

# **RAVENSTONE NEIGHBOURHOOD PLAN**

## **Submission Draft Version**

**A report to Milton Keynes Council  
into the examination of the  
Ravenstone Neighbourhood Plan  
by Independent Examiner, Rosemary Kidd**

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## 1.0 Summary

- 1.1 The Ravenstone Neighbourhood Plan has been prepared to set out the community's wishes for this parish which contains the historic village of Ravenstone and surrounding countryside.
- 1.2 I have made recommendations to ensure that the Plan meets the Basic Conditions including:
  - the deletion of Policy CE1 Countryside;
  - the amalgamation of Policies CD1 and CD2 on Heritage and Conservation;
  - clarification to the wording of various policies and their application; and
  - improvements to the mapping of sites referred to in policies.
- 1.3 Section 6 of the report sets out a schedule of the recommended modifications.
- 1.4 Subject to the recommended modifications being made to the Neighbourhood Plan, I am able to confirm that I am satisfied that the Ravenstone Neighbourhood Plan satisfies the Basic Conditions and that the Plan should proceed to referendum.

## 2.0 Introduction

### Background Context

- 2.1 This report sets out the findings of the examination into the Ravenstone Neighbourhood Plan.
- 2.2 The village of Ravenstone lies 4km to the west of Olney and 6 km north of Newport Pagnell within the boundary of Milton Keynes Council. It is a rural parish with the historic village of Ravenstone. At 2011 there were 209 people living in the parish.

### Appointment of the Independent Examiner

- 2.3 I was appointed as an independent examiner through the Neighbourhood Plan Independent Examination Referral Service to conduct the examination on the Ravenstone Neighbourhood Plan by Milton Keynes Council with the consent of Ravenstone Parish Council in October 2018. I do not have any interest in any land that may be affected by the Ravenstone Neighbourhood Plan nor do I have any professional commissions in the area currently and I possess appropriate qualifications and experience. I am a Member of the Royal Town Planning Institute with over 30 years' experience in local authorities preparing Local Plans and associated policies.

### Role of the Independent Examiner

- 2.4 As an independent Examiner, I am required to determine, under paragraph 8(1) of Schedule 4B to the Town and Country Planning Act 1990, whether the legislative requirements are met:
- The Neighbourhood Plan has been prepared and submitted for examination by a qualifying body as defined in Section 61F of the Town and Country Planning Act 1990 as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004;
  - The Neighbourhood Plan has been prepared for an area that has been designated under Section 61G of the Town and Country Planning Act 1990 as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004;
  - The Neighbourhood Plan meets the requirements of Section 38B of the Planning and Compulsory Purchase Act 2004, that is the Plan must specify the period to which it has effect, must not include provisions relating to 'excluded development', and must not relate to more than one Neighbourhood Area; and
  - The policies relate to the development and use of land for a designated Neighbourhood Area in line with the requirements of the Planning and Compulsory Purchase Act 2004 Section 38A.
- 2.5 An Independent Examiner must consider whether a neighbourhood plan meets the "Basic Conditions". The Basic Conditions are set out in paragraph

8(2) of Schedule 4B to the Town and Country Planning Act 1990 as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004. The Basic Conditions are:

1. having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the neighbourhood plan;
2. the making of the neighbourhood plan contributes to the achievement of sustainable development;
3. 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);
4. the making of the neighbourhood plan does not breach, and is otherwise compatible with, EU obligations; and
5. prescribed conditions are met in relation to the plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood plan. The following prescribed condition relates to neighbourhood plans:
  - Regulation 32 of the Neighbourhood Planning (General) Regulations 2012 (as amended by the Conservation of Habitats and Species and Planning (various Amendments) Regulations 2018) sets out a further Basic Condition in addition to those set out in the primary legislation: that the making of the neighbourhood development plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.

2.6 Under the terms of the neighbourhood planning legislation I am required to make one of three possible recommendations:

- That the plan should proceed to referendum on the basis that it meets all the legal requirements;
- That the plan should proceed to referendum if modified; or
- That the plan should not proceed to referendum on the basis that it does not meet all the legal requirements.

2.7 If recommending that the Neighbourhood Plan is submitted to referendum my report must also recommend whether the area for the referendum should extend beyond the neighbourhood area to which the Neighbourhood Plan relates, and if it is to be extended, the nature of that extension.

2.8 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. It is not within my role to comment on how the plan could be improved but rather to focus on whether the submitted Neighbourhood Plan meets the Basic Conditions and Convention rights, and the other statutory requirements.

- 2.9 It is a requirement that my report must give reasons for each of its recommendations and contain a summary of its main findings. 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.

### **The Examination Process**

- 2.10 The presumption is that the neighbourhood plan will proceed by way of an examination of written evidence only. However the Examiner can ask for a public hearing in order to hear oral evidence on matters which he or she wishes to explore further or so that a person has a fair chance to put a case.
- 2.11 I have sought clarification on a number of factual matters from the qualifying body and/or the local planning authority in writing. I am satisfied that the responses received have enabled me to come to a conclusion on these matters without the need for a hearing.
- 2.12 I had before me background evidence to the plan which has assisted me in understanding the background to the matters raised in the Neighbourhood Plan. I have considered the documents set out in Section 5 of this report in addition to the Submission draft of the Ravenstone Neighbourhood Plan 2018 – 2031 dated July 2018.
- 2.13 I have considered the Basic Conditions Statement and the Consultation Statement as well as the screening statement for the Strategic Environmental Assessment and Habitats Regulation Assessment. In my assessment of each policy I have commented on how the policy has had regard to national policies and advice and whether the policy is in general conformity with relevant strategic policies, as appropriate.
- 2.14 I have undertaken an unaccompanied visit to the Plan area and viewed the sites referred to under the policies in the plan.

