

West Bletchley Neighbourhood Development Plan

Report of Examination

Report to Milton Keynes Council

by the Independent Examiner:

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Summary

1. From my examination of the submitted West Bletchley Neighbourhood Development Plan and the supporting documents, including all the representations made, I have concluded that, subject to the modifications I am recommending, the Neighbourhood Development Plan should go forward to a referendum.
2. I have concluded that, subject to my recommended modifications, the plan meets the Basic Conditions. In summary, the Basic Conditions are that it must:
 - Be appropriate to make the plan, having regard to national policies and advice;
 - Contribute to the achievement of sustainable development;
 - Be in general conformity with the strategic policies of the development plan; and
 - Not breach, and be otherwise compatible with, European Union and European Convention on Human Rights obligations.
3. I have also concluded that, subject to certain modifications, the plan meets the legal requirements in that:
 - It has been prepared and submitted for examination by a qualifying body – West Bletchley Parish Council;
 - It has been prepared for an area properly designated;
 - It does not cover more than one neighbourhood plan area;
 - It does not relate to “excluded development”;
 - It specifies the period to which it has effect – to 2026; and
 - The policies relate to the development and use of land for a designated neighbourhood area.
4. Overall, I have concluded that the Neighbourhood Development Plan should proceed to Referendum and that the Referendum Area should be the same as the designated neighbourhood area.

1. Introduction

- 1.1 I am appointed by Milton Keynes Council, with the support of the West Bletchley Parish Council, the Qualifying Body, to undertake an independent examination of the West Bletchley Neighbourhood Development Plan, as submitted for examination.
- 1.2 I am an independent planning and development professional of 40 years standing and a member of NPIERS' Panel of Independent Examiners. I am independent of any local connections and have no conflicts of interests.

The Scope of the Examination

- 1.3 It is the role of the Independent Examiner to consider whether making the plan meets the "Basic Conditions." These are that in making the Neighbourhood Plan it must:
 - be appropriate to do so, having regard to national policies and advice contained in guidance issued by the Secretary of State;
 - contribute to the achievement of sustainable development;
 - be in general conformity with the strategic policies of the development plan for the area; and
 - not breach, and must otherwise be compatible with, European Union (EU) and European Convention on Human Rights (ECHR) obligations.
- 1.4 Regulations also require that the Neighbourhood Plan should not be 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.
- 1.5 In examining the Plan I am also required to establish if the plan complies with certain legal requirements; in summary they are whether it:
 - Has been prepared and submitted for examination by a qualifying body;
 - Has been prepared for an area that has been properly designated;
 - Meets the requirements that they must not include excluded development;
 - Relates to more than one Neighbourhood Area; and
 - Relates to the development and use of land.
- 1.6 Finally, as independent Examiner, I must make one of the following recommendations in relation to the Plan proceeding to a Referendum:
 - a) that it should proceed to Referendum, in that it meets all legal requirements; or
 - b) that once modified to meet all relevant legal requirements it should proceed to Referendum; or
 - c) that it should not proceed to Referendum, on the basis that it does not meet the relevant legal requirements.
- 1.7 Second, if recommending that the Plan should go forward to Referendum, I am also then required to consider whether or not the Referendum Area should extend beyond the Neighbourhood Designated Area to which the Plan relates.

The Examination process

- 1.8 I was appointed to examine the plan in early August 2018. The default position is that neighbourhood plan examinations are conducted by written representations and that is what I have done. Given the number of sites to inspect and the challenging mapping in the plan (which made it hard to identify some sites and most boundaries) I carried out an accompanied¹ site visit on 10th September 2018.
- 1.9 In carrying out this examination I make various recommendations to modify the plan. Where this occurs I have emboldened the word **recommend**.

The Examination documents

- 1.10 In addition to the legal and national policy framework and guidance (principally The Town and Country Planning Acts, Localism Act, Planning and Compulsory Purchase Act, Neighbourhood Planning Act and Regulations, the National Planning Policy Framework², Written Ministerial Statements and the Planning Practice Guidance) together with the development plan, the relevant documents that were furnished to me - and were identified on the Council's websites as the neighbourhood plan and its supporting documentation for examination - were:
- West Bletchley Neighbourhood Development Plan, with five appendices:
 - i. Evidence Base (basically a list of references);
 - ii. Basic Conditions Statement;
 - iii. Consultation Statement;
 - iv. SEA Screening Statement and Appropriate Assessment Screening; and
 - v. Local Green Space sites
 - together with:
 - West Bletchley Character Assessment; and
 - Responses received under Regulation 16 (referred to later).

