

**Wolverton and Greenleys Town Council**

# **Wolverton Town Centre Neighbourhood Development Plan**

A Report to Milton Keynes Council of the Independent  
Examination of the Wolverton Town Centre Neighbourhood  
Development Plan

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## Neighbourhood Planning

1. The Localism Act 2011 empowers local communities to take responsibility for the preparation of elements of planning policy for their area through a neighbourhood development plan. The National Planning Policy Framework (the Framework) states that “*neighbourhood planning gives communities direct power to develop a shared vision for their neighbourhood and deliver the sustainable development they need.*”<sup>1</sup>
2. Following satisfactory completion of the necessary preparation process neighbourhood development plans have statutory weight. Decision-makers are obliged to make decisions on planning applications for the area that are in line with the neighbourhood development plan, unless material considerations indicate otherwise.
3. The Wolverton Town Centre Neighbourhood Development Plan (the Neighbourhood Plan) has been prepared by Wolverton and Greenleys Town Council (the Town Council), a qualifying body able to lead the preparation of a neighbourhood plan.<sup>2</sup> Work on the production of the plan has been progressed through a Steering Committee (the Steering Committee) comprising members and officers of the Town Council and Milton Keynes Council; community and business representatives; and members from the Wolverton Steering Group. Through terms of reference the Steering Committee were tasked with developing the Neighbourhood Plan for the Town Council to consider.
4. The submission draft of the Neighbourhood Plan, along with the Consultation Statement and the Basic Conditions Statement, has been approved by the Town Council for submission of the plan and accompanying documents to Milton Keynes Council, which occurred in November 2014.

## Independent Examination

5. This report sets out the findings of the independent examination into the Neighbourhood Plan.<sup>3</sup> The report makes recommendations to Milton Keynes Council including a recommendation as to whether or not the Neighbourhood Plan should proceed to a local referendum. Milton Keynes

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<sup>1</sup> Paragraph 183 National Planning Policy Framework (2012)

<sup>2</sup> Section 61F(1) Town and Country Planning Act 1990 as read with section 38C(2)(a) Planning and Compulsory Purchase Act 2004

<sup>3</sup> Paragraph 10 Schedule 4B Town and Country Planning Act 1990

Council will decide what action to take in response to the recommendations in this report.

6. Milton Keynes Council will decide whether the Neighbourhood Plan should proceed to referendum, and if so whether the referendum area should be extended, and what modifications, if any, should be made to the submission version plan. Should the Neighbourhood Plan proceed to local referendum and achieve more than half of votes cast in favour, then the Neighbourhood Plan will be 'made' by Milton Keynes Council. If 'made' the Neighbourhood Plan will come into force and subsequently be used in the determination of planning applications and decisions on planning appeals in the plan area.
7. I have been appointed by Milton Keynes Council with the consent of the Town Council, to undertake the examination of the Neighbourhood Plan and prepare this report of the independent examination. I am independent of the Town Council and Milton Keynes Council. I do not have any interest in any land that may be affected by the Neighbourhood Plan and I hold appropriate qualifications and have appropriate experience. I am a Member of the Royal Town Planning Institute; a Member of the Institute of Economic Development; a Member of the Chartered Management Institute; and a Member of the Institute of Historic Building Conservation. I have more than thirty-five years professional planning experience and have held national positions and local authority Chief Planning Officer posts.
8. As independent examiner I am required to produce this report and must recommend either:
  - that the Neighbourhood Plan is submitted to a referendum, or
  - that modifications are made and that the modified Neighbourhood Plan is submitted to a referendum, or
  - that the Neighbourhood Plan does not proceed to a referendum on the basis it does not meet the necessary legal requirements
9. I make my recommendation in this respect and in respect to any extension to the referendum area,<sup>4</sup> in the concluding section of this report. It is a requirement that my report must give reasons for each of its recommendations and contain a summary of its main findings.<sup>5</sup>

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<sup>4</sup> Paragraph 8(1)(d) Schedule 4B Town and Country Planning Act 1990

<sup>5</sup> Paragraph 10(6) Schedule 4B Town and Country Planning Act 1990

10. The general rule is that examination of the issues is undertaken by the examiner through consideration of written representations.<sup>6</sup>
11. The examiner has the ability to call a hearing for the purposes of receiving oral representations about a particular issue in any case where the examiner considers that the consideration of oral representations is necessary to ensure adequate examination of the issue, or a person has a fair chance to put a case. All parties have had opportunity to state their case. As I did not consider a hearing necessary I proceeded on the basis of written representations.

## **Basic conditions and other statutory requirements**

12. An independent examiner must consider whether a neighbourhood plan meets the “Basic Conditions”.<sup>7</sup> A neighbourhood plan meets the basic conditions if:
- having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the plan,
  - the making of the neighbourhood plan contributes to the achievement of sustainable development,
  - the making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area),
  - the making of the neighbourhood plan does not breach, and is otherwise compatible with, EU obligations, and
  - the making of the neighbourhood plan is not likely to have a significant effect on a European site or a European offshore marine site, either alone or in combination with other plans or projects<sup>8</sup>
13. An independent examiner must also consider whether a neighbourhood plan is compatible with the Convention rights.<sup>9</sup> All of these matters are considered in the later sections of this report titled ‘The Neighbourhood Plan taken as a whole’ and ‘The Neighbourhood Plan policies’.

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<sup>6</sup> Paragraph 9(1) Schedule 4B Town and Country Planning Act 1990

<sup>7</sup> Paragraph 8(2) Schedule 4B Town and Country Planning Act 1990

<sup>8</sup> Prescribed for the purposes of paragraph 8(2) (g) of Schedule 4B to the 1990 Act by Regulation 32 The Neighbourhood Planning (General) Regulations 2012 and defined in the Conservation of Habitats and Species Regulations 2010 and the Offshore Marine Conservation (Natural Habitats, &c.) Regulations 2007

<sup>9</sup> The Convention rights has the same meaning as in the Human Rights Act 1998

14. In addition to the basic conditions and Convention rights, I am also required to consider whether the neighbourhood plan complies with the provisions made by or under sections 38A and 38B of the Planning and Compulsory Purchase Act 2004.<sup>10</sup> I am satisfied the Neighbourhood Plan has been prepared in accordance with the requirements of those sections, in particular in respect to the Neighbourhood Planning (General) Regulations 2012 which are made pursuant to the powers given in those sections.
15. The Neighbourhood Plan relates to the area that was designated by Milton Keynes Council as a neighbourhood area on 25 September 2012. The plan area is described in the Submission Version of the Neighbourhood Plan as covering the main part of the town centre, part of the surrounding Wolverton Conservation Area and the Railway Works site. A map of the plan area is included as Figure 7 of the Submission Version Plan. The Neighbourhood Plan does not relate to more than one neighbourhood area,<sup>11</sup> and no other neighbourhood development plan has been made for the neighbourhood area.<sup>12</sup> All requirements relating to the plan area have been met.
16. I am also required to check whether the Neighbourhood Plan sets out policies for the development and use of land in the whole or part of a designated neighbourhood area;<sup>13</sup> and the Neighbourhood Plan does not include provision about excluded development.<sup>14</sup> I am able to confirm that I am satisfied that each of these requirements has been met.
17. A Neighbourhood Plan must also meet the requirement to specify the period to which it has effect.<sup>15</sup> The front cover of the Submission Version clearly shows the plan period to be 2015 – 2025.
18. The role of an independent examiner of a Neighbourhood Plan is defined. I am not examining the test of soundness provided for in respect of examination of Local Plans.<sup>16</sup> It is not within my role to examine or produce an alternative plan, or a potentially more sustainable plan. I have been appointed to examine whether the submitted Neighbourhood Plan meets

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<sup>10</sup> In sections 38A and 38B themselves; in Schedule 4B to the 1990 Act (introduced by section 38A(3)); and in the 2012 Regulations (made under sections 38A(7) and 38B(4)).

<sup>11</sup> Section 38B(1)(c) Planning and Compulsory Purchase Act 2004

<sup>12</sup> Section 38B(2) Planning and Compulsory Purchase Act 2004

<sup>13</sup> Section 38A(2) Planning and Compulsory Purchase Act 2004 See recommended modification regarding Policy 11

<sup>14</sup> Principally minerals, waste disposal, and nationally significant infrastructure projects - Section 38B(1)(b) Planning and Compulsory Purchase Act 2004

<sup>15</sup> Section 38B(1)(a) Planning and Compulsory Purchase Act 2004

<sup>16</sup> Under section 20 of the Planning and Compulsory Purchase Act 2004 and in respect of which guidance is given in paragraph 182 of the Framework

the basic conditions and Convention rights, and the other statutory requirements.

