

STANTONBURY NEIGHBOURHOOD PLAN 2019-2031

Stantonbury Neighbourhood Plan Examination,
A Report to Milton Keynes Council

by Independent Examiner, Nigel McGurk BSc(Hons) MCD MBA MRTPI

June 2019



Contents

1, Summary

2, Introduction

3, Basic Conditions and Development Plan Status

4, Background Documents and the Stantonbury Neighbourhood Area

5, Public Consultation

6, The Neighbourhood Plan: Introductory Section

7, The Neighbourhood Plan: Policies

8, The Neighbourhood Plan: Other Matters

9, Referendum

1. Summary

- 1 Subject to the recommendations within this Report, made in respect of enabling the Stantonbury Neighbourhood Plan to meet the basic conditions, I confirm that:
 - having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the neighbourhood plan;
 - the making of the neighbourhood plan contributes to the achievement of sustainable development;
 - 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);
 - the making of the neighbourhood plan does not breach, and is otherwise compatible with, European Union (EU) obligations; and
 - the making of the neighbourhood plan is not 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.

- 2 Taking the above into account, I find that the Stantonbury Neighbourhood Plan meets the basic conditions¹ and I recommend to Milton Keynes Council that, subject to modifications, it should proceed to Referendum.

¹ It is confirmed in Chapter 3 of this Report that the Stantonbury Neighbourhood Plan meets the requirements of Paragraph 8(1) of Schedule 4B to the Town and Country Planning Act 1990.

2. Introduction

The Neighbourhood Plan

- 3 This Report provides the findings of the examination into the Stantonbury Neighbourhood Plan (referred to as the Neighbourhood Plan) prepared by Stantonbury Parish Council.
- 4 As above, the Report recommends that the Neighbourhood Plan should go forward to a Referendum. Were a Referendum to be held and were more than 50% of votes to be in favour of the Neighbourhood Plan, then the Plan would be formally *made* by Milton Keynes Council. The Neighbourhood Plan would then form part of the development plan and as such, it would be used to determine planning applications and guide planning decisions in the Stantonbury Neighbourhood Area.
- 5 Neighbourhood planning provides communities with the power to establish their own policies to shape future development in and around where they live and work.

“Neighbourhood planning gives communities direct power to develop a shared vision for their neighbourhood and deliver the sustainable development they need.”
(Paragraph 183, National Planning Policy Framework)
- 6 As confirmed in Paragraph 2.1 of the Basic Conditions Statement, submitted alongside the Neighbourhood Plan, Stantonbury Parish Council is the *Qualifying Body*, ultimately responsible for the Neighbourhood Plan.
- 7 The Neighbourhood Plan relates only to the designated Stantonbury Neighbourhood Area and there is no other neighbourhood plan in place in the Stantonbury Neighbourhood Area.
- 8 The above meets with the aims and purposes of neighbourhood planning, as set out in the Localism Act (2011), the National Planning Policy Framework (2012²) and Planning Practice Guidance (2014).

² A replacement National Planning Policy Framework was published in July 2018. Paragraph 214 of the replacement document establishes that the policies of the previous National Planning Policy Framework apply for the purpose of examining plans, where those plans were submitted on or before the 24th January 2019. The Stantonbury Neighbourhood Plan was submitted to Milton Keynes Council

Role of the Independent Examiner

- 9 I was appointed by Milton Keynes Council, with the consent of the Qualifying Body, to conduct the examination of the Stantonbury Neighbourhood Plan and to provide this Report.
- 10 As an Independent Neighbourhood Plan Examiner, I am independent of the Qualifying Body and the Local Authority. I do not have any interest in any land that may be affected by the Neighbourhood Plan and I possess appropriate qualifications and experience.
- 11 I am a chartered town planner and have seven years' direct experience as an Independent Examiner of Neighbourhood Plans. I also have thirty years' land, planning and development experience, gained across the public, private, partnership and community sectors.
- 12 As the Independent Examiner, I must make one of the following recommendations:
 - that the Neighbourhood Plan should proceed to Referendum, on the basis that it meets all legal requirements;
 - that the Neighbourhood Plan, as modified, should proceed to Referendum;
 - that the Neighbourhood Plan does not proceed to Referendum, on the basis that it does not meet the relevant legal requirements.
- 13 If recommending that the Neighbourhood Plan should go forward to Referendum, I must then consider whether the Referendum Area should extend beyond the Stantonbury Neighbourhood Area to which the Plan relates.
- 14 Where modifications are recommended, they are presented as bullet points and highlighted in **bold print**, with any proposed new wording in *italics*.

Neighbourhood Plan Period

- 15 A neighbourhood plan must specify the period during which it is to have effect.
- 16 The title of the Neighbourhood Plan clearly establishes the plan period as running from 2019 to 2031.
- 17 In addition to the above, Paragraph 2.3 of the Basic Conditions Statement states that:

“The Stantonbury Neighbourhood Plan is to have effect from May 2019 until 31st March 2031, in line with the proposed end date of Plan:MK.”

- 18 Taking the above into account, the Neighbourhood Plan meets the requirement in respect of specifying the period during which it is to have effect.

Public Hearing

- 19 According to the legislation, *when the Examiner considers it necessary* to ensure adequate examination of an issue, or to ensure that a person has a fair chance to put a case, then a public hearing must be held.
- 20 However, the legislation establishes that it is a general rule that neighbourhood plan examinations should be held without a public hearing – by written representations only.
- 21 Further to consideration of the information submitted, I determined that I would not be holding a public hearing as part of the examination of the Stantonbury Neighbourhood Plan.
- 22 However, in order to clarify a number of points in respect of the examination, I wrote to the Qualifying Body and to Milton Keynes Council. My letter and the responses provided were published on the Milton Keynes Council website.

3. Basic Conditions and Development Plan Status

Basic Conditions

- 23 It is the role of the Independent Examiner to consider whether a neighbourhood plan meets the “basic conditions.” These were *set out in law*³ following the Localism Act 2011. Effectively, the basic conditions provide the rock or foundation upon which neighbourhood plans are created. A neighbourhood plan meets the basic conditions if:
- having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the neighbourhood plan;
 - the making of the neighbourhood plan contributes to the achievement of sustainable development;
 - 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);
 - the making of the neighbourhood plan does not breach, and is otherwise compatible with, European Union (EU) obligations; and
 - prescribed conditions are met in relation to the neighbourhood plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood plan.
- 24 Regulations 23 and 33 of the Neighbourhood Planning (General) Regulations 2012 (as amended) set out two additional basic conditions to those set out in primary legislation and referred to above. Of these, the following basic condition, brought into effect on 28th December 2018, applies to neighbourhood plans:
- 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.⁴

³ Paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990 (as amended).

