

**MILTON KEYNES
SITE ALLOCATIONS PLAN
SCHEDULE OF MAIN MODIFICATIONS**

GUIDANCE NOTE FOR RESPONDENTS

Consultation Period:

**Wednesday 21st February –
Wednesday 4th April 2018**

Introduction

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

The Site Allocations Plan (SAP) was submitted to the Planning Inspectorate for examination in April 2017. Inspector Richard Schofield was appointed to conduct the examination and he held hearings on the 12-13 September 2017.

Following the close of the hearings, the Inspector wrote to the Council on 26 September 2017 setting out further questions which he required the Council to respond to. Having responded to these questions, the Council were then invited by the Inspector to submit, for his consideration, a schedule of proposed Main Modifications to the SAP which he considered to be necessary to make the plan sound.

Following further correspondence with the Inspector to finalise the schedule of modifications, he has now requested that the schedule be subject to public consultation.

A six-week period of public consultation is therefore being held to provide an opportunity for representations to be made on the schedule of proposed Main Modifications to the SAP. The consultation is only on the Main Modifications and not on any other aspect of the plan.

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.

The Planning and Compulsory Purchase Act 2004 (the 2004 Act) states that the purpose of the examination is to consider whether a development plan document (DPD) complies with the legal requirements and is 'sound'. You should remember when responding at this stage that any objections you make to the SAP Schedule of Main Modifications must relate to legal compliance or soundness. Question 2 on the Representation Form asks whether your comment relates to legal compliance or soundness.

Legal Compliance

You should consider the following before making a representation on legal compliance:

- **The process of community involvement for the Site Allocations Plan should be in general accordance with the Council's Statement of Community Involvement (SCI).** The SCI is a document which sets out the Council's strategy for involving the community in the preparation and revision of Local Development Documents and the consideration of planning applications. The Milton Keynes SCI was updated and the new version adopted in March 2014. The Statement of Consultation accompanying the Site Allocations Plan sets out how consultation has been undertaken throughout the document's preparation in accordance with the SCI.
- **The Site Allocations Plan should comply with the Regulations** (i.e. the Town and Country Planning (Local Planning) (England) Regulations 2012. At this stage, the Council must publish the documents prescribed in the regulations, and make them available at their principal office and on their website. The Council must also consult general and specific consultation bodies (as set out in the regulations) and any persons who have requested to be notified. The 'Statement of Representations Procedure' and 'Statement of arrangements for inspection of the Site Allocations Plan and other submission documents' fulfil these requirements, and can be viewed on the Council's website, at the Civic Offices and at the public libraries.
- **The Council is required to provide a Sustainability Appraisal Report when it publishes a local plan.** As part of the development of the Site Allocations Plan, a Sustainability Appraisal (SA) has been prepared. The SA is a tool for appraising policies to ensure they reflect social, environmental and economic factors. The SA is available in all the places the Site Allocations Plan Proposed Submission Draft Version is available, as a supporting/submission document.
- **The Site Allocations Plan should have regard to national policy.** The Council believes that the Site Allocations Plan and the schedule of main modifications is in general conformity with national policy (as set out in the Government's planning policy statements and guidance notes).

Soundness

To be sound, a local plan should be:

a) Justified

This means that the Site Allocations Plan including the schedule of main modifications should be founded on a robust and credible evidence base involving:

- Evidence of participation of the local community and others having a stake in the area;
- Research/fact finding: the choices made in the plan are backed up by facts.

The Site Allocations Plan with the proposed main modifications should also provide the most appropriate strategy when considered against reasonable alternatives. These alternatives should be realistic and subject to Sustainability Appraisal. The Site Allocations Plan should show how the policies and proposals help to ensure that the social, environmental, economic and resource use objectives of sustainability will be achieved.

b) Effective

This means that the Site Allocations Plan with the proposed main modifications should be **deliverable**, including:

- Sound infrastructure delivery planning;
- Having no regulatory or national planning barriers to delivery;
- Delivery partners who are signed up to it; and
- Coherence with the strategies of neighbouring authorities.

The Site Allocations Plan with the proposed main modifications should also be **flexible** and **able to be monitored**. It should indicate who is to be responsible for making sure that the policies and proposals happen and when they will happen.

The plan should be flexible to deal with changing circumstances, which may involve minor changes to respond to the outcome of the monitoring process or more significant changes to respond to problems such as lack of funding for major infrastructure proposals. Although it is important that policies are flexible, the Site Allocations Plan should make clear that major changes may require a formal review including public consultation.

Any measures which the Council has included to make sure that targets are met should be clearly

linked to an Annual Monitoring Report. This report must be produced each year by all local authorities and will show whether the Site Allocations Plan needs amendment.

c) Consistent with national policy

The Site Allocations Plan and the proposed main modifications should be consistent with national policy. Where there is a departure, the Council must provide clear and convincing reasoning to justify the approach. Conversely, you may feel that the Council should include in the Site Allocations Plan a policy or policies which would depart from national policy to some degree in order to meet a clearly identified and fully justified local need. In this instance it will be important for you to say in your representations what the local circumstances are which justify a different policy approach to that in national policy, and support your assertion with evidence.

If you think the content of the Site Allocations Plan is not sound because it **does not include a policy** where it should do, you should consider the following questions before making representation.

- Is the issue with which you are concerned already covered specifically by any national planning policy? If so, it does not need to be included.
- Is what you are concerned with covered by any other policies in the Site Allocations Plan or in any other local plan in the Milton Keynes Development Plan.
- If the policy is not covered elsewhere, in what way is the Site Allocations Plan unsound without the policy?
- If the Site Allocations Plan is unsound without the policy, what should the policy say?

Similarly, if you feel the Site Allocations Plan includes a policy that you believe **should not be included**, you should consider the following questions in making your representation.

- Does the policy repeat or fail to expand upon existing national planning policy?
- Does the policy contradict or misrepresent any of the supporting evidence?
- If the existing policy were to be removed, should it be replaced?

The Council considers that the Site Allocations Plan Proposed Submission Draft Version with the proposed main modifications satisfies all these tests of soundness and is the most appropriate plan for delivering housing development in the short to

medium terms to complement the strategic allocations made in the 2013 Core Strategy. However, if you consider the Site Allocations Plan is unsound against one or more of the three tests of soundness (justified, effective, or consistent with national policy), you should identify which test(s) under Question 3.

General Advice

If you wish to make a representation seeking a change to the Site Allocations Plan proposed main modifications, you should make clear in what way the Site Allocations Plan with the proposed main modifications is not sound, having regard to the legal compliance check and three tests of soundness set out above. You should try to support your representation with evidence showing why the Site Allocations Plan should be changed. It will be helpful if you also say precisely how you think the Site Allocations Plan proposed main modifications should be changed in Question 5.

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 the Site Allocations Plan 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 post or email.

All forms must be received no later than **5pm on Wednesday 4th April 2018**.

You can submit your representations **online**:

- by completing the representations form at <http://miltonkeynes-consult.objective.co.uk/portal/> where 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 development.plans@milton-keynes.gov.uk
- by **post**, to
Development Plans Team
Milton Keynes Council
Civic Offices
1 Saxon Gate East
Central Milton Keynes
Milton Keynes
MK9 3EJ

* - If you have been involved in the earlier stages of the Site Allocations Plan 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 forgotten your password or username, you can contact the Development Plans team for a reminder.

If you have any questions, please contact us by email at development.plans@milton-keynes.gov.uk or by telephone on 01908 252599.