19. A neighbourhood plan can be narrow or broad in scope. There is no requirement for a neighbourhood plan to be holistic, or to include particular types of policies, and there is no requirement for a neighbourhood plan to be formulated as, or perform the role of, a comprehensive local plan. The nature of neighbourhood plans varies according to local requirements.
20. Neighbourhood Plans are developed by local people in the localities they understand and as a result each plan will have its own character. It is not within my role to re-interpret, restructure, or re-write a plan to conform to a standard approach or terminology. Indeed it is important that Neighbourhood Plans are a reflection of thinking and aspiration within the local community. They should be a local product and have particular meaning and significance to people living and working in the area.
21. Apart from the correction of minor errors (presented at the Annex to this report) I have only recommended modifications to the Neighbourhood Plan (presented in bold type) where I consider they need to be made so that the plan meets the basic conditions and the other requirements I have identified.<sup>17</sup>

## Documents

22. I have given consideration to each of the following documents in so far as they have assisted me in considering whether the Neighbourhood Plan meets the basic conditions and other requirements:

- Wolverton Town Centre Neighbourhood Development Plan 2015 -2025 Submission Version November 2014
- Wolverton Town Centre Neighbourhood Development Plan 2015 -2025 Basic Conditions Statement Submission Version November 2014
- Wolverton Town Centre Neighbourhood Development Plan NDP Consultation Statement Submission Version November 2014
- Wolverton Town Centre Neighbourhood Development Plan 2015 -2025 Plan Sustainability Appraisal (Including Strategic Environmental Assessment) Submission Version November 2014
- Representations received during the Regulation 16 publicity period including the Milton Keynes Council response
- Milton Keynes Council Core Strategy Adopted Version July 2013
- Milton Keynes Local Plan Adopted December 2005
- National Planning Policy Framework (27 March 2012) [*In this report referred to as the Framework*]

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<sup>17</sup> See 10(1) and 10(3) of Schedule 4B to the Town and Country Planning Act 1990

- Technical Guidance to the National Planning Policy Framework (27 March 2012) [*In this report referred to as the Technical Guidance*]
- Department for Communities and Local Government Permitted development for householders technical guidance (April 2014) [*In this report referred to as the Permitted Development Guidance*]
- Department for Communities and Local Government Planning Practice Guidance web-based resource (first fully launched 6 March 2014) [*In this report referred to as the Guidance*]
- The Town and Country Planning (General Permitted Development) (Amendment and Consequential Provisions) (England) Order 2014
- The Town and Country Planning (General Permitted Development) (Amendment and Consequential Provisions) (England) Order 2015
- Town and Country Planning Act 1990 (as amended)
- Planning and Compulsory Purchase Act 2004 (as amended)
- Localism Act 2011
- Neighbourhood Planning (General) Regulations 2012 [*In this report referred to as the Regulations*]

## Consultation

23. As the focus of the Neighbourhood Plan was to be the retail heart of the town an initial meeting was held with local businesses in October 2011. After a period of careful preparation a consultation leaflet was delivered to all households across the entire Town Council area inviting initial thoughts which were used to inform further consultation. Actions were taken to ensure engagement with the significant Pakistani community in Wolverton.
24. In January 2012 a meeting was held with all major landowners and Milton Keynes Council. This was followed by a three-day workshop opening with a public meeting, attended by around 200 people, that was successful in surfacing likes, dislikes and top priorities for improvements. A workshop involving 40 key stakeholders including all major landowners considered output from the public meeting and the wider consultation leaflet response. A meeting to conclude the three-day workshop, attended by over 150 people, discussed possible redevelopment proposals.
25. The development of options in the first half of 2012 included presenting ideas to local businesses. Work to develop a “Portas pilot” application proved useful in helping to surface local aspirations.
26. A further public meeting in July 2012, attended by around 100 residents and some traders from the Agora, considered existing problems and development plans, including viability issues. An online petition with over 360 signatories demonstrated community support for Milton Keynes

Council to resolve to pursue a Compulsory Purchase Order relating to the Agora site.

27. Following 'Town Benchmarking' survey work a newsletter including a questionnaire seeking views on a draft vision and objectives for the Neighbourhood Plan was distributed across the Town Council area. The online version was also promoted to the outlying communities of Haversham; New Bradwell and Hanslope. Further consultation took place between November 2012 and January 2013 including a public meeting with over 100 attendees in December 2012.
28. Response from the consultation bodies on the Strategic Environmental Assessment Scoping Report in early 2013 proved a useful supplement to returns from the wider questionnaire of December 2012 in drafting the Neighbourhood Plan and Sustainability Appraisal.
29. The pre-submission consultation period ran from 15 May to 1 July 2013. In addition to statutory consultations publication of the draft plan was accompanied by an extensive consultation campaign including an exhibition; distribution across the whole of Wolverton of a summary plan and advert for a public meeting; a letter to all local businesses; a drop-in event; an e-newsletter sent to over 200 people on the Future Wolverton database; an e-newsletter to landowners and developers; and hard copy plans available at several locations. Parish Councils; MP's for all Milton Keynes and surrounding areas; and all Milton Keynes councillors were also notified.
30. The pre-submission consultation generated 76 responses from individuals as well as statutory and other responses. The Consultation Statement includes a summary of the key issues arising and how these have been taken into consideration. In particular in response to issues raised regarding retail mix, retention of small independent shops and shop fronts a new policy was formulated which was the subject of a further leaflet and drop-in session.
31. An additional period of pre-submission consultation took place between 16 July and 26 August 2014 again involving an extensive consultation campaign including drop-in events and an exhibition; distribution of summary plans; letters to businesses; e-newsletters; hard copy availability; and notification to relevant statutory consultees. Responses have been properly recorded and analysed, and each change made to the Neighbourhood Plan and Sustainability Appraisal is set out in the Consultation Statement.

32. Re-drafting of the Neighbourhood Plan took place in September and October 2014 which was approved by the Town Council on 23 October and submitted to Milton Keynes Council on 13 November 2014.
33. The Submission Plan has been the subject of a Regulation 16 publicity period between 7 January and 18 February 2015. One representation was received after the publicity period closed and I have not taken that representation into consideration. A total of 22 representations were properly submitted during the publicity period, all of which I have taken into consideration in preparing this report, even though they may not be referred to in whole, or in part.
34. In a representation Milton Keynes Council congratulate Wolverton and Greenleys Town Council and Future Wolverton on the successful preparation of their Neighbourhood Plan. *“We welcome the plan and the positive approach it takes to redevelopment opportunities in the town centre. It has given the community the chance to have a proper opportunity to get their aspirations for the town into the statutory development plan.”* One representation thanked those involved in creating the Neighbourhood Plan. Emberton Parish Council confirmed it had no comment to make. Six representations expressed general support for the Neighbourhood Plan. One requesting more parking or one parking permit per household; more housing especially smaller flats; support for independent businesses; banks; a bakery; and leisure spaces for young people. One representation raises the issue of traffic speed and road safety especially in crossing roads. Anglian Water state development of sites will have an impact on Cotton Valley Water Recycling Centre and on the existing used water network and therefore would like further involvement at pre-planning application stage of proposals. English Heritage welcomes and supports the recognition of the town’s important railway heritage in the Vision and Objectives 2: Heritage and 3: Environment and Design and also welcome paragraph 3.27 on the Wolverton Conservation Area.
35. Representations submitted by G L Hearn Ltd on behalf of St Modwen, owners of the Railway Works site (hereafter referred to simply as St Modwen), support the key vision of the Neighbourhood Plan but raise objection to objectives 2 and 3. I explore these and other St Modwen objections later in the context of Policy W3 with the exception of one matter, that is that town centre policies should not apply to the Railway Works site as it is contended that that site does not form part of the defined Town Centre. I consider that issue at the commencement of the section of my report titled ‘The Neighbourhood Plan policies’.

36. All other representations refer to particular policies of the Neighbourhood Plan and these have been considered in respect of the policies they specifically address.
37. In addition to the events and consultation processes I have already referred to I note an e-newsletter on plan progress has been sent regularly to registered local people; updates have been included in the Town Council newsletter; and the Future Wolverton website has been extensively used to publish information including minutes and reports of the Steering Committee.
38. I am of the opinion that consultation has exceeded all requirements of the Regulations having been extremely comprehensive and carefully undertaken and recorded, demonstrating the very best practice in achieving meaningful and beneficial engagement with the full range of stakeholders in influencing development of the Neighbourhood Plan.

## **The Neighbourhood Plan taken as a whole**

39. This section of my report considers whether the Neighbourhood Plan taken as a whole meets EU obligations, habitats and human rights requirements; has regard to national policies and advice contained in guidance issued by the Secretary of State; whether the plan contributes to the achievement of sustainable development; and whether the plan is in general conformity with the strategic policies contained in the development plan for the area. Each of the plan policies is considered in turn in the section of my report that follows this.

Consideration of Convention rights; and whether the making of the Neighbourhood Plan does not breach, and is otherwise compatible with, EU obligations; and the making of the Neighbourhood Plan is not likely to have a significant effect on a European site or a European offshore marine site, either alone or in combination with other plans or projects

40. I have given consideration to the European Convention on Human Rights and in particular to Article 8 (privacy); Article 14 (discrimination); and Article 1 of the first Protocol (property).<sup>18</sup> The Basic Conditions Statement states "*The whole plan is conceived as a way of representing the public interest in so far as it seeks to promote the long-term common good over*

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<sup>18</sup> The Human Rights Act 1998 which came into force in the UK in 2000 had the effect of codifying the protections in the European Convention on Human Rights into UK law.

*any short-term individual commercial advantage.*” I have seen nothing in the submission version of the Neighbourhood Plan that indicates any breach of the Convention. Although no equalities impact assessment has been undertaken the submission draft of the Neighbourhood Plan would appear to have neutral or positive impacts on groups with protected characteristics.