⁴ *ibid* (same as above).

- 25 In examining the Plan, I am also required, as set out in sections 38A and 38B of the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act), to check whether the neighbourhood plan:
- has been prepared and submitted for examination by a qualifying body;
 - has been prepared for an area that has been properly designated for such plan preparation (under Section 61G of the Localism Act);
 - meets the requirements to i) specify the period to which it has effect; ii) not include provision about excluded development; and iii) not relate to more than one neighbourhood area and that:
 - its policies relate to the development and use of land for a designated Neighbourhood Area in line with the requirements of Section 38A of the Planning and Compulsory Purchase Act (PCPA) 2004.
- 26 An independent examiner must also consider whether a neighbourhood plan is compatible with the Convention rights.⁵
- 27 I note that, in line with legislative requirements, a Basic Conditions Statement was submitted alongside the Neighbourhood Plan. This sets out how, in the qualifying body's opinion, the Neighbourhood Plan meets the basic conditions.

⁵ The Convention rights has the same meaning as in the Human Rights Act 1998.

European Convention on Human Rights (ECHR) Obligations

- 28 Paragraph 6.3 of the Basic Conditions Statement submitted alongside the Neighbourhood Plan sets out why, in the Qualifying Body’s view, the Neighbourhood Plan is compatible with the ECHR.
- 29 I am satisfied that the Neighbourhood Plan has regard to fundamental rights and freedoms guaranteed under the ECHR and complies with the Human Rights Act 1998 and there is no substantive evidence to the contrary.
- 30 In the above regard, I also note that Information has been submitted to demonstrate that people were provided with a range of opportunities to engage with plan-making in different places and at different times. Many comments were received during the plan-making process and the Consultation Statement submitted alongside the Neighbourhood Plan provides a summary of responses and resulting changes.

European Union (EU) Obligations

- 31 In some limited circumstances, where a neighbourhood plan is likely to have significant environmental effects, it may require a Strategic Environmental Assessment (SEA). In this regard, national advice states:

“Draft neighbourhood plan proposals should be assessed to determine whether the plan is likely to have significant environmental effects.”
(Planning Practice Guidance⁶)
- 32 This process is often referred to as a “*screening*” assessment⁷. If likely environmental effects are identified, an environmental report must be prepared.

⁶ Paragraph 027, Ref: 11-027-20150209, Planning Practice Guidance.

⁷ The requirements for a screening assessment are set out in in Regulation 9 of the Environmental Assessment of Plans and Programmes Regulations 2004.

- 33 The Basic Conditions Statement confirms that a Strategic Environmental Assessment (SEA) screening report was prepared by Milton Keynes Council. The screening report was appended to the Basic Conditions Statement that was submitted alongside the Neighbourhood Plan. It concluded 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 Stantonbury Neighbourhood Plan does not need to be subject to Strategic Environmental Assessment.”

- 34 The statutory bodies, Historic England, Natural England and the Environment Agency, have been consulted. None of these bodies has raised any concerns in respect of the Neighbourhood Plan meeting European obligations.

- 35 In addition to SEA, a Habitats Regulations assessment identifies whether a plan is likely to have a significant effect on a European site, either alone or in combination with other plans and projects. This assessment must determine whether significant effects on a European site can be ruled out on the basis of objective information⁸. If it is concluded that there is likely to be a significant effect on a European site, then an appropriate assessment of the implications of the plan for the site must be undertaken.

- 36 In this regard, Milton Keynes Council has taken into account the previous screening of the Milton Keynes Core Strategy and concluded that:

“Given the role of Neighbourhood Plans and the scale of development likely to be proposed in the Stantonbury Neighbourhood Plan, it is considered that Appropriate Assessment of the plan is not required.”

⁸ Planning Practice Guidance Paragraph 047 Reference ID: 11-047-20150209.

- 37 Further to the above, national guidance establishes that the ultimate responsibility for determining whether a draft neighbourhood plan meets EU obligations lies with the local planning authority:

“It is the responsibility of the local planning authority to ensure that all the regulations appropriate to the nature and scope of a neighbourhood plan proposal submitted to it have been met in order for the proposal to progress. The local planning authority must decide whether the draft neighbourhood plan is compatible with EU regulations (including obligations under the Strategic Environmental Assessment Directive)” (Planning Practice Guidance⁹).

- 38 In carrying out the work that it has and in reaching the conclusions that it has, Milton Keynes Council has not raised any concerns in respect of the Neighbourhood Plan’s compatibility with EU obligations. Also, as above, the statutory consultees have all been consulted and have not raised any concerns in this regard.
- 39 In addition to the above, I note that, in April 2018, in the case *People Over Wind & Sweetman v Coillte Teoranta (“People over Wind”)*, the Court of Justice of the European Union clarified that it is not appropriate to take account of mitigation measures when screening plans and projects for their effects on European protected habitats under the Habitats Directive. In practice this means if a likely significant effect is identified at the screening stage of a habitats assessment, an *Appropriate Assessment* of those effects must be undertaken.
- 40 In response to this judgement, the government made consequential changes to relevant regulations through the Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018.
- 41 The changes to regulations allow neighbourhood plans and development orders in areas where there could be likely significant effects on a European protected site to be subject to an *Appropriate Assessment* to demonstrate how impacts will be mitigated, in the same way as would happen for a draft Local Plan or planning application.
- 42 These changes came into force on 28th December 2018. Consequently, this change post-dated the submission of the Neighbourhood Plan.

⁹ *ibid*, Paragraph 031 Reference ID: 11-031-20150209.

- 43 In the light of all of this, Milton Keynes Council has stated that it:

*"...is satisfied that the Neighbourhood Plan (NP) is compatible with European obligations."*¹⁰

- 44 Taking everything into account, I am satisfied that the Neighbourhood Plan is compatible with European obligations.

¹⁰ Ref: Milton Keynes Council letter of 10th April 2019, in response to Examiner's "Request for clarification" letter to Milton Keynes Council and Stantonbury Parish Council of 23rd March 2019.

