

# **NORTH CRAWLEY NEIGHBOURHOOD PLAN**

## **Submission Draft Version**

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

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8 July 2019

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## 1.0 Summary

- 1.1 The North Crawley Neighbourhood Plan has been prepared to set out the community's wishes to ensure that any future development in the plan area recognises and respects the history of the parish, its rural landscape and unique village character. The parish contains the village of North Crawley and the hamlets of Little Crawley, Brook End and East End and surrounding countryside.
- 1.2 The Plan sets out policies that support and complement those in the new Local Plan Plan:MK. I have made a number of recommendations in this report in order to make the wording of the policies and their application clearer including improvements to the mapping of sites referred to in policies to ensure that the Plan meets the Basic Conditions. Section 6 of the report sets out a schedule of the recommended modifications.
- 1.3 The main recommendations concern:
- The deletion of Policies H1, T1, T2, C2, M1 and part of Policy HD3;
  - The introduction of a new policy setting out the housing requirement and how it will be delivered, including the allocation of three housing sites;
  - Clarification of the wording of policies and the supporting text; and
  - Improvements and corrections to the mapping of policies.
- 1.4 Subject to the recommended modifications being made to the Neighbourhood Plan, I am able to confirm that I am satisfied that the North Crawley 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 North Crawley Neighbourhood Plan (referred to as the NCNP throughout this report).
- 2.2 North Crawley parish lies about five miles to the east of Newport Pagnell within the boundary of Milton Keynes Council (MKC). It is a rural parish with the historic village of North Crawley at its core containing a conservation area and several listed buildings. There are also several smaller communities including Little Crawley, Brook End and East End and surrounding countryside. At 2011 there were 736 people living in North Crawley in 317 households.

### Appointment of the Independent Examiner

- 2.3 I was appointed as an independent examiner to conduct the examination on the NCNP by Milton Keynes Council with the consent of North Crawley Parish Council in February 2019. I do not have any interest in any land that may be affected by the NCNP 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. My appointment was facilitated through the Neighbourhood Planning Independent Examiner Referral Service.

### 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 (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) sets out a further Basic Condition in addition to those set out in the primary legislation. That the making of the neighbourhood plan is not likely to have a significant effect on a European site (as defined in the Conservation of Habitats and Species Regulations 2012) or a European offshore marine site (as defined in the Offshore Marine Conservation (Natural Habitats, &c.) Regulations 2007) (either alone or in combination with other plans or projects). (See Schedule 2 to the Neighbourhood Planning (General) Regulations 2012 (as amended).
- 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 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 North Crawley Neighbourhood Plan 2018 – 2033 dated November 2019.
- 2.13 I have considered the Basic Conditions Statement and the Consultation Statement as well as the screening reports 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**

- 2.15 The Basic Conditions Statement does not address the legislative requirements. I have asked the Qualifying Body to confirm that they have been satisfied.

### **Qualifying Body**

- 2.16 The neighbourhood plan making process has been led by North Crawley 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.
- 2.17 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**

- 2.18 The Neighbourhood Plan area is co-terminus with the parish of North Crawley. The area was designated by Milton Keynes Council on 30 January 2018 as a Neighbourhood Area. The Basic Conditions Statement confirms that there are no other neighbourhood plans relating to that area.
- 2.19 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**

- 2.20 A neighbourhood plan must specify the period during which it is to have effect. The front cover of the Plan states that the lifespan of the Neighbourhood Plan is 2018 – 2033.

### **Excluded Development**

- 2.21 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**

- 2.22 The Neighbourhood Development Plan should only contain policies relating to development and use of land. Subject to the modifications proposed, the NCNP would be compliant with this requirement of Section 38B of the Planning and Compulsory Purchase Act 2004 as amended.
- 2.23 I am satisfied therefore that the North Crawley 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

- 2.24 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”.
- 2.25 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.”
- 2.26 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.”*
- 2.27 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.”*
- 2.28 The NPPF of 2012 is referred to in this examination. Paragraph 214 of Appendix 1 of the February 2019 NPPF states that the policies of the 2012 NPPF will apply for the purpose of examining plans where those plans are submitted on or before 24 January 2019. The footnote to this paragraph confirms that this applies to neighbourhood plans.
- 2.29 NPPF paragraph 183 states that parishes can use neighbourhood planning to set planning policies through neighbourhood plans to determine 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*”.
- 2.30 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*”.

