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and examinations

# **Report on Ravensden Neighbourhood Development Plan to 2030**

**An Examination undertaken for Bedford Borough Council with the support of Ravensden Parish Council on the May 2022 submission version of the Plan.**

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Date of Report: 21 November 2022

## Contents

Main Findings - Executive Summary .....	4
1. Introduction and Background .....	4
Ravensden Neighbourhood Development Plan .....	4
The Independent Examiner .....	5
The Scope of the Examination .....	6
The Basic Conditions.....	7
2. Approach to the Examination.....	7
Planning Policy Context .....	7
Submitted Documents.....	8
Site Visit.....	8
Written Representations with or without Public Hearing .....	8
Modifications .....	9
3. Procedural Compliance and Human Rights.....	9
Qualifying Body and Neighbourhood Plan Area .....	9
Plan Period.....	9
Neighbourhood Development Plan Preparation and Consultation .....	9
Development and Use of Land .....	10
Excluded Development.....	10
Human Rights.....	11
4. Compliance with the Basic Conditions .....	11
EU Obligations .....	11
Main Issues.....	11
General Issues of Compliance of the Plan .....	12
Regard to National Policy and Advice .....	12
Contributes to the Achievement of Sustainable Development.....	13
General Conformity with Strategic Policies in the Development Plan .....	14
Specific Issues of Compliance of the Plan Policies .....	14
Settlements and Housing .....	14
Design and Sustainability.....	18
Green Infrastructure, Local Green Space and Heritage.....	18
Charity Field, Church End .....	19
Churchyard of All Saints Church, Church End.....	19
Green Lane, Church End (between the seasonal gates) .....	19
Mowsbury Hillfort, Orchard and Meadow, Cleat Hill .....	20

Northfields, Church End .....	20
Community and Employment Facilities .....	22
Travel and Transport.....	23
Implementation, Monitoring and Review .....	23
Non-Neighbourhood Planning Issues: Other Actions and Aspirations .....	23
Factual and Minor Amendments and Updates .....	24
5. Conclusions.....	24
Summary.....	24
The Referendum and its Area .....	24
Overview .....	25
Appendix: Modifications .....	26

## **Main Findings - Executive Summary**

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

I have also concluded that:

- The Plan has been prepared and submitted for examination by a qualifying body (QB) – Ravensden Parish Council;
- The Plan has been prepared for an area properly designated – the Parish of Ravensden as shown on Figure 1 (page 8) of the Neighbourhood Development Plan;
- The Plan specifies the period to which it is to take effect: to 2030; and
- The policies relate to the development and use of land for a designated neighbourhood area.

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

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

## **1. Introduction and Background**

### **Ravensden Neighbourhood Development Plan**

- 1.1 The Ravensden Neighbourhood Plan Steering Group (RNDPSG) was established following a public meeting in August 2019 and the Neighbourhood Plan Area for Ravensden was approved by Bedford Borough Council (BBC) in October 2019.
- 1.2 The Neighbourhood Plan Area comprises the Parish of Ravensden, which lies immediately to the north of the urban area of Bedford. It covers an area of about 930 hectares with a population of about 720 people. At the 2011 Census, there were some 338 dwellings which have increased to about 350 dwellings. Commitments to new residential development at April 2022 comprise 165 units at Ravensden Park, and 3 single dwellings.
- 1.3 The Parish of Ravensden is divided by the B660, the main radial route which runs northwards from Bedford through the Parish. Historically the Parish comprised a number of scattered hamlets known as “ends”. The most developed of these hamlets are Ravensden Church End which is defined by a Settlement Policy Area in the Bedford Local Plan 2030<sup>1</sup>, and Ravensden Crossroads which is identified in Policy 6 of the Local Plan as a

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<sup>1</sup> Bedford Local Plan, Page 34.

Small Settlement. The Parish is generally rural in character with a distinctive landform comprising two steep ridges which enclose the valley of the Ravensden Brook. Steep hills and lanes rise up the valley sides or traverse ridges to form a key local feature of the area. There are numerous public rights of way (PROW), including the historic Green Lane along the ridge between Church End and the Kimbolton Road. The primary land use is agriculture.

- 1.4 The Cleat Hill area in the south of the Parish lies close to the edge of Bedford and is more suburban in its character. This area includes some larger properties in well-landscaped grounds, two residential cul-de-sacs and the undeveloped and partly open frontage to Mowsbury Golf course.
- 1.5 The historic origins of the Parish are evidenced by the buildings and landscape features within its boundaries. There are some 18 listed buildings within the Parish, including the 12<sup>th</sup> Century Grade 1 listed All Saints Church. The Mowsbury Hill Fort Scheduled Monument dates back to the Iron Age and commands a prominent position at the eastern end of the ridge which runs northeast-southwest through Mowsbury Hill and Graze Hill. Blocks of ancient woodland lie in the centre and north of the Parish – Great and Little Woods on the valley side and Tilwick Wood on the plateau to the north.
- 1.6 There is a Primary School at Church End, together with the All Saints Church and the Horse and Jockey Public House. Other local facilities include the Village Hall at Church Hill, the convenience shop at Crossroads and those at Mowsbury Golf Course. Local bus services run on three scheduled bus routes with limited service frequency. The proposed extension to the Country Park at Graze Hill is expected to add to local facilities.
- 1.7 The RNDP is required to be in general conformity with the strategic policies of the statutory Development Plan, which is now the Bedford Borough Local Plan 2030 and saved policies from the Bedford Borough Allocations and Designations Local Plan 2013 and the Bedford Local Plan 2002. I address the matter of general conformity of the RNDP with the strategic policies of the Development Plan throughout my report.

### The Independent Examiner

- 1.8 As the Plan has now reached the examination stage, I have been appointed as the examiner of the RNDP by BBC, with the agreement of Ravensden Parish Council (RPC).
- 1.9 I am a chartered town planner and retired government Planning Inspector, with more than 45 years of experience in the private and public sectors. I am an independent examiner, and do not have an interest in any of the land that may be affected by the draft Plan.