The Qualifying Body and the Designated Area

- 1.11 West Bletchley Parish Council is the Qualifying Body for the designated area that is the neighbourhood plan area. Milton Keynes Council, the local authority, designated the Neighbourhood Area on 10 December 2013. There is no other neighbourhood plan for this area. The neighbourhood area is the same as the civil parish area.
- 1.12 The plan area is a triangular shaped parish in south-west Milton Keynes, comprising mainly neighbourhoods that have been developed as part of the New Town along with earlier developed neighbourhoods nearer the station (to the east), as well as some historic areas. Its neighbours are the separate parish of Bletchley and Fenny Stratford to the east and beyond the mainline railway, Tattenhoe to the north of the H8 Standing Way, the new estate at Newton Leys built on former brickfields to the south, and the rural parishes Great Horwood and Great Brickhill, with Newton

¹ Accompanied by representatives of both Parish and Borough Councils

² The revised Framework was published just before the examination commenced

Longville to the west that are outside Milton Keynes in Aylesbury Vale district.

- 1.13 Most of the parish is housing, much of it post-war. A significant feature of the layouts of some of these later estates are garage courts, which are often under-used and in poor condition. There are significant employment areas in the eastern plan area near to the mainline railway station. The parish is home to Bletchley Park, the centre of the code breakers in World War II, now a museum and visitor attraction; the site and some of the surrounding area is the plan's only conservation area. The plan area contains a range of local schools (one secondary and seven primary), medical facilities, several parks, open spaces and recreational areas, together with local community facilities. There are two main local shopping centres and other more local facilities. There is a community hospital and arrange of placed of worship including the historic St Mary's Church.
- 1.14 The population (no total is given), in comparison with Milton Keynes as a whole, is generally older, with a lower proportion of younger people, with a higher level of home ownership, higher levels of Council rented accommodation, lower car ownership and poorer quality of health. The population has more people completing apprenticeships, with fewer passing A levels or holding degrees, fewer in employment or full-time students, a higher number of retired, more in manual trades and fewer in IT/finance/communication sectors or managerial roles.

2. Neighbourhood Plan preparation and public consultation

The Neighbourhood Development Plan

- 2.1 The plan is an attractive and well-laid out document, with a clear structure (colour coded). It is in four parts with five appendices: Part 1 (chapters 1-3) provides the setting and background; Part 2 (chapters 4 and 5, with a summary policy map) is the vision and overall strategy; Part 3 (chapters 6-14) contains the policies; and Part 4 (chapter 15 and a Table) sets out a delivery and monitoring framework. The appendices are listed at paragraph 1.10.
- 2.2 Chapter 3 sets out clearly the nine main issues facing the planners: meeting the needs of an aging population; poorer local centres, facilities and services; training, jobs and employment provision; declining and derelict garage courts; conserving and developing Bletchley Park; enhancing the station area; increasing traffic and accessibility; poorer quality open spaces and parks; and deteriorating public realm. Addressing these issues shape the vision and plan strategy – shown on Figure 5.
- 2.3 After the three introductory chapters, the plan sets out the plan's vision (section 4.1) to "...be a thriving, successful, stable, balanced and attractive place that continues to meet the needs of the local community with a full range of opportunities for housing, local shopping, employment, education and training, play and recreation". It also concerns protecting the character and amenities of the area; being a well-connected place; and benefiting from new development that meets the needs of the community.
- 2.4 This vision is developed around eight key objectives: 1. Building new homes; 2. Renewing parks and public spaces; 3. Conserving and developing the heritage of Bletchley Park; 4. Creating new employment; 5. Reviving local shopping centres; 6. Protecting and developing community infrastructure; 7. Ensuring streets are safe and accessible; and 8. Promoting high quality and sustainable design. These then shape the policies in Part 3 of the plan, which follow the same headings.

- 2.5 An issue that arises in examining the plan, and that is common to all or most of the policy sections, is the degree to which it advocates actions as opposed to setting out land use policies. This is understandable given the issues being addressed and is not uncommon in neighbourhood plans. The Guidance recommends that such advocacy, often for action by a third party, should be contained in a separate annex, or at least be clearly defined and identified as not part of the plan's policies. In this case, I consider those parts of the document to be so related to the objective and set of policies that they are best read in the same section; so, in most cases the recommendations remove the text from any policy but retain the advocacy – in a distinct way, such as in a “Community Action” box - within the same part of the plan.
- 2.6 Three presentational points that needs addressing are a) the way the plan incorporates appendices that would normally be separate documents; b) the lack of paragraph numbering; and c) the mapping. Apart from the site photographs in Appendix 5 (Local Green Space sites, which I address at para 5.6 ff), I **recommend** that they be deleted from the plan if it is made. Similarly section 1.5 (the approval process) will become redundant and I **recommend** it is deleted. I further **recommend** that all paragraphs be numbered to enable all parts of the document to be properly referenced for development management purposes. The mapping is an issue which I cover both where it arises and in section 13, later.

Strategic Environmental Assessment and Appropriate Assessment Screening

- 2.7 Appendix 4 to the plan is a Sustainability Statement which incorporates the Screening Reports on SEA and AA. Under Article 3(3) and 3(4) of the Strategic Environmental Assessment (SEA) Directive 2001/42/EC a SEA is required of plans and programmes which “determine the use of small areas at a local level”. Milton Keynes Council, as “responsible authority”, determines if the plan is likely to have significant environmental effects. They determined, in Screening Statements of 15 February 2017, that the plan would not require a Strategic Environmental Assessment nor an Appropriate Assessment.