- 2.31 The NPPG on Neighbourhood Planning advises that “*A qualifying body is encouraged to set out the particular national policies that it has considered, and how the policies in a draft neighbourhood plan or the development proposals in an Order take account of national policy and advice*”.
- 2.32 The Basic Conditions Statement sets out the Core Planning Principles of the NPPF and describes how the preparation of the Plan and its policies are aligned with these principles. It demonstrates that the Plan in principle has had regard to the NPPF Core Planning Principles and to delivering sustainable development. It has not however considered how each policy has taken account of national planning policy.
- 2.33 I consider the extent to which the policies of the plan meet this Basic Condition No 1 in Section 3 below.

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

- 2.34 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.
- 2.35 There is no legal requirement for a formal Sustainability Appraisal to be carried out in respect of neighbourhood plans. However good practice suggests that where neighbourhood plans are allocating land for development an appraisal should be carried out.
- 2.36 Table 2 of the Basic Conditions Statement considers how the NCNP contributes to the delivery of sustainable development with regards to economic, social and environmental aspects. Taking account of the information presented, I am satisfied that the NCNP contributes to the delivery of sustainable development.

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

- 2.37 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 adopted strategic policies covering the Neighbourhood Plan area are contained in Plan:MK which was adopted in March 2019.

- 2.38 The Basic Conditions Statement comments on how the Plan policies will support and deliver the saved policies and Core Strategy policies which were in force at the time of preparing the NCNP. Consideration has also been to the emerging policies of Plan:MK.
- 2.39 The Council raised no concern over general conformity with the strategic policies of the development plan. I consider in further detail in Section 3 below the matter of general conformity with the strategic policies of the plan.

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

- 2.40 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.
- 2.41 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.”
- 2.42 A screening opinion was carried out on the draft NCNP. The conclusions of the SEA for the Submission draft NCNP indicate:  
  
*“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 North Crawley Neighbourhood Plan does not need to be subject to Strategic Environmental Assessment.”*
- 2.43 Habitat Regulations Assessment (HRA) screening for the NCNP relies on the screening that has been carried out on Plan:MK. This considered the impact of the development in the Borough of Milton Keynes as a whole proposed in the Local Plan on the Ouse Washes SPA /SAC, Portholme SAC and the Upper Nene Valley Gravel Pits SPA.
- 2.44 It concluded that *“development in the Milton Keynes Local Plan will not have a likely significant effect on any internationally important wildlife sites either alone or in combination with other plans and projects. These conclusions are based on the findings of the AA screening which concludes that no Natura 2000 sites are located within the district and no impact pathways have been identified linking Natura 2000 sites outside of the district. Therefore an Appropriate Assessment is not required.”*
- 2.45 The HRA Screening on the submission draft NCNP in November 2018 concluded that “Given the role of Neighbourhood Plans and the scale of

development likely to be proposed in the North Crawley Neighbourhood Plan, it is considered that Appropriate Assessment of the plan is not required”.

- 2.46 No mitigation measures have been included within the screening of the policies of the NCNP.
- 2.47 The statutory environmental bodies: Historic England, Natural England and the Environment Agency were consulted on the SEA and HRA Screening Reports in August 2018.
- 2.48 Natural England commented that: *“In our review of the North Crawley Neighbourhood Plan SEA screening we note that there are no designated sites or protected landscapes within the impacts zones of the Neighbourhood Plan area and there are less than 500 additional dwelling sites or 1000 sqm of commercial sites proposed. As a result we agree with the assessment that the Neighbourhood Plan does not require an SEA.*

*“However, we would like to draw your attention to the requirement to conserve biodiversity and provide a net gain in biodiversity through planning policy (Section 40 of the Natural Environment and Rural Communities Act 2006 and section 109 of the National Planning Policy Framework). Please ensure that any development policy in your plan includes wording to ensure ‘all development results in a biodiversity net gain for the parish’ ”.*

