This nature reserve is designated as a village open space under ADLP Policy AD40. The policy states that any development on a village open space must not compromise the reason for its designation. This particular village open space was designated because it meets criteria A and E of Policy AD40 in that it is publicly accessible and valuable to the local community for recreation or amenity purposes and that it assists the transition between village and countryside providing a soft edge to the village. To the south of the site are the community allotments which are also designated as a village open space and designated for the same reasons as the community nature reserve.

2.19 The proposed change of use and associated works with this application will not encroach upon either village open space and will therefore not compromise the benefits that both have in remaining undeveloped and being publicly accessible. No new buildings are proposed within the site and the outside areas are to remain as grassed areas. The use over the last 2 years have been proven

not generate any complaints regarding noise as confirmed by the Environmental Health Officer. As such the proposed development is not considered to detract from these open spaces providing a soft edge to the village.

## 22

**20/00469/FUL**

**SITE: Harrold Priory School The Green Harrold Bedford Bedfordshire MK43 7DB**

**PROPOSAL: External alterations to 'Hill Block' to facilitate the internal conversion to an Initial Teacher Training**

**and Community Education Facility, including new reinforced grass overflow car park and site reconfiguration**

**Application Withdrawn**

The Conservation Area spans a wide area and so its setting varies from a fairly rural backdrop at its western end, the river to the south and modern infill in several areas. The school site mostly falls outside the boundaries of the CA, aside from at its very eastern end. The western side of the site are open playing fields which are largely not visible from within the CA. To the east along The Green views are prevented by school buildings and the strong building line on its western side. To the north from High Street views are similarly restricted by intervening buildings. Development along Eagle Way similarly does not allow intervisibility between the western end of High Street and the playing field.

The school playing field is designated as AD40 land – the Village and Open Spaces and Views Maps document states that the reason for designation is that “the gap provides visual relief in an otherwise built up area punctuating the street scene”. However, the accompanying photograph is taken from School Lane to the south to which the fields front; and the playing field does provide visual relief from this perspective from development to the south.

Therefore, it is considered that the AD40 designation does not relate to those areas included within the CA’s boundaries; where the fields are not readily perceived and do not provide visual relief and therefore make a neutral contribution to the special interest of the CA.

## 23

**20/00234**

**APPLICANT : Mr & Mrs Tom Dormer**

**LOCATION : Old Pond House High Street Upper Dean Huntingdon PE28 0ND**

**PARTICULARS OF DEVELOPMENT :**

**Erection of 1 four bedroom dwelling with access, parking and amenity space**

**Approved**

2.4 Village Open Space



The application site is adjacent to a designated village open space on the council's policies map. Saved Policy AD40 of the Allocations and Designations Plan 2013 sets out that development would not be permitted on land designated as a village open space unless it can be demonstrated that the reasons for designation are not compromised or that other material considerations outweigh the need to retain the village open space undeveloped. The background papers supporting the Allocations and Designations Local Plan sets out that the site was allocated as a village open space since the site provides visual relief in an otherwise built up area punctuating the street scene. The proposed development has been sited to the rear of this open space and as such, the proposed built development does not encroach into this land. Whilst the site boundary works would temporarily increase the openness of the site frontage (whilst the replacement boundary hedgerow establishes) there is an existing retained hedge, which would retain a verdant backdrop to the open space. The proposal would not compromise the reasons the parcel of land was designated as a village open space since the boundary landscaping is unaffected by the development. The proposal would not conflict with the aspirations of saved policy AD40 of the Allocations and Designations Local Plan 2013 or saved policy H23 of the Bedford Borough Local Plan 2002.

**24**

**19/01309**

**APPLICANT : Mr Andrew Stuart Jones - FK Restorations**

**LOCATION : The Red Lion 1 Park Road Stevington Bedford Bedfordshire**

**PARTICULARS OF DEVELOPMENT :**

**Approved**

**Two storey rear extension to accommodate three letting rooms, alterations to roof of existing single storey rear/side extension to accommodate a kitchen extraction system. Retrospective approval for additional letting rooms above the pub, installation of an air inlet in Park Road elevation and erection of boiler room (development already carried out).**

Village Open Space

2.23 The Public House garden has been designated as a village open space in the adopted Policies Map 2014. Policy AD40 in the Allocations and Designations Plan states that development will not be permitted on land designated as village open space or view unless it can be demonstrated that the reasons for the designation are not compromised or that other material considerations outweigh the need to retain the village open space or view undeveloped. The village open space was designated because it meets the following criteria:

"B. They give identity to a settlement or village by helping to retain its form and reflect past history (examples include village greens).

D. The gap provides visual relief in an otherwise built up area punctuating the street scene."

The proposed development is outside of the village green envelope and would not result in material harm to the reasons in which the space was designated. The proposal would not conflict with policy AD40.

## **Bedford Borough Council, planning applications approved with Policy AD40 -Village Open Space issues since 2013 when AD40 was adopted.**

### **1**

#### **Application Number 18/02517**

**APPLICANT : Mr And Mrs Newman As Trustees Of Messrs P W And C G Newman**

**LOCATION : Land West Of Village Farm Spring Lane, Stagsden, Bedfordshire**

**PARTICULARS OF DEVELOPMENT :**

**Outline application with all matters reserved for the erection of 6 dwellings and change of use of land to public amenity green space in Stagsden.**

**Approved**

#### **SITE DESCRIPTION and PROPOSED DEVELOPMENT**

The site is currently designated as agricultural land which consists of grass. It is outside of the Settlement Policy Area (SPA) boundary of Stagsden and is therefore considered to be within the open countryside. However, the site adjoins the SPA boundary and is also designated within the Policies Map 2014 as **Village Open Space** and allocated for a small scale housing development (6 houses).