### **Legislative Requirements**

#### **Qualifying Body**

- 2.15 The neighbourhood plan making process has been led by Ravenstone Parish Council which is a “qualifying body” under the Neighbourhood Planning legislation which entitles them to lead the plan making process. The Plan was prepared by the Neighbourhood Plan Steering Group.
- 2.16 I am satisfied that the requirements set out in the Localism Act (2011) and in Section 61F(1) and (2) of the Town and Country Planning Act (as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act) have been met.

## The Plan Area

- 2.17 The Neighbourhood Plan area is co-terminus with the parish of Ravenstone. The area was designated by Milton Keynes Council on 12 October 2017 as a Neighbourhood Area. The Basic Conditions statement confirms that there are no other neighbourhood plans relating to that area.
- 2.18 This satisfies the requirements of preparing a Neighbourhood Development Plan under section 61G (1) (2) and (3) of the Town and Country Planning Act 1990 (as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004) and regulations 5, 6 and 7 of the Neighbourhood Planning (General) Regulations 2012.

## Plan Period

- 2.19 A neighbourhood plan must specify the period during which it is to have effect. The front cover and the Foreword of the Neighbourhood Plan shows the date 2018 - 2031.

## Excluded Development

- 2.20 The Plan does not include provision for any excluded development: county matters (mineral extraction and waste development), nationally significant infrastructure or any matters set out in Section 61K of the Town and Country Planning Act 1990.

## Development and use of land

- 2.21 The Neighbourhood Development Plan should only contain policies relating to development and use of land. Subject to the modifications proposed, the Ravenstone Neighbourhood Plan policies would be compliant with this requirement of Section 38B of the Planning and Compulsory Purchase Act 2004 as amended.
- 2.22 I am satisfied therefore that the Ravenstone Neighbourhood Plan satisfies all the legal requirements set out in paragraph 2.4 above.

## The Basic Conditions

### Basic Condition 1 – Has regard to National Policy

- 2.23 The first Basic Condition is for the neighbourhood plan “*to have regard to national policies and advice contained in guidance issued by the Secretary of State*”. 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 which requires plans to be “*consistent with national policy*”.
- 2.24 The Planning Practice 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.*”

- 2.25 In considering the policies contained in the Plan, I have been mindful of the guidance in the Planning Practice Guide (PPG) that:

*“Neighbourhood planning gives communities direct power to develop a shared vision for their neighbourhood and shape the development and growth of their local area. They are able to choose where they want new homes, shops and offices to be built, have their say on what those new buildings should look like.”*

- 2.26 In order to ensure that a neighbourhood plan can be an effective tool for the decision maker, the PPG advises 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.”*

- 2.27 NPPF paragraph 183 states that parishes can use neighbourhood planning to set planning policies through neighbourhood plans to be used in determining decisions on planning applications. The Planning Practice Guidance on Neighbourhood Plans states that neighbourhood plans should “*support the strategic development needs set out in the Local Plan*” and further states that the neighbourhood plan must address the development and use of land by setting out planning policies to be used in determining planning applications because once the plan is made it will become part of the statutory development plan.

- 2.28 Paragraph 16 of the National Planning Policy Framework is clear that those producing neighbourhood plans should support the strategic development needs set out in local plans, including policies for housing and economic development. Qualifying bodies should plan positively to support local development, shaping and directing development in their area that is outside the strategic elements of the Local Plan. PPG guidance under Rural Housing states that “*all settlements can play a role in delivering sustainable development in rural areas – and so blanket policies restricting housing development in some settlements and preventing other settlements from expanding should be avoided unless they can be supported by robust evidence*”.

- 2.29 Table 1 of the Basic Conditions Statement shows how the policies have had regard to the NPPF. I consider the extent to which the plan meets this Basic Condition No 1 in Section 3 below.



## **Basic Condition 2 - Contributes to sustainable development**

- 2.30 A qualifying body must demonstrate how a neighbourhood plan contributes to the achievement of sustainable development. The NPPF as a whole constitutes the Government's view of what sustainable development means in practice for planning. The NPPF explains that there are three dimensions to sustainable development: economic, social and environmental.
- 2.31 There is no legal requirement for a formal Sustainability Appraisal to be carried out in respect of neighbourhood plans. Section 4 of the Basic Conditions Statement has considered how the Ravenstone Neighbourhood Plan contributes to sustainable development and summarises how the plan contributes to the social, economic and environmental roles set out in the objectives.
- 2.32 I am satisfied that the Plan has considered the future social, economic and environmental needs of the parish and therefore meets this Basic Condition.

## **Basic Condition 3 – is in general conformity with strategic policies in the development plan**

- 2.33 The third Basic Condition is for the neighbourhood plan to be in general conformity with the strategic policies contained in the Development Plan for the area. The Development Plan comprises the Milton Keynes Core Strategy 2013. The emerging Plan:MK will replace it and will include new strategic policies once it is adopted. Plan:MK has been submitted for examination, with the hearing sessions taking place in Summer 2018 and the Main Modifications being consulted on until December 2018. As the plan has not been adopted, there is no requirement to assess the Neighbourhood Plan against the strategic policies it contains although relevant background evidence may be referred to.
- 2.34 The Council has raised no concern over general conformity with the strategic policies of the development plan. Table 2 of the Basic Conditions Statement sets out an assessment of how the policies of the plan are in general conformity with strategic policies. I consider in further detail in Section 3 below the matter of general conformity of the Neighbourhood Plan policies with the strategic policies of the Local Plan.