Human Rights and European Obligations

- 2.8 I have no reason to believe that making the plan would breach or is incompatible with the European Convention on Human Rights or other EU obligations.

Plan period

- 2.9 The neighbourhood plan clearly states on the cover that it is to 2026. However, there is no further mention of this in the body of the plan. Nevertheless, the Basic Conditions Statement does state this – though it does not explicitly explain that this is co-terminus with the plan period of the Core Strategy, adopted in 2013. To make the connection clear I **recommend** that at the end of the second paragraph of section 1.3, the following text be added: “The Core Strategy plans to 2026, which is the plan period for the neighbourhood plan”.

Excluded development

- 2.10 A neighbourhood plan cannot include polices for excluded development, such as minerals and waste. I have concluded that the plan does not do so.

Consultation process

- 2.11 The Consultation Statement (CS) explains how the plan was prepared and summarises the steps that were taken to survey the plan area, obtain views of residents and to engage with them on the issues. This involved setting up a Steering Committee and included open meetings in a wide variety of venues, a website, direct contact with statutory consultees and landowners, together with stakeholder workshops on specific topics. The CS (App A) sets out the feedback. Work on the first draft commenced in May 2015. Various stages of consultation ensued involving stakeholders and an ongoing-process of amendment.
- 2.12 The pre-submission draft was publicised for 6 weeks in March/April 2017. Appendix F and G of the CS explains how the 31 responses (including from 10 organisations) were dealt with and how the plan was amended. The amended Submission version of the plan was approved by the Parish Council for consultation in February 2018.

Submission plan - consultation responses

- 2.13 The submitted plan was open for consultation from 7 May to 19th June 2018. A total of 6 parties made representations to the submitted plan; parties raising substantive matters included: Historic England, Milton Keynes Council (housing policy), Natural England and a local resident. I have taken all the representations into account in examining the plan, highlighting specific representations where appropriate.

3. The Neighbourhood Plan in its planning and local context

National policies and advice

- 3.1 The neighbourhood plan must have regard to national policies and advice contained in guidance issued by the Secretary of State, and contribute to the achievement of sustainable development (the first two Basic Conditions). The National Planning Policy Framework (the Framework) was revised³ just before the examination. It is concerned with, inter alia, neighbourhood planning; for example:

The application of the presumption has implications for the way communities engage in neighbourhood planning. Neighbourhood plans should support the delivery of strategic policies contained in local plans or spatial development strategies; and should shape and direct development that is outside of these strategic policies. (para 13).

- 3.2 The Framework continues, at para 29:

Neighbourhood planning gives communities the power to develop a shared vision for their area. Neighbourhood plans can shape, direct and help to deliver sustainable development, by influencing local planning decisions as part of the statutory development plan. Neighbourhood plans should not promote less development than set out in the strategic policies for the area, or undermine those strategic policies.

- 3.3 In relation to housing, at para 69, it advises:

³ Under the transitional arrangements, set out in Annex 1, para 214 of the revised Framework, the policies in the previous Framework apply to this neighbourhood plan (and to those NPs submitted to the LPA under Reg 15, on or before 24th January 2019).

Where it is not possible to provide a requirement figure for a neighbourhood area, the local planning authority should provide an indicative figure, if requested to do so by the neighbourhood planning body. This figure should take into account factors such as the latest evidence of local housing need, the population of the neighbourhood area and the most recently available planning strategy of the local planning authority.

3.4 The Framework's policy on Local Green Space designations is now para 100:

The Local Green Space designation should only be used where the green space is:

- a) in reasonably close proximity to the community it serves;*
- b) demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquility or richness of its wildlife; and*
- c) local in character and is not an extensive tract of land.*

3.5 The plan must give sufficient clarity to enable a policy to do the development management job it is intended to do; or to have due regard to Guidance [noting that this has yet to be updated in the light of the revised Framework]. Paragraph 041 of the Guidance explains that:

"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." (Reference ID: 41-041-20140306)

3.6 Also, there has to be evidence to support particular policies, notwithstanding it may express a strong and well-intentioned aspiration or concern of the local community. The Guidance (Para 040 ref 41-040-20160211) states:

"While there are prescribed documents that must be submitted with a neighbourhood plan or Order 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 or the proposals in an Order.

A local planning authority should share relevant evidence, including that gathered to support its own plan making, with a qualifying body Neighbourhood plans are not obliged to contain policies addressing all types of development. However, where they do contain policies relevant to housing supply, these policies should take account of latest and up-to-date evidence of housing need

In particular, where a qualifying body is attempting to identify and meet housing need, a local planning authority should share relevant evidence on housing need gathered to support its own plan-making".

The Development Plan - strategic policies

3.7 The neighbourhood plan must be in general conformity with the strategic policies of the development plan for the area, which comprises Milton Keynes Local Plan (saved policies), the Milton Keynes Core Strategy 2013 and the Site Allocations Plan, which was adopted in July 2018, after the consultation closed on the submitted plan.