- 2.49 Historic England initially responded requesting confirmation as to how the site selection process had regard to the impact on the special interest, character and appearance of the Conservation Area and what the conclusions of that assessment were with regard to site H5. The Parish Council responded that through the assessment, site H5 was considered to represent an opportunity to complement the Conservation Area and the allocating policy includes criteria to ensure that the design of any development on the site achieves this.
- 2.50 This additional information was provided to Historic England who replied on 22 October 2018, commenting that: *“it does appear that the development of this particular site would not cause unacceptable harm to the conservation area - indeed, that it might well enhance it. I think therefore that my concern about the allocation of this site has been allayed”.* Based on this additional information Historic England confirmed that they were content with the Council’s draft Opinion that the NCNP need not be subject to Strategic Environmental Assessment.”
- 2.51 The Basic Conditions Statement includes the following statement on how human rights have been taken into account in preparing the NCNP: *“The plan has also been subject to extensive consultation with the local community without prejudice to any individual’s human rights concerning property or day-to-day life.”*
- 2.52 From the evidence provided in this assessment and the Consultation Statement, I am satisfied that the plan makers have sought to consult the

whole community and have taken their views into consideration in preparing the NCNP. I am satisfied that the Plan has met the requirements of the Human Rights Act.

- 2.53 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 NCNP is compatible with EU obligations and therefore with Basic Conditions Nos 4 and 5.

### Consultation on the Neighbourhood Plan

- 2.54 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.
- 2.55 The Consultation Statement sets out an overview of the various stages of consultation that have been carried out during the preparation of the NCNP. I have asked the Qualifying Body to provide me with more detail on the events undertaken and the method of publicising them. These were as follows:

Date	Event	How advertised	Success rate
12/05/2017	Neighbourhood Plan Information Evening held at Village Hall	SCAN – leaflet Facebook Parish Council Poster in Village	175 people signed in
08/07/2017	Questionnaire distributed to all residents and business/landowners	Hand delivered to all households and businesses/landowners; Facebook and websites; PC Minutes; SCAN – comment in July; Reminder to complete poster emailed and displayed around village	60% return rate
03/03/2018 12pm-5pm	Village event with displays of all policies, site assessments and analysis, questionnaire results, and map showing village boundary and potential sites	Advertised from 18 Feb: Posters on fences around village and in shops and pubs; Email to 147 residents/stakeholders; Facebook and NCNP website; PC Minutes & website; SCAN	
07/06/2018 - 19/07/2018	1 <sup>st</sup> pre-submission consultation	Email to 147 residents/stakeholders on 7 June, with draft plan attached and info as to how to access further docs; Poster on fences around village, in shop and pubs; Websites and Facebook pages including all documentation; Docs in hard	

		copy available in shop and both pubs and available for reading in Village hall on advertised dates (12/06/2018 and 23/06/2018); SCAN; PC meeting/minutes	
06/2018 (18:30-20:30) & 23/06/2018 (10:30-12:30)	1 <sup>st</sup> Consultation reading event in Village Hall	All documentation made available in hard copy with members of the Steering group available to answer questions	2 residents attended
21/07/2018	Update informing people that consultation period ended	Email to 147 residents/stakeholders; PC meeting update; SCAN; Facebook	
03/10/2018 - 14/11/2018	2 <sup>nd</sup> pre-submission Consultation	Email to 147 residents/stakeholders; SCAN; Parish Council meeting & minutes; Websites & Facebook; Posters on fences and in shop and both pubs; Documents in shop and both pubs. All of the above including references to the changes that had been made as a result of the 1 <sup>st</sup> pre-submission consultation.	Comments received from 2 residents
08/12/2018	Update informing people that 2 <sup>nd</sup> consultation period ended	Email to 147 residents/stakeholders; Facebook and website	

- 2.56 The Consultation Statement summarises the responses received to the two periods of pre-submission consultation in June/July 2018 and October/November 2018. The pre-submission consultation was advertised by writing to those who had previously expressed an interest in being kept up to date on the Neighbourhood Plan, the local magazine (SCAN) which is delivered to every household in the Plan area, posters and via other online outlets.
- 2.57 Firstly, public engagement meetings were held at both the start of the Neighbourhood Plan process and midway through in March 2018. In the intervening period in July 2017 a questionnaire was circulated, which is appended to the consultation statement. Finally, a 'walk-about' survey of the village was undertaken in January 2019 in which character areas and sites were appraised by members of the public and steering group.
- 2.58 All known landowners were written to during the start of the Neighbourhood Plan process to invite them to submit their sites for consideration and engage

in the process. Following the first round of consultation, specific and direct engagement was undertaken with the North Crawley Estate, who are the principal landowner of sites in the village. This also included meeting with a third-party who owns part of one of the allocations in conjunction with the North Crawley Estate.