## **Basic Condition 4 – Compatible with EU obligations and human rights requirements**

- 2.35 A neighbourhood plan must be compatible with European Union obligations as incorporated into UK law, in order to be legally compliant. Key directives relate to the Strategic Environmental Assessment Directive and the Habitats and Wild Birds Directives. A neighbourhood plan should also take account of the requirements to consider human rights.
- 2.36 Regulation 15 of the Neighbourhood Planning Regulations as amended in 2015 requires either that a Strategic Environmental Assessment is submitted with a Neighbourhood Plan proposal or a determination from the responsible

authority (Milton Keynes Council) that the plan is not likely to have “significant effects.”

- 2.37 A screening opinion for the purposes of Strategic Environmental Assessment and Habitats Regulations Assessment was undertaken by Milton Keynes Council in May 2108 on the Regulation 14 draft Plan.
- 2.38 The SEA Screening Report dated July 2018 concludes that: *“The Plan’s effects are unlikely to have any significant impacts beyond the Neighbourhood Area and it is considered that overall the plan will not have significant effects on the environment. It is, therefore, the opinion of Milton Keynes Council that the Ravenstone Neighbourhood Plan does not need to be subject to Strategic Environmental Assessment.”*
- 2.39 An HRA screening opinion was issued by Milton Keynes Council in July 2018 which advised that: *“The Neighbourhood Plan will be in general conformity with the Core Strategy which itself was screened for Appropriate Assessment.. .... Given the role of Neighbourhood Plans and the scale of development likely to be proposed in the Ravenstone Neighbourhood Plan, it is considered that Appropriate Assessment of the plan is not required.”*
- 2.40 The statutory environmental bodies: Historic England, Natural England and the Environment Agency were consulted in May 2018 on the screening reports. Natural England and the Environment Agency agreed with the conclusions of the screening report. Historic England made no comments.
- 2.41 I am satisfied that the SEA and HRA screening opinions have been carried out in accordance with the legal requirements.
- 2.42 The Basic Conditions statement has not assessed the impact of the plan on human rights. I have asked the Qualifying Body for a statement on the matter and they have advised me that:
- “The Parish Council considers that the Ravenstone Neighbourhood Plan has had regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights and complies with the Human Rights Act. The Plan has been subject to extensive engagement with those people local to the area who could be affected by its policies and their views have been taken into account in finalising the Plan.”*
- 2.43 From the evidence provided, I have no reason to believe that they have failed to address the Human Rights requirements. It would be helpful to include the above statement in the Basic Conditions Statement.
- 2.44 I am not aware of any other European Directives which apply to this particular Neighbourhood Plan and no representations at pre or post-submission stage have drawn any others to my attention. Taking all of the above into account, I am satisfied that the Ravenstone Neighbourhood Plan is compatible with EU obligations and therefore with Basic Conditions Nos 4 and 5.

### Consultation on the Neighbourhood Plan

- 2.45 I am required under The Localism Act 2011 to check the consultation process that has led to the production of the Plan. The requirements are set out in Regulation 14 in The Neighbourhood Planning (General) Regulations 2012.
- 2.46 The Consultation Statement sets out an overview of the various stages of consultation that have been carried out during the preparation of the Ravenstone Neighbourhood Plan. It highlights the aims of each stage of the consultation and the main themes that emerged. Feedback from each stage of the consultation is recorded in the Appendices of the evidence report.
- 2.47 The preparation of the Neighbourhood Plan commenced in March 2017. The Neighbourhood Plan Steering Group first met on 3 May 2017. The neighbourhood plan area was designated by Milton Keynes Council on 12 October 2017.
- 2.48 Consultation commenced with an initial flyer being distributed to all residents of the Parish and to other interested parties (land/business owners) between the 15 and 17 June 2017. It was also posted on village notice boards. This gave some background information about the Neighbourhood Plan and its process as well as informing of the Open Day scheduled for 1 July 2017. Additional open days were held on 3 and 16 July 2017. In total, 76 people attended the Open Days. The Consultation Statement summarises the key issues identified through the consultation.
- 2.49 The comments made at the open days were used to formulate a questionnaire survey which was hand delivered to residents, landowners and other interested parties by 3 August 2017. 170 questionnaires were completed, representing an excellent response rate of 84%.
- 2.50 Separate meetings were held in the Village Hall with all the principal landowners or their agents between September 2017 and January 2018. As a result of these meetings three suggested sites were proposed and assessed for a potential housing allocation.
- 2.51 Meetings were held between December 2017 and January 2018 with the Parochial Church Council, the Village Hall Committee and the Ravenstone Hospital Trust.
- 2.52 The Regulation 14 consultation on the draft plan commenced with Open Days on 21 and 22 April in Ravenstone Village Hall. The statutory 6- week consultation period closed on 6th June. Copies of the draft plan were made available to all residents.
- 2.53 The Regulation 16 consultation on the Submission Draft Plan was undertaken by Milton Keynes Council between 6 August and 1 October 2018. Eight responses were received.
- 2.54 I am satisfied that the pre-submission consultation and publicity has met the requirements of Regulations 14, 15 and 16 in the Neighbourhood Planning (General) Regulations 2012.

- 2.55 This report is the outcome of my examination of the Submission Draft Version of the Ravenstone Neighbourhood Plan dated July 2018. I am required to give reasons for each of my recommendations and also provide a summary of my main conclusions. My report makes recommendations based on my findings on whether the Plan meets the Basic Conditions and provided the Plan is modified as recommended, I am satisfied that it is appropriate for the Neighbourhood Plan to be made. If the plan receives the support of over 50% of those voting then the Plan will be made following approval by Milton Keynes Council.