## The Scope of the Examination

1.10 As the independent examiner I am required to produce this report and recommend either:

(a) that the neighbourhood plan is submitted to a referendum without changes; or

(b) that modifications are made and that the modified neighbourhood plan is submitted to a referendum; or

(c) that the neighbourhood plan does not proceed to a referendum on the basis that it does not meet the necessary legal requirements.

1.11 The scope of the examination is set out in Paragraph 8(1) of Schedule 4B to the Town and Country Planning Act 1990 (as amended)('the 1990 Act'). The examiner must consider:

- Whether the plan meets the Basic Conditions.
- Whether the plan complies with provisions under s.38A and s.38B of the Planning and Compulsory Purchase Act 2004 (as amended) ('the 2004 Act'). These are:
  - it has been prepared and submitted for examination by a qualifying body, for an area that has been properly designated by the local planning authority;
  - it sets out policies in relation to the development and use of land;
  - it specifies the period during which it has effect;
  - it does not include provisions and policies for 'excluded development'; and
  - it is the only neighbourhood plan for the area and does not relate to land outside the designated neighbourhood area.
- Whether the referendum boundary should be extended beyond the designated area, should the plan proceed to referendum.
- Such matters as prescribed in the Neighbourhood Planning (General) Regulations 2012 (as amended)('the 2012 Regulations').

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

## The Basic Conditions

1.13 The 'Basic Conditions' are set out in Paragraph 8(2) of Schedule 4B to the 1990 Act. In order to meet the Basic Conditions, the neighbourhood plan must:

- Have regard to national policies and advice contained in guidance issued by the Secretary of State;
- Contribute to the achievement of sustainable development;
- Be in general conformity with the strategic policies of the development plan for the area;
- Be compatible with and not breach European Union (EU) obligations (under retained EU law)<sup>2</sup>; and
- Meet prescribed conditions and comply with prescribed matters.

1.14 Regulation 32 of the 2012 Regulations prescribes a further Basic Condition for a neighbourhood plan. This requires that the making of the neighbourhood development plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.<sup>3</sup>

## 2. Approach to the Examination

### Planning Policy Context

2.1 The following documents set out the strategic policies of the Development Plan for Bedford with which the RNDP is required to be in general conformity with:

- Bedford Local Plan 2030 (BLP)
- The Allocations and Designations Local Plan 2013 (ADLP)
- Bedford Local Plan 2002 (LP 2002) policies;
- Policies Map

2.2 The BLP 2030 was adopted by BBC in January 2020 and largely replaces the policies in the LP 2002. There are a number of policies in the ADLP which have been saved.<sup>4</sup>

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<sup>2</sup> The existing body of environmental regulation is retained in UK law.

<sup>3</sup> This revised Basic Condition came into force on 28 December 2018 through the Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018.

<sup>4</sup> BLP 2030, Appendix 1 identifies all saved and deleted policies from earlier development plan documents.

- 2.3 Work on the RNDP was started in 2019 and the submitted RNDP has therefore been prepared to be generally in conformity with the most up to date strategic Development Plan policies.
- 2.4 The planning policy for England is set out principally in the National Planning Policy Framework (NPPF). The Planning Practice Guidance (PPG) offers guidance on how this policy should be implemented. A revised NPPF was published on 20 July 2021 and it is this document to which I have had regard in determining whether the RNDP meets the Basic Conditions along with its accompanying PPG.

### Submitted Documents

- 2.5 I have considered all policy, guidance and other reference documents I consider relevant to the examination, alongside those submitted. These include:
- Submission version Ravensden Neighbourhood Development Plan (May 2022);
  - Basic Conditions Statement (May 2022);
  - Consultation Statement (May 2022);
  - Habitat Regulations Screening (January 2022);
  - Strategic Environmental Assessment Screening Report (February 2022);
  - Housing Needs Survey Report (March 2016);
  - Ravensden Neighbourhood Plan Site Options and Appraisal Report (May 2022);
  - Ravensden Parish Green Infrastructure Plan (March 2021 – updated April 2022);
  - Responses to the Regulation 16 submission consultation; and
  - Responses of 21 September 2022 from RPC and BBC to the Examiner’s questions of 7 September 2022.<sup>5</sup>

### Site Visit

- 2.6 I visited the Neighbourhood Plan Area unaccompanied by any interested party on the 13 October. I carried out a general review of the area in terms of its setting and character in order to familiarise myself with it and visited relevant sites and areas referenced in the Plan and evidential documents.

### Written Representations with or without Public Hearing

- 2.7 This examination has been carried out on the basis of the written submissions (written representations). The Regulation 16 consultation responses clearly articulated the objections to the Plan and presented arguments for and against the Plan’s suitability to proceed to a referendum. Requests have also been submitted from some parties for

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<sup>5</sup> View at: [Ravensden Neighbourhood Development Plan | Bedford Borough Council](#)  
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evidence to be heard at a hearing. However, as noted, in addition to the Regulation 16 responses, I have received further clarification from RPC and from BBC in response to my letter of 7 September 2022.<sup>6</sup> As a result, in terms of the appropriate level of scrutiny for the RNDP, I consider that hearing sessions are not necessary.

## Modifications

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

## 3. Procedural Compliance and Human Rights

### Qualifying Body and Neighbourhood Plan Area

- 3.1 The Ravensden Neighbourhood Development Plan has been prepared and submitted for examination by RPC, which is the qualifying body for an area that was designated by BBC in October 2019.
- 3.2 It is the only Neighbourhood Development Plan for Ravensden Parish and does not relate to any land outside the designated Neighbourhood Plan Area.

### Plan Period

- 3.3 The Plan specifies the period to which it is to take effect on the cover which is to the year 2030. The RNDP covers the same period as the BLP and therefore in this respect it does not raise any issues of compliance. The BLP is currently under review to be carried forward to 2040. The RNDP indicates at paragraph 10.8 the intention to review the Plan following the adoption of the Local Plan 2040.