41. The objective of EU Directive 2001/42<sup>19</sup> is *“to provide for a high level of protection of the environment and to contribute to the integration of environmental considerations into the preparation and adoption of plans and programmes with a view to promoting sustainable development, by ensuring that, in accordance with this Directive, an environmental assessment is carried out of certain plans and programmes which are likely to have significant effects on the environment.”* The Neighbourhood Plan falls within the definition of ‘plans and programmes’<sup>20</sup> as the Local Planning Authority is obliged to ‘make’ the plan following a positive referendum result.<sup>21</sup>
42. Milton Keynes Council issued a Screening Opinion in September 2012 that the Neighbourhood Plan would require a Strategic Environmental Assessment. The Scoping Report produced in January 2013 was subject to necessary consultation with the relevant environmental bodies resulting in changes to the plan. A decision was taken to expand on the Strategic Environmental Assessment topics to include consideration of economic and social impacts. A Sustainability Appraisal including Strategic Environmental Assessment Submission Version dated November 2014 has been prepared.
43. The assessment matrix produced to consider options in respect of each policy and the comprehensive approach to demonstrating appropriate response to environmental bodies are worthy of note as examples of the very best practice. I am satisfied that the resultant Sustainability Appraisal meets all requirements and most importantly has been used in a very positive way to inform development of the Neighbourhood Plan at all of the appropriate stages.
44. The Guidance states it is the responsibility of the local planning authority to ensure that all the regulations appropriate to the nature and scope of a draft neighbourhood plan submitted to it have been met in order for the draft neighbourhood plan to progress. The local planning authority must decide whether the draft neighbourhood plan is compatible with EU

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<sup>19</sup> Transposed into UK law through the Environmental Assessment of Plans and Programmes Regulations 2004

<sup>20</sup> Defined in Article 2(a) of Directive 2001/42

<sup>21</sup> Judgement of the Court of Justice of the European Union (Fourth Chamber) 22 March 2012

obligations (including obligations under the Strategic Environmental Assessment Directive):

- when it takes the decision on whether the neighbourhood plan should proceed to referendum; and
- when it takes the decision on whether or not to make the neighbourhood plan (which brings it into legal force)

45. The Basic Conditions Statement confirms that Milton Keynes Council in 2012 considered whether or not the Neighbourhood Plan was likely to require an assessment under Article 6 or 7 of the Habitats Directive. The conclusion was that the development was unlikely to be significant enough to require assessment under the Habitats Directive. Unsurprisingly I have not seen anything that suggests the Neighbourhood Plan will have a significant effect on a European offshore marine site.

46. There are a number of other EU obligations that can be relevant to land use planning including the Water Framework Directive, the Waste Framework Directive, and the Air Quality Directive but none appear to be relevant in respect of this independent examination.

47. I conclude that the neighbourhood plan:

- is compatible with the Convention rights
- does not breach, and is otherwise compatible with, EU obligations, and
- is not likely to have a significant effect on a European site or a European offshore marine site, either alone or in combination with other plans or projects.

Consideration whether having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the Neighbourhood Plan; and whether the making of the Neighbourhood Plan contributes to the achievement of sustainable development

48. I refer initially to the basic condition “*having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the plan*”. The requirement to determine whether it is appropriate that the plan is made includes the words “*having regard to*”. This is not the same as compliance, nor is it the same as part of the test of

soundness provided for in respect of examinations of Local Plans<sup>22</sup> which requires plans to be “*consistent with national policy*”.

49. Lord Goldsmith has provided guidance<sup>23</sup> that ‘*have regard to*’ means “*such matters should be considered.*” The Guidance assists in understanding “*appropriate*”. In answer to the question “*What does having regard to national policy mean?*” the Guidance states a neighbourhood plan “*must not constrain the delivery of important national policy objectives.*”

50. The Basic Conditions Statement seeks to illustrate the Neighbourhood Plan has been prepared with regard to national policies as set out in the Framework<sup>24</sup>. Components of the Framework are considered in terms of linkage to the Neighbourhood Plan policies. It would assist clarity if in the summary table the key reflected the markers used, but nevertheless the meaning is clear.

51. The Neighbourhood Plan states a vision. This vision relates to matters appropriate to a Neighbourhood Development Plan, is written clearly, and adopts a positive approach of seeking to ensure the area is vibrant, attractive and distinctive. The vision does not constrain and indeed supports the objectives of the Framework, and in particular has regard to the Framework aims: of building a strong competitive economy; of ensuring the vitality of town centres; of conserving and enhancing the historic environment; and of requiring good design. The Neighbourhood Plan taken as a whole seeks to plan positively to support local development and to shape and direct that development. This is precisely the role national policy envisages for a neighbourhood plan.

52. Apart from those elements of policy of the Neighbourhood Plan in respect of which I have recommended a modification to the plan I am satisfied that need to ‘*have regard to*’ national policies and advice contained in guidance issued by the Secretary of State has, in plan preparation, been exercised in substance in such a way that it has influenced the final decision on the form and nature of the plan. This consideration supports the conclusion that with the exception of those matters in respect of which I have recommended a modification of the plan the Neighbourhood Plan meets the basic condition “*having regard to national policies and advice*”

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<sup>22</sup> Under section 20 of the Planning and Compulsory Purchase Act 2004 and in respect of which guidance is given in paragraph 182 of the Framework

<sup>23</sup> the Attorney General, (Her Majesty’s Principal Secretary of State for Justice) Lord Goldsmith, at a meeting of the Lord’s Grand Committee on 6 February 2006 to consider the Company Law Reform Bill (Column GC272 of Lords Hansard, 6 February 2006) and included in guidance in England’s Statutory Landscape Designations: a practical guide to your duty of regard, Natural England 2010 (an Agency of another Secretary of State)

<sup>24</sup> Including specific statements in respect of paragraphs 16, 183, 184, and 185 of the Framework

*contained in guidance issued by the Secretary of State, it is appropriate to make the plan.”*

53. At the heart of the Framework is a presumption in favour of sustainable development which should be seen as a golden thread running through both plan making and decision-taking.<sup>25</sup> The Guidance states, *“This basic condition is consistent with the planning principle that all plan-making and decision-taking should help to achieve sustainable development. A qualifying body must demonstrate how its plan or order will contribute to improvements in environmental, economic and social conditions or that consideration has been given to how any potential adverse effects arising from the proposals may be prevented, reduced or offset (referred to as mitigation measures). In order to demonstrate that a draft neighbourhood plan or order contributes to sustainable development, sufficient and proportionate evidence should be presented on how the draft neighbourhood plan or order guides development to sustainable solutions”.*
54. The Basic Conditions require my consideration whether the making of the neighbourhood plan contributes to the achievement of sustainable development. There is no requirement as to the nature or extent of that contribution, nor a need to assess whether or not the plan makes a particular contribution. The requirement is that there should be a contribution. There is also no requirement to consider whether some alternative plan would make a greater contribution to sustainable development.
55. The Sustainability Appraisal adopts good practice by cross-referencing the developed SA/SEA objectives with the Neighbourhood Plan objectives and by demonstrating evaluation of policy options in a clear assessment matrix format. The summary assessment matrix illustrates that each of the 7 policies of the Neighbourhood Plan has a positive impact in terms of a majority or all of the SA/SEA objectives. The Neighbourhood Plan as a whole has a positive impact against all objectives, and particularly strong impact in respect of the objectives to *“Encourage urban renaissance and efficient use of land and environmental assets through brownfield sites”* and *“Improve vitality and viability of the town centre.”*
56. I conclude that the Neighbourhood Plan, by guiding development to sustainable solutions, contributes to the achievement of sustainable development. I consider the Neighbourhood Plan seeks to achieve improvements to the vitality and viability of the town centre in that it:

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<sup>25</sup> Paragraph 14 National Planning Policy Framework 2012

- Promotes development to meet local housing needs
- Promotes the creation of new amenities
- Promotes redevelopment of key brownfield sites
- Promotes sustainable modes of transport through new cycle and pedestrian links
- Promotes high quality urban design and new buildings which complement the Conservation Area
- Promotes the regeneration of the local retail and business offer.

57. Subject to my recommended modifications of the Submission Plan relating to specific policies, as set out later in this report, I find that the Neighbourhood Plan, taken as a whole, has regard to national policies and advice contained in guidance issued by the Secretary of State and contributes to the achievement of sustainable development.

Consideration whether the making of the Neighbourhood Plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area)

58. The Framework states that the ambition of the neighbourhood should “*support the strategic development needs set out in Local Plans*”.<sup>26</sup> “*Neighbourhood plans must be in general conformity with the strategic policies of the Local Plan. To facilitate this, local planning authorities should set out clearly their strategic policies for the area and ensure that an up-to-date Local Plan is in place as quickly as possible. Neighbourhood plans should reflect these policies and neighbourhoods should plan positively to support them. Neighbourhood plans should not promote less development than set out in the Local Plan or undermine its strategic policies*”.<sup>27</sup>

59. Statutory weight is given to neighbourhood development plans that are in general conformity with the strategic policies of the development plan for the local area, and have appropriate regard to national policy. This ensures neighbourhood plans cannot undermine the overall planning and development strategy set out in the development plan for the local area.