4. Background Documents and the Stantonbury Neighbourhood Area

Background Documents

- 45 In undertaking this examination, I have considered various information in addition to the Stantonbury Neighbourhood Plan.
- 46 I draw attention to the fact that a replacement version of the National Planning Policy Framework was published in July 2018, after the submission of the Neighbourhood Plan. The previous National Planning Policy Framework was published in 2012 and the replacement version differs from it in a number of ways.
- 47 However, as noted earlier in this Report, Paragraph 214 of the replacement document establishes that the policies of the previous National Planning Policy Framework apply for the purpose of examining relevant plans, like the Stantonbury Neighbourhood Plan, that were submitted prior to the 25th January 2019.
- 48 The new Milton Keynes Local Plan, Plan:MK, was adopted during the course of this examination. Plan:MK replaces the policies of the Council’s Core Strategy and the saved policies of its previous Local Plan. As set out above, the basic conditions required the Neighbourhood Plan to be examined against the adopted strategic policies of the development plan.
- 49 Noting the above, information considered as part of this examination has included (but has not been limited to) the following main documents and information:
- National Planning Policy Framework (referred to in this Report as “*the Framework*”) (2012)
 - Planning Practice Guidance (2014, as updated)
 - Town and Country Planning Act 1990 (as amended)
 - The Localism Act (2011)
 - The Neighbourhood Plan Regulations (2012) (as amended)
 - Plan:MK (2019)

- Milton Keynes Core Strategy (2013) (referred to in this Report as “Core Strategy”)
- Milton Keynes Local Plan (2005) (saved policies)
- Milton Keynes Site Allocation Plan (2018)
- Basic Conditions Statement
- Consultation Statement
- Consultation Statement Appendices
- Addendum A – Local Green Space Designation Assessments
- Addendum B – Neighbourhood Plan Policy Map

Also:

- Representations received

50 In addition, I spent an unaccompanied day visiting the Stantonbury Neighbourhood Area.

Stantonbury Neighbourhood Area

- 51 The boundary of the Stantonbury Neighbourhood Area is shown on Figure 1 on page 4 of the Neighbourhood Plan.
- 52 Milton Keynes Council formally designated the Stantonbury Neighbourhood Area on 16th June 2015.
- 53 This satisfies a requirement in line with the purposes of preparing a Neighbourhood Development Plan under section 61G (1) of the Town and Country Planning Act 1990 (as amended).

5. Public Consultation

Introduction

- 54 As land use plans, the policies of neighbourhood plans form part of the basis for planning and development control decisions. Legislation requires the production of neighbourhood plans to be supported by public consultation.
- 55 Successful public consultation enables a neighbourhood plan to reflect the needs, views and priorities of the local community. It can create a sense of public ownership, help achieve consensus and provide the foundations for a ‘Yes’ vote at Referendum.

Stantonbury Neighbourhood Plan Consultation

- 56 A Consultation Statement was submitted to Milton Keynes Council alongside the Neighbourhood Plan. The information within it sets out who was consulted and how, together with the outcome of the consultation, as required by the neighbourhood planning *regulations*¹¹.
- 57 Taking the information provided into account, there is evidence to demonstrate that the Neighbourhood Plan comprises a “*shared vision*” for the Stantonbury Neighbourhood Area, having regard to Paragraph 183 of the National Planning Policy Framework (“*the Framework*”).
- 58 Further to agreeing to produce a neighbourhood plan, in 2015, Stantonbury Parish Council held a series of “*Roadshow*” events to promote the process. These were followed by a survey circulated to every household in the Neighbourhood Area and the creation of a Neighbourhood Plan Steering Group, comprising residents and Councillors.

¹¹ Neighbourhood Planning (General) Regulations 2012.

- 59 The Steering Group considered the results of the survey and a Neighbourhood Plan Committee was established to support the plan-making process. A detailed "*Stage 2 Survey*" was distributed and by March 2017, 930 responses had been received. The results from this and from workshops and events held in May 2017, were considered and presented at an event in August 2017, attended by more than 400 residents.
- 60 Following a series of meetings, pre-submission consultation took place during February and March 2018. Amongst other things, this was supported by community drop-in events and a total of 50 responses were received. Further to analysis, meetings and walkabouts, a revised pre-submission draft plan was produced and this underwent public consultation during June, July and August 2018. A total of 30 responses were received. Further to revisions and a "*health check*," the Neighbourhood Plan was submitted to Milton Keynes Council in December 2018.
- 61 The Consultation Report provides evidence to demonstrate that public consultation formed an important part of the overall plan-making process. Consultation was well-publicised. Matters raised were considered and the reporting process was transparent.
- 62 Whilst objections have been raised in respect of consultation relating to proposals related to Naseby Court, the submitted evidence demonstrates that Neighbourhood Plan consultation has been open and proactive, with people being encouraged to get involved and information relating to consultation being made widely available.
- 63 The Stantonbury Parish Council website provided a considerable ongoing information resource, providing direct access to relevant information, including supporting evidence and the minutes of meetings.
- 64 Taking all of the above into account, I am satisfied that the consultation process was robust and complied with the neighbourhood planning regulations referred to above.

6. The Neighbourhood Plan – Introductory Section

65 The Foreword appears confusing in respect of land use planning policies that comprise part of the development plan and non-policy matters. I recommend:

- **Page 4, fifth paragraph, delete last sentence “(Each policy within the plan...applied.)”**

66 Pages 6 and 7 of the Neighbourhood Plan appear confusing. The text attempts to summarise “*general policies*.” However, the summaries vary significantly. Some include elements of detail and others are general to the point of vagueness. It is unclear what this part of the Neighbourhood Plan adds to the document as the text has no policy status.

67 I note that the Neighbourhood Plan already lists its Policies on page 3 and then does so again, on page 16. Further, each Policy in the Neighbourhood Plan is supported by contextual text. There is also additional explanatory introductory text in respect of the Policies on pages 13 and 14 of the Neighbourhood Plan.

68 Taking the above into account, pages 5 and 6 to appear unduly repetitive, unnecessary and ambiguous. The content detracts from the clarity of the Policies themselves. As a consequence, this part of the Neighbourhood Plan does not have regard to national planning guidance¹², which states 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.”

I recommend:

- **Delete pages 6 and 7 after “...development on unallocated sites.”**

¹² Planning Policy Guidance, Paragraph: 041 Reference ID: 41-042-20140306.