It is noted that the Parish Council will manage and maintain the open space to the north of the site in accordance **with ADP policy AD40**, which will be secured by a legal agreement.

2.4 The land is currently designated as **Village Open Space under policy AD40** of the Allocations and Designations Plan 2013 (ADP). The reason for the designation was to provide a gap in a built up area whilst also providing a soft edge between the village and the open countryside.

2.5 Policy H23 of the Bedford Local Plan 2002 (BBLP) is also relevant in relation to this land. Part of this site has been allocated for a small scale development of 6 houses (this is being assessed under ref: 18/02517/OUT) with the remaining land to provide a village green.

2.6 The proposed open space will be accessible from the High Street and Spring Lane. The location of the open space will provide the visual relief required by ADP policy AD40 and is also consistent with the indicative plan of Stagsden as shown within the Policies Map 2014, which was informed by BBLP policy H23. **The proposed change of use is therefore considered to be acceptable as it is in accordance with the development plan and national policy.**

## 2

**14/02687/FUL | Erection of bungalow and double garage | Land Adjacent To Woodhatch, 6 Bell Lane, Cotton End, Bedford, Bedfordshire MK45 3AD**

**OFFICER: Mr Jonathan Warner  
Eastcotts Parish Council Objection  
Approved**

### 2. MAIN ISSUES ARISING

2.1 Principle of development – The site is located within the Rural Policy Area of Bedford Borough and within Cotton End’s Settlement Policy Area boundary. Cotton End is not a Key Service Centre. Core Strategy and Rural Issues Plan Policy CP14 states that in rural settlements defined by a Settlement Policy Area boundary, but not designated as Key Service Centres, development will be restricted to that which is required to meet local business and community needs and to maintain the vitality of those communities. The incremental growth proposed by the erection of the single dwelling is viewed as helping to maintain the vitality of Cotton End, and notwithstanding the assessment of the impact on the village open space, the principle of the residential development is considered acceptable.

**2.2 Village Open Space** – The application site forms part of a village open space. The village open space includes the application site and a parcel of land to the south west of the site bounded by the Bell Inn pub car park to the north west, Wood Lane to the south west and dwellings to the south east. The part of the village open space outside of the boundary of the application site is not within the ownership of the applicant and is within private ownership.

2.3 Policy AD40 of the Allocations and Designations Local Plan 2013 states that “development will not be permitted on land designated as a village open space or view unless it can be demonstrated that the reasons for designation are not compromised or that other material considerations outweigh the need to retain the Village Open Space or View undeveloped.”

2.4 The village open space was designated because the site creates a gap which provides a visual relief in an otherwise built up area punctuating the street scene. The site was previously one paddock when it was originally designated in the 1993 Local Plan but this area has since been split into separate ownership with one plot facing Wood Lane and the other plot (application site) being part of the rear garden of 6 Bell Lane.

The main view of the open space is from Wood Lane and this creates the gap in the street scene. The boundary of the open space with Wood Lane consists of a dense, mature hedge which was approximately 3 metres in height at the time of the officer site visit.

This restricts views into the site but in the event that the hedge is removed the proposed dwelling will be sited approximately 60 metres from the road and the gap provided by the open space will be maintained.

2.5 A Landscape and Visual Appraisal has been submitted in support of the application. **The report states that there are no views into the site and the site has a limited role in its function, character**

and identify of the village. The report further states that the site would have a limited role as a gap being that the development would not be visible from the street scene of Wood Lane or Bell Lane.

2.6 Whilst views into the site are possible when approaching along Bell Lane and from the pub garden and car park, these are screened to a large extent by the existing conifer trees along part of the south east boundary. Revised plans have been received to show the removal of some of these trees which will increase views into the site but these will be distant and will be partially screened by the proposed close boarded fence. The limited height of the dwelling and distance from the boundary will also reduce the visual impact.

2.7 Given the limited impact of the proposal when viewed from Wood Lane, the reason for the village open space designation is not considered to be compromised and the proposed development is in accordance with Policy AD40.

### 3

**20/00061/FUL**

**APPLICANT : TILCo The Incidental Land Company - Mr S Oldroyd**

**LOCATION : Rear Of 78 To 82 Dynevor Close, Bromham, Bedfordshire**

**PARTICULARS OF DEVELOPMENT :**

**Erection of three 3-bedroom detached dwellings with integral garages, parking and private amenity space.**

**Refused but not because of AD40**

#### 2.3 Village Open Space

The application site is designated as a village open space on the council's policies map. Saved Policy AD40 of the Allocations and Designations Plan 2013 sets out that development would not be permitted on land designated as a village open space unless it can be demonstrated that the reasons for designation are not compromised or that other material considerations outweigh the need to retain the village open space undeveloped. Draft policy GE3 of the Bromham neighbourhood Plan states that village greens and other public green spaces will continue to be maintained to a good standard, and, where necessary, liaison with owners of other green spaces will continue so as to maintain access to sites.

In the supporting documents for the Allocations and Designations Local Plan, the reason that the site was designated was the fact that it provides a gap that provides visual relief in an otherwise built up area punctuating the street scene.