<sup>26</sup> Paragraph 16 National Planning Policy Framework 2012

<sup>27</sup> Paragraph 184 National Planning Policy Framework 2012

60. The Guidance states, “A local planning authority should set out clearly its strategic policies in accordance with paragraph 184 of the National Planning Policy Framework and provide details of these to a qualifying body and to the independent examiner.” The Basic Conditions Statement states the strategic policies relevant to the Neighbourhood Plan include: The 2005 Local Plan; Core Strategy 2013; Plan:MK (the emerging Local Plan); Local Transport Plan 3 (2011 – 2031); Wolverton Regeneration Strategy; and the Conservation Area Review.
61. Whilst it is good practice, as has been done, to consider the wider policy framework in plan development, I am required to consider whether the making of the Neighbourhood Plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area). Milton Keynes Council has informed me that the Development Plan applying in the Wolverton Town Centre Neighbourhood Plan area comprises:
- Milton Keynes Council Core Strategy Adopted Version July 2013
  - Milton Keynes Local Plan Adopted December 2005 Saved Policies
62. The Core Strategy is a Local Plan which conforms with the Framework providing strategic planning policy up to 2026.
63. As the Milton Keynes Local Plan Adopted December 2005 Saved Policies predates the Framework, the Framework takes precedence where there is a conflict. Milton Keynes Council has produced an assessment of all relevant Local Plan (2005) policies against the Framework, outlining where they conform and conflict with the Framework.<sup>28</sup> The assessment then provides a conclusion for each policy summarising the weight that they should be given in-line with their degree of consistency with the Framework. Eventually the saved policies will be replaced by those contained in Plan:MK once adopted.
64. Milton Keynes Council has in comments submitted under delegated decision on 10 February 2015 stated that the relevant strategic policies in respect of the Neighbourhood Plan are those in the Core Strategy plus, Policy E1 of the Local Plan. Milton Keynes Council considers that the Neighbourhood Plan upholds the principles of these policies and reflects the overall aims of the development strategy for Milton Keynes. Consideration whether the making of the Neighbourhood Plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area) has been addressed through examination of the plan as a whole and each of the plan policies

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<sup>28</sup> Milton Keynes Council assessment of compliance of 2005 Local Plan policies with NPPF – [www.milton-keynes.gov.uk/planning-and-building/planning-policy/local-plan-2005](http://www.milton-keynes.gov.uk/planning-and-building/planning-policy/local-plan-2005)

below. I have concluded the Neighbourhood Plan is in general conformity with the strategic policies contained in the development plan.

## The Neighbourhood Plan policies

65. The Submission Plan includes 7 policies:

- W1: The Agora site
- W2: General Town Centre Development
- W3: The Railway Works site
- W4: Town Centre Diversity – Ground Floor Uses
- W5: Supporting Street Markets
- W6: Supporting and Promoting Small, Independent Trade
- W7: Shopfronts Design, Advertising and Security

66. The Guidance states *“Neighbourhood planning provides a powerful set of tools for local people to ensure that they get the right types of development for their community. The ambition of the neighbourhood should be aligned with the strategic needs and priorities of the wider local area. Neighbourhood plans must be in general conformity with the strategic policies of the Local Plan.”* *“Outside these strategic elements, neighbourhood plans will be able to shape and direct sustainable development in their area.”*

67. *“When considering whether a policy is in general conformity a qualifying body, independent examiner, or local planning authority, should consider the following:*

- *whether the neighbourhood plan policy or development proposal supports and upholds the general principle that the strategic policy is concerned with*
- *the degree, if any, of conflict between the draft neighbourhood plan policy or development proposal and the strategic policy*
- *whether the draft neighbourhood plan policy or development proposal provides an additional level of detail and/or a distinct local approach to that set out in the strategic policy without undermining that policy*
- *the rationale for the approach taken in the draft neighbourhood plan or Order and the evidence to justify that approach.”*

68. *“A policy in a neighbourhood plan should be clear and unambiguous. It should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications.*

*It should be concise, precise and supported by appropriate evidence. It should be distinct to reflect and respond to the unique characteristics and planning context of the specific neighbourhood area for which it has been prepared.”*

69. *“While there are prescribed documents that must be submitted with a neighbourhood plan ... there is no ‘tick box’ list of evidence required for neighbourhood planning. Proportionate, robust evidence should support the choices made and the approach taken. The evidence should be drawn upon to explain succinctly the intention and rationale of the policies in the draft neighbourhood plan”.*

70. *“A neighbourhood plan must address the development and use of land. This is because if successful at examination and referendum the neighbourhood plan will become part of the statutory development plan once it has been made (brought into legal force) by the planning authority. Applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise.”<sup>29</sup>*

71. If to any extent a policy set out in the Neighbourhood Plan conflicts with any other statement or information in the plan, the conflict must be resolved in favour of the policy. Given that policies have this status, and if the Neighbourhood Plan is made they will be utilised in the determination of planning applications and appeals, I have examined each policy individually in turn.

72. One issue raised in representations has cross-policy implications. St Modwen state that town centre policies should not apply to the Railway Works site as it is contended that that site does not form part of the defined Town Centre. This is a matter of significance to this independent examination of the Neighbourhood Plan firstly because it raises the issue of clarity of policy application, and secondly as national planning policy applies differently to town centre and edge of centre sites.

73. Following a resolution of the Town Council on 30 May 2012 an application was submitted to Milton Keynes Council proposing designation of the Wolverton Neighbourhood Plan area. The relevant documents refer to Wolverton Town Centre being designated however there are references to the focus of the plan being the Town Centre and the Railway lands. Inclusion of the Town Centre and the Railway lands were justified separately.

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<sup>29</sup> See section 38(6) of the Planning and Compulsory Purchase Act 2004.

74. The Milton Keynes Council website confirms the Wolverton Neighbourhood Area was approved as a Neighbourhood Plan Area on 25 September 2012. This is the name of the Neighbourhood Area that has been spatially defined for the purposes of preparing a Neighbourhood Development Plan. The Town Council has subsequently prepared the draft Wolverton Town Centre Neighbourhood Development Plan. The title of the plan includes the words Town Centre. This choice of title does not confer on the area any status as a Town Centre for the purposes of application of planning policy. Any future 'making' of the Neighbourhood Plan would not confer that status either. That function is defined in the Framework as falling to the Local Planning Authority through definition on a Proposals Map.

75. There are several statements included in the submission Neighbourhood Plan that appear to confirm the Railway Works site is not contained within the town centre. In particular I note:

- The plan area is described on page 4 as covering the main part of the town centre, part of the surrounding Wolverton Conservation Area and the Railway works site;
- Paragraph 1.13 refers to the communities long held vision for the town centre and aspirations for the railway works site;
- Paragraph 3.2 refers to the railway works site to the north of the town centre;
- Paragraph 3.41 refers to the regeneration strategy focussing on the town centre but also highlighting the development opportunity presented by the Railway Works site;
- Paragraph 3.46 states both the town centre and railway works site;
- Paragraph 3.52 states "now Wolverton Town Centre is ,in effect, made up of four different character areas: The Agora and Church Street; The Square; Stratford Road including Tesco; and Glyn Square;
- Paragraph 3.80 refers to the proximity of the Railway Works site to the town centre;
- Paragraph 4.2 refers to ensuring that the future redevelopment of the Railway Works site creates linkages with the town centre; and
- Policy W3 refers to making as direct links as possible with Stratford Road and the town centre (from the Railway Works site).

76. Additionally the glossary at Appendix 3 of the Neighbourhood Plan defines Town Centre in precisely the same terms as those used in Annex 2: Glossary of the Framework as "*Area defined on the local planning authority's proposal map, including the primary shopping area and areas*

*predominantly occupied by main town centre uses within or adjacent to the primary shopping area*". The Proposals Map of the Local Plan shows a town centre definition for Wolverton that does not include the Railway Works site. I conclude from all this that the Town Centre policies of the Neighbourhood Plan should not apply to the Railway Works site which indeed has a policy specifically dedicated to it, namely Policy W3. In accordance with the Guidance the policies of the neighbourhood plan should provide clarity for decision makers. I consider modification of the Neighbourhood Plan to be necessary in order to achieve clarity in this respect. The implication of this issue in respect of town centre uses referred to in part of Policy W3 is considered later in my report.

### **Recommended modification 1:**

**That the spatial application of policies should be clarified**

#### **Policy W1 – The Agora site**

77. This policy seeks to establish active support for redevelopment proposals for the Agora site that are consistent with 20 stated objectives.
78. This policy is referred to in more representations than all the other policies together. Thirteen representations expressed support for action to address the Agora. The general thrust of representations is that the Agora is a failed development where urgent change involving quality development is essential. The negative impact in a prime location resulting from poor maintenance and dilapidation is referred to in one representation as "*holding Wolverton back*". Another representation identifies the opportunity for additional small bars and restaurants to attract visitors and improve the local economy. A further representation requests leisure opportunities and the opening up of the link between Radcliffe Street and The Square.
79. Anglian Water has welcomed reference to the inclusion of SUDs and inclusion of water efficiency measures as part of the redevelopment of the site.
80. English Heritage comments "*We have previously set out the historical and architectural significance of the Agora building but, given that the Agora's legacy to Wolverton and the significance of the conservation area is mixed, interesting historically but problematic in terms of allowing good place making, we accept the case for redevelopment. We were, and still are, therefore broadly content with Policy W1.*"
81. The policy seeks to shape and direct sustainable development to ensure that local people get the right type of development for their community.

There are a number of components of the policy that are not sufficiently precise to guide decision makers in the determination of planning proposals and which require modification as follows:

- Objective B includes the phrase “modern size”. This is not sufficiently precise to guide decision makers and adds little to “suitable for current retail service and office requirements”.
- Objective H includes the phrase “at the front” whereas “on principal frontages” would offer greater guidance to decision makers.
- Objective Q includes the word “more”. This introduces an element of uncertainty for decision makers and should be deleted.
- Objective S “resilient to the impact of climate change” is not sufficiently precise to offer guidance to decision makers. “Served by a district heating network” would be an unreasonable requirement to apply to a redevelopment scheme as it necessitates ongoing wider than site infrastructure provision.