- 69 Page 8 of the Neighbourhood Plan refers to the "*application of the local Design Guide.*" Whilst the Neighbourhood Plan goes on to reference the Milton Keynes Residential Design Guide and includes a design policy, it is not clear what page 8 is referring to. As a consequence, this appears as a confusing reference.
- 70 I recommend:
- **Page 8, Vision, change third line to "*...through quality landscaping and good design. Traffic...*"**
- 71 Paragraph 22 of the Neighbourhood Plan, on page 8, refers to the Objectives of the Neighbourhood Plan being referenced below each Policy section title. The Objectives of the Neighbourhood Plan are clear and there is no need to provide a subjective assessment of which Policy applies to which Objective as part of the Policy section. This appears unnecessary, confusing and detracts from the clarity of the Policies themselves.
- 72 I recommend:
- **Page 8, Para 22, delete last sentence ("For clarity...achieve.")**
 - **Delete reference to Objectives underneath each Policy section title**
- 73 I note that the Policy section of the Plan includes "*Delivery*" paragraphs. Many of these state what Milton Keynes Council will do. The Neighbourhood Plan cannot place a requirement upon the Local Planning Authority.
- 74 I also note that there is significant overlap between the Delivery paragraph and the "*Key Commitment*" paragraph and where necessary, take this into account in my recommendations in this Report.
- 75 I recommend:
- **Delete all of the "*Delivery*" paragraphs (between pages 18-38, inclusive)**

- 76 There are typographical and procedural errors in Paragraph 45:
- **Page 13, Para 45, first line, change to “...help *shape future development...*”**
 - **Para 45, change last sentence to “*The policies of the Neighbourhood Plan form part of the Development Plan, which should be considered as a whole.*”**
- 77 Paragraph 48 is repetitive and is also likely to be overtaken by events early in the plan period. I recommend:
- **Delete Para 48**
- 78 The Neighbourhood Plan cannot direct the Local Planning Authority, Milton Keynes Council, in respect of the determination of planning applications. Further, it cannot introduce requirements in respect of what a planning application must include. This is a matter of statute. I recommend:
- **Delete Paras 59, 60 and 61**
- 79 Whilst the Parish Council can set out its own commitments within the Neighbourhood Plan, it cannot seek to dictate the commitments of third parties. In this case, adopting such an approach results, for example, in the Neighbourhood Plan setting out how crime will be dealt with.
- 80 I recommend:
- **Page 15, Para 64, change to “...undertaken by SPC to help to deliver...” and delete the last sentence (“Such issues...crime.”)**

7. The Neighbourhood Plan – Neighbourhood Plan Policies

General Policies

Policy SNP1 - Open Space and Leisure

- 81 Policy SNP1 seeks to identify and afford protection to areas of open space. The general intent of the Policy has regard to Paragraph 74 of the Framework, which states:

“Existing open space, sports and recreational buildings and land, including playing fields, should not be built on...”

- 82 However, Paragraph 74 goes on to establish circumstances when development may be appropriate, for example, when there is scope for better provision elsewhere. As set out, Policy SNP1 does not have regard to this and runs the risk of failing to contribute to the achievement of sustainable development.
- 83 Further to the above, the Policy includes the phrase *“will be permitted.”* Planning applications are determined by the Local Planning Authority, in this case, Milton Keynes Council. The Neighbourhood Plan cannot pre-determine proposals for development.
- 84 No indication is provided of what a *“robust parking survey”* might be, as opposed to *“a parking survey”*. Further, planning application requirements are subject to statute/the Local Planning Authority – the Neighbourhood Plan cannot impose requirements upon applicants.
- 85 If the loss of a tree is justified, it is not clear why it must be replaced and replaced with a similar species. Its justified loss might be for all kinds of reasons. There is no supporting evidence, for example, to demonstrate that, in all circumstances, it would be appropriate, viable or deliverable, to replace a tree with a tree of a similar species.

- 86 Tree Preservation Orders protect trees. It is unnecessary for the Policy to seek to protect trees the subject of a preservation order. I also note that there is no substantive evidence to demonstrate that it would, in all circumstances, be appropriate to mitigate the loss of a protected tree by replacement planting of a similar species.
- 87 The Parish Council and Milton Keynes Council consider that Figure 2 should change to take account of land associated with development proposals.
- 88 Taking the above into account, I recommend:
- **Policy SNP1, change to “*Within the open space areas identified on Figure 2 (page 19) development that supports the increased use or functionality of the open space will be supported. Proposals involving car parking should be supported by evidence demonstrating need. All proposals must respect local character and protect important trees.*”**
 - **Add the second sentence of the (deleted) Delivery paragraph (“Stantonbury Parish...requirements”) to the beginning of the Key commitments paragraph**
 - **Update Figure 2 to take account of the SNP18 site boundary and the removal of Stantonbury Wharf, which is not public open space**

Policy SNP2 – Local Green Space Designation

- 89 Local communities can identify areas of green space of particular importance to them for special protection. Paragraph 76 of the Framework states that:

“Local communities...should be able to identify for special protection green areas of particular importance to them. By designating land as local Green Space local communities will be able to rule out new development other than in very special circumstances.”

- 90 The Framework requires policies for managing development within a Local Green Space to be consistent with those for Green Belts (Paragraph 78, the Framework). A Local Green Space designation therefore provides protection that is comparable to that for Green Belt land. Consequently, Local Green Space comprises a restrictive and significant policy designation.
- 91 The designation of land for Local Green Space must meet the tests set out in Paragraph 77 of the Framework. These are that the green space is in reasonably close proximity to the community it serves; that it is 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), tranquillity or richness of its wildlife; and that it is local in character and is not an extensive tract of land.
- 92 In addition to the above, Paragraph 76 of the Framework requires that the designation of land as Local Green Space should be consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs and other essential services.
- 93 Policy SNP2 seeks to designate 14 areas of Local Green Space. The detailed wording of the Policy does not have regard to Paragraphs 76 and 78 of the Framework, which set out how Local Green Space will be protected. Rather, Policy SNP2 seeks to introduce policy text at odds with, rather than consistent with, policy for Green Belts. This is a matter addressed in the recommendations below.

94 Evidence has been provided to demonstrate that each of the areas of Local Green Space proposed have emerged through public consultation and meet with the national policy tests¹³.

95 Taking all of this into account, I recommend:

- **Policy SNP2, change the Policy text to “*The following areas are designated as Local Green Space, where development is ruled out other than in very special circumstances: (LIST OF 14 SITES HERE).*” (delete rest of Policy text)**
- **Page 23, supporting text, move second sentence of (deleted) Delivery paragraph to the beginning of the Key commitments paragraph**

¹³ Ref: “Addendum A – Local Green Space Designation Assessments.