### Neighbourhood Development Plan Preparation and Consultation

- 3.4 Following a public meeting in Ravensden in August 2019, RPC applied for the Parish to be designated as a Neighbourhood Plan Area and in October 2019 this was approved by BBC. RPC is responsible for providing leadership for the RNDP, which was produced by the RNDPSG on behalf of RPC. A newsletter from RPC in November 2019 launched the start of the neighbourhood planning process. The RNDP was developed with the involvement of the local community over a period of just under 3 years and is based on evidence from surveys, expert reports and local consultations.

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<sup>6</sup> See Paragraph 2.5 and Footnote 5.

- 3.5 Launch events took place in February and March 2020 at the Mowsbury Golf Course clubhouse and at the Ravensden Village Hall to cover the southern and north eastern ends of the Parish. A survey of residents was then carried out by the RNDPSG in March 2020. Some 122 responses were received, representing 17% of the population or 35% of the number of dwellings in the Parish. Responses to the survey established those characteristics of the Parish which were valued by residents together with matters which were of concern to them. A Business Survey was also carried out but responses were not statistically significant.
- 3.6 Further resident and landowner consultation was carried out in relation to the Green Infrastructure and Local Green Space Survey, and owners of land potentially affected by proposed Local Green Space (LGS) designations were also consulted. A “drop in” event was then held at the Village Hall where views were sought on the Vision and Objectives for the Plan; on emerging proposals for housing sites and LGS designations; and on design guidance and codes for the Parish. The material from the event was published on the RNDP website and a questionnaire was published in hard copy, through email, social media channels and the website to seek more views on the emerging RNDP proposals. The period for response was closed in October 2021 when 66 responses were received.
- 3.7 Based on feedback received through the process of public consultation, the draft RNDP was published for formal Regulation 14 pre-submission consultation from 19 February to 4 April 2022 for the statutory 6 week period. The responses from the Regulation 14 consultation were considered by the RNDPSG and recommendations put forward as to whether any changes were required to the emerging RNDP. The submission version of the Plan was then the subject of a further round of consultation, as required by Regulation 16 of the 2012 Regulations, from 1 July to the 14 August 2022. I have considered the representations that were made at the Regulation 16 stage in preparing this report. I am satisfied that a transparent, fair and inclusive consultation process has been followed for the RNDP. Due regard has been had to the advice in the PPG on plan preparation and engagement, and the RNDP is procedurally compliant in accordance with the legal requirements.

## Development and Use of Land

- 3.8 The Plan generally sets out policies in relation to the development and use of land in accordance with s.38A of the 2004 Act, with the exception of the last bullet point of Policy RNP11 dealing with a traffic management issue. I address this in paragraph 4.62 below.

## Excluded Development

- 3.9 In the RNDP, Policy RNP10 relates to proposals for the East West Rail which is a Nationally Significant Infrastructure Project (NSIP). I understand that this proposal which would cut across Ravensden Parish is of deep concern to the local community. However, Section 38B of the

2004 Act precludes provision for NSIPs in neighbourhood plans. I deal with this matter in paragraphs 4.60 – 4.61 of my report. The Plan does not otherwise include provisions and policies for 'excluded development'.

## Human Rights

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

## 4. Compliance with the Basic Conditions

### EU Obligations

- 4.1 The RNDP has been the subject of a Strategic Environmental Assessment Screening Report published in February 2022. Overall, the screening assessment concludes that it is unlikely there will be any significant environmental effects arising from the RNDP. No issues were raised by any of the statutory consultees and Natural England advised that there were unlikely to be any significant environmental effects from the proposed Plan. I have read the screening report and have no reason to disagree with its findings.
- 4.2 A Habitats Regulations Screening was also carried out in view of the two National Site Network sites<sup>7</sup>, the Ouse Washes (Special Area of Conservation(SAC)/Special Protection Area/Ramsar) and Portholme (SAC) downstream of Bedford. The screening showed that the likely significant effects on the two national sites identified in the BLP 2030 are not present in the RNDP and Appropriate Assessment was therefore not necessary. The HRA screening concludes that the RNDP can proceed since it will not have adverse impacts on any National Site Network sites, the qualifying features and/or the integrity of those sites itself or in combination with other plans that have currently been adopted. I have read the screening report and have no reason to disagree with its findings.

### Main Issues

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

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<sup>7</sup> Formerly known as the EU Natura 2000 sites.

## General Issues of Compliance of the Plan

### *Regard to National Policy and Advice*

- 4.4 The RNDP sets out the background and context to its preparation and provides a broad description of the character and appearance of the Plan area, with its historic and attractive rural and semi-rural features. The Vision and Objectives of the Plan are set out in Section 4.
- 4.5 The Vision is clearly expressed and identifies issues which generally relate to the matters identified in NPPF paragraph 28 as appropriate matters to be addressed through non-strategic policies in neighbourhood plans.
- 4.6 The core objectives of the RNDP are based on the Vision and are grouped under the five topics which, together with supporting evidence, provide the context and justification for the Plan's policies. The Policies have been developed to address the Vision and Objectives of the RNDP.
- 4.7 The RNDP is positively prepared, with an aspirational but deliverable approach to the development of the Parish, and it has been shaped through early, proportionate and effective engagement within the local community.
- 4.8 In general, the policies of the RNDP are clearly written and unambiguous<sup>8</sup> and I recommend modification where necessary to achieve this requirement. In respect of a number of recommended modifications, I have carefully considered whether the content of proposed policies would constitute a duplication of national policy or the policies of the BLP 2030<sup>9</sup>. I have paid full regard to the responses provided by RPC and BBC to my questions.<sup>10</sup> However, I am compelled regrettably to make a number of recommendations to delete certain policy criteria where unnecessary duplication occurs. This is to ensure that the RNDP complies fully with national policy in this respect and that the Basic Conditions can be met. I discuss this further in the consideration of relevant individual policies in my report.
- 4.9 It is a requirement of the NPPF that neighbourhood plans do not promote less development than set out in the strategic policies for the area or undermine those strategic policies.<sup>11</sup> In the BLP 2030, Policy 24 allocates land at Graze Hill for residential development and a country park. Outline planning permission was granted in 2020 for up to 165 dwellings and an extension to the north of Brickhill Country Park. There is no further strategic requirement in the BLP for the allocation of new housing land within Ravensden.