82. The policy seeks a significant contribution to the regeneration of the town centre as a successful neighbourhood and an area of change whilst respecting the surrounding conservation area and listed buildings and reinforcing sustainable means of travel. The policy plans positively for new housing to meet local needs as well as employment provision and retail units of an appropriate type. The policy seeks to ensure high quality design reducing the incidence of crime and enhancing green infrastructure. The policy is in general conformity with policies CS1; CS4; CS8; CS10; CS11; CS12; CS13; CS17; CS18; CS19; and CS21 of the Core Strategy.

83. The policy supports redevelopment of a significant town centre site that would involve a major investment scheme ensuring the enhanced vitality of the town centre. The redevelopment proposals supported would represent a significant employment location with strong local economic impacts. The policy seeks to shape future development that is of high quality design and standards, and that provides for a mix of uses to meet local needs, whilst achieving sustainable access and permeability, and respecting local heritage components.

84. The policy has regard to the components of the Framework concerned with building a strong and competitive economy; ensuring the vitality of town centres; promoting sustainable transport; delivering a wide choice of high quality homes; requiring good design; promoting healthy communities; meeting the challenge of climate change and flooding; conserving and enhancing the natural environment; and conserving and

enhancing the historic environment. Subject to the modifications indicated this policy meets the basic conditions.

**Recommended modification 2:**

**In policy W1**

**Objective B delete “size and”**

**Objective H delete “at the front” and insert “on principal frontages”**

**Objective Q delete “more”**

**Objective S delete “resilient to the impact of climate change” and after “network” add “where convenient connection is available.”**

**Policy W2 – General Town Centre Development**

85. This policy seeks to establish support for development proposals that accord with the policies of the Neighbourhood Plan, or in the absence of an up to date policy, with the overall objectives of the plan. The policy also seeks to establish ten requirements to apply to all development and redevelopment proposals (with the exception of minor alterations and householder applications).
86. The policy also establishes support for development/redevelopment proposals of specified characteristics in three locations namely in The Square, in Glyn Square, and in Stratford Road.
87. Anglian Water welcomes the inclusion of water efficiency measures as part of the development of town centre sites and also welcomes reference to the inclusion of SUDs.
88. English Heritage *“welcome the community’s principle that new development in the town centre should not obscure or detract from important heritage assets and listed buildings (which are heritage assets as well) in the town centre, as set out in paragraph 6.4.” “We also particularly welcome requirements B, G and H of Policy W2”*
89. The 10 requirements listed in the policy as items A to J may not all be wholly appropriate to every development and redevelopment proposal arising during the plan period. Additionally the Framework states that development *“should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened.”* These issues can be dealt with by making the requirements apply to proposals as appropriate to scale and location and viability testing.
90. “Served by district heating” would be an unreasonable requirement to apply to a development or redevelopment scheme as it would necessitate ongoing wider than site infrastructure provision. This issue can be rectified

by a modification adding the words “where convenient connection is available”.

91. The policy seeks to ensure all significant proposals improve the public realm in the town centre as a successful neighbourhood and an area of change whilst respecting important listed buildings; improving access to services and facilities; and reinforcing sustainable means of travel. The policy plans positively for improved social, leisure and cultural facilities; as well as flats above shops to meet local needs. The policy seeks to enhance green infrastructure. The policy is in general conformity with policies CS1; CS4; CS8; CS10; CS11; CS12; CS13; CS17; CS18; CS19; and CS21 of the Core Strategy.
92. This policy supports the economic role of the town through a range of requirements that will encourage social and environmental improvements not least through achievement of facilities but also improvement of the public realm. Support is stated for investment in three specific locations where opportunities to strengthen the town centre offer are identified. Vitality will be increased through encouragement of activity in frontages, town centre living, and night time economy uses. Sustainable transport is promoted through enhanced pedestrian and cyclist movement and links to public transport hubs.
93. The policy has regard to the components of the Framework concerned with building a strong and competitive economy; ensuring the vitality of town centres; promoting sustainable transport; delivering a wide choice of high quality homes; requiring good design; promoting healthy communities; meeting the challenge of climate change and flooding; conserving and enhancing the natural environment; and conserving and enhancing the historic environment. Subject to the modifications indicated this policy meets the basic conditions.

**Recommended modification 3:**

**In policy W2**

**In line 7 after “Centre will” add “as appropriate to scale and location and viability testing”;**

**And, after “district heating” add ““where convenient connection is available”**

**Policy W3 – The Railway Works site**

94. This policy seeks to establish the principle that proposals for the Railway Works site should be in accordance with the Development Plan policies regarding retention of employment uses. The policy envisages a partnership prepared Development Framework, however proposals

brought forward prior to such a framework being in place must show compliance with 14 stated principles and show how the proposals will contribute to a masterplanning approach to the site.

95. A representation states *“any development (on the railway works site) by the private owners should be done with better listening to the Town Council and the views and needs of local residents.”* As previously noted representations submitted by St Modwen support the key vision of the Neighbourhood Plan but raise objection to objectives 2 and 3. St Modwen state consolidation of a leaseholder’s operations will release land for a mix of residential, community and retail development. St Modwen have submitted results of pre-application public consultation that demonstrate support for their proposals offering *“a different perspective”* from that presented in the Neighbourhood Plan *“which reflects more historic opinion”*. St Modwen considers the Neighbourhood Plan would be contrary to their proposals stating, *“The Neighbourhood Plan currently seeks to impose restrictions that are not (in) accordance with national or local policy and would jeopardise the sustainable redevelopment of the Railway Works Site. We are keen to ensure that the Neighbourhood Plan fully accords with national and local policy and supports the sustainable redevelopment of the Railway Works. However, we cannot support the Neighbourhood Plan in its current form.”* Other representations of St Modwen and representations of other parties relate to specific elements of the policy which I now consider.

#### Retention of employment uses and employment mix

96. In stating *“Proposals for the site should be in accordance with Milton Keynes development plan policies regarding retention of employment uses”* the policy is, in this respect, in general conformity with the Development Plan. Principal J of the policy requires redevelopment and regeneration of the site to contribute to the overall mix of employment uses in Wolverton, incorporating light industrial use and leisure use where viable. St Modwen state this requirement, *“has not been tested and is inappropriate.”* *“It goes beyond existing policy to protect employment uses and sets to set a new requirement to consider leisure uses (which are a ‘town centre use’ as defined by the NPPF) on this Site”*. I have earlier in this report given consideration to the issue whether or not the Railway Works site is part of the town centre for the purpose of applying local and national planning policy and concluded it is not part of the town centre.
97. The retention of employment uses and employment mix elements of the policy seek to shape and direct sustainable development as envisaged by

the Framework<sup>30</sup> requiring a contribution to the overall mix of employment uses in Wolverton. No aspect of national planning policy suggests that light industrial and leisure uses are inappropriate in a location such as that occupied by the Railway Works site so long as, in respect of leisure uses, the sequential test set out in the Framework has been applied. I recommend a modification of the policy to make this clear. The specific requirement to incorporate light industrial and leisure uses is limited to where this is viable, thus sitting comfortably with the Framework approach to obligations. Subject to the recommended modification the employment related elements of the policy meet the basic conditions.

#### Development framework approach

98. The policy states a Development Framework may be prepared in partnership between Milton Keynes Council, the Town Council, the local community and the landowner. St Modwen are preparing an outline planning application and do not consider a Development Framework is appropriate, nor a requirement to deliver a suitable development on this site. The policy does make provision for proposals being brought forward prior to a Development Framework being prepared, with a requirement to show compliance with stated principles, and to show how the particular proposals will contribute to a masterplanning approach to the site.
99. St Modwen state *“this is a complex site and the delivery of new development is subject to a number of sensitivities and commercial requirements. These are currently being discussed with Milton Keynes Council and a single and comprehensive planning application is being prepared which will now include the ‘car showroom site’ (adjacent the western access into the Railway Works site). Although the Regeneration Strategy is over 10 years old, there is a large amount of policy and guidance to progress development of this Site. The proposed outline planning application will set out a number of design parameters and will include a Design Guide document. The local community will continue to be consulted on these comprehensive documents and plans.”* Whilst St Modwen prefer to proceed through a planning application route the policy states a development framework approach *“may”* be followed, and also establishes unambiguous guidance for any alternative approach.
100. I consider the indication that a development framework approach may be pursued, with an alternative of setting a series of development characteristics to shape a scheme, is appropriate for a neighbourhood plan allowing local people to get the right types of development for their community. This aspect of the policy meets the basic conditions.