The proposed buildings would not be readily visible from public views within Denyvor Close. The northern boundary of the site is landscaped with dense tree and hedge planting. The proposal seeks to retain and enhance the boundary planting which could be secured by condition if planning permission was to be forthcoming. The proposed dwellings would be viewed against the existing built form of Denyvor Close from public. The majority of the site is to be retained as open space with views through the site still being achievable between the proposed buildings. The proposed development is not therefore considered to compromise the reasons that the site was designated as a village open space. Making the space publically accessible again would also contribute positively to its designation. However, limited information has been submitted with the application with respect

to the future use, management and accessibility of that part of the site. The proposal is not therefore considered to conflict with saved policy AD40 of the Allocations and Designations Local Plan 2013.

4

**OFFICER REPORT                      RECOMMENDATION : Grant Permission**

**REASON DEFERRED (Where applicable)**

**APPLICATION NO:** 15/00475/FULWM  
**PROPOSAL:** Retrospective application for the siting of a portacabin  
**APPLICANT:** Mr Findlay  
**LOCATION:** Home Farm Cople Road Cardington Bedford Bedfordshire MK44 3SN  
**EXPIRY DATE:** 12 June 2015

**SITE**

The site measures 613m<sup>2</sup> and includes a purpose built 73m access road onto Cople road and a 9.7m by 3.6m portacabin which sits on a grassed area. The site is close to, but outside of the settlement boundary of Cardington village which lies immediately north of the site. The nearest dwellings to the site are Home House and the Home Farm Business Centre.

The portacabin and access road serve the adjacent permitted waste electrical and electronic equipment (WEEE) recycling site. This WEEE facility is located to the south of the application site.

The site is located within a Conservation Area, the Forest of Marston Vale and within a designated Village Open Space. I

## Village Open Spaces and Views.

2.5 The site lies within a designated Open Space area. Under policy AD40 "Village Open Spaces and Views" development will not be permitted on land designated as a village open space or view unless it can be demonstrated that the reasons for the designation are not compromised or other material considerations outweigh the need to retain the village open space or view undeveloped.

It is likely that the area was designated a village open space because it met policy criteria E which states:

"The open space assists the transition between village and countryside providing a soft edge to the village which is visually pleasing."

2.6 The WPA does not consider the proposal undermines the reason the area was designated open space and therefore does not unduly conflict with policy AD40. This is because it is small scale and hidden from view by existing vegetation and the WEEE facility.

## 5

**APPLICATION NO: 13/01551/COU**

**PROPOSAL: Change of use of garage / store to dwelling**

**APPLICANT: Mr D Netherway**

**LOCATION: Land And Barns At Junction Of Church Road And Honeydon Road Colmworth Bedfordshire**

**EXPIRY DATE: 23 September 2013**

**Approved**

**2.2 Village Open Space** – The front part of the site is allocated as a Village Open Space and View in the Allocations and Designations Plan 2013. Policy AD40 states: "Development will not be permitted on land designated as a village open space or view unless it can be demonstrated that the reasons for designation are not compromised or that other material considerations outweigh the need to retain the village open space or view undeveloped." The open space was designated on the basis that it is a gap which provides visual relief in an otherwise built up area punctuating the street scene (policy criteria D). Amended plans have been submitted to address concerns that the proposal could have a harmful impact on the open space. The plans now show the following: A visibility splay that can be achieved without removing the existing bund on site, a reduced car parking area, landscaping to remain as existing and cycle parking to the rear. Permitted Development rights can be removed from the site to ensure that no extensions, outbuildings, hard standings and boundary treatments can be built without planning permission that might compromise the village open space. The plans now indicate that the rear garden will be used for cycle storage and domestic uses (such as hanging out washing) which will leave the front area as non domesticated as possible. The rear

garden is 11m in length so complies with the Councils recommended length of 9m for residential dwellings.

### 3. CONCLUSIONS

3.1. Subject to conditions to remove permitted development rights, the proposal is considered to not have a harmful impact on residential amenity, the village open space or the setting of the adjacent listed building. The proposal is therefore recommended for approval.

## 6

**APPLICATION NO: 15/01761/FUL**

**PROPOSAL: Erection of a new 4 bedroom two storey dwelling house and detached garage (adjacent to existing house)**

**APPLICANT: Mr & Mrs Robert Robson**

**LOCATION: Church Barn Church Green Milton Ernest Bedford MK44 1RH**

**EXPIRY DATE: 3 December 2015**

**Approved**

2.1.4 In addition consideration has been given in this instance to Policy AD40 of the ADLP as Church Green is designated as a Village Open Space and View. The policy sets out that open spaces identified as Village Open Spaces / Views meet one or more of the following criteria.

- i) They are publicly accessible and valuable to the local community for sport, recreation or as amenity space;
- ii) They give identity to a settlement or village by helping to retain its form and reflect past history (examples include village greens);
- iii) They provide a gap or break in the frontage which contributes to the character of a settlement for example by providing a view into a village which forms part of the village setting, or a view into open countryside establishing the relationship between the form of the village and the countryside beyond;
- iv) The gap provides visual relief in an otherwise built up area punctuating the street scene;
- v) The open space assists the transition between village and countryside providing a soft edge to the village which is pleasing visually.

2.1.5 Development is not permitted on land designated as a village open space or view unless it can be demonstrated that the reasons for designation are not compromised or that material considerations outweigh the Village Open Space or View undeveloped. In this instance Church Green has been designated on the basis of criteria i and ii above and on the basis that the new dwelling will not encroach onto the green it is considered the proposal does not conflict with the aims of Policy AD40.