- 2.59 North Crawley Parish Council submitted their Neighbourhood Plan to Milton Keynes Council on 23 November 2018. The Regulation 16 consultation ran from 25 January to 8 March 2019. Thirteen responses were received within the consultation period and five further late responses have been accepted as being marginally outside the end of the consultation period. A petition and two other late responses have not been accepted.
- 2.60 I have carefully considered the responses made concerning the adequacy of the consultation process. From the evidence presented to me I am satisfied that the consultation and publicity on the draft Plan has met the requirements of Regulations 14, 15 and 16 in the Neighbourhood Planning (General) Regulations 2012.
- 2.61 This report is the outcome of my examination of the Submission Draft Version of the North Crawley Neighbourhood Plan 2011 - 2031. 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 is succinct and focused on the policies; it is well presented with policies relating to housing, transport, heritage and design, landscape and green spaces, and community facilities.
- 3.5 The Plan includes a map showing the boundary of the Plan area and a Policies Map showing the sites referred to in policies within North Crawley village. The map is clear and legible and will enable plan users to identify the boundaries of sites referred to. In a number of places in the Plan it is referred to as the “Policy” map. It is recommended that a consistent form of wording should be used.
- 3.6 Nine site options adjacent to the boundary of North Crawley village have been assessed against clearly identified criteria as required by the NPPG for their suitability, deliverability and achievability and the evidence is presented in the Site Assessment Summary.
- 3.7 A number of policies state that certain types of development “will be permitted” or “will be refused”. The NPPF paragraph 11 states that “*Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise.*” The decision making authority will consider the policies of the development plan as a whole as well as other material considerations in determining planning applications. A Neighbourhood Plan cannot determine whether a particular form of development will or will not be permitted. I have recommended modifications to the policies where relevant to address this matter.

- 3.8 It would be helpful to Plan users if the policies included the word “Policy” in their titles. Criteria in policies should be numbered rather than bullet pointed so that they can be referred to clearly in reports.

**Recommendation 1: Refer to the Policies Map as such throughout the Plan.**

**Include the word “Policy” in the title of the policies.**

## The Neighbourhood Plan - Policies

### Introduction

- 3.9 The Introductory section is brief and succinct explaining how the plan was developed and how to use it. The history of the parish and the Character Area Assessments are set out in Appendices. The main findings of the consultations that have informed the preparation of the Plan are summarised in paragraph 1.9.

### Vision and Objectives

- 3.10 The Vision is set out in paragraph 1.4 and seeks to ensure that any future development recognises and respects the history of the parish, its rural landscape and unique village character. It is suggested that the presentation of the Vision could be improved by setting it apart from the other text in the Introduction for example including it in a box.
- 3.11 There are five objectives which set out the direction for each section of the Plan. The objective of the heritage and design section seeks to ensure that “key features are protected”. NPPF paragraph 131 refers to the desirability of new development “sustaining and enhancing” and “making a positive contribution to local character and distinctiveness”. Unless features are specified in the Plan, such as the Local Green Spaces, the protection of key features is secured through their listing, the conservation area and TPOs. It is recommended that the objective be revised to better reflect national guidance.

**Recommendation 2: Revise the Heritage and Design Objective to read: “To ensure all new development *makes a positive contribution to and enhances* the character of the village *and safeguards* its key features.”**

## Housing

- 3.12 The Selected Villages tier in the Settlement Hierarchy which has been a feature of the Milton Keynes Local Plan (2005) and Core Strategy (2013) has been removed in the new Plan:MK, as the approach to delivering new development in villages and other rural settlements now places the emphasis on neighbourhood plans. Policy DS1 of the Plan:MK states that “*new development will occur within villages and other rural settlements at locations*



*identified in made neighbourhood plans*". As there are no proposals for the Local Plan to bring forward sites for housing development in the plan area, it is expected that neighbourhood plans should make provision for sufficient housing to meet the local housing needs of the Plan period.