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<sup>30</sup> Paragraph 185 National Planning Policy Framework, 2012

### Improve linkages and movement

101. The Highways Agency comment the Railway Works site *“represents a significant development opportunity in the area and could potentially generate additional traffic on the wider road network”* but *“recognise that the level of additional traffic arising from the site could much depend on the scale of development taken forward, and at this early stage it is not possible to be certain of this”*.
102. The policy requires priority is given to pedestrian and cycle movements and creating links as direct as possible with existing bus stops. The Highways Agency states *“the need to ensure there continues to be sufficient public transport connections beyond Wolverton will be important, whether it be bus or train”*. *“The Agency considers that planning for developments in sustainable locations, such as those close to the public transport network and within walking distance of town centres, should encourage and promote the use of sustainable transport modes. The Agency welcomes the emphasis placed upon the encouragement of sustainable transport modes and linkages to the surrounding area and considers these principles as appropriate to guide development proposals coming forward on the site. The Agency will seek reassurance from developers that the existing public transport network will be sufficient to meet the needs of future residents and employees on the site, particular(ly) for those who are travelling to/from the wider Milton Keynes area.”*
103. The Highways Agency also state *“Consideration could also be given to potential opportunities to improve walking and cycling linkages with Wolverton railway station which is located to the east of the development site”*. Whilst I agree with this latter statement I am unable to recommend a modification of the plan in this respect as it is not necessary to meet the basic conditions. This situation demonstrates the advantage of early stage stakeholder input to plan making.
104. The policy seeks to ensure that the new pedestrian and vehicular routes within those parts of the site that are publicly accessible make as direct links as possible with Stratford Road and the town centre and complement the grid layout of the residential part of Wolverton. St Modwen state an assumption *“that the reference to the existing grid layout in Wolverton for the purposes of informing the future development of the Railway Works site means that there is a preference for new routes into the Railway Works site to have regard to the existing north/south orientated streets where feasible”*. This issue has implications for heritage considerations which I consider in respect of principle E below. English Heritage has requested that principle B *“should also be amended by the*

*addition of “consistent with E” between “...and the town centre” and “and complement the grid layout.....”. I agree this cross-reference will assist in establishing clarity for decision makers and I make a recommendation for modification below. The linkage and movement aspects of the policy are consistent with the component of the Framework promoting sustainable transport and meet the basic conditions.*

Access from the end of McConnell Drive

105. The policy seeks access for heavy vehicles serving the railway works by a new access taken to the north of Tesco from the end of McConnell Drive. St Modwen whilst support in principle the future use of the noted access points state, *“these have not yet been modelled. Further investigation of these access points is required before a commitment can be made as to how the access for the development will be proposed. This investigation will be done as part of the on-going planning application preparation process. We request that requirement for the delivery of specific access points is stated as a “preference” only in the Neighbourhood Plan”*. The Framework does envisage design policies guiding access of new development, and for neighbourhood plans to shape and direct sustainable development; however design policies should not be overly prescriptive. On this basis I recommend a modification to enable demonstration of necessity to implement a no less advantageous alternative arrangement in terms of traffic circulation and highway safety.

Conserve the unique heritage of the site

106. Principal F of the policy requires schemes to conserve and enhance the historic buildings on the site, informed by further investigative work which may take place as part of a development framework for the site. St Modwen state *“Objective 2 of the Neighbourhood Plan seeks to generally protect heritage and goes beyond the requirements of national policy by seeking specifically that any Victorian or Edwardian buildings within the Railways Works Site are retained and re-used where viable. No analysis or justification for this is provided. In support of our application proposals for the Site we have prepared a Heritage Viability report which examines the viability of this possibility or re-using some of the buildings within the Site. Our viability assessment does not consider all buildings within the site, only those with the most potential heritage significance. The approach to this assessment has been agreed with Milton Keynes Council and will be shared with the Town Council.”*

107. *“The policy makes reference to conserving and enhancing historic buildings, to be informed by further investigative work, and seeks to*

*ensure that some historic buildings on site are re-used. This will be a balanced judgement based on a number of factors not just feasibility of re-use. As noted above we have undertaken a viability exercise to consider the possibility of re-using some of the buildings within the Site and concludes that this is not viable. This will be made available prior to the adoption of the Neighbourhood Plan. The forthcoming planning application will seek permission for the demolition of all buildings on Site, this is supported by the community as set out above in our reporting of the results of the community consultation and in particular our approach to on-site heritage assets.”*

108. English Heritage welcomes *“the recognition of the historical significance of the railway works in paragraphs 3.69, 3.79, 7.2 and 7.3”* of the Neighbourhood Plan and *“We also welcome the substantial local support for the retention and re-use of the historic buildings on the Railway Works site (as noted in paragraph 7.6), ideally with heritage uses and are pleased to see this reflected in principles I and F of Policy W3 (we particularly welcome the revised wording as we suggested in our comments on the Revised Draft Plan, although we would still welcome “and promote heritage uses” at the end).*
109. Principal E of the policy requires the opening up of views (and access into and out of the site) through the wall along Stratford Road where possible, whilst seeking to retain the wall’s integrity and role as a symbol of Wolverton’s origins as a railway town. Where the wall has to be removed, ensuring it is replaced by structural features which reflect the industrial heritage of Wolverton.
110. St Modwen state *“It may not always be appropriate to provide “structural features” where the wall is lost. This is one design mitigation option of several available. We support the principle of opening up some views into the site and we note that breaks in the wall will likely be required for pedestrian, cyclist and/or vehicular access which would not be in accordance with this draft policy.”*
111. English Heritage is *“disappointed that Policy W3 still proposes opening up views and access into and out of the site through the wall on Stratford Road. We have previously expressed the view that this requirement is self-contradictory: the express purpose of the wall along Stratford Road was to separate the works from the town. Indeed, the ‘abrupt distinction’ between the two is one of the key features that helps to define Wolverton’s special interest as identified in the Conservation Area Review 2009 (as noted in paragraph 7.16). Its integrity cannot be retained if it is opened up. This would not ‘conserve the unique heritage of the site’.”*

112. *“Depending on the number and nature of proposed openings, these could amount to substantial harm or less than substantial harm under paragraph 138 of the National Planning Policy Framework. In these circumstances either paragraph 133 or 134 would apply, both of which require public benefits to outweigh the harm (substantial public benefits for substantial harm). As it stands, we do not consider that requirement E has sufficient regard to the National Planning Policy Framework – the words “where possible” could be considered to encourage more openings than may be strictly necessary. In order for the Plan to satisfy the basic condition of having regard to national policies and advice, we therefore suggest that requirement E be reworded as follows: Any proposed openings through the wall along Stratford Road should be kept to a minimum in size and number and carefully detailed to retain as much of the wall’s integrity and role as a symbol of Wolverton’s origins as a railway town as possible.”* I agree this approach is necessary to have regard to national planning policy and recommend an appropriate modification.
113. Principal I of the policy principally relates to details of the nature of new development to occur on the site but it does include the principal of re-use of historic buildings.
114. The site lies within a Conservation Area. The Framework states not all elements of a Conservation Area will necessarily contribute to its significance however loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area should be treated either as substantial harm under paragraph 133 or less than substantial harm under paragraph 134, as appropriate, taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area as a whole.
115. Paragraph 133 of the Framework states *“Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:*
- *the nature of the heritage asset prevents all reasonable uses of the site;*
  - and*
  - *no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and*
  - *conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and*
  - *the harm or loss is outweighed by the benefit of bringing the site back into use”.*

116. Paragraph 134 of the Framework states “*Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.*”

117. Subject to the modifications specified in respect of principle E, I consider principles E, F and I of the policy have regard to national planning policy relating to the significance of elements within a conservation area. Flexibility is incorporated in principle E in establishing an approach where part of the Stratford Road frontage wall is removed, and in principle F through recognition of the significance of investigative work. Subject to the recommended modification the “*conserve the unique heritage of the site*” elements of the policy meet the basic conditions.

#### Contribute to public amenity

118. Principal G of the policy requires schemes to contribute to the net gain of public and green spaces in the town centre by providing on-site high quality green infrastructure and public spaces including sustainable urban drainage landscaping schemes.

119. Principal H of the policy requires schemes to exploit the asset that is the Grand Union Canal by maximising opportunities to access the canal from the town centre, encouraging recreation and tourism. The wording of the policy is now compatible with representations submitted by St Modwen in August 2014. Both of these principles meet the basic conditions.

#### Provide new development

120. Principal I of the policy provides for new development that re-uses historic buildings and provides sites for new homes. Consideration should be given to a proportion of streets being designed so that speeds are slow (10mph) so as to meet the needs of children and pedestrians in particular, and where car parking is designed into the overall streetscape so as to not dominate it. A proportion of the new homes should also meet the Lifetime Homes standard. Secured by Design and Safer Places best practice should be applied to the design of all the new housing. St Modwen states the “*Lifetime Home Standards aspiration is not a current Policy or Building Regulation requirement. This requirement would go beyond the currently adopted planning policy which will further challenge the viability of the development proposals. Current adopted planning policy already seeks to secure appropriate standards of design in development proposals. We do not support this additional requirement and request that it is removed from the Policy.*” The policy requirement for “*a proportion*” could be met by very

little provision and so cannot be regarded as a barrier to viable development of the site. However in order to ensure regard for national planning policy is evident it is recommended that “subject to viability” is added.

121. Principle K states that subject to viability, new development should give a particular emphasis to sustainability through the use of zero carbon solutions, designed for climate change and district heating. St Modwen representations state Objective 3 of the Neighbourhood Plan notes that subject to viability all new developments should be zero carbon and commenting *“This represents an onerous and untested requirement. The testing should be done as part of this emerging plan process rather than for each new development”* *“current adopted Policy and also Building Regulations already provide sufficient standards for the consideration of new development, including sustainability standards. The proposed requirements would go beyond the currently adopted standards and would likely impose significant additional cost to any redevelopment of the Site and would have serious implications for the viability of any such development. We note the recognised difficulties in delivering zero carbon development, particularly on brownfield sites, the Neighbourhood Plan makes no reference to a definition of zero carbon development. The national target for zero carbon development is 2016 however there is consensus that this timeframe will not be achieved by the industry. In summary, we see no justification for these proposed standards or requirement for connection to a local energy network.”* This element seeks to shape development and being subject to viability has regard to the Framework.