Policy SNP3 – Parking Enhancements

- 96 Policy SNP3 requires any form of development within five specified areas to provide *“additional parking to address present unsatisfactory and unsafe provision.”*
- 97 The Framework requires plans to be deliverable and viable (Paragraph 173). The requirements of Policy SNP3 have emerged from local concerns around highway safety. However, no substantive evidence has been provided to establish precisely how much additional parking is required, where it will be provided and how development might viably deliver this. The Policy is vague and imprecise in this regard.
- 98 The Policy fails to have regard to national planning guidance¹⁴, which states 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.”*
- 99 Amongst other things, Paragraph 204 of the Framework requires planning obligations to be fairly and reasonably related in scale and kind to the development. There is no information to demonstrate that the requirements of Policy SNP3 meet this test.
- 100 The Policy states that car parking provision in the specified areas is unsatisfactory and unsafe. This conflicts with the evidence provided, which suggests that problems are associated with drivers parking cars inconsiderately, rather than with car parking provision. The Policy appears confusing in this regard.

¹⁴ Planning Policy Guidance, Paragraph: 041 Reference ID: 41-042-20140306.

- 101 In response to my letter of 23rd March 2019, Stantonbury Parish Council pointed out that there is a need for additional car parking spaces in conjunction with other traffic calming measures. Policy SNP3 does not refer to traffic calming measures and as above, it does not identify how many car parking spaces are required, where these will be created and how they can be delivered in a viable manner.
- 102 In general terms, the thrust of the Policy is aimed at improving highway safety, in general conformity with Plan:MK Policy CT1 (*“Sustainable Transport Network”*), which promotes a safe, efficient and convenient transport system. Taking this and the above into account, I recommend:
- **Change first line of Policy SNP3 to *“Proposals for additional car parking and/or traffic calming measures at the locations identified on Figure 17 will be supported where they take into account local character and residential amenity.”***
 - **Retain final paragraph (*“Proposals for new...open space.”*) and delete rest of Policy (list of locations and *“indicative locations”*)**
 - **Change second sentence from the (deleted) Delivery paragraph to *“...at these locations and will seek to work with Milton Keynes Council and landowners...Action Plan.”***

Policy SNP4 – Design Principles

103 Good design is recognised by the Framework as comprising:

“a key aspect of sustainable development...indivisible from good planning.”
(Paragraph 56)

104 National policy also requires good design to contribute positively to making places better for people (Chapter 7, The Framework) and Paragraph 58 of the Framework goes on to require development to:

“...respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation...”

105 Further, Plan:MK Policy D1 (*“Designing a High Quality Place”*) seeks to ensure that all development is of a high standard of design.

106 In general terms, SNP4 promotes high quality design and in this respect, it meets the basic conditions. However, as set out, the Policy requires all forms of development to *“adhere”* to a list of criteria, regardless of whether the criteria apply. It is not clear why, for example, an application for an ATM machine or a household extension should provide net gains in biodiversity or maximise connectivity to footpaths.

107 The use of the phrase *“key principles”* does not relate to the whole of the Policy that follows. The Policy begins with sentences that appear as principles, but evolves into requirements that, in some cases, appear inappropriately broad-brush.

108 For example, criterion i) requires the removal of any tree to be justified and mitigated elsewhere. There is no evidence to demonstrate that all trees are worthy of retention/or that removal of some trees might result in enhancement of character. In practice, criterion i) may make it simpler to remove important trees and hedgerows that contribute significantly to local character on the basis that the Policy provides for *“mitigation”* elsewhere. There is nothing to demonstrate that the approach set out would contribute to the achievement of sustainable development.

- 109 As worded, part of criterion c) conflicts with itself and criterion e) could be read as indicating that it would be generally appropriate for development to provide for, amongst other things, public transport movement through the site, when there is no evidence to demonstrate that this would be anything other than a very occasional requirement in the Neighbourhood Area, relating only to proposals for major residential or commercial development.
- 110 “*Secure by Design*” does not provide adopted policy standards, but provides design guidance and the phrase “*properly lit*” is ambiguous and fails to provide a decision maker with a clear indication of how to react to a development proposal, having regard to Paragraph 154 of the Framework. Criterion h) makes little sense in the absence of a definition of “*left unconstrained*” and there is no substantive detail in respect of how or where it would be “*practical*” to extend footpaths.
- 111 Thus, a number of the criteria set out are not supported by substantive evidence in respect of viability and deliverability, having regard to the requirements of Paragraph 173 of the Framework, which requires careful attention to viability and costs, and requires plans to be deliverable; or of substantive evidence of being necessary, or directly, fairly and reasonably related to development, having regard to Paragraph 204 of the Framework.
- 112 Given all of the above, the final sentence of the Policy appears inappropriate and runs the risk of preventing the Neighbourhood Plan from contributing to the achievement of sustainable development.
- 113 Part of the supporting text reads as though it comprises a Policy requirement, which it does not.
- 114 Taking the above into account, I recommend:
- **Policy SNP4, change first sentence to “*New development should take account of the following:*”**
 - **Change Policy SNP4 c) to “*Rear courtyard parking should generally be avoided, but where it is necessary due to design constraints, courtyards should generally serve no more than 5 properties and take into account Secure by Design standards,*”**

- Change Policy SNP4 d) to *“Opportunities to minimise impacts on biodiversity and provide of net gains in biodiversity where possible,”*
- Change Policy SNP4 e) to *“Provision of safe access and sustainable patterns of movement for cars, service vehicles, emergency vehicles and public transport,”*
- Change Policy SNP4 f) to *“Opportunities to enhance connectivity to the redway network or other footpath connections,”*
- Change SNP4 g) to *“Providing access to all...prams,”*
- Change SNP4 h) to *“Opportunities to enhance the existing redway and footpath network.”*
- Change SNP4 i) to *“Recognition of the importance of retaining trees and hedgerows that contribute to local character.”*
- Delete final sentence (“Any...supported.”)
- (Delivery section deleted)
- Page 26, supporting text, Para 81, change first sentence to *“Whilst courtyard parking is not generally supported where it needs to occur for design reasons, the Parish Council will seek to ensure that it is well lit and safe. There have been...parts.”*

Policy SNP5 – Housing Infill

115 MK:Plan Policy DS1 (*“Settlement Hierarchy”*) supports *“selective infill”* within and adjacent to the urban area of Milton Keynes. This provides for the protection of important areas from development, whilst encouraging infill as a means to meeting development needs.

116 Policy SNP5 supports selective infill and in this way, is in general conformity with the MK:Plan.

117 The Policy includes references to other adopted policies and standards. This is unnecessary as the development plan should be considered as a whole.