The Core Strategy plans “at least 23,740 new homes will be provided across the city on sites that already have planning permission or are allocated in the Local Plan (2005), including the completion of the Eastern, Western and Northern Expansion Areas...” The plan goes on to explain that: “The Neighbourhood Regeneration Strategy provides the framework for change in older housing areas in the city. Three areas have been identified for pilot studies; Fishermead, Tinkers Bridge and the Lakes Estate in Bletchley. Through close work with communities, Neighbourhood Action Plans and Neighbourhood Plans will identify the specific changes required in these areas...”

- 3.7 The development plan does not contain any significant development proposals or allocations that apply to the neighbourhood plan area.. Though Policy KS5 applies to the Bletchley Park Area.
- 3.8 Nor is the area, which is substantially completed as a set of new town communities, a main area identified for development. The neighbourhood plan has also had regard to the emerging Local Plan – Plan:MK, which has recently been completed its examination in public.
- 3.9 As part of my examination I requested the Councils to provide an update on the current position on housing supply. This can be summarised by this quote from the Inspector on the recent Plan:MK examination: “Based on what is before me, I see no need at this stage to recommend any adjustments to the submitted OAN of 1,766 dwellings per annum for plan soundness.”
- 3.10 Overall, I have concluded that the neighbourhood plan is in general conformity with the strategic policies of the development plan and that the plan has been positively prepared and does contribute towards sustainable development.

4. Housing policies

- 4.1 The housing policies (section 7.2) are in two groups: BHN1 and 2, dealing with housing generally and one site specific allocation; and GC1-5, which concern resolving the future of the many garage courts (though only GC2 strictly deals with housing). In my view this is an uncomfortable combination and the GC policies might be better placed in a discrete section, given the scale and significance of the issue across the plan area (some 60% of garages are empty or void). However, this does not offend the Basic Conditions.
- 4.2 Policies GC1 (Garage Courts Strategy) and GC5 (Garage Courts Retention, Improvement and Management) are not policies concerned with the use and development of land but rather advocate actions, mainly by Milton Keynes Council. The solution to this in my view is to remove these from the main section of policies and to re-set them in a separate “Community Action” box or as part of section 7.2, in a way that makes clear these are actions that the Parish Council is advocating, not plan policies, as explained below.
- 4.3 **Policy BNH1** supports new residential development generally and is expressed in positive terms. To correct the typo I **recommend** the words “(to be checked)” be deleted. MK housing policy also suggest the deletion of the words “Consideration of” in the third bullet, which I **recommend**, as this adds clarity.
- 4.4 **Policy BNH2** identifies one site for residential development – Wellington Place – a former lorry park, where residential development will be supported. The justification

for this allocation is in fifth paragraph of 7.1, which explains that it is an underused overflow car park, overlooking a park, capable of accommodating some 11 new homes. It was site SAP2 in the Draft MKC Site Allocations Plan but was removed through a modification as the Inspector concluded that: “ *It has not been demonstrated to my satisfaction that residential development, which would provide suitable living conditions for future occupiers, could be accommodated upon [it]*”. The site has not been carried forward into Plan:MK.

- 4.5 While the allocation is a positive proposal, with no objections (Natural England note it is not of high environmental value), I nevertheless agree with the Inspector and found this site to be unsuited to a housing scheme, being somewhat isolated and surrounded on three sides by commercial developments (though the fourth faces open space). I **recommend** that Policy BNH2 be deleted.
- 4.6 **Policy GC1** is an advocacy policy that argues for a comprehensive strategy to be prepared by MKC – and agreed by the Parish Council – identifying which garage courts are to be developed before further garage redevelopments are brought forward. Figure 5, the overall plan strategy, identifies a large number of such garage courts; though from my site visit I found that some of the annotations need correcting. Some courts have already been developed acceptably, as I saw on my site visit (and as illustrated by the photo on page 48).
- 4.7 I have concluded that to hold up any further redevelopment of individual garage courts, as they are such small sites, until a strategy is prepared would be unreasonable, in terms of the Basic Conditions (National Policy). The advocacy point can still be made by modifying the text to avoid policy language and be located in a box or in a wholly distinct sub-section under a heading such as “Community Action”. Given that GC1 sites on Fig 5 are already developed and that only one GC2 site remains I therefore **recommend** that Policy GC1 be deleted.
- 4.8 **Policy GC2** is concerned with supporting the redevelopment of garage courts for housing. From my site visit I noted that there is only one such site – Berwick Drive, adjacent to proposed Local Green Space Forfar Drive (No 9 on Fig 5). I note that MK housing policy team support the redevelopment of this site and that it is the subject of a Development Brief for 19 homes, which has been consulted on. I **recommend** that this be noted in the supporting text (currently page 48).
- 4.9 The proposals for this site are effectively an allocation. Accordingly I asked the two Councils to provide me with an Ordnance Survey site plan, reproduced at Appendix A, to make the site boundaries clear. To give effect to this, I **recommend** that this policy be modified (and re-numbered; and the site plan be inserted after it) as follows:
- GC1: Proposals for the redevelopment of the Berwick Drive garage courts for housing will be supported where the scheme provides an appropriate level of alternative parking for local residents and avoids adverse impacts on the amenities of neighbouring developments.*
- 4.10 **Policy GC3** supports the redevelopment of garage courts for community uses, including play areas, allotments and gardens, along with housing. Figure 5 identifies a large number of GC3 sites. Given the position on GC1 and GC2 sites, these are all the remaining sites. It is not clear from the supporting text and evidence base, why such priority is given to community uses on all these sites; nor is it clear why this policy should not seek appropriate replacement parking, though I noticed that they