- 3.13 The recently adopted Plan:MK does not set out a figure for the number of dwellings to be provided for in their neighbourhood plans. MKC has informed me that they have published guidance in December 2018 for parish councils preparing neighbourhood plans in relation to an indicative housing number. The Council has set an indicative figure of 1 dwelling for all neighbourhood plans, although the Council encourages neighbourhood plans to plan for more houses. The Council has confirmed that they are satisfied with the level of housing proposed in the NCNP.
- 3.14 The NPPG states that when neighbourhood plans contain policies relevant to housing supply, these policies should take account of the latest and up-to-date evidence of housing need. A Housing Needs Assessment has been prepared to discuss the factors affecting local need in order to justify the housing requirement figure of 30 dwellings. This figure equates to approximately 10% growth in the number of dwellings in the Plan area.
- 3.15 The Housing Needs Assessment proposes that the Neighbourhood Plan should allocate around half the number of dwellings that would be required according to the government's household projections for the wider Milton Keynes area. The report concludes that the figure of 30 dwellings is considered to be a quantum of housing that reflects an appropriate balance between the needs of the existing village population and the likelihood of the village to continue to attract people moving in.
- 3.16 The Housing Needs Assessment does not include an assessment of the level of affordable housing need in the plan area.
- 3.17 A representation has been submitted that challenges the robustness of the housing needs assessment commenting that it fails to consider the affordable housing need in sufficient detail. It suggests that once the level has been established, mechanisms for delivering this should be considered such as through the delivery of market housing or support for rural exceptions affordable housing.
- 3.18 Representations have questioned some of the assumptions of the Housing Site Assessment. An additional site to the west of Folly Lane is also proposed.
- 3.19 The Housing Needs Assessment suggests a growth figure of about 30 dwellings is appropriate although this figure is not set in a policy in the NCNP. Paragraphs 2.3 and 2.10 of the Plan notes that the housing allocations allow for up to 35 homes. The Plan should make it clear that these figures are indicative only and do not set a ceiling on the number of dwellings to be developed on each site as this will be determined as the site layout and design stage. No estimate is included for the level of windfall housing growth

that may be anticipated. The Plan has allocated three sites for new housing development which from the evidence provided appears to be capable of delivering this level of housing growth.

- 3.20 It is recommended that the Plan's housing requirement should be made explicit in a policy which should also include housing commitments, an estimate of the level of windfall development that may be expected and should allocate the three housing sites. MKC has informed me that there are currently 4 dwellings as commitments, although one of these is located in housing allocation H3.
- 3.21 I have noted that representations have questioned the level of growth and density of development proposed on the housing allocations.
- 3.22 It is not within my remit to consider whether additional or alternative sites should be allocated for housing development.

**Recommendation 3: Revise paragraph 2.3 to read "...(about 35 dwellings)...**

**Revise paragraph 2.10 to read: "Policies H3 to H5 allocate land sufficient for about 35 dwellings. ....**

**Include a new policy as follows:**

***"The NCNP will provide for about 35 new homes to meet the housing needs of the parish over the plan period 2018 – 2033.***

***New housing will be supported on sites that lie within the Settlement Boundary of North Crawley in accordance with other relevant policies of the development plan.***

***New housing will be delivered through:***

- ***Dwellings which have been constructed or have planning consent granted since 2018;***
- ***Windfall opportunities in accordance with Policy H2 and Plan:MK Policy DS5 and the NPPF;***
- ***The following housing allocations:***
  - A. The Former Maslin Site (Policy H3)***
  - B. Land north of Orchard Way (Policy H4)***
  - C. Land South of High Street (Policy H5)."***

**Policy H1 Settlement Boundary**

- 3.23 The policy sets out the approach to development in the countryside outside the Settlement Boundary and repeats much of Plan:MK Policy DS5A. However, it does not address other matters on development in the countryside that are set out in the NPPF. It is considered that the policy adds no locally specific details to national and strategic policy and is considered to be unnecessary. It is recommended that it should be deleted. Revisions to

paragraph 2.5 of the justification are recommended to state that development in the countryside will be considered against Plan:MK Policy DS5 and the NPPF.

- 3.24 Representations state that the settlement boundary would place an arbitrary restriction on sustainable development based on an unreliable assessment of housing need; and that the policy sets out an restrictive approach to development in the countryside that does not accord with the NPPF.