122. Principle L actively encourages the incorporation of a local energy network, such as a link to the Waste Recovery Park at Old Wolverton where practicable and viable to do so.

123. Subject to the recommended modifications elements I to L under the heading *“Provide new development that”* seek to shape development and are all subject to viability and have regard to the approach to obligations established in the Framework.

#### Deliver new infrastructure

124. Principle M requires on and off-site infrastructure to be provided to support and mitigate the impact of development, in particular school places and health care provision for all new residents. Modification is recommended to reflect the approach to obligations in the Framework.

125. Principle N requires water efficiency measures to be introduced into any new development, including the introduction of sustainable urban

drainage systems which reduce flood risk and add ecological value and interest to the development. Opportunities should be taken to completely remove or significantly reduce any water flows currently discharging to the surface water network.

126. Anglian Water welcomes the inclusion of water efficiency measures as part of the development of the site and also welcomes reference to the inclusion of SUDs. *St Modwen state “the Policy notes that water efficiency measures should be introduced including opportunity to remove or significantly reduce any water flow currently discharging to the surface water network. These go beyond any request from the Canal and Rivers Authority and are unreasonable and unjustified.”* I recommend a modification so that the wording corresponds to the approach required in the Framework.

127. The policy makes a significant contribution to the regeneration of the town centre as a successful neighbourhood and as an area of change whilst respecting the heritage of the site and wider conservation area. The policy seeks improved connections and access to services whilst reinforcing sustainable means of travel. The policy plans positively for new homes to meet local needs as well as requiring the retention of employment uses and supporting small businesses through the provision of light industrial and small business units. The policy seeks to ensure high quality design and enhance green infrastructure. The policy is in general conformity with policies CS1; CS4; CS8; CS10; CS11; CS12; CS13; CS16; CS17; CS18; CS19; and CS21 of the Core Strategy and policy E1 of the Local Plan.

128. This policy seeks to shape the nature and form of development that will occur on a site of considerable significance to the Neighbourhood Plan area arising from its considerable size and its heritage dimension. The policy recognises the importance of historic buildings and the significance of the wall along the Stratford Road frontage of the site. By requiring employment uses the policy seeks to ensure the site contributes to the achievement of a strong local economy whilst at the same time recognising the need for other uses not least new homes. The policy seeks to provide for pedestrian and cycle movement and improved access generally as well as requiring aspects of design to meet the challenge of climate change. The Guidance states *“If the policies and proposals are to be implemented as the community intended a neighbourhood plan needs to be deliverable. The National Planning Policy Framework requires that the sites and the scale of development identified in a plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened”*. I have recommended modifications to reflect this approach.

129. The policy has regard to the components of the Framework concerned with building a strong and competitive economy; ensuring the vitality of town centres; promoting sustainable transport; delivering a wide choice of high quality homes; requiring good design; promoting healthy communities; meeting the challenge of climate change and flooding; conserving and enhancing the natural environment; conserving and enhancing the historic environment. Subject to the modifications indicated this policy meets the basic conditions.

**Recommended modification 4:**

**In policy W3**

**In B after “town centre” add “, consistent with principle E below,”**

**In D after “Drive” continue “unless a no less advantageous alternative arrangement in terms of traffic circulation and highway safety can be demonstrated to be a necessity”**

**In E delete the first sentence and insert “Any proposed openings through the wall along Stratford Road should be kept to a minimum in size and number and carefully detailed to retain as much of the wall’s integrity and role as a symbol of Wolverton’s origins as a railway town as possible” and in the second sentence after “Where” insert “any part of”**

**In I after “homes should” add “subject to viability”**

**In J after “viable” continue “and in respect of leisure uses subject to the sequential test set out in paragraph 24 of the National Planning Policy Framework”**

**In M before “on and off-site” add “Subject to viability”**

**In N after “taken to” delete “completely remove or significantly”**

**Policy W4 – Town Centre Diversity – Ground Floor Use**

130. This policy seeks to:

- establish support for proposals which protect, enhance and promote a diverse range of uses to secure the success of Wolverton town centre
- retain all ground floor A1 retail uses to a specified proportion of total units in each of the defined primary and secondary frontages
- ensure non-retail uses do not create a continuous frontage of more than two units within primary frontages
- limit food and drink uses within the primary and secondary frontages to specified percentage of units’ limits

- improve provision of off-street long stay parking
- limit the locations where amusement centres will be permitted in the Town Centre generally
- promote retail services in the Town Centre by providing protection for secondary frontages to specified limits
- only supporting service provision in superstores where it is demonstrated there is no unacceptable impact on the vitality and viability of the town centre.

131. Part A of the policy presents decision makers with a complex situation in terms of offering pre-application advice and in terms of determination of planning applications. This complexity in itself does not represent a valid reason to modify the policy. The basis for selection of different threshold percentages in different frontages is explained in supporting text. The minimum and maximum percentage frontage uses set out in Tables W4-1 and W4-2 provides clarity for decision makers.

132. Use of the word “however” in Part B of the policy makes it unclear for decision makers how the two sentences of Part B relate to one another. I have recommended modification of the policy in order to remove uncertainty.

133. Part C of the policy states that a maximum limit for food and drink uses within the primary and secondary frontages is established. Table W4-1 referred to however states a maximum representation for non-retail uses. I have recommended modification of the policy in order to provide certainty for decision makers.

134. In Part E “away from housing, schools, churches, hospitals, and hotels” is imprecise. In the absence of a specified distance the policy does not provide sufficient guidance to be used by decision makers. It would be possible to ensure the specified uses were not immediately adjacent to one another by use of the phrase “not sharing a site boundary with”. This would add detail to Local Plan policy TC18.

135. In Part G the use of the phrase “such as” introduces uncertainty as to what other uses are intended to be included. In order to provide clarity for decision makers the phrase “such as” should be removed. If other uses are intended to be included they should be specified.

136. It should be noted The Town and Country Planning (General Permitted Development) (England) Order 2015 which came into force on 15 April 2015 introduced a number of policy changes including the grant of planning permission for certain classes of development without the

requirement for a planning application to be made. These include the conversion of retail premises to restaurants/cafes; conversion of shops or betting offices to premises providing financial and professional services; conversion of retail premises to assembly and leisure; and conversion of retail premises to dwellinghouses. Whilst I have considered whether or not the policy meets the basic conditions in the context of this new permitted development regime the Town Council may not have been aware of these changes and may wish to review the policy.

137. The policy seeks to improve access to local services and facilities and contributes to the regeneration of the town centre as a successful neighbourhood and as an area of change by promoting appropriate land uses and avoiding potentially harmful over dominance of uses in particular frontages. The policy supports small businesses. The policy is in general conformity with policies CS4; CS8; CS12; and CS17 of the Core Strategy.

138. This policy recognises the importance of the type and distribution of ground floor uses in securing the success of the town centre. The policy recognises the diversity of uses that make up the town centre and seeks to direct development in order to achieve appropriate blends and concentrations of uses.

139. The policy has regard to the components of the Framework concerned with building a strong and competitive economy; ensuring the vitality of town centres; promoting sustainable transport; delivering a wide choice of high quality homes; requiring good design; and promoting healthy communities. Subject to the modifications indicated this policy meets the basic conditions.

**Recommended modification 5:**

**In policy W4**

**Part B, delete “However” and insert “Subject to this limit”**

**Part C, delete “food and drink” and insert “non-retail”**

**Part E, delete “away from” and insert “not sharing a site boundary with”**

**Part G, delete “such as”**

**In addition the Town Council may wish to review the policy wording in the context of The Town and Country Planning (General Permitted Development) (England) Order 2015 which came into force on 15 April 2015**

**Policy W5 – Supporting Street Markets**

140. This policy seeks to support a site for a street market in The Square through a range of improvements, and enabling and providing other

facilities and measures. Whilst not all of the elements of support listed in the policy would require planning permission in their own right they do relate to use and development of land to the extent that they are matters that would be appropriate to be the subject of planning conditions.

141. The policy seeks to make a significant contribution to the regeneration of the town centre as a successful neighbourhood and as an area of change whilst respecting the heritage of The Square and wider conservation area. The policy seeks to improve access to services whilst reinforcing sustainable means of travel. The policy plans positively for employment uses and supporting small businesses through the provision of street market retailing opportunities. Although the type of goods to be sold at a market cannot be predicted with any certainty experience nationally is that sale of fresh food products often occurs contributing to the health of local populations. The policy seeks to ensure high quality design. The policy is in general conformity with policies CS4; CS8; CS12; CS17; and CS18 of the Core Strategy.
142. The policy has regard to the components of the Framework concerned with building a strong and competitive economy; ensuring the vitality of town centres; promoting sustainable transport; requiring good design; promoting healthy communities; and conserving and enhancing the historic environment.
143. This policy meets the basic conditions.

#### **Policy W6 – Supporting and promoting small, independent trade**

144. This policy enables the provision of small units (which could include lockable units) of up to 50 square metres (gross) to be achieved through requirements linked to any major redevelopment scheme or conversion of existing larger retail units. The policy also seeks to require affordable rent units to support start-up businesses and encourage local entrepreneurship.
145. The policy title refers to “independent trade” the meaning of which is uncertain. The nature of ownership of an operation does not offer a basis for development management decision taking. Policies must relate to the development and use of land. The policy title creates an impression that the Neighbourhood Plan will support and promote independent trade when planning decisions cannot be based on ownership type. The Framework does however state that planning policies should plan positively for the

provision and use of community facilities such as local shops and local services.<sup>31</sup> I recommend use of the word local in place of independent.