tend to be smaller than GC1 and 2 sites. I find no robust and proportionate evidence for the way the policy has been drafted, as required by national policy. From my site visit I see no particular reason to distinguish them from other garage courts.

- 4.11 I therefore **recommend** this policy be modified – and renamed “Policy GC2” (to allow for the removal of GC1) – to meet the Basic Conditions, as follows:

Policy GC2: Redevelopment of garage courts for housing and/or community uses (including play areas, allotments and gardens) will be supported where the scheme provides an appropriate level of alternative parking for local residents and avoids adverse impacts on the amenities of neighbouring developments.

- 4.12 **Policy GC4** requires each redevelopment scheme to be the subject of a Design and development Brief to be prepared by the Parish Council. Given the precedents of acceptable redevelopments to date and the large number of small sites involved I regard this policy as unreasonable and so fail the Basic Conditions. I **recommend** it be deleted. Again, the advocacy point can be appropriately retained.
- 4.13 **Policy GC5** is another advocacy policy. I therefore **recommend** that it be deleted. The advocacy point can also still be made by modifying the text to avoid policy language and be located in a box or in a wholly distinct sub-section under a heading such as “Community Action”.

5. Protecting and renewing parks, gardens and public spaces policies

- 5.1 Section 8.2 of the plan deals with open spaces - some for protection, promoting regeneration and preparing a green infrastructure strategy. Again, some of these are actually advocacy rather than land use policies. This section also proposes to designate 12 local green spaces.
- 5.2 **Policy PR1** is a mix of advocacy and blanket protection of existing designated public open spaces. However, it is not for the Parish Council themselves to “protect and conserve” rather for the development management function of the local planning authority. As a land use policy it is a blanket policy, which is to be avoided, the aims of which are, in any event in my view, adequately covered by the development plan. Thus it fails the Basic Conditions and so I **recommend** it is deleted. However, the advocacy points can still be made in the manner previously advised.
- 5.3 **Policy PR2** is another advocacy policy – requiring the Parish Council to prepare a Green Infrastructure Strategy. As before, I **recommend** that the policy be deleted and the advocacy point made in the same way as above; in doing so, I see merit in including Natural England’s comments about using SANGs.
- 5.4 **Policy PR3** advocates the Parish Council bringing forward proposals for the regeneration of Rickley Park (an Opportunity Area); a concept plan and a summary is shown on page 53. The park is shown as one of three Opportunity Areas on Figure 5. As drafted, this is essentially an advocacy proposal, which is laudable and should be retained as a non-land use policy in the same manner as previous such policies. However, in this case it is important to retain the Opportunity Area designation and support for its regeneration in an amended policy; the supporting text can then refer to the justification and concept plan, as an illustration. This can include Natural England’s recommendation to plant trees indigenous to the UK.

5.5 I **recommend** that the policy be modified as follows:

PR2 [allowing for the deletion of original PR2]: Rickley Park, as identified on Fig 5, is designated as an Opportunity Area for regeneration. Proposals for its improvement and upgrading will be supported.

5.6 **Policy PR4** concerns the provision of new and improved open space where major development takes place; it is supported by Natural England. For clarity, to meet the Basic Conditions, I **recommend** that the policy be modified as follows:

PR3: Major developments will be supported where they make appropriate provision for new open space and play areas and, where appropriate, ensure provision of high quality spaces within the site, such as squares and gardens to improve their amenity value and ensure any existing mature landscape is protected and retained.

Local Green Space

5.7 **Policy PR5** proposes to designate 12 sites as Local Green Space. These, which are supported by Natural England, are identified on Figure 5 and each are described in Appendix 5 (with an accompanying marked-up aerial photograph), at the end of which is a Designation Assessment. None of the sites are shown in the plan on an Ordnance Survey (OS) base with legible boundaries. The Character Assessment does pick them up on Figure 8 (at a very small scale); later, in section 2.9, the document notes that: “It is notable that there are no sites identified as being of wildlife interest in the parish...”. In passing, I note that a local resident has detailed criticisms of two of the character areas in the Assessment. However, I do not see it as part of my role to deal with these, given this document does not form part of the plan but is supporting evidence.

5.8 In terms of the Framework (para 100) this “... *designation should only be used where the sites meet the defined criteria; and the policies for managing development within a Local Green Space should be consistent with Green Belts*”. I am clear that all are “*in reasonably close proximity to the community it serves*” ; and are “*local in character and ... not an extensive tract of land*”.