## 7

**APPLICATION NO:17/02417/S73 V**

**15 Vicarage Green, Thurleigh**

**Approved**

**The site is currently part of the garden to no. 15 Vicarage Green, Thurleigh The majority of the site is located within an area identified as an important local gap (Village Open Space).**

## Open Space Designation

Part of the site in question is designated as village open space under **policy AD40** of the Allocations and Designations Local Plan 2013. This policy states that development will not be permitted on land designated as village open space or view unless it can be demonstrated that the reasons for designation are not compromised or that other material considerations outweigh the need to retain the Village Open Space (VOS) or View undeveloped.

The reasons for the designation of this VOS were:

☑ That it is publicly accessible and valuable to the local community for sport, recreated or as amenity space.

The gap provides visual relief in an otherwise built up area punctuating the street scene.

The part of the site that the dwelling itself is proposed for however is not designated as Village Open Space, with the proposed garden land for the dwelling instead falling within that designation. This situation mirrors that of the existing dwelling on site which is also just to the south of the VOS with its garden falling within the designation. The presence of a second dwelling outside the VOS would therefore not materially affect the VOS itself. One garden in essence would become two. The site is also fenced off, with the garden separated from the wider open space. **This division was in place when the VOS was designated. If nothing else on site was to change, the presence of another dwelling within the curtilage of the existing one would not materially affect the VOS designation.**

## 8

**APPLICATION NO: 16/02024/FUL**

**PROPOSAL: Change of use of agricultural building to a single dwelling house with associated works.**

**Approved**

2.13 The front of the drive serving the new house runs through a designated “Village Open Space” and Policy AD40 of the adopted Allocations and Designations Plan applies. In this case as the drive and **building already existing it is not considered that the conversion of the barn will change the impact on the open space and the aims of this policy are therefore complied with.**

## 9

**16/02903/FUL | Construction of two 4-bed residential dwellings and associated works | Land Adj The Bell, 61 High Road, Cotton End, Bedford, Bedfordshire, MK45 3AET**

**Approved**

Policy comments were previously made on an application for one dwelling (14/02687/FUL) for which permission was granted for the erection of a bungalow and double garage. The current proposal is for two dwellings to the rear of The Bell. Access to the site will be from Wood Lane along the western boundary of the site. The site is currently used as garden land for 6 Bell Lane, but is overgrown and unmanaged.



## Policy issues

The site is partly designated as Village Open Space B in Cotton End. The reason for the designation was criteria D – the gap provides visual relief in an otherwise built up area punctuating the street scene. The site was previously one paddock when it was originally designated in the 1993 Local Plan but this area has now been split into separate ownership with one plot facing Wood Lane and the other plot being the rear garden of 6 Bell Lane. Policy AD40 states that development will not be permitted on land designated as a Village Open Space unless it can be demonstrated that the reasons for designation are not compromised. The reason for designation of this site was a gap in the built up area which punctuates the street scene. The Village Open Space spans across to the plot fronting Wood Lane which is currently undeveloped. In addition the western boundary of the plot to the road frontage of Wood Lane is approximately 53 metres deep and of importance in the street scene providing a gap in the built up area when viewed from the north and west. The proposed gravel driveway and surrounding planting would mean that the north / north west part of the site is to be free from built development. In addition the significant boundary planting along Wood Lane is to be maintained. Whilst it is unfortunate that both plots are now to be developed the proposal is not considered to undermine the gap in the built up area. I do however question the boundary with 11 Wood Lane. It is not clear from the submitted documents whether the trees and hedges along this boundary will be retained as the dwellings seem to be proposed right up against this boundary. Retention or replacement of planting along here is important to the street scene and maintaining the gap when viewing the site from Wood Lane to the south east of the site.

## Conclusion

The proposed development of two dwellings is to be located in a designated Village Open Space. The gravel driveway and surrounding planting on the north / north west part of the site is to be free from built development. The significant existing boundary planting along Wood Lane is to be retained. Pending acceptable clarification about the boundary treatment adjacent to 11 Wood Lane I do not think that the proposal would compromise the reasons why the site was designated as a village open space.

## 10

**APPLICATION NO: 18/00249/FUL**

**PROPOSAL: One and two storey rear building and new covered area to rear/side and external alterations.**

**APPLICANT: Christopher Reeves Lower School**

**LOCATION: Christopher Reeves Lower School Hinwick Road Podington Wellingborough NN29 7HU**

**EXPIRY DATE: 23 March 2018**

**Approved**

## Principle

2.1 The application site is an established educational school site within the village of Podington. The main school building falls within the Settlement Policy Area for the village but the playground on which

the rear extension is to be built falls outside of the boundary. Land to the rear is also a designated village open space where policy AD40 of the Allocations and Designations Local Plan and LR15 of the

**Bedford Borough Local Plan applies.** The whole site falls within the Rural Policy Area and is not a key service centre, as defined in the development plan. As such the Core Strategy & Rural Issues Plan policies CP13 and CP14 apply. CP13 restricts development to that which is consistent with national policy, particularly that in PPS7. As PPS7 has now been replaced by the National Planning Policy Framework (NPPF), the NPPF is considered to be relevant to this case. CP14 requires that in rural settlements defined by a settlement policy area boundary which are not designated as Key service centres development will be restricted to that which is required to meet local business and community needs and to maintain the vitality of those communities.

2.2 In this case the proposal meets the requirements of policy CP14 in that it provides an expansion and improvement of the local school facilities which are key to the success of the local school as well as providing a new community facility for members of the local community to use for a wide range of events and occasions.