118 I recommend:

- **Policy SNP5, delete criteria c) and e)**
- **(Delivery para deleted)**

Policy SNP6 – Houses in Multiple Occupation

- 119 Plan:MK Policy HN7 (*"Houses in Multiple Occupation"*) supports the provision of Homes in Multiple Occupation (HMOs) where they will not create an over-concentration of such accommodation, leading to an imbalance within local communities.
- 120 Policy SNP6 is generally supportive of HMOs and provides detailed requirements taken from Milton Keynes Council's SPD¹⁵. It is in general conformity with Plan:MK.
- 121 It is unnecessary for the Policy to refer to adopted standards in another document and no justification has been provided for a pre-application noise assessment. Noise assessments are only carried out by Milton Keynes Council where there is a specific noise nuisance between neighbours and this is usually investigated by the Environmental Health/Anti-Social Behaviour teams. Further, planning application requirements are determined by statute/the Local Planning Authority. It is not the role of the Neighbourhood Plan to impose such requirements.
- 122 *"Curtilage"* is a matter of law and can give rise to complex issues. The Neighbourhood Plan provides no definition of curtilage and its inclusion in the Policy appears ambiguous.
- 123 The inclusion of the words *"normally only"* appear confusing and detract from the clarity of the Policy as no indication of what might not be normal is provided.
- 124 The final paragraph of the supporting text has been overtaken by events.
- 125 Taking the above into account, I recommend:
- **Policy SNP6, second line, change to *"...the area, proposals for HiMO development will be supported where:"***
 - **Policy SNP6 a) change to *"They meet parking standards and provide usable and accessible amenity space including outside drying space."***

¹⁵ Ref: Adopted Houses in Multiple Occupation Supplementary Planning Document (2012).

- **Delete criterion b)**
- **Delete “Key commitment”** (Milton Keynes Council is required, by law, to hold a register of HMOs. There is no evidence to demonstrate that the Parish Council holds any such responsibility, nor that it could legally hold a register of potential HMOs or share this with other parties)
- **Page 28, supporting text, delete Para 88**
- **(Delivery para deleted)**

Policy SNP7 – Grid Road Corridors

126 Plan:MK Policy CT8 ("*Grid Road Network*") supports the protection and extension of Milton Keynes' grid road network.

127 Policy SNP7 seeks to protect established grid road corridors and in doing so, it is in general conformity with Plan:MK Policy CT8.

128 The final sentence of Policy SNP7 is unnecessary as the development plan should be considered as a whole.

129 I recommend:

- **Policy SNP7, delete final sentence ("Proposals...Plan")**
- **(Delivery paragraph deleted)**

Policy SNP8 – Key Links and Connectivity

130 Paragraph 75 of the Framework states that:

“Planning policies should protect and enhance public rights of way and access. Local authorities should seek opportunities to provide better facilities for users, for example by additional links to existing rights of way networks including National Trails.”

131 Policy SNP8 seeks to protect and enhance footpaths and routes in the Neighbourhood Area. It has regard to national policy.

132 As set out, the second sentence of the Policy introduces ambiguity and imprecision through use of the phrase *“should consider and address their potential to address.”* Further, there is no detailed evidence in respect of what types of development might viably meet *“identified connectivity needs.”*

133 Notwithstanding the above, Policy SNP8 identifies specific areas where enhancements would be supported and this is a matter addressed below.

134 I recommend:

- **Policy SNP8, delete second sentence and replace with *“The following will be supported:”***
- **Move the second sentence of the (deleted) Delivery paragraph to the start of the Key commitment section and change to *“The Parish Council will seek to encourage funding through section...Keynes), where appropriate, to provide for delivery of these links.”***

Policy SNP9 – Infrastructure Delivery

135 Paragraph 204 of the Framework states that:

“Planning obligations should only be sought where they meet all of the following tests: a) necessary to make the development acceptable in planning terms; b) directly related to the development; and c) fairly and reasonably related in scale and kind to the development.”

136 Policy SNP9 sets out a list of infrastructure requirements *“to be prioritised in any s106 negotiations.”* The Policy is not supported by substantive evidence in respect of the relevant tests and consequently, does not have regard to national policy.

137 Whilst Policy SNP9 does not meet the basic conditions, it does set out the priority areas of infrastructure investment identified by the community. It is important that these are reflected in the Neighbourhood Plan and I recommend:

- **Delete Policy SNP9**
- **Replace with *“Community Action – Infrastructure Delivery. The community has identified ten infrastructure delivery priorities. The Parish Council will, where possible, seek to work with Milton Keynes Council, landowners and developers to encourage the delivery of these through Section 106 Agreements. The ten priorities identified for the Neighbourhood Area are: (LIST HERE)”***
- **Change title on page 32 to *“Community Action – Infrastructure Delivery”***
- **Retain supporting text on page 32**
- **Delete Key commitment (which does not relate directly to the Community Action)**
- **Add the second sentence of the (deleted) Delivery paragraph to the end of supporting text Para 100**

Site Specific Policies

138 There is no requirement for neighbourhood plans to allocate land for development. Furthermore, as Plan:MK allocates sufficient development land to provide for the delivery of Milton Keynes’ development requirements over the plan period, there is no requirement for additional site allocations within Stantonbury Neighbourhood Area.

139 However, national policy identifies the purpose of planning as being to help achieve sustainable development, where:

“Development means growth...we must house a rising population, which is living longer and making new choices...”

(Ministerial Foreword, the Framework)

140 In the light of this, the Neighbourhood Plan, on page 13, states that:

“Although there is, therefore no requirement for additional site allocations in the parish arising from Plan:MK, the Parish Council has taken a positive approach to development in the neighbourhood plan, in response to a local desire to make the best use of available land. The use of brownfield land in many cases and the promotion of high quality development through the policies in the Plan will help to ensure the sustainability of new developments.”

141 Consequently, the proposed allocations in the Neighbourhood Plan are reflective of and have regard to, the national policy aim of achieving sustainable development as well as to Paragraph 183 of the Framework, which states that:

“Neighbourhood planning gives communities direct power to develop a shared vision for their neighbourhood and deliver the sustainable development they need.”