5.9 However, what is less clear is whether all the sites meet the other criteria – demonstrably special and hold a particular local significance (eg, beauty, historic significance, recreational value (including as playing field), tranquility or richness of its wildlife. The descriptions in Appendix 5 are general: visually attractive, very accessible and of value, well overlooked, safe, softens the built-up area. The Designation Assessment appraises the sites across five criteria, all related to “Demonstrably special”, using Framework categories for “Particular local significance”: beauty, special historic significance, recreational value, tranquility and richness of wildlife. The assessment confuses the two criteria (though they are not meant to be exhaustive) and does not amount to very robust evidence in my view.

5.10 None of the sites score positive on beauty; and only one on historic significance. All scored on “richness of wildlife” – not withstanding the contrary conclusions of the Character Assessment - but only because they had boundary hedges; most scored on “tranquility” as there was “some space that offered space for quiet reflection”. This is not meeting the high bar required by the Framework, in my view. Though most do have recreational value and seem to be well used. Two sites have low scores even in terms of the Assessment: St Clements/Chepstow Drive (10) and Wincanton Hill (11); a further low scoring site is Gleneagles (8). I found each of these to be of low or

marginal value as Local Green Space.

- 5.11 From my site visits, the limited descriptions in Appendix 5 and the limitations of the assessments, I have concluded that three of the sites do not qualify for designation as Local Green Space. The policy drafting also needs to be clearer for development management purposes; and each remaining site needs to be shown on an OS-based plan. I therefore **recommend** that policy PR5 and its supporting text be modified and the following sites removed from the list and Figure 5 (with consequent renumbering of those remaining): Gleneagles (LGS8), St Clements/Chepstow Drive (LGS10) and Wincanton Hill (LGS11), as follows:

PR5 Local Green Space: The following sites, as identified on Figure 5 and on the site plans, are designated as Local Green Space: LGS 1 etc

- 5.12 In addition I found the mapping in Appendix 5 to lack the clarity required to use the plan for development management purposes. On my site visit I noted that the boundaries of LGS 2 and LGS 11 on Fig 5 are incorrect; and the boundary in Appendix 5 for Hunstanton Way (No 3) is incorrect. I therefore **recommend** that the errors be corrected and that legible OS-based site plans for the retained LGS sites be incorporated in section 8.2 of the plan, to enable the listed sites to be clearly identified.

6. Bletchley Park policies

- 6.1 Chapter 9.0 contains policies for the conservation and development of Bletchley Park, a site of national (if not International) significance. Section 9.1 explains the significance of the site and provides the justification for the three policies.
- 6.2 Figure 5 identifies the area covered by these policies. However, I found no justification for this boundary in the plan or supporting evidence and I found on my site visit that this boundary covers areas of housing that lie outside the historic site and had been developed for housing unconnected with Bletchley Park. I therefore **recommend** that the designation on Figure 5 be deleted. I do not believe this will undermine the objectives of the policies.
- 6.3 **Policy BP1** supports the conservation and sympathetic development of Bletchley Park. For clarity, to meet the Basic Conditions, I **recommend** that the policy be modified to read:

BP1: Proposals for the conservation and sympathetic development of Bletchley Park – as identified on Figure 5, will be supported.

- 6.4 **Policy BP2** is drafted as an advocacy policy to secure improvements to access and transportation, rather than dealing with the use and development of land. This therefore does not meet the legal requirements; however, to secure the same objective and to meet the legal requirements, I **recommend** that the policy be modified to read:

BP2: Proposals for improvements to access and transportation to Bletchley Park will be supported where they accommodate the growth in visitor numbers and maximise sustainable travel modes.

- 6.5 **Policy BP3** seeks to protect the important sites and buildings.

7. Employment policies

7.1 Chapter 10 deals with retaining and creating employment opportunities. Section 10.1 sets out the context and justification for the policies, which fall into two groups – employment generally, with four policies in section 10.2; and Bletchley Station Opportunity Area (section 10.3).

7.2 The boundary of the Station Quarter Opportunity Area is shown on Figure 5, though much of the narrow northern section of this seemed to be undevelopable.

7.3 **Policy E1** seeks to secure improvements to employment sites and buildings; the policy, however, is not clear in that it is not cross-referenced to the sites identified in Fig 5. I **recommend** that the policy be modified by re-wording the opening sentence:

E1: Proposals to upgrade existing employment sites and buildings, including those identified on Fig 5, and their surroundings, for employment uses will be supported

7.4 **Policy E2** supports new employment development. **Policy E3** supports the redevelopment of employment for other uses. As drafted it is overly restrictive and so I **recommend** that the following words be deleted: “exceptionally” and “over a 12 month period”.

7.5 **Policy E4** is an advocacy policy, urging MKC to require developers and occupiers to provide certain types of employment matters. This does not meet the legal requirements, so I therefore **recommend** that the policy be deleted and the point made in a “Community Action” box or similar.