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<sup>8</sup> PPG Reference ID: 41-041-20140306.

<sup>9</sup> NPPF, Paragraph 16 f).

<sup>10</sup> Paragraph 2.5, final bullet point.

<sup>11</sup> NPPF, Paragraph 29.

- 4.10 The Parish includes Ravensden Church End which has a Settlement Policy Area and is subject to Policy 5S; Ravensden Crossroads which is defined as a small settlement and is subject to Policy 6; with the remainder subject to Policy 7S which deals with development in the countryside. The BLP policies allow for some new housing which may be appropriate within these policy areas, and the NPPF at paragraph 70 encourages the allocation of small and medium sized housing sites within neighbourhood plans.
- 4.11 The results of the Housing Needs Survey 2016 and the 2020 Residents Survey identified a local need in the Parish for affordable and market housing. An assessment was therefore made of suitable small scale housing sites to meet this need. As a result of this assessment, provision is made in the RNDP at Policy RNP3 for the development of 10-15 dwellings within Ravensden Crossroads, and in Policy RNP4 for the conversion of agricultural/storage barns for up to 5 dwellings at Cleat Hill Farm.
- 4.12 It is a statutory requirement that neighbourhood plans do not include provision for NSIPs. Policy RNP10 makes provision for mitigation in the event that East West Rail is constructed in the Plan period. I address the issue of whether or not this policy is precluded by statute later in my report.
- 4.13 The preparation of the RNDP has been the subject of a thorough process of public consultation to ensure the involvement of the community in the development of the RNDP. The submitted Plan has been prepared on the basis of generally robust evidence and site assessments. With the range of policies formulated to meet its Vision and Objectives, the RNDP demonstrates a positive approach to the future development of the Parish. Subject to the modifications which I recommend, the RNDP has had regard to national policy and advice.

#### *Contributes to the Achievement of Sustainable Development*

- 4.14 By taking a positive approach to the future development of the Parish in accordance with the policies of the BLP, the RNDP provides for sustainable development through its housing and other policies. Whilst the Plan provides for some new housing in the Parish, in doing so it has regard to the economic, social and environmental needs of the local community. The RNDP accords with paragraph 29 of the NPPF since it complements and delivers the strategic policies for the area.
- 4.15 The three overarching objectives of sustainable development are integral to the core objectives of the RNDP. Together with the policies of the BLP 2030, the policies and proposals of the RNDP contribute to the achievement of sustainable development in accordance with national policies and advice.

4.16 Subject to the detailed comments and modifications which I set out below for individual policies, I am satisfied that the Plan makes a positive contribution to the achievement of the economic, social and environmental aspects of sustainable development.

### *General Conformity with Strategic Policies in the Development Plan*

4.17 I set out the planning policy context for the RNDP in section 2 above. The RNDP was prepared in accordance with the BLP 2030, as adopted in January 2020, and other relevant policies in the ADLP 2013 and LP 2002.

4.18 The Settlement Policy Area for Ravensden Church End is defined in the BLP Policies Map Inset 25. In the RNDP, Appendix 1, page 3, the Ravensden Church End Policy Map Inset replicates the Settlement Policy Area in the BLP. The RNDP Inset Policy Map identifies the LGS as designated in the BLP, and five additional proposals for LGS designation through Policy RNP6. I address this policy in detail later in my report.

4.19 The housing sites proposed in Policies RNP3 and RNP4 are shown on the inset maps for Ravensden Crossroads and Ravensden Cleat Hill/Mowsbury. Subject to some modifications in the policy wording, I consider the residential allocations to be in accord with the BLP. A proposed LGS is identified at Mowsbury Hill and there is a proposal to create a Special Policy Area for Ravensden Cleat Hill/Mowsbury. I deal with these proposed designations later in my report.

4.20 The RNDP has been developed with proper regard to the strategic direction and policies of the BBC Development Plan Documents, which I identify in Section 2 above. In addition, with some modifications which I recommend below, the RNDP demonstrates general conformity with the strategic policies of the BLP 2030. BBC has been involved throughout the preparation of the RNDP and is generally supportive of its policies. Subject to some detailed comments and the modifications which I recommend to the Plan's policies below, I am satisfied that the RNDP is in general conformity with the strategic policies of the Development Plan.

### *Specific Issues of Compliance of the Plan Policies*

#### *Settlements and Housing*

4.21 The Cleat Hill/Mowsbury area lies adjacent to the edge of Bedford. Although it lies within an area subject to countryside Policy 7S in the BLP, the area has a built up character and there is concern that the visual character and amenity of the area could be gradually eroded without some further protection. As a result, Policy RNP1 is proposed in the RNDP in order to designate the area as a "Special Policy Area". The boundaries of the "Special Policy Area" are shown on the Cleat Hill/Mowsbury Policy Map Inset.<sup>12</sup>

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<sup>12</sup> Appendix 1, Page 5.

- 4.22 Whilst I understand the reason for seeking to distinguish the Cleat Hill/Mowsbury area within the wider countryside area which is subject to Policy 7S in the BLP, the term "Special Policy Area" could cause some confusion with the BLP designation of Settlement Policy Area. Since it is the particular character of the area which RPC seeks to address, I recommend that the term "Policy" is replaced by "Character" in the first line of RNP1 and in the legend to the Policy Map Inset on Page 5 of Appendix 1. **[PM1]** This would avoid any potential ambiguity in the policy terminology of the BLP and the RNDP and still enable the particular characteristics of the Cleat Hill/Mowsbury area to be recognised and maintained.
- 4.23 Policy RNP2 concerns the site allocated in the BLP 2030 with planning permission for 165 houses at Ravensden Park and Country Park Extension. This site is the subject of Policy 24 in the BLP. In order to avoid the duplication of policy provision within the BLP and the RNDP, some modifications to Policy RNP2 are recommended. I consider each of the criteria below.