### 3.0 Neighbourhood Plan – As a whole

- 3.1 The Neighbourhood Plan is considered against the Basic Conditions in this section of the Report following the structure and headings in the Plan. Given the findings in Section 2 above that the plan as a whole is compliant with Basic Conditions No 4 (EU obligations) and other prescribed conditions, this section largely focuses on Basic Conditions No 1 (Having regard to National Policy), No 2 (Contributing to the achievement of Sustainable Development) and No 3 (General conformity with strategic policies of the Development Plan).
- 3.2 Where modifications are recommended, they are presented and clearly marked as such and highlighted in bold print, with any proposed new wording in italics.
- 3.3 Basic Condition 1 requires that the examiner considers whether the plan as a whole has had regard to national policies and advice contained in guidance issued by the Secretary of State. Before considering the policies individually, I have considered whether the plan as a whole has had regard to national planning policies and supports the delivery of sustainable development.
- 3.4 The Plan contains a clear introductory section containing contextual material. It includes a summary of the results of the parish questionnaire survey which could be placed in an appendix so that the Plan is focused on the policies.
- 3.5 The Plan is clearly and coherently presented with policies addressing countryside and environment, character and design, flood risk, highways and transport, community, housing, business and employment. The policies are clearly distinguishable by surrounding boxes.
- 3.6 A number of the policies make reference to protecting the important views from within the village and specific locations are defined on Figure 15. The selection of these locations and areas has not been justified by robust evidence and the policy approach is considered to amount to a blanket restriction on development contrary to national planning guidance. I have made recommendations under the relevant policies to delete reference to the views to be protected.
- 3.7 Historic England has commented that the Plan could give a greater focus on conserving and enhancing the conservation area and heritage assets. Where appropriate I have recommended additional wording to this effect, including recognising the contribution of the open areas in and around the village to the character of the conservation area and the setting of the heritage assets.
- 3.8 Appendix D is entitled Proposals Map and contains 7 maps. Map 6 is entitled Proposals Map and is a compilation of Maps 1 – 5. Various maps are also included in the Plan itself. Recommendations are made in my report to revise the Proposals Map and the Key. It is further recommended that the complete Proposals Map and its key should be included in the Neighbourhood Plan itself instead of an Appendix.

- 3.9 The Plan includes several proposals for work by the Parish Council and I have recommended that these should be included in a separate section or Appendix of the Plan headed Community Projects. There should be a note to state that these are not planning policies.
- 3.10 The references to Appendices should be checked and corrected as necessary.

**Recommendation 1: The revised Proposals Map and its key should be included at the end of the Plan before the Appendices.**

**Check and update the cross references to the Appendices throughout the Plan.**

## The Neighbourhood Plan - Policies

### Introduction

- 3.11 The introduction sets out the historic context. Section 2 contains a summary of the plan making process, including monitoring and review of the plan.
- 3.12 Section 3 of the plan sets out the challenges facing the plan area and the vision for the Plan. Each section of the Plan includes a number of objectives relevant to that topic. I consider them under each topic.

### Countryside and Environment

- 3.13 Objective 3 seeks to recognise agriculture as a vital part of Ravenstone's past, present and future. Objective 6 includes supporting renewable energy technology.
- 3.14 The purpose of a plan's objectives is to set out key matters that are to be delivered through the plan's policies. Neither of these objectives is delivered through policies of the plan and it is therefore recommended that they should be deleted.

**Recommendation 2: On page 22, delete the third objective and revise the sixth objective by deleting "and renewable energy technology,".**

### Policy CE1: Countryside

- 3.15 The first two paragraphs of the policy refer to the countryside being protected and development only being permissible where it accords with the Local Plan policies and the NPPF. It is considered that this adds no local policy approach to the national and local strategic policy towards considering development proposals in the countryside and should be deleted. The first two paragraphs of Policy CE1 may be included in the justification to explain how development

proposals in the countryside will be considered. The text should define the countryside as being land outside the settlement boundary.

- 3.16 The third paragraph of the policy seeks to protect views of the countryside from the village from development. The views are defined on the Proposals Map and cover significant areas of land on the edge of the village; as such they are considered to constitute a blanket restriction on development. The policy would be contrary to national planning policy unless justified by robust evidence. The views have been adapted from those identified in the 1983 Ravenstone Village Plan. This Plan has not been included in the background evidence and in any case it is dated. Whilst it was adopted as Supplementary Planning Guidance, its current planning status is unclear.
- 3.17 I have visited each area during my site visit. The views at a number of the locations are limited by rising land close to the roadside. In some locations views are restricted by high hedgerows and trees with only a limited viewpoint through a gateway.
- 3.18 However, it is evident that the character of the conservation area is formed by the juxtaposition of buildings and the small paddocks, gardens and other open land uses in and around the village. These open areas make a positive contribution to the setting and character of the conservation area and heritage assets. As such it may more helpful to recognise the contribution of open areas in and around the village to the character of the conservation area and setting of heritage assets though the revised Policy CD1 rather than Policy CE1.
- 3.19 The Qualifying Body has provided me with a copy of the draft Ravenstone Conservation Area Character Statement dated 1995 which identifies the importance of the paddocks, gardens and recreation area in creating the open character of the conservation area along Common Street.
- 3.20 The Qualifying Body has also supplied me with a copy of the 1983 Ravenstone Village Plan. Map 1 shows Important Open Areas. However, the map is barely legible and in any case circumstances may have changed in the intervening period. As there has not been an up to date assessment to evaluate the significance and the value of the contribution of open areas, it is not possible to identify those sites that make an important contribution to the Conservation Area on the Ravenstone Neighbourhood Plan Proposals Map.
- 3.21 I am therefore recommending deleting reference to protecting views in the objectives and policies. Figure 15 and the areas shown in green as “Important Views” on the Proposals Map should consequently be deleted.