2.3 **It is therefore considered that the proposal in principle meets the policy requirements.**

## **11**

**APPLICATION NO: 17/03591/FUL**

**PROPOSAL: Erection of two new dwellings and associated access.**

**APPLICANT: Mr & Mrs Tom & Jeanette Dormer**

**LOCATION: Old Pond House High Street Upper Dean Huntingdon PE28 0ND**

**EXPIRY DATE: 6 March 2018**

**Approved**

Village open space

2.5 The application site is **adjacent to a designated Village Open Space (VOS).** ADLP Policy AD40 states that 'development will not be permitted on land designated as village open space or view unless it can be demonstrated that the reasons for designation are not compromised or that other material considerations outweigh the need to retain the Village Open Space or View undeveloped'. **The proposed development has been sited to the rear of this open space and as such the proposed built development does not encroach into this land.** Whilst this land will be allocated as garden land to plot 1, this land is already used as garden associated with the main house at Old Pond House and therefore the continued use of this land as garden is considered acceptable. **The development therefore complies with the aims of ADLP Policy AD40 in that the open space will not be compromised.** To safeguard the open space being laid to hardstanding/being built on and to protect the character of the Conservation Area and setting of the main house it will be necessary to restrict permitted development rights for hard surfacing/extensions etc. by condition.

## **12**

**17/00334/FUL Date: 27 February 2017**

**Proposal: Construction of a new dwelling including access, parking and turning area at Shepherds Cottage, High Street, Swineshead**

**Approved**

Village open space designation

**The site is designated a village open space under policy AD40 of the Allocations and Designations**

**Local Plan (ADLP), adopted in 2013.** The policy states that any development on a village open space must not compromise the reason for its designation. This particular village open space was designated because it meets criterion D of Policy AD40: "The gap provides visual relief in an otherwise built up area punctuating the street scene".

Previous policy comments were provided under 15/02046/FUL and 16/02156/FUL with the block plan submitted under each of the schemes showing an incremental set back of the dwelling. The policy comments provided on each occasion concluded that such a development would have compromised the village open space designation, given the siting of the dwelling would have eroded the existing open vista when viewed from the street frontage.

The current application now offers a much more appropriate siting for the dwelling house, no longer set within the middle of the plot. The proposed dwelling is now served by a deep front garden which would retain the gap in the built up area providing visual relief to the street frontage. It is considered that this additional set back retains the overall quality of the village open space, and would therefore not compromise the reason for the site's designation.

Conclusion

**On the basis of the above considerations, the current proposal overcomes the previous policy objection and accords with Policy AD40 of the ADLP**

## 13

**APPLICATION NO: 17/02832/S73A**

**PROPOSAL: Erection of Front Wall and Gate (revised scheme) (development already carried out) GATE OMITTED BY CONDITION.**

**APPLICANT: Mr T Sherlock**

**LOCATION: Bull Barn 45A Silver Street Stevington Bedford Bedfordshire MK43 7QN**

**EXPIRY DATE: 1 December 2017**

**Approved**

**. It is noted that the application site is within an area designated as AD40 Village open/space view.** The Allocations and Designations Plan 2013 Policy AD40 specifically identifies the land as being a village open space [...]. The specific reason this site was designated is for criteria 'D' in the plan: "The gap provides visual relief in an otherwise built up area punctuating the street scene". The committee report for the 2014 application goes onto to establish that: The policy states that: 'Development will not be permitted on land designated as a village open space or view unless it can be demonstrated that the reasons for designation are not compromised or that other material considerations outweigh the need to retain the Village Open Space or View undeveloped'.

To meet the policy requirements the applicant must demonstrate that the visual relief of **the gap punctuating the street scene will not be compromised.** The Parish Council and some objecting neighbours have made reference to the views across the site including of the windmill. The policy is however very specific and views across the site and of the windmill would fall under criteria C "Providing a gap of break in the frontage which contributes to the character of the settlement for example by providing a view into a village or a view into open countryside establishing the relationship between the form of the village and the countryside beyond". The land has not been designated for this

reason.

## 14

**APPLICATION NO: 17/01801/FUL**

**PROPOSAL: One and two storey rear extension and new covered area to rear/side and external alterations.**

**APPLICANT: Christopher Reeves VA Lower School**

**LOCATION: Christopher Reeves Lower School Hinwick Road, Podington Wellingborough NN29 7HU**

**EXPIRY DATE: 25 August 2017**

**Approved**

2.1 The application site is an established educational school site within the village of Podington. The main school building falls within the Settlement Policy Area for the village but the playground on which the rear extension is to be built falls outside of the boundary. Land to the rear is also designated village open space where policy AD40 of the Allocations and Designations Local Plan and LR15 of the Bedford Borough Local Plan applies. The whole site falls within the Rural Policy Area and is not a key service centre, as defined in the development plan. As such the Core Strategy & Rural Issues Plan policies CP13 and CP14 apply. CP13 restricts development to that which is consistent with national policy, particularly that in PPS7. As PPS7 has now been replaced by the National Planning Policy Framework (NPPF), the NPPF is considered to be relevant to this case. CP14 requires that in rural settlements defined by a settlement policy area boundary which are not designated as Key service centres development will be restricted to that which is required to meet local business and community needs and to maintain the vitality of those communities.

2.2 In this case the proposal meets the requirements of policy CP14 in that it provides an expansion and improvement of the local school facilities which are key to the success of the local school as well as providing a new community facility for members of the local community to use for a wide range of events and occasions.