Criterion 1: This concerns the provision and maintenance of footpath and cycle links to the surrounding area. Although the link to Woodlands Park is identified in BLP 2030 Policy 24, the criterion as drafted would ensure that all the local routes of significance would be identified in the policy and its inclusion would not amount to unnecessary duplication.

Criterion 2: Sustainable drainage provision and maintenance is adequately covered by BLP Policy 93 and, in my view, this criterion is unnecessary when assessed against NPPF paragraph 16 f).

Criterion 3: paragraph 8.16 of the BLP states that Policy AD28 of the ADLP will continue to apply to provision and ongoing maintenance of all forms of open space, including informal amenity areas within housing developments. The BBC Open Space SPD<sup>13</sup> 2013 expands and provides guidance on the application of Policy AD28. This duplication of existing policy provision is not necessary.

Criterion 4: BLP Policy 47S (iii) requires that details of any external lighting scheme required as part of a new development should be submitted with the application and that it avoids any significant impact of artificial light on local amenity. I understand that the prominent escarpment setting of the access road to the site makes it of local importance that particular mention is made of potential lighting impact in RNP2, and propose modifications to ensure there is no duplication or conflict with the provisions of BLP Policy 47S.

Criterion 5: There is no provision in the BLP relating to the need for traffic management on Graze Hill Lane which may arise from the development, and I have no evidence before me to justify a requirement for measures

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<sup>13</sup> Supplementary Planning Document.



to discourage the use of Graze Hill Lane by traffic from the development site. Policy RNP2 relates to any future planning application at Graze Hill. RPC would be a statutory consultee on any future application and this is a matter which should be raised through the consultation process for BBC to take into account in any traffic assessment.

Criterion 6: BLP 2030 Policy 24(i) refers to the need for a design code to be agreed as part of the application. However, RNP2 relates to potential future planning applications for which reference to the RNDP Policy RNP5 (when adopted) and the Ravensden Design Codes would be appropriate. I recommend a modification to the wording of the criterion to ensure it follows logically from the final sentence at the head of the list of criteria and includes reference to the Ravensden Design Codes.

Criterion 7: Insufficient justification has been provided to support a requirement for the installation of a locally appropriate entrance feature. Such a requirement in the RNDP would be unduly onerous.

Criterion 8: BBC's Parking Standards SPD 2014 sets out requirements for the provision of car parking and electric vehicle charging points in new developments. There is no BLP policy which requires car parking to be retained in new developments, but this is a matter which should be addressed through conditions on any planning permission where justified. As a statutory consultee on any planning application, this is a matter which RPC may raise in their response. With regard to provision for the country park extension, Sports Grounds and Golf Courses are included in Table 2 of the Standards SPD so parking requirements are not only calculated according to the floor area of built development. Furthermore, at the end of Table 2 it is stated that "parking provision to serve any other uses not specified in the table will be determined on merit but must make provision for staff and visitors". I consider that the provisions in this criterion are adequately covered in existing policy documents and other provisions.

- 4.24 Accordingly, to avoid unnecessary duplication, I recommend the deletion of criteria 2, 3, 5, 7 and 8 alongside the modification of criteria 4 and 6. **[PM2]** With these recommended modifications, Policy RNP2 meets the Basic Conditions.
- 4.25 Policy RNP3 allocates land for 10-15 dwellings at Willow Farm and sets out the criteria which a proposal is required to meet. The policy raises no issues of compliance.
- 4.26 Policy RNP4 addresses the allocation of the former barns at Cleat Hill Farm for up to five dwellings. The barns are adjacent to the Grade II listed Cleat Hill Farmhouse and form a part of its setting. The setting of a listed building has statutory protection and any scheme for the conversion of the barns would be required to comply with the NPPF and BLP Policy 41S. These set strict criteria for the protection of both the character and setting of the Farmhouse. For these reasons, the measures sought in bullet points



3, 4 and 8 listed in the policy are very well covered through statutory protection and the requirements of the NPPF and the BLP policy. To avoid the unnecessary duplication of these statutory and policy requirements I recommend these criteria are deleted from Policy RNP4. However, I note that the barns at Cleat Farm are not included in the list of unlisted buildings and sites of conservation interest in Appendix 5 of the RNDP. It is outside my remit to make a recommendation on this matters but the RPC may wish to consider adding the barns to that list so that they are clearly identified as an undesignated heritage asset. This would provide further assurance that the barns would be protected by both the NPPF and the BLP Policy 41S.

- 4.27 With regard to criteria 1 and 2 which set out access requirements, in the absence of a detailed and up to date assessment to identify the most appropriate form of access, it is premature to prescribe the precise form of access within the policy. RPC will have the opportunity to comment on the detailed proposals at application stage and influence the form of access. It will then be open to BBC to impose appropriate conditions.
- 4.28 In the absence of a detailed design for the conversion of the buildings, it is also premature to require the removal of permitted development rights under criterion 5. Again, this is a matter which may be raised and assessed at application stage. A restrictive condition could then be imposed on any planning permission if it is justified.
- 4.29 Criterion 9 requires the retention of an existing pond and enhancement of its ecological interest. This is a matter to be raised and assessed through ecological evidence at application stage with a condition to be applied to any planning permission if justified.
- 4.30 I note that planning permission has been granted in the past but has now expired. It would be unduly prescriptive to seek to secure the conditions on the expired planning permission through requirements in Policy RNP4. Any development of the site will need to be the subject of a new planning application to be assessed against the up to date policy background and relevant evidence. As a statutory consultee, RPC will have the opportunity to raise any concerns and seek the imposition by BBC of new conditions as justified by evidence.
- 4.31 Therefore, in view of the assessment above in relation to Policy RNP5, I recommend criteria 1, 2, 3, 4, 5, 8 and 9 be deleted. **[PM3]** Notwithstanding this, RPC may wish to consider whether these matters might be covered in a non-statutory section of the Plan akin to Section 11 (see paragraph 4.63 below), to reflect how the community would wish to see the site developed. However, it is beyond my remit to make a formal recommendation in regard to the non-statutory content of the RNDP.