### **Recommendation 3: Delete Policy CE1:**

**Delete the first objective on page 22, Figure 15, Map 5 and the areas shown in green as “Important Views” on the Proposals Map and its Key.**



**Move paragraphs 5.3 and 5.4 to the justification of Policy CD1 and revise the final sentence of paragraph 5.3 to read: “...several places, with small paddocks, gardens and other open areas adding greatly to the character of the conservation area and the setting of the historic assets and helping to create a sense of place.”**

**Include the first two paragraphs of Policy CE1 in the justification before paragraph 5.5. Insert “*Outside the settlement boundary,*” at the beginning of the first paragraph.**

### **Policy CE2: Access to the Countryside**

- 3.22 This policy supports improvements to footpaths, bridleways and cycle routes to improve connections from Ravenstone to surrounding villages. I make no comments on the policy.

### **Policy CE3: Environment and Biodiversity**

- 3.23 The first sentence of Policy CE3 is a descriptive statement and not policy and should be deleted or placed in the justification.
- 3.24 The second paragraph and two bullet points propose a community project and is not a planning policy. It should be placed in an Appendix or separate section of the Plan and clearly identified as a Community Project.
- 3.25 Reference to paragraph 109 of the NPPF in the fourth paragraph is unnecessary and should be deleted.

#### **Recommendation 4: Revise Policy CE3 as follows:**

**Delete the first sentence of paragraph 1.**

**Place the second paragraph and two bullet points (“The Parish Council will...”) in an Appendix or separate section of the Plan and identify it as a Community Project.**

**Revise the fourth paragraph to read: “.....residential gardens to support a net gain biodiversity.” Delete the last sentence of this paragraph (“This can lead to ...”).**

### **Character and Design**

- 3.26 Historic England has made a number of suggestions to strengthen the wording of the vision, objectives and policies on heritage and the conservation area. I note the importance of the historic fabric of the village with a Scheduled Monument, 30 listed buildings and a conservation area covering all the buildings in the village and a number of open areas. As



Historic England advises, it would be helpful in the interpretation of the Plan's policies to prepare a Conservation Area Appraisal or Village Design Statement so that the significant features can be identified and described.

- 3.27 Historic England commented on the lack of a specific objective in this section on the conservation and enhancement of the historic environment. I agree that this is a significant omission.
- 3.28 The third objective in this section refers to protecting open views. In view of my recommendation to revise Policy CD2, to refer to important open areas contributing to the character and setting of the conservation area, it is recommended that the objective be revised to be consistent with the policy wording and refer to safeguarding and enhancing the conservation area and heritage assets.

**Recommendation 5: revise the third objective under Character and Design to read: *“To safeguard, conserve and enhance the important open areas, buildings and features that contribute to the character and setting of the conservation area and heritage assets.”***

#### **Policy CD1: Ravenstone Character**

#### **Policy CD2: Heritage Assets**

- 3.29 There is a degree of overlap and repetition in these policies. It is recommended that they are amalgamated and the wording revised to be consistent with national planning policy.
- 3.30 Policy CD1 sets out matters to be considered in assessing the impact of development proposals on the conservation area and heritage assets. The first paragraph should be revised to incorporate the first paragraph of Policy CD2.
- 3.31 The third bullet point refers to views along Common Street as well as those identified under Policy CE1. As a consequence of my recommendations to delete the reference to views from the plan's policies, it is recommended that this should be revised to refer to the important open areas that make a positive contribution to the setting and character of the Conservation Area and the heritage assets.
- 3.32 The final paragraph of the policy refers to the character and setting of the village. This should be revised to refer to the Conservation Area and heritage assets to accord with national planning policy. There is no need to include the word “strongly”.

**Recommendation 6: Revise Policy CD1 as follows:**

**Revise the title of the Policy to “Conservation and Heritage”**

**Revise the first paragraph to read: “*Development proposals should protect, conserve and, wherever possible, enhance the significance of heritage assets, including the Scheduled Ancient Monument, and the character of the Conservation Area and their settings.*”**

**Revise the third bullet point to read: “*The impact on the important open areas that make a positive contribution to the setting and character of the Conservation Area and heritage assets.*”**

**Revise the final paragraph to read: “....character and setting of the Conservation Area and heritage assets will be resisted.”**

**Delete Policy CD2.**

### **Policy CD3: High Quality Design**

- 3.33 The policy promotes high quality design in new development and sets out a number of design considerations. The second sentence states that “*Development that fails to ....enhance the local character and quality of the area and the way it functions shall not be permitted.*” NPPF paragraph 7 explains that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. It is recommended that the policy wording be rephrased in a positive light and include reference to the character and quality of the conservation area.
- 3.34 There is a typographical error in the third sentence.

#### **Recommendation 7: Revise Policy CD3 as follows:**

**Revise the second sentence to read: “*Development proposals that seek to enhance the character and quality of the conservation area will be supported*”.**

**Revise the third sentence to read: “A central part of achieving high quality design...”**

### **Flood Risk**

#### **Policy FR1: Flood Risk**

- 3.35 The policy sets out proposals to manage surface water drainage as part of new development proposals.
- 3.36 Paragraph 7.5 puts forward a proposal by the Parish Council to improve the maintenance of drainage systems. This should be included in an Appendix or separate section of the Plan and identified as a Community Project.