7.6 Bletchley Station is an Opportunity Area and section 10.3 explains why it is an important gateway to the parish and what needs to be done to enhance its environment, improve its connectivity and exploit its potential for new homes and the economy. The text makes reference to a Central Bletchley Regeneration Strategy from 2004, extracts of which are reproduced on pages 64,5. Section 10.4 then sets out four policies. The supporting text on the East/West rail services may need updating.

7.7 **Policy BS1** supports the regeneration of the station area; however, for clarity, to meet the Basic Conditions, it needs to be cross-referenced to the Opportunity Area shown on Fig 5. I **recommend** that the words “as defined on Fig 5” be added after the words “Bletchley Station”.

7.8 **Policy BS2** supports improvements to station accessibility. **Policy BS3** supports the redevelopment of land within the Opportunity Area; again I **recommend** a cross reference “as identified on Fig 5” to be added, after “Opportunity Area”.

7.9 **Policy BS4** as drafted, is an advocacy policy, arguing for a Development and Design Brief to be agreed with the Parish Council prior to proposals being submitted for the Opportunity Area. It is acknowledged that the OA is a large complex site and the supporting text – see Delivery sub-section of 10.4. I therefore **recommend** that, to meet the legal requirements, the policy be modified to achieve the same objective:

BS4: Major development proposals will only be supported where they are consistent with an overarching Design and Development Brief for the Opportunity Area, as defined on Fig 5.

8. Local shopping centre policies

- 8.1 The four policies in Chapter 11 are concerned with reviving the local shopping centres, which are important to the quality of life of the local community, especially as there are lower levels of car ownership and a higher proportion of elderly than the MK average. The two main centres, identified on Fig 5 date from the 1960's and are dated and tired. The aim is to encourage new investment. Also the Station Quarter Opportunity Area is an area that can accommodate additional local shopping.
- 8.2 **Policy LSC1** supports new local shops. As drafted it says the Parish Council will support these. To operate as a development management policy it needs to be clearer, to meet the Basic Conditions. I therefore **recommend** that it be slightly rephrased to read:

LSC1: New shopping and related commercial developments, as part of mixed-use developments, will be supported where they meet an identified local need and contribute to the attractiveness of the location

- 8.3 **Policy LSC2** seeks to secure improvements to the local centres. As drafted it does not meet the legal requirements as the first part is advocacy; whereas, the second is a land use policy, albeit with a requirement for developers to consult and agree a Design Brief with the Parish Council, which is not appropriate, as it would not meet the Basic Conditions. In addition the third bullet refers to community facilities but these are not identified or cross-referenced; they are however shown on Figure 5. To overcome these deficiencies, to meet the Basic Conditions, I **recommend** that the policy be modified as follows:
- The whole of the first sentence be deleted (but it can be relocated to a Community Action box or similar as in earlier instances of advocacy);
 - The expression “consulted on and agreed by the Parish Council” in the first bullet be deleted; and
 - Add a cross reference to the third bullet – “as identified on Figure 5.”
- 8.4 **Policy LC3** seeks to support individual local shops in certain conditions; and **Policy LCS4** supports local retail and café/restaurant development at the Station Quarter.

9. Community Infrastructure policies

- 9.1 Chapter 12 seeks to protect and develop community facilities that play an important role in the health and vitality of the local community, bring people together and provide venues for community events. **Policy C1** concerns protecting such facilities; while **Policy C2** supports new ones. The text at 12.1 (background and justification) explains the broad range of such facilities but does not actually spell out a list; nor does it refer to the extensive range of facilities identified on Figure 5.
- 9.2 The section does not contain any cross-reference to Policy GC3, which deals with the redevelopment of garage courts for community uses. I therefore **recommend** that cross-references be inserted into section 12.1 in relation to both garage courts and the sites identified on Figure 5.

10. Safe and accessible streets policies

- 10.1 The three policies in this chapter are aimed at maintaining quality streets and improved accessibility to the station and new developments.

11 Design Quality Policies

- 11.1 Chapter 14 promotes high quality design and sustainable design, through five policies. The policies seek to ensure that new development is designed carefully to take account of their settings and neighbours, while ensuring they use resources wisely. To frame them the plan relies on a Local Character Assessment, which was produced in response to comments received from the Consultation on the draft Neighbourhood Plan. The Local Character Assessment, which does not appear to have formed part of the consultation on the draft NDP in March 2017, was approved as a supporting document to the Neighbourhood Plan by West Bletchley Council at its Full Council meeting held on 27th February 2018.
- 11.2 The first two policies – **D1 and D2** - deal with the effects on listed buildings and conservation areas. As these are well covered by statute, national and development plan policy they are not necessary and I **recommend** they be deleted.
- 11.3 **Policy D3** is drafted in a way that puts the Parish Council in a position it will not be in once the policies are part of a development plan – by using the expression “we”. This is a similar point to that in 8.2, earlier. Also parts are expressed as advocacy, which needs to come out (but as with others, can be relocated to a Community Action box or similar). To meet the Basic Conditions and legal requirements it needs greater clarity of expression and to avoid advocacy language. I therefore **recommend** that both D3 and D4 be slightly redrafted, as follows:

D3: Developments should seek to conserve those aspects that contribute to the distinctive environmental character of West Bletchley and, where opportunities arise, to enhance the character in line with the West Bletchley Character Assessment (November 2017).