### *Design and Sustainability*

- 4.32 Policy RNP5 outlines the key requirements for good design and sustainability. RPC has published the Ravensden Design Codes which is an Appendix to the RNDP. Whilst there is reference to the Design Codes in the final criterion to the policy, the status of the document would be highlighted if it was included within the first sentence of the policy.
- 4.33 Matters relating to surface water run-off and the provision of car parking in development proposals are adequately covered by BBC Development Plan policies and car parking standards, and therefore need not be repeated.
- 4.34 Accordingly, I recommend a modification to the first sentence of Policy RNP5 and the deletion of criteria 5 and 7 to avoid duplication, having regard to national policy and guidance. **[PM4]**

### *Green Infrastructure, Local Green Space and Heritage*

- 4.35 As part of the preparation of the BLP 2030, Parish Councils and the general public were invited to submit sites to BBC for consideration as Local Green Spaces. Together with sites which were designated as Village Open Spaces (VOS) in the ADLP 2013, these sites were assessed in 2018 in accordance with the criteria for designation as LGS set out in the NPPF. Those sites which were considered to meet the tests associated with the national LGS designation, were identified on the Policies Map to be designated as LGS subject to Policy 45. Within Ravensden Parish, the playing field in Church End was designated as LGS.
- 4.36 Since the assessment was carried out for the BLP 2030, the NPPF has been revised<sup>14</sup> and I have taken into account any changes in respect of LGS designation in my assessment of Policy RNP6. RPC commissioned a further review of open spaces in March 2021, as updated in April 2022.<sup>15</sup> Eight sites were considered for assessment, of which 5 were carried forward for a Stage 2 assessment and subsequently proposed for designation in the RNDP.
- 4.37 Policy RNP6 proposes the designation of five sites as LGS as shown on the Policy Map and Inset Maps in Appendix 1. Of the five sites, Charity Field, Church End and the majority of Northfields, Church End are designated as VOS in Policy AD40 of the ADLP and on the BLP Policies Map. As a result these sites would have been assessed for LGS designation in 2018.
- 4.38 I have visited each of the sites proposed as LGS and carefully considered the assessment carried out for each one. I have also had regard to

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<sup>14</sup> Revised in 2019 with a further update in 2021.

<sup>15</sup> RNDP, Appendix 5.

paragraphs 101-103 of the NPPF and to the advice in the PPG on LGS designation.<sup>16</sup> I deal with each of the sites as listed in Policy RNP6.

#### [Charity Field, Church End](#)

- 4.39 Charity Field in Church End is a field used for grazing. It has been designated as VOS through Policy AD40 of the ADLP because of the views across the field to the attractive landscape beyond. However, the views are limited by the hedge which runs along the road frontage and alongside the PROW which adjoins the north east boundary of the field. At the time of my visit, the field was in use for the grazing of horses. In its appearance it is similar to other fields in such a use, and there is no evidence that it has changed in character or appearance since the assessment in 2018. I note the field lies within an "Archaeological Notification Area" with possibly some Ridge and Furrow within the site. However, there are no noticeable historical features, and any archaeological interests would be protected by the requirements in the NPPF.<sup>17</sup> There are no PROW which cross the site.
- 4.40 In practice, the designation of LGS has the equivalent status of Green Belt by virtue of NPPF paragraph 103. Whilst it is a matter for local discretion, LGS designation should not be used as a means to prevent development. I understand the value placed by the local community on the undeveloped nature of the site and those views which can be seen from the roadside and along the PROW. However, I consider that the current designation under Policy AD40 of the ADLP provides an appropriate level of protection for a site of this character.

#### [Churchyard of All Saints Church, Church End](#)

- 4.41 All Saints Churchyard forms an attractive setting to the Grade I listed Church. It has well defined boundaries and there can be no dispute that it forms the curtilage to the listed building. The setting of a listed building has protection under the Planning (Listed Buildings and Conservation Areas) Act 1990.<sup>18</sup> The PPG states that where land is already protected by designation, then consideration should be given to whether any additional local benefit would be gained by designation as LGS.<sup>19</sup> I appreciate that this attractive and peaceful churchyard which surrounds the historic church is of particular local significance and benefit to the community. The designation of the site as LGS is therefore justified.

#### [Green Lane, Church End \(between the seasonal gates\)](#)

- 4.42 Green Lane Church End is a route across the countryside from Church End to the B660 close to the water tower. The route is designated as a PROW

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<sup>16</sup> PPG Reference IDs: 37-005-20140306 to 37-022-20140306.

<sup>17</sup> Paragraph 194.

<sup>18</sup> S16(2) and S66(1).

<sup>19</sup> PPG Reference ID: 37-011-20140306.

and its linear setting is largely enclosed within hedgerows and ditches. The PROW is protected under other legislation, and the enclosed area to either side of the PROW is protected by the countryside policies of the BLP. The PPG advises that there is no need to designate linear corridors as LGS.<sup>20</sup> In these circumstances, I find there is insufficient justification for Green Lane to be designated as LGS.

#### [Mowsbury Hillfort, Orchard and Meadow, Cleat Hill](#)

- 4.43 Mowsbury Hillfort, Orchard and Meadow at Cleat Hill is in the ownership of BBC and is clearly maintained to provide public access with information boards and seating provided. The site is accessed by PROWs, including from the car park of the adjoining golf course. The Hillfort is a Scheduled Ancient Monument (SAM), and the site also includes a Local Nature Reserve. As a hilltop site, it has wide views over Bedford to the south and the attractive open countryside to the north. The SAM and its setting are protected under other legislation. However, in view of the particular special qualities of the site as a whole which are enjoyed by the local community, including residents from Bedford, I consider that its designation as LGS is appropriate in view of the special qualities of the site and the local benefit which it provides. I am further satisfied it is capable of enduring beyond the end of the Plan period.