**Recommendation 8: Include the proposal in paragraph 7.5 as a Community Project in an Appendix or separate section of the plan.**

## Highways and Transport

### Objectives

- 3.37 Eight objectives are set out in this section. The first four could be amalgamated and revised to make it clear that the highways proposals are focused on enhancing the character of the conservation area.
- 3.38 Objective 5 is addressed in the Countryside section and should be deleted from the Highways and Transport section. Objectives 6 and 7 are not addressed in the Plan's policies and should be deleted.

**Recommendation 9: Amalgamate and revise the first four Highway and Transport objectives to read; “*To ensure that the highway design, signposting and village entrance gateways enhance the character of the Conservation Area.*”**

**Delete objectives 5, 6 and 7.**

### Policy HT1: Highways and Village Gateways

- 3.39 Policy HT1 sets out the aspirations to improve the village entrances and sets out preferences for kerbing and surfacing materials. The improvement of the village entrance gateways are a Community Project and paragraph 8.4 states that they will be funded through developer contributions. They may be included in the list of Community Projects.
- 3.40 It would be helpful if the Plan acknowledged that these proposals will contribute to enhancing the character of the Conservation Area.

**Recommendation 10: Add the following at the end of paragraph 8.3: “*The proposals in this policy will contribute to enhancing the character of the conservation area.*”**

### Policy HT2: Parking

- 3.41 I make no comments on Policy HT2.

## Community

### Policy CF1: Community Facilities

- 3.42 The policy seeks to safeguard existing community facilities and supports proposals to improve facilities and services. I make no comment on the policy.
- 3.43 Paragraph 9.5 relates to a community project to support bus services. This could be added to the list of Community Projects in an Appendix of the Plan.

**Recommendation 11: include the support for bus services set out in paragraph 9.5 as a Community Project.**

## Housing

### Policy H1: Settlement Boundary

- 3.44 Core Strategy Policy CS1 identifies Ravenstone as an “Other Village” where small scale redevelopment and infill development will be permitted.
- 3.45 The emerging Plan:MK includes provision in Policy DS2 for “*Small to medium scale development within rural...settlements, appropriate to the size, function and role of each settlement to be delivered through allocations in neighbourhood plans.*”
- 3.46 Policy H1 makes provision for sustainable development within the settlement boundary which is defined on the Proposals Map. The first paragraph of the policy refers to it as the “village development boundary”. It is recommended that this is revised to “settlement boundary” to be consistent with the wording in the remainder of the policy and elsewhere in the plan.
- 3.47 The third paragraph states that the development proposals should fulfil “the aims and objectives of the Plan”. It is considered that this is unnecessary; in any case there are no aims. The word “infill” should be deleted from this paragraph as a consequence of my recommendation on Policy H3.
- 3.48 The third bullet point refers to protecting the important views of the village. As a consequence of my recommendation under Policy CE1 reference to the views should be deleted and reference made to the important open areas in the conservation area.

**Recommendation 12: Revise Policy H1 as follows:**

**Revise the first paragraph to read: “.....Ravenstone *settlement* boundary, as shown on the Proposals Map....”**

**Delete the following from the third paragraph: “infill” and “fulfil the aims and objectives of the Neighbourhood Plan by”. Revise the grammar of the bullet points as necessary.**

**Revise the second bullet point to read: “...its important green spaces *and open areas....*”**

**Delete from the third bullet point: “Protecting the important views within the village and the surrounding countryside and”.**

### **Policy H2: New Housing Allocation (PHA1)**

- 3.49 During the preparation of the Plan, discussions were held with landowners and they were invited to submit sites for consideration for future housing development. Four sites were submitted and these were assessed with the assessment report being included in the Plan. When the Plan is finalised the assessment report should be deleted from the Plan and set out as a separate background evidence report.
- 3.50 A representation has been made proposing two further sites. I am satisfied that the landowner has been consulted previously and has had the opportunity to bring forward the sites for consideration at an earlier stage of the preparation of the Plan. I am required to consider whether the Plan as submitted meets the Basic Conditions and there is no requirement for me to consider additional or alternative sites.
- 3.51 There is no strategic guidance on the appropriate scale of development for the plan area other than it should be appropriate to the size, function and role of the settlement. The first paragraph sets a cap on the number of dwellings to be developed on the housing allocation as “up to 8”. The Qualifying Body has explained that this figure was arrived at by considering the extent of the developable area and the delivery of an appropriate mix of houses required to meet the local housing needs, including small cottages, semi detached housing or a small terrace as well as detached housing. Setting a figure of “up to 8 dwellings” would set a cap on development on the site contrary to national planning policy. Moreover it could result in a smaller number of low density houses being developed rather than a mix of house types. It is recommended that an indicative number of dwellings should be included in the policy in terms of “about” rather than “up to”.
- 3.52 A recommendation is put forward for a revision to the first paragraph to refer to the site as shown on the Proposals Map. The housing allocation is shown on Map 3 and should be shown on the Proposals Map itself. The settlement boundary on the Proposals Map does not include the whole of the allocated site and should be revised to do so.
- 3.53 The second paragraph refers to development proposals contributing to the aim of ensuring a balanced mix of housing in the plan area. The plan does not include any aims and this matter is not included as an objective of the plan. A revision is recommended to clarify this paragraph.
- 3.54 The final paragraph of the policy refers to developer contributions funding improvements to the village. However, this does not make it clear that national planning policy states that contributions can only be sought from development proposals which require contributions to be made to

infrastructure improvements as demonstrated through a relevant assessment (eg a transport assessment). The policy should reflect the legal tests for planning obligations. Contributions therefore can only be collected towards the development allocation set out in the policy, if there is a direct relationship to that development.