- 11.4 **Policy D4** concerns achieving good standards of design and amenity. It suffers from the same drafting issues as D3 – it puts the Parish Council in a position it will not be in once the policies are part of a development plan – and contains some advocacy. So to meet the Basic Conditions and legal requirements, I **recommend** the opening section of D4 is slightly re-drafted to achieve clarity of purpose:

D4: High standards of design for all developments within West Bletchley will be supported. Where planning applications are being made for new development, changes of use, conversions or extensions, we will wish to ensure that:

- 11.5 The drafting of **Policy D5** is advocacy in nature: It calls for Design and Development Briefs to be agreed with the Parish Council on major development sites (the definition of which is different to the national one) ahead of any planning application. It is national policy that urges applicants to consult locally on major applications. I would regard the requirement for all such developments to be the subject of a pre-agreed brief to be overly onerous and likely to deter the development of new homes and other necessary development, contrary to national policy. Accordingly, I **recommend** that Policy D4 be deleted but that it can be retained to form a clear Community Action statement in a box or similar, as others.

11.6 **Policy D5** requires direct local consultation with the Parish Council and the local community on major applications (cross-referenced to Note 1, with a definition of 20 dwellings) or those which are “particularly sensitive” and therefore “likely to be of greater concern to local people”, cross-referenced to a definition at Note 2. Again this is effectively advocacy and does not meet the legal requirements. In any event, there is no justification for changing national policy definitions of Major Development. The definition of “particularly sensitive” I regard as too vague to apply in development management terms. So to meet the Basic Conditions and the legal requirements, I **recommend** that Policy D5 be deleted but that it can be relocated to form a clear Community Action stamen in a box or similar as others.

12 Delivery and monitoring

12.1 The final section of the plan (Part 4) is concerned with implementing the plan and monitoring its delivery. However, it does have a slightly misleading statement in the opening sentence of the delivery sub-section: in practice, the plan (if made) is the responsibility of the local planning authority to deliver through the application of its policies. The Parish Council will, no doubt, continue to advocate the changes that they seek in the document.

12.2 It does not set out any priorities for the allocation of funding sources, such as CIL, though it does contain, in Table 1, a framework for delivery and monitoring.

13. Mapping

13.1 The key figures, 2 and 5, provide an excellent overview of the current situation and the plan’s vision; and are very well presented. However, the sites on Fig 5 are too small scale for use in development management. There are some errors in Fig 5, which include two Local Green Space designations, a number of garage court annotations and a dark green area on the A421 roundabout with Shenley Road. For clarity, the Conservation Area boundary needs to be legible and included in the key. It would also be helpful if the community infrastructure sites are identified and listed.

13.2 There will also be revisions caused by the recommended modifications to some policies. I have also recommended that the main body of the neighbourhood plan includes OS-base maps for the Berwick Drive site and the retained Local Green Space designations. I therefore **recommend** that Figure 5 be modified, accordingly.

14 Referendum Area

14.1 Planning Practice Guidance on the Independent Examination (Paragraph: 059 Reference ID: 41-059-20140306) says:

“It may be appropriate to extend the referendum area beyond the neighbourhood area, for example where the scale or nature of the proposals in the draft neighbourhood plan or Order are such that they will have a substantial, direct and demonstrable impact beyond the neighbourhood area.”

14.2 There are no formal development site allocations in this plan, other than one modest housing allocation. While there are immediate neighbours to the plan area, in my view the nature and scale of what the plan proposes would not *have a substantial, direct and demonstrable impact beyond the neighbourhood area*. I therefore **recommend** that the Referendum Area be the same as the designated neighbourhood area.

15 Conclusions and recommendations

- 15.1 I can see that the Parish Council volunteers have put in a great deal of hard work into the preparation and submission of the plan and the supporting documents. The plan is well presented and clear; though the mapping needs to be improved to achieve the necessary clarity to be used as a development plan document, to meet the Basic Conditions. The plan seeks to represent the local community's aspirations, which it does well. Where it has not succeeded so well is in the way some of the policies advocate action that goes beyond policies dealing with the use and development of land; in those cases they need to be removed from the body of the plan into a Community Action box or similar.
- 15.2 Overall, from my examination of the submitted Neighbourhood Development Plan, together with the supporting documents, including having regard to all the representations made, I have concluded that the making of the plan will meet the Basic Conditions and that the legal requirements will be met subject to my recommended modifications. I have set out my conclusions, drawn from the findings in my report, in the Summary, on page 2.
- 15.3 In summary, I **recommend** that the West Bletchley Neighbourhood Development Plan should proceed to referendum. I **recommend** that if the plan does proceed to referendum then the Referendum Area should be the same as the designated neighbourhood area
- 15.4 Finally, my thanks to both Councils for their support in making the examination so smooth.

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Appendix A: Berwick Drive garage court - site plan



Plan as supplied by the Parish Council