146. The Framework requires policies to be clear in order to guide how the presumption in favour of sustainable development should be applied locally. The Guidance states that “*A policy in a neighbourhood plan should be clear and unambiguous.*” The policy is imprecise in several respects. In order to assist decision makers:

- lockable units should be defined
- it should be made clear that the combining of smaller units will be limited by condition (and legal agreement will be sought where appropriate)
- a percentage of floorspace to be provided as small shops, subject to viability, should be indicated for schemes over 1,000 square metres

147. The reference in item C of the policy to “a proportion” could be satisfied by very little provision. It is in any case not clear how a scheme of affordable rents will be defined or how it would operate. It is unclear how a potential scheme would relate to the development and use of land. This aspect of the policy does not relate to the development and use of land and therefore cannot form part of a neighbourhood development plan.

148. The Guidance states “*Neighbourhood planning can inspire local people and businesses to consider other ways to improve their neighbourhood than through the development and use of land. They may identify specific action or policies to deliver these improvements. Wider community aspirations than those relating to development and use of land can be included in a neighbourhood plan, but actions dealing with non land use matters should be clearly identifiable. For example, set out in a companion document or annex.*” Part C of the policy should be deleted and should be registered as a community aspiration of significance through inclusion in a non-statutory annex to the Neighbourhood Plan.

149. The policy seeks to make a significant contribution to the regeneration of the town centre as a successful neighbourhood and as an area of change whilst respecting the heritage of the conservation area as a traditional location for small local retail units. The policy seeks to provide local access to small retail services thus reinforcing sustainable means of travel. The policy plans positively to support small retail businesses through the provision of suitable units. The policy is in general conformity

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<sup>31</sup> Paragraph 70 National Planning Policy Framework 2012

with policies CS1; CS8; CS12; CS16; CS17; and CS19 of the Core Strategy.

150. The policy has regard to the components of the Framework concerned with building a strong and competitive economy and ensuring the vitality of town centres. Subject to the modifications indicated this policy meets the basic conditions.

**Recommended modification 6:**

**In policy W6**

- **delete “independent” and insert “local” in the policy title**
- **lockable units should be defined**
- **it should be made clear that the combining of smaller units will be limited by condition (and legal agreement will be sought where appropriate)**
- **a percentage of floorspace to be provided as small shops, subject to viability, should be indicated for schemes over 1,000 square metres**
- **Part C should be deleted and transferred to a non-statutory annex to the Neighbourhood Plan and clearly so titled**

**Policy W7 – Shopfronts Design, Advertising and Security**

151. This policy seeks appropriate and high quality design of shopfronts; signage and advertisements; and security shutters by specifying design characteristics to be required.

152. In order to assist clarity for decision makers I recommend:

- In item A2 the requirement for proposals to compliment adjacent shopfronts should be extended to add “where these are of good quality design”.
- In item A4 use of undivided rather than unbroken
- In item B the term “provide sufficient vertical clearance” is imprecise. There is in any case no need to duplicate requirements of the Highways Act 1980.

153. The policy makes a significant contribution to the regeneration of the town centre as a successful neighbourhood and as an area of change by ensuring high quality, well designed places whilst respecting the heritage of the conservation area. The policy is in general conformity with policies CS8; CS12; CS13; and CS19 of the Core Strategy.

154. The policy has regard to the components of the Framework concerned with ensuring the vitality of town centres; requiring good design; and conserving and enhancing the historic environment. Subject to the modifications indicated this policy meets the basic conditions.

**Recommended modification 7:**

**In policy W7:**

**In A2 after “fronts” add “where these are of good quality design”.**

**In A4 delete “unbroken” and insert “undivided”**

**In B delete “and provide sufficient vertical clearance”**

## **Summary and Referendum**

155. I have recommended the following modifications to the Submission Version Plan:

**Recommended modification 1:**

**That the spatial application of policies should be clarified**

**Recommended modification 2:**

**In policy W1**

**Objective B delete “size and”**

**Objective H delete “at the front” and insert “on principal frontages”**

**Objective Q delete “more”**

**Objective S delete “resilient to the impact of climate change” and after “network” add “where convenient connection is available.”**

**Recommended modification 3:**

**In policy W2**

**In line 7 after “Centre will” add “as appropriate to scale and location and viability testing”;**

**And, after “district heating” add ““where convenient connection is available”**

**Recommended modification 4:**

**In policy W3**

**In B after “town centre” add “, consistent with principle E below,”**

**In D after “Drive” continue “unless a no less advantageous alternative arrangement in terms of traffic circulation and highway safety can be demonstrated to be a necessity”**

**In E delete the first sentence and insert “Any proposed openings through the wall along Stratford Road should be kept to a minimum**

in size and number and carefully detailed to retain as much of the wall's integrity and role as a symbol of Wolverton's origins as a railway town as possible" and in the second sentence after "Where" insert "any part of"

In I after "homes should" add "subject to viability"

In J after "viable" continue "and in respect of leisure uses subject to the sequential test set out in paragraph 24 of the National Planning Policy Framework"

In M before "on and off-site" add "Subject to viability"

In N after "taken to" delete "completely remove or significantly"

#### **Recommended modification 5:**

**In policy W4**

**Part B, delete "However" and insert "Subject to this limit"**

**Part C, delete "food and drink" and insert "non-retail"**

**Part E, delete "away from" and insert "not sharing a site boundary with"**

**Part G, delete "such as"**

**In addition the Town Council may wish to review the policy wording in the context of The Town and Country Planning (General Permitted Development) (England) Order 2015 which came into force on 15 April 2015**

#### **Recommended modification 6:**

**In policy W6**

- **delete "independent" and insert "local" in the policy title**
- **lockable units should be defined**
- **it should be made clear that the combining of smaller units will be limited by condition (and legal agreement will be sought where appropriate)**
- **a percentage of floorspace to be provided as small shops, subject to viability, should be indicated for schemes over 1,000 square metres**
- **Part C should be deleted and transferred to a non-statutory annex to the Neighbourhood Plan and clearly so titled**

#### **Recommended modification 7:**

**In policy W7:**

- **In A2 after "fronts" add "where these are of good quality design".**
- **In A4 delete "unbroken" and insert "undivided"**
- **In B delete "and provide sufficient vertical clearance"**

156. I also make the following recommendation in the Annex below.

**Recommended modification 8:  
Identified errors that are typographical in nature or arising from updates should be corrected**

157. I am satisfied that the Neighbourhood Plan<sup>32</sup>:

- is compatible with the Convention rights, and would remain compatible if modified in accordance with my recommendations; and
- subject to the modifications I have recommended, meets all the statutory requirements set out in paragraph 8(1) of schedule 4B of the Town and Country Planning Act 1990 and meets the basic conditions:

having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the plan,

the making of the neighbourhood plan contributes to the achievement of sustainable development,

the making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area),

does not breach, and is otherwise compatible with, EU obligations; and would continue to not breach and be otherwise compatible with EU obligations if modified in accordance with my recommendations; and

the making of the neighbourhood plan is not likely to have a significant effect on a European site or a European offshore marine site, either alone or in combination with other plans or projects<sup>33</sup>

**I recommend to Milton Keynes Council that the Wolverton Town Centre Neighbourhood Development Plan for the plan period up to 2025 should, subject to the modifications I have put forward, be submitted to referendum.**

158. I am required to consider whether the referendum area should extend beyond the Neighbourhood Plan area and if to be extended, the nature of

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<sup>32</sup> The definition of plans and programmes in Article 2(a) of EU Directive 2001/42 includes any modifications to them

<sup>33</sup> Prescribed for the purposes of paragraph 8(2) (g) of Schedule 4B to the 1990 Act by Regulation 32 The Neighbourhood Planning (General) Regulations 2012 and defined in the Conservation of Habitats and Species Regulations 2010 and the Offshore Marine Conservation (Natural Habitats, &c.) Regulations 2007

that extension.<sup>34</sup> In relation to the area which would be appropriate for the Referendum process, it is Milton Keynes Council's view, as expressed in a delegated decision of 10 February 2015 that the whole of the parish of Wolverton and Greenleys would form the most suitable area. This is wider than the designated Neighbourhood Area, which has a town centre focus. I concur with this view in that Wolverton Town Centre performs the role as the principal local centre providing a range of services to the total parish population.

**I recommend that the Neighbourhood Plan should proceed to a referendum based on the entire area of the parish of Wolverton and Greenleys.**

#### Annex: Minor Corrections to the Neighbourhood Plan

I am able to recommend modification of the Neighbourhood Plan in order to correct errors.<sup>35</sup> The Neighbourhood Plan includes a small number of errors that are typographical in nature or arise from updates. I recommend modification as follows:

In paragraph 8.48 delete more flexible and insert less flexible

In policy W7 item A3 delete fascia's and insert fascias

A number of consequential modifications to the text of the Neighbourhood plan will be necessary as a result of recommended modifications

In addition the supporting text to Policy W3 should be reviewed in the context of The Town and Country Planning (General Permitted Development) (England) Order 2015 which came into force on 15 April 2015

**Recommended modification 8:  
Identified errors that are typographical in nature or arising from updates should be corrected**

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15 April 2015  
REPORT ENDS

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<sup>34</sup> Paragraph 8(1)(d) Schedule 4B Town and Country Planning Act 1990

<sup>35</sup> Paragraph 10 (3)(e) of Schedule 4B to the Town and Country Planning Act 1990