- 3.55 The Parish Council may receive funding through CIL and/ or S106 contributions which it may choose to use to deliver community improvements. The type of community projects to be funded should be included as a Community Project.

**Recommendation 13: Revise Policy H2 as follows:**

**Revise the first paragraph to read: “Land at North End shown on the Proposals Map is allocated for housing development of about 8 dwellings.”**

**Delete “the aim of” from the second paragraph.**

**Replace the final paragraph with “*Where development proposals are shown through evidence to be required to contribute towards the improvement of community infrastructure, so as to make the development acceptable, appropriate financial contributions will be sought through a planning obligation. Developer contributions towards improved community infrastructure will be sought where it is shown that the obligation is necessary to make the scheme acceptable in planning terms, is directly related to the development and is fairly and reasonably related in scale and kind to the development.*”**

**Include a Community Project along the lines of “*The Parish Council will work with XXX to deliver the following projects through the use of S106, CIL, LIT etc.*” Place the project in a separate section or appendix of the Plan headed Community Projects and explain that it is not a land use planning policy.**

**Correct the Proposals Map 6 to delete the potential housing allocations and to show the site to be allocated under Policy H2 as a housing allocation as shown on Figure 19. The Settlement Boundary should be revised to include all the site allocation. Add “Housing Allocation” to the Key and include the relevant policy numbers against each notation.**

**Policy H3: Windfall Infill Development**

- 3.56 The policy provides guidance on windfall infill development in the settlement boundary; the first paragraph limits this to one or two dwellings. It is considered that this sets a cap on the scale of such development. The Qualifying Body has commented that there are very limited opportunities for any development other than sites that may be developed for individual or pairs of houses.

- 3.57 It is not clear how the policy will be applied to the conversion of buildings both in the village and countryside. To clarify the wording of the policy in this respect, it is recommended that reference to “infill” development is removed from the wording of the policy along with the limit of one to two dwellings. The justification should be revised to explain that there are few opportunities for infill development of more than two dwellings. Also that the conversion of buildings in the countryside is to be considered against the policies in the Milton Keynes Local Plan.
- 3.58 As a consequence of my recommendation under Policy CE1 reference to the views should be deleted and reference made to the important open areas in the conservation area.

**Recommendation 14: revise Policy H3 as follows:**

**Delete “infill” from the title of the policy and the first paragraph. Delete “for one or two dwellings” from the first paragraph.**

**Add the following at the end of the first bullet point: “...or the conversion of an existing building.”**

**Revise the second bullet point to read: “....the character *and setting* of the Conservation Area, *including important open areas*, or cause harm....”**

**Add a paragraph to the justification to explain that the proposals for the conversion of existing buildings in the countryside or replacement dwellings will be considered against the policies of the Milton Keynes Local Plan.**

## **Business and Employment**

- 3.59 The second objective concerns the provision of faster and reliable broadband. This matter is not addressed in the policies of the plan and the objective should therefore be deleted.

### **Policy BE1: Business and Employment**

- 3.60 The policy supports the development of opportunities for employment. The first bullet point states that new buildings outside the settlement boundary will be subject to the requirements of Policy CE1. As a consequence of my recommendation to delete Policy CE1, this should be revised to refer to the exceptional circumstances to support economic growth in rural areas set out in the NPPF.

**Recommendation 15: Delete the second objective in the Business and Employment Section.**

**Revise the second sentence of the first bullet point of Policy BE1 to read: “New buildings outside the settlement boundary will be supported in accordance with the NPPF policy on the rural economy.**



## 4.0 Referendum

- 4.1 The Ravenstone Neighbourhood Plan reflects the views held by the community as demonstrated through the consultations and, subject to the modifications proposed, sets out a realistic and achievable vision to support the future improvement of the community.
- 4.2 I am satisfied that the Neighbourhood Plan meets all the statutory requirements, in particular those set out in paragraph 8(1) of schedule 4B of the Town and Country Planning Act 1990 and, subject to the modifications I have identified, meets the Basic Conditions namely:
- has regard to national policies and advice contained in guidance issued by the Secretary of State;
  - contributes to the achievement of sustainable development;
  - is in general conformity with the strategic policies contained in the Development Plan for the area;
  - does not breach, and is otherwise compatible with, EU obligations and human rights requirements
- 4.3 **I am pleased to recommend to Milton Keynes Council that the Ravenstone Neighbourhood Plan should, subject to the modifications I have put forward, proceed to referendum.**
- 4.4 I am required to consider whether the referendum area should be extended beyond the Neighbourhood Plan area. In all the matters I have considered I have not seen anything that suggests the referendum area should be extended beyond the boundaries of the plan area as they are currently defined. I recommend that the Neighbourhood Plan should proceed to a referendum based on the neighbourhood area designated by the Milton Keynes Council on 12 October 2017.

## 5.0 Background Documents

5.1 In undertaking this examination, I have considered the following documents

- Ravenstone Neighbourhood Plan Submission Draft Version 2018 - 2031 July 2018
- Ravenstone Neighbourhood Plan Basic Conditions Statement
- Ravenstone Neighbourhood Plan SEA / HRA Screening Statement (July 2018)
- Ravenstone Neighbourhood Plan Consultation Statement
- National Planning Policy Framework March 2012
- Planning Practice Guidance March 2014 (as amended)
- The Town and Country Planning Act 1990 (as amended)
- The Localism Act 2011
- The Neighbourhood Planning (General) Regulations 2012
- Milton Keynes Core Strategy 2013.
- The emerging Plan:MK Submission Draft and Main Modifications.
- Ravenstone Conservation Area Character Statement 1995.
- A Plan for Ravenstone (SPD) 1983.