2.3 It is therefore considered that the proposal in principle meets the policy requirements.

## 15

**16/02994/FUL Date: 18/11/2016**

**Subject: Sub-division of site and erection of new dwelling at land adjacent 15**

**Vicarage Green, Thurleigh**

**Approved**

Open Space Designation

Part of the site in question is designated as village open space under policy AD40 of the Allocations and Designations Local Plan 2013. This policy states that development will not be permitted on land designated as village open space or view unless it can be demonstrated that the reasons for designation are not compromised or that other material

considerations outweigh the need to retain the Village Open Space (VOS) or View undeveloped.

The reasons for the designation of this VOS were:

☑ That it is publicly accessible and valuable to the local community for sport, recreation or as amenity space

☑ The gap provides visual relief in an otherwise built up area punctuating the street scene.

The part of the site that the dwelling itself is proposed for however is not designated as Village Open Space, with the proposed garden land for the dwelling instead falling within that designation. This situation mirrors that of the existing dwelling on site which is also just to the south of the VOS with its garden falling within the designation. The presence of a second dwelling outside the VOS would therefore not materially affect the VOS itself. One garden in essence would become two. The site is also fenced off, with the garden separated from the wider open space. This division was in place when the VOS was designated. **If nothing else on site was to change, the presence of another dwelling within the curtilage of the existing one would not materially affect the VOS designation.**

## 16

**APPLICATION NO: 16/03253/FUL**

**PROPOSAL: Erection of one dwelling and a detached outbuilding**

**APPLICANT: Mr And Mrs Rogers And Mrs W Cox**

**LOCATION: Orchard To East Of Dove Lane Harrold Bedfordshire**

**EXPIRY DATE: 23 January 2017**

**Refused**

Village Open Space

2.4 The site forms part of a wider designated village open space referred to as site K under policy **AD40 of the Allocations and Designations Local Plan (ADLP)**. The background paper supporting policy AD40 advises that the reason for the designation of the site is that it is 'publicly accessible and valuable to the local community for sport, recreation or as any amenity space' and 'the gap provides visual relief in an otherwise built up area punctuating the street scene' (reasons A and D respectively). The application relates to the part of the site which is not publicly accessible and as such reason A does not apply to this part of the site.

2.5 Policy AD40 advises that development will not be permitted on land designated as a village open space unless it can be demonstrated that the reasons for designation are not compromised or that other material considerations outweigh the need to retain the Village Open Space or View undeveloped.

2.6 This part of Harrold is characterized by high density housing synonymous with a 1970s housing estate. There are limited pockets of soft landscaping, open space or amenity land in this setting. Although the site may not be publicly accessible, it provides a valuable backdrop of mature landscaping and trees for properties on Peach's Close and Dove Lane. Within this otherwise built up area, the site's trees and shrubbery punctuates the Peach's Close and Dove Lane street frontages and as such is intrinsic to the quality of the village open space.

2.7 Given that the trees on the north and eastern parts of the boundary are protected under a tree

preservation order, and the proposed dwelling is to be positioned towards the south western boundary of the site, it is considered that the proposal would largely preserve undeveloped a significant proportion of the site, and in particular it's important landscape features. For these reasons it is considered that the proposal would not compromise the reason for the site's designation.

## 17

**18/03139/FUL**

**APPLICANT : Pure Planet Recycling**

**LOCATION : Home Farm Cople Road Cardington Bedford Bedfordshire**

**PARTICULARS OF DEVELOPMENT :**

**Retrospective application for a portacabin office and change of use of a storage container for storage of fridges.**

**Approved**

2.8 The land sandwiched between the farmyard / business centre and Cople Road is designated as a Village Open Space / View and forms part of the Home Farm estate with no public access. The designation appears to be based on the following policy criteria as listed in Policy AD40 of the ADLP: - it provides a gap or break in the frontage which contributes to the character of a settlement by establishing the relationship between the form of the village and the countryside beyond; and - it assists the transition between the village and countryside providing a soft edge to the village which is pleasing visually.

2.9 The Village Open Space is defined by an undeveloped landscaped gap on the Cople Road frontage. There is a general presumption against development within such designated areas unless it can be demonstrated that the reasons for designation are not compromised or other material considerations outweigh the need to retain the village open space or view. The portacabin lies wholly outside but almost adjacent to the designated area. It is similar in external appearance to the previous building and occupies essentially the same position on the edge of the farmyard which is not open to view from the Cople Road frontage due to intervening trees and hedgerow. The application is not considered to give rise to any material impact over and above that for which planning permission has been granted. It is judged that the reasons for designation of the Village Open Space would not be undermined or devalued should the current structure be retained. The application therefore conforms with Policy AD40.

## 18

**APPLICANT : Oakley Pre-School 18/02691**

**LOCATION : Land Rear Of Methodist Church High Street Oakley Bedford Bedfordshire**

**PARTICULARS OF DEVELOPMENT :**

**Erection of prefabricated building for Oakley Pre-School in paddock to the rear of Oakley Methodist Church**

**Church**

**Approved**

2.6 Notwithstanding the above assessment, the attention of Members is drawn to the fact that the site is designated as Village Open Space in the Council's Allocations and Designations Local Plan 2013 (ADLP). Policy AD40 of the ADLP sets out that open spaces which have particular importance in maintaining the function, character and identity of villages are identified on the Policies Map as Village Open Spaces. The policy goes on to state that open spaces have been identified as Village Open Spaces / Views where they meet one or more of five criteria.

