

Milton Keynes Council
Proposed Submission Publication Stage
Minerals Local Plan Publication
Soundness and NPPF compliance self-assessment checklist

This self-assessment checklist has been prepared by Milton Keynes Council Planning Policy in respect of demonstrating soundness and compliance with the National Planning Policy Framework (NPPF) and other government guidance for the Proposed Submission Minerals Local Plan Publication. The checklist has been derived from the Planning Advisory Service (PAS) March 2014 soundness toolkit.

In summary – the key requirements of plan preparation are:

- Has the plan been positively prepared i.e based on a strategy which seeks to meet objectively assessed requirements?
- Is the plan justified?
- Is it based on robust and credible evidence?
- Is it the most appropriate strategy when considered against the alternatives?
- Is the document effective?
- Is it deliverable?
- Is it flexible?
- Will it be able to be monitored?
- Is it consistent with national policy?

The following table sets out the requirements associated with these four tests of soundness and the evidence supporting these. Only those parts of the NPPF that are of relevance to minerals planning has been addressed.

Milton Keynes Council has prepared a new Minerals Local Plan in line with the NPPF which will replace the Minerals Local Plan 2006. The emerging Minerals Local Plan sets out the policies and proposals against which planning applications will be determined.

The scope of the Minerals Local Plan includes:

- Vision and objectives for minerals-related development within Milton Keynes;
- Spatial strategy for minerals extraction;
- Aggregate provision to be met;
- Commitment to maintaining landbanks;
- Safeguarding of mineral resources and ancillary development / infrastructure;
- Development control and management policies; and
- Identification of specific sites for minerals-related development required to facilitate delivery of identified aggregate provision.

The Tests of Soundness

The starting point for the examination is the assumption that the Council has submitted what it considers to be a sound plan. Those seeking changes should demonstrate why the plan is unsound by reference to one or more of the soundness criteria.

The tests of soundness are set out in the NPPF (paragraph 182): “The Local Plan will be examined by an independent inspector whose role is to assess whether the plan has been prepared in accordance with the Duty to Cooperate, legal and procedural requirements, and whether it is sound. A local planning authority should submit a plan for examination which it considers is “sound”, namely that it is:

1. Positively prepared: based on a strategy which seeks to meet objectively assessed development and infrastructure requirements.

2. Justified: the most appropriate strategy when considered against the reasonable alternatives, based on proportionate evidence.
3. Effective: deliverable over its period based on effective joint working on cross-boundary strategic priorities.
4. Consistent with national policy: enabling the delivery of sustainable development.

Conclusions drawn from the self-assessment

The Council considers that the plan-making process and the Minerals Local Plan Publication version are compliant with the NPPF and the tests of soundness.

Soundness Self-Assessment Checklist

Soundness Test and Key Requirements	Evidence
<p>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.</p>	
<p><i>Vision and Objectives</i></p>	<ul style="list-style-type: none"> • The plan period is from 1 January 2013 to 31 December 2032. • The plans vision and objectives are set out in section 3. • The plans policies seek to deliver the objectives. • The spatial strategy for minerals development is set out in Policy 2. This is illustrated in figure 5 • The provision to be met for sand and gravel is set out in Policy 1; sites have been allocated in order to facilitate delivery (Policies 3 and 4).
<p><i>The presumption in favour of sustainable development (NPPF paras 6-17)</i></p>	<ul style="list-style-type: none"> • The presumption in favour of sustainable development is referenced in para 1.9 to 1.11. • The specific development needs for the plan area are set out through the provision to be met. The plan takes a flexible approach to delivery through the identification of allocations and development criteria (that allows unallocated sites to come forward through the plan making process)
<p>Policies in Local Plans should follow the approach of the presumption in favour of sustainable development so that it is clear that development which is sustainable can be approved without delay. All plans should be based upon and reflect the presumption in favour of sustainable development, with clear policies that will guide how the presumption should be applied locally.</p>	<ul style="list-style-type: none"> • The presumption in favour of sustainable development is referenced in para's 1.9 to 1.11. This has not been reproduced within a specific policy as there is no need to reiterate the NPPF.
<p><i>Objectively assessed needs</i></p> <p>The economic, social and environmental needs of the authority area addressed and clearly presented in a fashion which makes effective use of land and specifically promotes mixed use development, and take</p>	<ul style="list-style-type: none"> • The provision to be met was assessed both through the plan preparation process and the Local Aggregate Assessment (LAA). These assessments also take account of cross-boundary and strategic issues. The LAA is also subject to agreement with the South East Aggregates Working Party which includes all minerals planning authorities in the south east region. • The SA also assessed the economic, social and environmental needs of the authority area against the plans visions, objectives, spatial strategy and policies.