## 6.0 Summary of Recommendations

**Recommendation 1:** The revised Proposals Map and its key should be included at the end of the Plan before the Appendices.

Check and update the cross references to the Appendices throughout the Plan.

**Recommendation 2:** On page 22, delete the third objective and revise the sixth objective by deleting “and renewable energy technology,”.

**Recommendation 3:** Delete Policy CE1:

Delete the first objective on page 22, Figure 15, Map 5 and the areas shown in green as “Important Views” on the Proposals Map and its Key.

Move paragraphs 5.3 and 5.4 to the justification of Policy CD1 and revise the final sentence of paragraph 5.3 to read: “...several places, *with small paddocks, gardens and other open areas adding greatly to the character of the conservation area and the setting of the historic assets and helping to create a sense of place.*”

Include the first two paragraphs of Policy CE1 in the justification before paragraph 5.5. Insert “*Outside the settlement boundary,*” at the beginning of the first paragraph.

**Recommendation 4:** Revise Policy CE3 as follows:

Delete the first sentence of paragraph 1.

Place the second paragraph and two bullet points (“The Parish Council will...”) in an Appendix or separate section of the Plan and identify it as a Community Project.

Revise the fourth paragraph to read: “.....residential gardens to *support a net gain biodiversity.*” Delete the last sentence of this paragraph (“This can lead to ...”).

**Recommendation 5:** revise the third objective under Character and Design to read: “*To safeguard, conserve and enhance the important open areas, buildings and features that contribute to the character and setting of the conservation area and heritage assets.*”

**Recommendation 6:** Revise Policy CD1 as follows:

Revise the title of the Policy to “Conservation and Heritage”

Revise the first paragraph to read: “*Development proposals should protect, conserve and, wherever possible, enhance the significance of heritage assets, including the Scheduled Ancient Monument, and the character of the Conservation Area and their settings.*”

Revise the third bullet point to read: *“The impact on the important open areas that make a positive contribution to the setting and character of the Conservation Area and heritage assets.”*

Revise the final paragraph to read: *“....character and setting of the Conservation Area and heritage assets will be resisted.”*

Delete Policy CD2.

**Recommendation 7: Revise Policy CD3 as follows:**

Revise the second sentence to read: *“Development proposals that seek to enhance the character and quality of the conservation area will be supported”.*

Revise the third sentence to read: *“A central part of achieving high quality design...”*

**Recommendation 8: Include the proposal in paragraph 7.5 as a Community Project in an Appendix or separate section of the plan.**

**Recommendation 9: Amalgamate and revise the first four Highway and Transport objectives to read; *“To ensure that the highway design, signposting and village entrance gateways enhance the character of the Conservation Area.”***

Delete objectives 5, 6 and 7.

**Recommendation 10: Add the following at the end of paragraph 8.3: *“The proposals in this policy will contribute to enhancing the character of the conservation area.”***

**Recommendation 11: include the support for bus services set out in paragraph 9.5 as a Community Project.**

**Recommendation 12: Revise Policy H1 as follows:**

Revise the first paragraph to read: *“.....Ravenstone settlement boundary, as shown on the Proposals Map....”*

Delete the following from the third paragraph: *“infill”* and *“fulfil the aims and objectives of the Neighbourhood Plan by”*. Revise the grammar of the bullet points as necessary.

Revise the second bullet point to read: *“...its important green spaces and open areas....”*

Delete from the third bullet point: *“Protecting the important views within the village and the surrounding countryside and”*.

**Recommendation 13: Revise Policy H2 as follows:**

Revise the first paragraph to read: “Land at North End shown on the Proposals Map is allocated for housing development of about 8 dwellings.”

Delete “the aim of” from the second paragraph.

Replace the final paragraph with “*Where development proposals are shown through evidence to be required to contribute towards the improvement of community infrastructure, so as to make the development acceptable, appropriate financial contributions will be sought through a planning obligation. Developer contributions towards improved community infrastructure will be sought where it is shown that the obligation is necessary to make the scheme acceptable in planning terms, is directly related to the development and is fairly and reasonably related in scale and kind to the development.*”

Include a Community Project along the lines of “*The Parish Council will work with XXX to deliver the following projects through the use of S106, CIL, LIT etc.*” Place the project in a separate section or appendix of the Plan headed Community Projects and explain that it is not a land use planning policy.

Correct the Proposals Map 6 to delete the potential housing allocations and to show the site to be allocated under Policy H2 as a housing allocation as shown on Figure 19. The Settlement Boundary should be revised to include all the site allocation. Add “Housing Allocation” to the Key and include the relevant policy numbers against each notation.

**Recommendation 14: revise Policy H3 as follows:**

Delete “infill” from the title of the policy and the first paragraph. Delete “for one or two dwellings” from the first paragraph.

Add the following at the end of the first bullet point: “...or the conversion of an existing building.”

Revise the second bullet point to read: “....the character *and setting* of the Conservation Area, *including important open areas*, or cause harm....”

Add a paragraph to the justification to explain that the proposals for the conversion of existing buildings in the countryside or replacement dwellings will be considered against the policies of the Milton Keynes Local Plan.

**Recommendation 15: Delete the second objective in the Business and Employment Section.**

Revise the second sentence of the first bullet point of Policy BE1 to read: “New buildings outside the settlement boundary will be supported in accordance with the NPPF policy on the rural economy.