2.7 In this instance the site has been identified as Village Open Space / View as 'the gap provides visual relief in an otherwise built up area punctuating the street scene'. Members are asked to note that ADLP Policy AD40 states that development will not be permitted unless it can be demonstrated that the reasons for designation are not compromised or that other material considerations outweigh the need to retain the Village Open Space or View undeveloped'.

2.8 The applicant has therefore in support of the application submitted a Planning Statement (dated October 2018) and an Addendum Statement (dated 4th January 2019). This information sets out (in part) how the proposed development would ensure the continuation of the established Oakley Pre-School close to its existing location and which predominantly serves families within Oakley Village.

2.9 The information also explains how alternatives to the current proposal have been considered. Despite the deteriorating condition of the existing hall of the Methodist Church and its spatial limitations for preschool use, the applicant tried to obtain a lease from the Methodist Church which would have allowed for the building to be modified and extended. Suitable terms could not however be agreed with the Church.

Furthermore, discussions with Oakley Primary School and Lincroft Academy have been held to discuss the option for space to be made available at these sites for pre-school facilities. However, besides concerns that neither school are likely to be able to provide appropriate space for the Pre-School, the applicant submits that neither school expressed an interest in the Pre-School on such a proposal in any event. Other alternative locations within the village (not identified in the supporting information) have also been considered by the Pre-School. However, it is submitted that these would incur significant outlay in terms of the purchase of land and property, making the alternatives financially prohibitive as the Pre-School is a registered charity.

2.10 The site of the current proposal to the rear of the Methodist Church has become potentially available to the Oakley Pre-School by virtue of a sympathetic local farmer who owns the land and is willing to lease it to them on favourable terms. This would, according to the applicant, ensure that the Pre-School (which has been operating from this part of Oakley since 1972) will be retained close to its existing location for the benefit of families living in Oakley and the vitality of the local community.

2.11 In conclusion it is considered by officers that the reasons for the designation of the site as Village Open Space would be compromised by the development. However, weight in the planning balance should be given to the specific case being put forward by the Oakley Pre-School, and government guidance that states that planning decisions should guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs (parents living within the village would potentially need to look outside of the village for alternative childcare provision).

Weight should also be given to ensuring that Oakley Pre-School is able to develop and modernise (an important consideration for Ofsted Inspectors) and is retained for the benefit of the community. In this respect officers are of the opinion that in this specific instance there are other material considerations that outweigh the need to retain the Village Open Space undeveloped.

## 19

19/00466

**APPLICANT : Pure Planet Recycling Ltd - Mr P Gibbs**

**LOCATION : Home Farm Cople Road Cardington Bedford Bedfordshire**

**Approved**

2.12 By virtue of Policy AD40 of the ADLP, the land sandwiched between the farmyard / business centre and Cople Road is designated as a Village Open Space / View where there is a general presumption against development. This designation appears to be based on the following policy criteria:

- the land provides a gap or break in the frontage which contributes to the character of a settlement by establishing the relationship between the form of the village and the countryside beyond;
- the land assists the transition between the village and the countryside providing a soft edge to the village which is pleasing visually.

2.13 The Village Open Space is defined by a landscaped block on the Cople Road frontage which is not accessible to the public and forms part of the Home Farm Estate. The proposed variation of conditions would not have a harmful effect on the open space designation and as such the application is judged to accord with Policy AD40.

2.14 The Village Open Space contributes to the rural character of Cardington Conservation Area (CA) and the designations overlap. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention be paid to the desirability of preserving or enhancing the character or appearance of a CA. At the local level, Policy CP23 of the CSRIP and BBLP Policies BE9 and BE11 reflect these duties. The proposed operational changes would not have a harmful effect on the setting or character of the CA and this view is held by the Council's Conservation Officer who has confirmed there are no conservation concerns. Accordingly the application is considered to comply with the above policies.

## 20

18/00433

**APPLICANT : Bloor Homes South Midlands**

**LOCATION : Land To Rear Of 85 Cotton End Road Wilstead Bedford Bedfordshire**

**PARTICULARS OF DEVELOPMENT :**

**Outline application with all matters reserved except access for the erection of up to 65 dwellings and associated landscaping, drainage, engineering operations and demolition of existing buildings.**

**Refused.**

2.4 Village View

The front of the site is designated as a Village View. The Village View designation measures approximately 50 metres x 20 metres and objections on the grounds that the development will harm the Village View have been received. Allocations and Designations Local Plan Policy AD40 states that "development will not be permitted on



land designated as a village open space or view unless it can be demonstrated that the reasons for designation are not compromised or that other material considerations outweigh the need to retain the Village Open Space or View undeveloped”.

The reason for the designation was due to the gap providing visual relief in an otherwise built up area punctuating the street (criterion D). Residential development extends along Cotton End Road in a linear form. This ribbon development is punctuated by a number of gaps. Two of the more significant gaps are located on the north side of Cotton End Road and act as the access point for two historic farmsteads (Village Farm and Manor Farm). Both gaps are designated as Village Views and provide visual relief in the street scene with both farmsteads located a significant distance back from the road.

The proposal will result in the removal of part of the hedge running parallel to Cotton End Road and the construction of a vehicular access and road into the site. The indicative plan submitted with the application shows that the front of the site, including the part of the site containing the designated Village View will be set aside for public amenity space with the first dwelling set back approximately 30 metres from Cotton End Road. The indicative plan also shows that the dwellings nearest to the access road into the site and visible from Cotton End Road could be designed to replicate a farmhouse and farm courtyard arrangement to acknowledge the farming heritage of the site and respect the existing views into the site. It therefore considered that the development can be designed to respect the reason for the designation and the development is not contrary to Policy AD40.