Policy SNP10 – Mathiesen Road

- 142 Policy SNP10 allocates land for residential development. The site has emerged through the consultation process with general community support.
- 143 The Policy states that *“bungalows would be encouraged”* but provides no indication of how such encouragement might be forthcoming. Further, the Policy refers to *“current issues on Mathiesen Road”* without providing details in respect of precisely what these are and how they could be viably addressed by the delivery of what form of development, having regard to Paragraphs 173 and 204 of the Framework, referred to earlier in this Report.
- 144 The supporting text on page 35 provides a vague reference to general discussions and is not reflected in the Policy.
- 145 Whilst I acknowledge representations in respect of the potential for the proposal to result in increased traffic and exacerbate existing problems, there is no substantive evidence to demonstrate that the small development envisaged would result in harm to highway safety and I am also mindful that the allocation presents an opportunity to address local issues.
- 146 I recommend:
- **Policy SNP10, change c) to *“...storey. The provision of bungalows would be supported.”***
 - **Policy SNP10, delete penultimate sentence (*“Provision...possible”*) and change last sentence to *“...Bradwell Road and the provision of off-street parking to meet local needs in addition to the parking requirements of the development, would be supported.”***
 - **Supporting text, delete Para 104**

Policy SNP11 – Wylie/Harrowden

147 Policy SNP11 identifies land for development at Wylie/Harrowden. The site has emerged through the consultation process with general community support.

148 No indication is provided of how the Policy might implement the “*encouragement*” of underground parking nor of what “*due regard*” to various plans and policies for North Bradwell might entail. The Policy appears ambiguous in this respect.

149 For clarity, I recommend:

- **Policy SNP11, change c) to “...should *provide set back distances of at least 22 metres and avoid overlooking.*”**
- **Policy SNP11, change e) to “...(LEAP) *should be provided on site...*”**
- **Policy SNP11, change g) to “*Provide parking to meet adopted residential standards.*”**
- **Policy SNP11, delete last sentence “The final...area.”)**

Policy SNP12 – Stanton School

150 Policy SNP12 identifies land for development at Stanton School. The site has emerged through the consultation process with general community support. I note earlier in this Report that, whilst objections have been received in respect of consultation, I am satisfied that the evidence provided demonstrates that the Neighbourhood Plan complies with planning regulations and has emerged through robust public consultation.

151 No indication is provided of what “*due regard*” to various plans and policies for North Bradwell might entail. Also, criterion e) of the Policy appears vague and imprecise in respect of the absence of a description of what “*a minimum*” might comprise.

152 For clarity, I recommend:

- **Policy SNP12, change b) to “...should *provide set back distances of at least 22 metres and avoid overlooking.*”**
- **Policy SNP11, change c) to *Dwellings should be...*”**
- **Policy SNP11, change e) to “*Development should ensure the protection of important trees and any loss of trees must be mitigated through re-provision within the Neighbourhood Area.*”**
- **Policy SNP11, delete last sentence “The final...area.”)**
- **Supporting text, Para 115, add sentence to end of paragraph “*It is recognised that trees in the area make a positive contribution to local character and Policy SNP12 provides for the retention of important trees and for re-provision generally.*”**

Policy SNP13 – Bradville Sports and Heritage Area

153 Paragraph 70 of the Framework requires planning policies to:

“...plan positively for the provision and use of shared space, community facilities (such as...sports venues...”

154 Further, Paragraph 73 of the Framework recognises that access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities.

155 Policy SNP13 seeks to provide for the improvement of the sports facility at Bradville Sports, whilst providing suitable protection for local heritage. In this way, it has regard to national policy.

156 However, as set out, the Policy requires that development does not “*detract*” from the significance of the Grade II Listed Bradwell Windmill. Such an approach is different to and does not properly reflect, the requirements of national policy which, in Chapter 12 of the Framework, “*Conserving and enhancing the historic environment,*” require all development to conserve heritage assets in a manner appropriate to their significance.

157 There is no evidence to show how development will “*support the viability of...the heritage site*” and no definition establishing what “*limited amount*” means.

158 Further, in the absence of any detailed information, it is not clear why development must maintain all wildlife corridors identified in another planning document, or why such an obligation would meet the tests set out in Paragraph 204 of the Framework.

159 No evidence has been presented to demonstrate that the provision of a 6 foot perimeter fence to the football pitch would necessarily conserve the setting of a Listed Building.

160 I recommend:

- **Policy SNP13, change opening sentence to “*Leisure development adjacent to the existing pavilion and associated buildings will be supported where it would:*”**

- **Policy SNP13, change the remainder of the Policy to “a) Result...provision; and
b) Conserve the significance of the Grade II Listed Bradwell Windmill and its setting; and
c) Enhance the size and quality of existing facilities; and
d) Respect local character.**

Subject to respecting local character and residential amenity and conserving the significance of heritage assets, the following enhancements would be supported:

i) car park expansion; ii) access road improvements; iii) refurbishment of facilities requiring planning permission; iv) enhancement of footpath links to Bradwell Windmill.”

- **(Delivery paragraph deleted)**

Policy SNP14 – North Bradville Regeneration

161 Paragraph 17 of the Framework establishes core planning principles, one of which is to:

“...encourage the effective use of land by reusing land that has been previously developed (brownfield land)...”

162 Policy SNP14 appears to support the regeneration of North Bradville.

163 However, it is not clear why the Policy refers to the refurbishment of homes, including the reconfiguration of layouts, when there is nothing to indicate that such works would require planning permission.

164 No information is provided in respect of what the biodiversity of the area comprises and consequently, it is not possible to know what might be safeguarded or extended. The Policy refers to the need for 50% of the area to “*remain undeveloped.*” However, the majority of the area is already developed, so this requirement makes no sense.

165 The Policy then goes on to impose detailed requirements, but given the fundamental flaw above, it is not possible to conclude that the approach set out is viable and deliverable.

166 In making the recommendation below, I note that both national policy and Plan:MK establish policy support and provide for appropriate regeneration.

167 The Policy does not have regard to Paragraph 173 of the Framework. It does not meet the basic conditions. I recommend:

- **Delete Policy SNP14 and all related plans/text on page 39**

Policy SNP15 – North Loughton Valley Park

168 Paragraph 69 of the Framework recognises planning's important role in facilitating social interaction and creating healthy, inclusive communities. It states that planning policies should promote:

"...opportunities for meetings between members of the community who might not otherwise come into contact with each other..."

169 Paragraph 70 of the Framework goes on to require planning policies to plan positively for the provision and use of shared space and community facilities.

170 Policy SNP15 promotes the provision of community facilities in North Loughton Valley Park, whilst affording protection to local character and residential amenity. It has regard to the Framework.

171 The opening sentence of the Policy includes an unnecessary reference to the development plan and the wording of the Policy suggests that the Neighbourhood Plan has the power to determine planning applications, which it does not.