#### [Northfields, Church End](#)

- 4.44 The site at Northfields proposed for LGS designation is a small coppice which lies partly in front of the dwelling known as Northfields to the east of the lane as it leaves Church End. It lies at the entrance into the village from the north. The importance of the northern part and majority of the site as a gateway feature has been recognised in its designation as VOS in the ADLP Policy AD40. The proposed LGS in the RNDP includes the VOS together with the smaller area to the south which lies to the front of the dwelling known as Northfields.
- 4.45 The importance of the site as a gateway into Church End is recognised in the designation as VOS in the BLP. I note the reference to the historic significance of the site but any archaeological interests would be protected by the requirements in the NPPF. The wooded area is typical of other small areas of woodland which characterise the wider landscape, and there is no evidence of any significant change in the character, appearance or status of the site since its assessment in 2018. I consider that the protection currently afforded by the designation as VOS is sufficient for this site, and the extension of protection to the small area of woodland in front of the dwelling is not sufficiently justified.
- 4.46 I note that the LGS at the Primary School which is allocated in the BLP 2030 is included in RNDP Policies Map. In the interests of consistency with the BLP Policies Map the QB may wish to include the two VOS at Charity

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<sup>20</sup> Reference ID: 37-018-20140306.

Field and Northfields in the RNDP Policies Map. This is not an issue of compliance and therefore I make no recommendation.

- 4.47 In order for the first sentence after the list of sites in Policy RNP6 to have regard to NPPF paragraph 147 it should refer to inappropriate development and should also refer to the very special circumstances test. However, in any event, LP Policy 45 provides for the control of development on land designated as LGS in accordance with the NPPF. It is not therefore necessary for such control to be applied through the RNDP. The final sentence of the policy sets a requirement for the management of LGS sites. As stated in the PPG, "designating a green area as Local Green Space would give it protection consistent with that in respect of Green Belt, but otherwise there are no new restrictions or obligations on landowners".<sup>21</sup> The requirement in the final sentence of the policy is in conflict with this advice.
- 4.48 I recommend modifications to Policy RNP6 which include the deletion of the three proposed sites which do not meet the test for designation as LGS, and the deletion of the final two sentences of the policy. With the proposed modifications Policy RNP6 meets the Basic Conditions **[PM5]**.
- 4.49 Policy RNP7 deals with Heritage Assets. The policy sets out the approach to be taken to development proposals which affect both statutorily protected heritage assets and non-designated heritage assets. I note Heritage England has not raised any issues with regard to the proposed policy.
- 4.50 However, Listed Buildings and Conservation Areas are subject to statutory control under the Planning (Listed Buildings and Conservation Areas) Act 1990. Scheduled monuments are protected by the Ancient Monuments and Archaeological Areas Act 1979 (as amended). The NPPF sets out the strategy to be taken towards the conservation and enhancement of the historic environment and the approach to be taken in determining applications which might have some effect on heritage assets.
- 4.51 In BLP Policy 41S "Historic environment and heritage assets", the criteria to be applied when considering an application which might affect a heritage asset are comprehensively established. The policy clearly sets out the levels of control to be applied to both designated and non-designated heritage assets and accords fully with the NPPF and relevant statutes. Whilst the desire of RPC to include the Policy RNP7 as proposed in the RNDP is understood, it does not add to BLP Policy 41S in relation to designated heritage assets, and risks seeking to apply the same level of control to non-designated heritage assets as to those which are designated. The NPPF<sup>22</sup> and BLP Policy 41S deal with non-designated heritage assets and provide the appropriate level of protection for these. I consider that the existing statutory and policy provision provides

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<sup>21</sup> PPG Reference ID: 37-020-20140306.

<sup>22</sup> Paragraph 197.

appropriate protection to both designated and non-designated heritage assets. A further iteration of this control in the RNDP is not therefore necessary.

- 4.52 The tables in Appendix 5 to the RNDP identify both the designated and undesignated heritage assets within the Parish. The undesignated heritage assets are of local significance and it would be appropriate for the table which lists the “Unlisted Buildings and Sites of Conservation Interest” to be referenced within a policy in the RNDP. I propose a modification to Policy RNP7 to ensure that appropriate weight is given to the protection of those unlisted buildings and sites of conservation interest identified within Appendix 5. **[PM6]**
- 4.53 I am satisfied that with the modifications identified above, the Green Infrastructure, Local Green Space and Heritage Policies of the RNDP meet the Basic Conditions.

#### *Community and Employment Facilities*

- 4.54 Policy RNP8 addresses the protection of existing community facilities. It is appropriate for the RNDP to specify the premises which it seeks to protect but it includes in the list of community facilities a convenience shop and the Horse and Jockey Public House. In the BLP, community facilities are identified as follows: “*meeting places, village halls, social club venues, sports venues, cultural buildings and places of worship*”<sup>23</sup> and Policy 99 provides for the protection of such facilities.
- 4.55 With regard to the local convenience shop and the public house the recognition of their importance is set out in paragraph 11.58 of the BLP and their protection is provided through Policy 83. Whilst Policy 83 does not specifically name the premises to be protected in Ravensden, it is clearly structured to ensure that any change of use of these premises would be subject to an appropriate level of scrutiny to provide sufficient protection. There is therefore no justification for them to be listed in Policy RNP8 of the RNDP.
- 4.56 With regard to the list of criteria in Policy RNP8 against which proposals for development would be considered, the first criterion includes appropriate locally specific requirements which accord with BLP Policy 99. However, the second criterion includes a requirement for marketing and an economic justification which is more onerous than the BLP policy and the third criterion refers to a benefit which outweighs the loss of an existing facility. In these criteria, the RNDP is proposing a more onerous level of control than is set out in national or Local Plan policy with no clear justification to support such an approach.
- 4.57 In these circumstances I recommend a modification to Policy RNP8 to remove from the list of community facilities those premises which would

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<sup>23</sup> BLP 2030, Paragraph 12.60.



be subject to the provisions of BLP Policy 83 together with the deletion of the criteria which are not justified [**PM7**].

- 4.58 Policy RNP9 encourages the provision of enhancements to the range of community facilities within the Parish and sets out criteria to be applied to new proposals. The policy raises no issues of compliance.
- 4.59 I am satisfied that with the modifications identified above, the Community and Employment Facilities Policies of the RNDP meet the Basic Conditions.