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account of cross-boundary and strategic issues.	
NPPF Principles: Delivering sustainable development	
1. Building a strong, competitive economy (paras 18-22)	<ul style="list-style-type: none"> • The vision and objectives set out in section 3 provide for a clear guidance on industry investment and consideration of economic factors regarding minerals development within the county. • Economic factors and issues were also taken into account through the SA process which acted to inform the plan-making process. • The site assessments to inform the selection of allocations included economic factors and deliverability. • General policies which aim to facilitate delivery of the plan, provide flexibility and provide a positive planning mechanism to encourage investment in minerals are set out in the plan, particularly in respect of Policies 5, 6, 7 and 8.
2. Ensuring the vitality of town centres (paras 23-37)	<ul style="list-style-type: none"> • Not directly applicable to a Minerals Local Plan
3. Supporting a prosperous rural economy (para 28)	<ul style="list-style-type: none"> • The vision, objectives, spatial strategy and other elements of the Plan gives consideration to how the plan can contribute to ensuring a prosperous rural economy. In addition sites are allocated in rural areas for minerals development. In this manner the plan takes a positive approach to appropriate development in rural areas.
4. Promoting sustainable transport (paras 29-41)	<ul style="list-style-type: none"> • Policy 13 encourages development which facilitates the use of sustainable and alternative mode of transport. This policy promotes sustainable transport movements. • The spatial strategy also seeks to relate minerals development with urban areas, related infrastructure and transport networks.
5. Supporting high quality communications infrastructure (paras 42-46)	<ul style="list-style-type: none"> • Not applicable.
6. Delivering a wide choice of high quality housing (paras 47-55)	<ul style="list-style-type: none"> • The plan supports the delivery of housing and sustainable communities through the provision of aggregates and buildings stone.
7. Requiring good design (paras 56-68)	<ul style="list-style-type: none"> • Policy 14 is about the design and layout of minerals sites and policy 16 refers to the restoration and after use of minerals sites. Both seek to increase the quality of design/layout.
8. Promoting healthy communities	<ul style="list-style-type: none"> • Objectives 8 and Policy 11 and 14 and Para's 5.19 to 5.26 relate to quality of life.

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Soundness Test and Key Requirements	Evidence
(paras 69-77)	<ul style="list-style-type: none"> • Policy 16 promotes the restoration of sites to maximise beneficial outcomes which may also contribute towards healthy communities and recreational opportunities. • Policy 9 seeks to protect and enhance green infrastructure and biodiversity networks. • Policy 17 provides for the establishment of Local Liaison Groups (this can build community cohesiveness). • Social factors and issues (including healthy communities, access to service / facilities and recreational opportunities) were also taken into account through the SA process which informed the plan-making process.
9. Protecting Green Belt land (paras 79-92)	<ul style="list-style-type: none"> • Not applicable.
10. Meeting the challenge of climate change, flooding and coastal change (paras 93-108)	<ul style="list-style-type: none"> • Flood risk/ water supply is taken into account through Policy 16. • A strategic flood risk assessment was undertaken for the Local Plan process; in addition all allocations were subject to flood risk assessment (sequential test) • The plan addresses climate change through Policy 15.
11. Conserving and enhancing the natural environment (paras 109-125)	<ul style="list-style-type: none"> • Policy 9 and 10 supports the conservation and enhancement of the natural environment, in addition Policy 16 promotes the restoration of sites to maximise beneficial outcomes which may also contribute towards natural environment outcomes (including re-creation of priority habitats, ecological networks and the recovery of priority species).
12. Conserving and enhancing the historic environment (paras 126-141)	<ul style="list-style-type: none"> • Policy 10 sets out a positive strategy for the conservation and enhancement of the historic environment. • The plan promotes building and roofing stone extraction in order to support local identity and distinctiveness (Policies 4 and 5).
13. Facilitating the sustainable use of minerals (paras 142-149)	<ul style="list-style-type: none"> • The plan positively plans for the provision of a sufficient supply of material to provide the infrastructure, buildings and goods that the country needs through the vision, objectives, spatial strategy for mineral development, allocation of sites and related policies. • Policy 16 provides for the progressive restoration of sites to an acceptable condition and stable landform. It also seeks to ensure that after-use gives consideration to the local land-use context and maximise beneficial outcomes. • Identifies locations and policies for the extraction of mineral resources, including relevant development criteria, through Policies 1 to 8. Other local planning considerations regarding general amenity, sustainable transport, natural assets and resources, landscape character, historic environment, layout and design quality and restoration and after-use is set out through Policies 9 to 16. • Mineral Safeguarding Areas are identified through Policy 18. The policy also supports prior