172 I recommend:

- **Policy SNP15, delete first sentence and change second sentence to "The following development will be *supported* on the..."**
- **Policy SNP15 a), first line, delete "...will be acceptable."**
- **Policy SNP15 b), first line, delete ", will be supported."**

Policy SNP16 – Community Hubs

- 173 The supporting text to Policy SNP16 states that the whole purpose of the Policy is to protect the roles of identified areas as community hubs. However, of the three hubs, one, at Bradwell, includes land comprising a house and its garden; one, at Oakridge Park, has planning permission for residential development; and one, at Stantonbury, is the focus of another Policy in the Neighbourhood Plan, which supports a wide range of development, including non-community uses.
- 174 Given this and in the absence of substantive evidence to the contrary, it is not possible to reach the conclusion that Policy SNP16 is viable and deliverable, having regard to Paragraph 173 of the Framework; or that it provides a decision maker with a clear indication of how to react to a development proposal, having regard to Paragraph 154 of the Framework.
- 175 I recommend:

- **Delete Policy SNP16 and all related information on page 41**

Policy SNP17 – Stantonbury Campus

- 176 Policy SNP17 is entirely reliant upon a masterplan. No such masterplan exists.
- 177 Whilst an Examiner may make recommendations in respect of enabling submitted Policies to meet the basic conditions, she or he should not create new Policies that would be so significantly different to submitted Policies that they would fundamentally alter the Neighbourhood Plan. Amongst other things, were an Examiner to do so, then that Policy would not have emerged through consultation and parties would not have had the opportunity to comment.
- 178 Like the preceding Policy, Policy SNP17 has not been properly thought out and it cannot be concluded that it comprises a viable and deliverable Policy, having regard to Paragraph 173 of the Framework.
- 179 I recommend:
- **Delete Policy SNP17 and all related information on pages 42, 43 and 44**

Policy SNP18 – Rowle Close Garages

180 Policy SNP18 identifies land for development at Rowle Close Garages. The site and related Policy, inclusive of its approach to design, has emerged through the consultation process with general community support.

181 The location plan on page 45 is incomplete and fails to show the whole of the proposed development area.

182 For clarity, I recommend:

- **Policy SNP12, change c) to “...in line *with adopted parking standards.*”**
- **Replace the location plan on page 45 with a plan showing the whole of the development area**

Policy SNP19 – Stantonbury Shops

183 As noted above, national policy supports the development of community facilities. With regards the regeneration of existing facilities, Paragraph 70 of the Framework is explicit in stating that planning policies should:

“...ensure that established shops, facilities and services are able to develop and modernise in a way that is sustainable, and retained for the benefit of the community...”

184 Policy SNP19 seeks to promote the redevelopment of Stantonbury Shops for the benefit of the community and in this way, the Policy has regard to the Framework.

185 As set out, parts of the Policy and its approach appear vague and confusing. Whilst the supporting text makes it clear that the aim of the Policy is to support redevelopment, parts of the Policy appear to impose ambiguous hurdles in respect of requirements relating to *“viable retail floorspace consistent with the status as a Local Centre”* and presenting a list of very specific types of shops, the provision of which is required to be *“subject to viability.”*

186 No supporting evidence is provided in respect of the apparent restriction to the list of shops and *“similar range of products”* included in the Policy; and there is no information in respect of how the tests of viability will (or can) be implemented.

187 In the absence of any justification, it is not clear why the provision of CCTV *“to all aspects of the development”* is a land use planning policy matter.

188 The supporting text recognises that it has been very difficult to regenerate the failing shopping centre and taking this and the above into account, I recommend:

- **Policy SNP19, change to *“The redevelopment of Stantonbury Shops for convenience shopping and service centres appropriate to Local Centres and residential use above ground floor level will be supported. Redevelopment should either retain or relocate the existing gable wall mural and provide car parking in line with adopted standards. Provision of...site area”***

Policy SNP20 – Linford Wood Employment Land

- 189 The supporting text to Policy SNP20 recognises that there is scope for planning use class B1 development (offices, research and development, light industry appropriate in a residential area). Generally, Policy SNP20 seeks to achieve this and in so doing, has regard to the national planning policy aim of securing economic growth.
- 190 The Policy does not specify where development will be supported and refers to “storage” which is not a B1 use. No justification is provided to support this reference. The reference to “*Standing advice from National England (or similar)*” lacks clarity or precision; no indication is provided of what “*the vicinity*” might be in relation to public parking; and it is not clear how the Policy will “*encourage*” underground parking.
- 191 Taking these factors into account, I recommend:
- **Policy SNP20, change first paragraph to “*The development of planning use class B1 (including office) accommodation at sites C, D and G shown on the location plan above, will be supported subject to taking into account the following:*”**
 - **Policy SNP20 b), change to “*Development at Site G should respect and safeguard the irreplaceable ancient woodland at Linford Wood through screening, buffering and building distances.*”**
 - **Policy SNP20 d), change to “*Development should not result in the loss of public parking.*”**
 - **Policy SNP20, delete last sentence (“Provision...encouraged.”)**

8. The Neighbourhood Plan: Other Matters

192 The recommendations made in this Report will also have a subsequent impact on Contents, Policy, paragraph and page numbering, as well as the content of the Action Plan.

193 I recommend:

- **Update the Contents, Policy, paragraph and page numbering, and Action Plan to take into account the recommendations contained in this Report.**

194 The Neighbourhood Plan cannot place requirements upon the Local Planning Authority and other bodies. Consequently, I recommend:

- **Page 48, Para 155, change to "...how SPC *will seek* to work with..."**
- **Action Plan – delete the column "*Responsible for implementation*"**
- **Action Plan – in the "*Crime and Community Safety*" para at the top of page 50, delete the third and fourth sentences ("the policies...Authority.")**

9. Referendum

195 I recommend to Milton Keynes Council that, subject to the recommended modifications, **the Stantonbury Neighbourhood Plan should proceed to a Referendum.**

Referendum Area

196 I am required to consider whether the Referendum Area should be extended beyond the Stantonbury Neighbourhood Area.

197 I consider the Neighbourhood Area to be appropriate and there is no substantive evidence to demonstrate that this is not the case.

198 Consequently, I recommend that the Plan should proceed to a Referendum based on the Stantonbury Neighbourhood Area approved by Milton Keynes Council on the 16th June 2015.

Nigel McGurk, June 2019
Erimax – Land, Planning and Communities