### *Travel and Transport*

- 4.60 Policy RNP10 relates to the proposed East West Rail which is a NSIP. Section 38B of the 2004 Act precludes provision for NSIPs in neighbourhood plans.
- 4.61 The term “provision” may be interpreted to include a stipulation, condition, proviso, prerequisite or requirement. RNP10 is worded in terms of provision through the use of the phrase in the first sentence “should be provided”. The policy also includes a detailed list of requirements for the construction of the East West Rail through Ravensden. Whilst an authoritative legal interpretation of Section 38B can only be provided through the Courts, in my opinion Policy RNP10 is in conflict with the statute and should therefore be deleted from the RNDP. [**PM8**]  
Nevertheless I note the comments in RPC’s response<sup>24</sup>, and this could be a matter RPC may wish to cover in Section 11 which is the non-statutory section of the Plan(see paragraph 4.63 below). However, it is beyond my remit to make a formal recommendation in regard to the non-statutory content of the RNDP.

### *Implementation, Monitoring and Review*

- 4.62 Policy RNP11 deals with the investment of developer contributions in local infrastructure. The policy complies generally with the NPPF apart from the last bullet point which deals with a traffic management issue which is not a land use matter. I recommend a modification to the policy to secure compliance with the Basic Conditions. [**PM9**]

### *Non-Neighbourhood Planning Issues: Other Actions and Aspirations*

- 4.63 In addition to the RNDP policies which I am required to consider against the statutory tests, Section 11 of the Plan addresses issues which are not land use matters but which are of importance to the local community. They relate to measures which may be sought in order to improve the general quality of life and well being within the village rather than land use issues which relate to the development and use of land in the statutory sense. As such they are not matters that can be addressed through a policy in the RNDP.

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<sup>24</sup> 21 September 2022.

4.64 Section 11 covers matters relating to green infrastructure improvements and initiatives identified in the Ravensden Design Codes. Although I have taken note of these, they will not form part of the statutory Development Plan for the area and are not therefore considered against the Basic Conditions.<sup>25</sup>

### Factual and Minor Amendments and Updates

4.65 I have not identified any typographical errors in the text of the RNDP that would affect the Basic Conditions although RPC may wish to check the reference to "Sunderland Grange" on page 12. Minor amendments to the text can be made consequential to the recommended modifications, alongside any other minor non-material changes or updates. It is also a matter for the QB as to whether any additions are made to Section 11 of the RNDP. Any changes should be agreed between RPC and BBC.<sup>26</sup>

## 5. Conclusions

### Summary

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

### The Referendum and its Area

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

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<sup>25</sup> PPG Reference ID: 41-004-20190509.

<sup>26</sup> PPG Reference ID: 41-106-20190509.



## Overview

- 5.5 The production of the RNDP has undoubtedly required a high level of commitment and hard work by a group of volunteers from the local community. This task has no doubt been made more difficult by the abnormal conditions arising from COVID-19. Whilst it has been necessary for me to recommend a number of modifications to the Plan, I commend the Parish Council and the Neighbourhood Plan Steering Group for the hard work and enthusiasm which they have dedicated to producing a thoroughly comprehensive Neighbourhood Development Plan.
- 5.6 The Plan as modified will set out positive and concise proposals to enable Ravensden to carry forward the policies of the BLP. RPC has consulted with and taken into account the views of the local community, whilst seeking to produce policies which will benefit the community and protect the character of Ravensden as an attractive and historic Parish within the countryside. As a result, with the modifications recommended in the Appendix to my report, the RNDP meets the Basic Conditions. With the modifications, the RNDP should provide an effective Plan for the future planning of Ravensden.

*Wendy J Burden*

Examiner

## Appendix: Modifications

<b>Proposed modification number (PM)</b>	<b>Policy and page no./other reference</b>	<b>Modification</b>
PM1	Policy RNP1, page 26	<p>In the heading to Policy RNP1 and in the first line of the policy replace "Policy" with "Character".</p> <p>In the legend to the Ravensden Cleat Hill/Mowsbury Policy Map Inset at Appendix 1, page 5, change "Special Policy Area" to "Special Character Area".</p>
PM2	Policy RNP2, page 27	<p>In the list of criteria, delete the following: 2, 3, 5, 7, 8.</p> <p>In criterion 4 replace the wording with the following: "The prominent location of the site within the countryside in the design of any on-street lighting strategy."</p> <p>In criterion 6 delete "Development to follow" and insert "The".</p> <p>Insert after "Policy RNP5", "and the Ravensden Design Codes".</p>
PM3	Policy RNP4, page 31	Delete criteria 1, 2, 3, 4, 5, 8 and 9.
PM4	Policy RNP5, page 34	<p>In the first sentence after "wherever possible" insert: "having regard to the Ravensden Design Codes".</p> <p>Delete criteria at bullet points 5 and 7.</p>
PM5	Policy RNP6, page 38, and Appendix 3 Policies Map	<p>Delete the following sites from Policy RNP6 and from the Policies Maps in Appendix 3:</p> <p>Charity Field, Church End Green Lane, Church End Northfields, Church End</p> <p>Delete the final two sentences of Policy RNP6.</p>

PM6	Policy RNP7, page 39	Delete proposed wording and replace with:  "Where a development proposal may affect any non-designated heritage asset identified in the table at Appendix 5 entitled 'Unlisted Buildings and Sites of Conservation Interest', the effect of the proposal on the significance of the non-designated heritage asset must be taken into account. In considering the significance of the asset, regard must be paid to its contribution to local history, character and distinctiveness.  Any proposal which would cause unacceptable harm to or loss of a non-designated heritage asset of local significance will be resisted unless it can be demonstrated that the loss or harm is justified by the public benefits associated with the development."
PM7	Policy RNP8, page 41	Delete the second and third criteria.  Delete "Horse and Jockey Public House, Church End" and "Convenience Shop, Ravensden Crossroads".
PM8	Policy RNP10, page 10	Delete Policy RNP10.
PM9	Policy RNP11, page 47	Delete third bullet point.