## 21

19/00468

**APPLICANT : Tumblepups Pet Services Ltd - Mr A Naughten**

**LOCATION : The Factory Willow Vale Pavenham Road Oakley Bedford Bedfordshire**

**PARTICULARS OF DEVELOPMENT :**

**Change of use from B2 to Sui Generis (Dog Daycare Centre) (continued use after expiry of temporary permission)**

**Approved**

### **Impact on village open spaces**

2.18 Adjacent to the west boundary of the site is a public community nature reserve which is owned and managed by Oakley Parish Council and which is laid out with seating facilities. This nature reserve is designated as a village open space under ADLP Policy AD40. The policy states that any development on a village open space must not compromise the reason for its designation. This particular village open space was designated because it meets criteria A and E of Policy AD40 in that it is publicly accessible and valuable to the local community for recreation or amenity purposes and that it assists the transition between village and countryside providing a soft edge to the village. To the south of the site are the community allotments which are also designated as a village open space and designated for the same reasons as the community nature reserve.

2.19 The proposed change of use and associated works with this application will not encroach upon either village open space and will therefore not compromise the benefits that both have in remaining undeveloped and being publicly accessible. No new buildings are proposed within the site and the outside areas are to remain as grassed areas. The use over the last 2 years have been proven

not generate any complaints regarding noise as confirmed by the Environmental Health Officer. As such the proposed development is not considered to detract from these open spaces providing a soft edge to the village.

## 22

**20/00469/FUL**

**SITE: Harrold Priory School The Green Harrold Bedford Bedfordshire MK43 7DB**

**PROPOSAL: External alterations to 'Hill Block' to facilitate the internal conversion to an Initial Teacher Training**

**and Community Education Facility, including new reinforced grass overflow car park and site reconfiguration**

**Application Withdrawn**

The Conservation Area spans a wide area and so its setting varies from a fairly rural backdrop at its western end, the river to the south and modern infill in several areas. The school site mostly falls outside the boundaries of the CA, aside from at its very eastern end. The western side of the site are open playing fields which are largely not visible from within the CA. To the east along The Green views are prevented by school buildings and the strong building line on its western side. To the north from High Street views are similarly restricted by intervening buildings. Development along Eagle Way similarly does not allow intervisibility between the western end of High Street and the playing field.

The school playing field is designated as AD40 land – the Village and Open Spaces and Views Maps document states that the reason for designation is that “the gap provides visual relief in an otherwise built up area punctuating the street scene”. However, the accompanying photograph is taken from School Lane to the south to which the fields front; and the playing field does provide visual relief from this perspective from development to the south.

Therefore, it is considered that the AD40 designation does not relate to those areas included within the CA’s boundaries; where the fields are not readily perceived and do not provide visual relief and therefore make a neutral contribution to the special interest of the CA.

## 23

**20/00234**

**APPLICANT : Mr & Mrs Tom Dormer**

**LOCATION : Old Pond House High Street Upper Dean Huntingdon PE28 0ND**

**PARTICULARS OF DEVELOPMENT :**

**Erection of 1 four bedroom dwelling with access, parking and amenity space**

**Approved**

2.4 Village Open Space

The application site is adjacent to a designated village open space on the council's policies map. Saved Policy AD40 of the Allocations and Designations Plan 2013 sets out that development would not be permitted on land designated as a village open space unless it can be demonstrated that the reasons for designation are not compromised or that other material considerations outweigh the need to retain the village open space undeveloped. The background papers supporting the Allocations and Designations Local Plan sets out that the site was allocated as a village open space since the site provides visual relief in an otherwise built up area punctuating the street scene. The proposed development has been sited to the rear of this open space and as such, the proposed built development does not encroach into this land. Whilst the site boundary works would temporarily increase the openness of the site frontage (whilst the replacement boundary hedgerow establishes) there is an existing retained hedge, which would retain a verdant backdrop to the open space. The proposal would not compromise the reasons the parcel of land was designated as a village open space since the boundary landscaping is unaffected by the development. The proposal would not conflict with the aspirations of saved policy AD40 of the Allocations and Designations Local Plan 2013 or saved policy H23 of the Bedford Borough Local Plan 2002.

## 24

19/01309

**APPLICANT : Mr Andrew Stuart Jones - FK Restorations**

**LOCATION : The Red Lion 1 Park Road Stevington Bedford Bedfordshire**

**PARTICULARS OF DEVELOPMENT :**

**Approved**

**Two storey rear extension to accommodate three letting rooms, alterations to roof of existing single storey rear/side extension to accommodate a kitchen extraction system. Retrospective approval for additional letting rooms above the pub, installation of an air inlet in Park Road elevation and erection of boiler room (development already carried out).**

Village Open Space

2.23 The Public House garden has been designated as a village open space in the adopted Policies Map 2014. Policy AD40 in the Allocations and Designations Plan states that development will not be permitted on land designated as village open space or view unless it can be demonstrated that the reasons for the designation are not compromised or that other material considerations outweigh the need to retain the village open space or view undeveloped. The village open space was designated because it meets the following criteria:

“B. They give identity to a settlement or village by helping to retain its form and reflect past history (examples include village greens).

D. The gap provides visual relief in an otherwise built up area punctuating the street scene.”

The proposed development is outside of the village green envelope and would not result in material harm to the reasons in which the space was designated. The proposal would not conflict with policy AD40.