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Soundness Test and Key Requirements	Evidence
	extraction where appropriate. In addition minerals related development is safeguarded from alternative use through Policy 19.
<p>Justified: <i>The plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence.</i></p> <p>To be 'justified' a DPD needs to be:</p> <ul style="list-style-type: none"> • Founded on a robust and credible evidence base involving: research / fact finding demonstrating how the choices made in the plan are backed up by facts; and evidence of participation of the local community and others having a stake in the area. • The most appropriate strategy when considered against reasonable alternatives. 	
<i>Participation</i>	<ul style="list-style-type: none"> • Refer to Statement of Consultation and Engagement. Consultation has been undertaken in line with the SCI and regulatory requirements, including the Duty to Co-operate. • The most up to date information available was used: data sources and assumptions are detailed in the study reports. • Further information on the evidence base is available on the council website.
<i>Research / fact finding</i>	<ul style="list-style-type: none"> • The Local Plan is supported by a sound and credible evidence base including the LAA, SA and HRA. • The most up to date information available was used: data sources and assumptions are detailed in the study reports. • Further information on the evidence is available on the council website.
<i>Alternatives</i>	<ul style="list-style-type: none"> • Alternatives were discussed and consulted on throughout the plan-making and SA stages. • The assessment of alternatives, including the reasons for selecting the preferred strategy and rejecting alternatives, is also detailed in the LAA and SA. • Consultation responses and how they were taken into consideration have been published at all stages of the plan process.
<p>Effective: <i>the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities.</i></p> <p>To be 'effective' a DPD needs to:</p> <ul style="list-style-type: none"> • Be deliverable • Demonstrate sound infrastructure delivery planning • Have no regulatory or national planning barriers to its delivery • Have delivery partners who are signed up to it • Be coherent with the strategies of neighbouring authorities • Demonstrate how the Duty to Co-operate has been fulfilled • Be flexible 	

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<ul style="list-style-type: none"> Be able to be monitored 	
<i>Deliverable and Coherent</i>	<ul style="list-style-type: none"> The plan's vision and objectives are set out in chapter 3. The plans policies seek to deliver the objectives. The plans objectives and policies are internally consistent. The provision to be met for aggregates is set out through Policy 1; sites have been allocated in order to facilitate delivery (Policies 3 and 4).
<i>Infrastructure Delivery</i>	<ul style="list-style-type: none"> The provision to be met for aggregates is set out through Policy 1; sites have been allocated in order to deliver the required provision (Policy 3). Sites have come forward through a call for sites process and all have industry support to ensure delivery. Developer requirements/infrastructure needs for specific sites is detailed in Appendix 1.
<i>Co-ordinated Planning</i>	<ul style="list-style-type: none"> The spatial strategy for minerals development is set out in Policy 2. These are illustrated in figure 5. The planning context including other plans and strategies are taken into account and discussed in section 2. The provision in the Plan has been agreed with the South East Aggregates Working Party (which comprises all of the minerals planning authorities in the south east region).
<i>Flexibility</i>	<ul style="list-style-type: none"> The plan provides flexibility through the identification of an annual aggregate provision figure which acts as an average (not a ceiling). The plan includes development criteria allowing for unallocated sites to come forward through the planning application process during the plan period. The monitoring framework is detailed in table 7.1 and includes indicators, targets and trigger points for correction and/or mitigation measures.
<i>Co-operation</i>	<ul style="list-style-type: none"> The monitoring framework is detailed in table 7.1 and includes identification of implementation partners for all policies. DtC statement published at the start of the plan making process. The provision in the Plan has been agreed with the South East Aggregates Working Party (which comprises all of the minerals planning authorities in the south east region).
<i>Monitoring</i>	<ul style="list-style-type: none"> The monitoring framework is detailed in table 7.1 and includes indicators, targets, implementation partners and trigger points for correction and/or mitigation measures as relevant to each policy. The SA monitoring framework is linked to the plan and is detailed in the SA report.
<p><i>Consistent with national policy: the plan should enable the delivery of sustainable development in accordance with the policies in the Framework.</i></p> <p>The DPD should not contradict or ignore national policy. Where there is a departure, there must be clear and convincing reasoning to justify the approach taken.</p>	
<ul style="list-style-type: none"> Does the DPD contain any policies or proposals which are not consistent with 	<ul style="list-style-type: none"> The plan and its proposals are in general compliance with national policy. All policies (and explanation text) have been included where they are required to give a Milton Keynes perspective to national policy. Where this is not required for example fracking, no such

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<p>national policy and, if so, is there local justification?</p> <ul style="list-style-type: none">• Does the DPD contain policies that do not add anything to existing national guidance? If so, why have these been included?	<p>policies/text have been included.</p>