

# **PLAN:MK SCHEDULE OF MAIN MODIFICATIONS**

## **GUIDANCE NOTE FOR RESPONDENTS**

**Consultation Period:**

**Wednesday 31st October –  
Wednesday 12th December 2018**

## Introduction

The purpose of this Guidance Note is to assist those wanting to make representations on the Plan:MK Schedule of Main Modifications.

Plan:MK was submitted to the Planning Inspectorate for examination in March 2018. Inspector David Spencer was appointed to conduct the examination and he held hearings in July and August 2018.

As part of the examination process a number of proposed Main Modifications have been identified. A Main Modification is an amendment which is considered necessary to make the Plan sound, and is required in order to address concerns raised by either the Inspector or other representors during the examination process.

The publication of the Schedule of Proposed Main Modifications to Plan:MK (2018) document is a formal stage in the Examination process. Representations should relate specifically to the legal compliance and soundness of the proposed main modifications. The Council has prepared a schedule setting out the proposed Main Modifications it considers necessary in order for Plan:MK to be found sound. This schedule of proposed Main Modifications, along with a schedule of proposed policies map modifications, updated policies maps incorporating these modifications, and a Sustainability Appraisal Report Addendum have been published for public consultation, alongside other documents that helped inform the modifications.

**The consultation will take place between 31st October 2018 and 5pm on the 12th December 2018**

All representations made previously at publication stage, in hearing statements and during the discussion at the hearings have been taken into account by the Inspector and should not be repeated.

Following the close of the consultation, all representations received will be sent to the Inspector for his consideration and to assist his final conclusions in preparing his report on the examination.

## Grounds for objection or support

In commenting on a proposed Main Modification you are asked to make representations on whether the Plan is (a) legally compliant and (b) sound. An explanation of these terms is set out below:

### (a) Legal Compliance

Legal compliance is judged against the requirements of Section 19 and 20 of the Planning and Compulsory Purchase Act 2004 (as amended), including compliance with the Councils:

- Local Development Scheme;
- Statement of Community Involvement; and,
- The Town and Country Planning (Local Planning) (England) Regulations (2012)

In addition, the Planning and Compulsory Purchase Act 2011 requires a Sustainability Appraisal and a Strategic Environmental Assessment (SA) to be carried out for all local plans. The objective of the SA is to promote sustainable development through the integration of social, environmental and economic considerations. European legislation and government regulations mean that a Habitats Regulations Assessment (HRA) needs to be carried out, in order to protect the integrity of internationally important nature conservation sites. The HRA assesses the likely impacts of the policies of the Local Plan and possible ‘in combination’ effects with other policies and proposals.

Under Section 110 of the Localism Act 2011 the Council also has a Duty to Cooperate with other local planning authorities and other prescribed bodies in order to address strategic planning issues relevant to their areas. This is a legal requirement that had to be met at the point that the Plan was first submitted for examination in March 2018.

### **(b) Soundness**

Soundness is explained in paragraph 182 of the National Planning Policy Framework (NPPF). The Inspector has to be satisfied that the Plan is positively prepared, justified, effective and consistent with national policy.

- **Positively prepared** – the Plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.
- **Justified** – the Plan should be the most appropriate strategy when considered against the reasonable alternatives, based on proportionate evidence.
- **Effective** – the Plan should be delivered over its period and based on effective joint working on cross-boundary strategic priorities.
- **Consistent with national policy** – the Plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.

### **General advice**

If you wish to make a representation seeking a change to the Plan:MK Schedule of proposed Main Modifications, you should make clear in what way the Plan with the proposed main modifications is not sound, having regard to the legal compliance check and tests of soundness set out above. You should try to support your representation with evidence showing why the Plan should be changed. It will be helpful if you also say precisely how you think the proposed main modification should be changed.

Representations should cover succinctly all the information and supporting evidence necessary to support/justify the representation and the suggested change, as there will not normally be a subsequent opportunity to make further submissions based on the original representation you make. After this stage, further submissions will be only at the request of the Inspector.

Where there are groups who share a common view on how they wish to see Plan:MK changed, it would be very helpful for that group to send a single representation which represents the view, rather than for a large number of individuals to send in separate representations which repeat the same points. In such cases, the group should indicate how many people it is representing and how the representation has been authorised. All representations will be given equal weight.

### **Submitting Representations**

To avoid duplication of work, the Council requests that respondents do not send additional or duplicate copies of representations in more than one format (e.g. an electronic version and a hard copy). Please note that copies of all comments (including your personal details) will be made available for the public to view, and therefore **cannot be treated as confidential**. All representations should be made using the 'Representation Form' (or online version) to ensure the Council has all the information needed to process your comments. Please use a separate form for each individual representation you wish to make, to aid processing. All representations received will be acknowledged by email.

All forms must be received no later than **5pm on Wednesday 12th December 2018**.

You can submit your representations **online** by completing the representations form on our online portal, which can be accessed at <https://www.milton-keynes.gov.uk/planning-and-building/planning-policy/plan-mk-examination>. You will also be able to print or save a copy for your own records\*.

Or, you can send completed forms to us by **email**, to [planmk@Milton-keynes.gov.uk](mailto:planmk@Milton-keynes.gov.uk) or by **post** to Development Plans Team, Milton Keynes Council, Civic, 1 Saxon Gate East, Central Milton Keynes, MK9 3EJ.

\*If you have been involved in the earlier stages of Plan:MK or have been contacted by the Council about the process in the past, you will already be registered on our online consultation portal database, enabling you to respond online without registering again.

If you have any questions, please contact us by email at [planmk@Milton-keynes.gov.uk](mailto:planmk@Milton-keynes.gov.uk) or by telephone on 01908 691691.

### **Further Information**

In addition to the proposed Main Modifications, the Council has identified further amendments it considers necessary to improve the clarity of the Plan. These amendments are known as 'Additional Modifications' and include the correction of typos and updates to factual information. These Additional Modifications are not considered to affect the soundness of the Plan and do not form part of this consultation. The Inspector will be considering representations on the proposed main modifications only

Further information relating to the preparation of Plan:MK and the examination can be found on the Council's website at: <https://www.milton-keynes.gov.uk/planning-and-building/planning-policy/plan-mk-examination>