**Recommendation 4: Delete Policy H1.**

**Revise the first sentence of paragraph 2.5 to read “The Plan aims to protect...”. Delete the last sentence of paragraph 2.5. Add the following at the end of paragraph 2.5: “Development in the countryside should be assessed against Plan:MK Policy DS5 and the NPPF.”**

**Policy H2 Infill Development and Replacement Dwellings**

- 3.25 The policy provides guidance on the development of sites within the settlement boundary and replacement dwellings throughout the plan area.
- 3.26 I make no comments on the policy other than to recommend that the words “will be permitted” should be replaced with “will be supported” in accordance with paragraph 3.7 above.

**Recommendation 5: Revise line 2 of Policy H2 to read “...will be supported where....”**

**Policy H3 Former Maslin property**

- 3.27 The policy allocates the site for up to five dwellings and sets out criteria to be considered in determining any planning applications for the development of the site. As noted in paragraph 3.19 above, the policy should not set a ceiling on the number of dwellings to be developed on a site. The wording should also be revised to delete reference to “planning permission being granted” in accordance with paragraph 3.7 above.
- 3.28 The first criterion specifically states that dwellings of 5+ bedrooms will be refused. This is considered to be too prescriptive and should be deleted. It would be preferable to refer to the mix of dwellings sizes, types and tenures reflecting the latest evidence of housing need.
- 3.29 The fifth criterion refers to street naming which is not a matter for planning policy and should be deleted. It may be included in the justification for information.
- 3.30 The sixth criterion has been added at the request of Anglian Water to avoid the risk of nuisance in the form of noise, odour or general disruption from

maintenance work at the pumping station. A representation has suggested that the criterion should be revised to delete reference to “the boundary of the curtilage”. MKC has responded to my question on the matter and they consider that as the purpose of the 15m distance is to avoid nuisance from the pumping station, the distance should be measured for the curtilage not the dwelling. They have provided me with a map which shows that this requirement would not unduly affect the area of land available for development on this site. I am satisfied that the criterion is appropriate and accords with strategic policy to prevent nuisance.

- 3.31 Natural England has stressed the importance of the requirement to conserve biodiversity and provide a net gain through planning policy in accordance with paragraph 109 of the 2012 NPPF with respect to the three housing sites. This topic is addressed in Plan:MK Policy NE3. As no locally specific details are proposed, it is not therefore necessary to repeat it in the NCNP. It is suggested that the importance of the subject may be included in the justification to the housing section with a cross reference to the strategic policy.

**Recommendation 6: Revise Policy H3 as follows:**

**Revise line 1 to read “...residential development of *about 5 dwellings*...”**

**Revise line 2 to read “....*Development proposals should satisfy all the following criteria:*”**

**Revise the first criteria to read: “Proposals should include a mix of *housing types and sizes in accordance with the latest evidence of housing need, including family homes (3-4 bedrooms) and smaller dwellings suitable for the elderly.*”**

**Delete the fifth bullet point.**

**Add a statement on the importance of biodiversity net gain in the introduction to the housing section with a cross reference to Plan:MK Policy NE3.**

**Policy H4 Land north of Orchard Way**

- 3.32 The policy allocates the site for between 11 and 15 dwellings and sets out criteria to be considered in determining any planning applications for the development of the site. As noted in paragraph 3.19 above, the policy should not set a ceiling on the number of dwellings to be developed on a site. The wording should also be revised to delete reference to “planning permission being granted” in accordance with paragraph 3.7 above.
- 3.33 The first criterion specifically states that dwellings of 5+ bedrooms will be refused. This is considered to be too prescriptive and not supported by robust evidence; it should therefore be deleted. It would be preferable to refer to the mix of dwellings sizes, types and tenures reflecting the latest evidence of

housing need. A representation has been made commenting on the lack of evidence to support the density assumptions or choice of dwelling type.

- 3.34 The third criterion refers to the inclusion of affordable housing in accordance with the strategic Policy HN2. It further states that “applications for fewer than 11 units will be refused on this basis.” In accordance with paragraph 3.7 above, a neighbourhood plan policy cannot stipulate when development proposals will be refused and the sentence should be deleted.
- 3.35 A representation has been made to the fourth criterion that restricts the height to 1 – 1.5 storeys. A revision to the wording is suggested to add “where appropriate”. There is a mixture of single and two storey dwellings along Orchard Way and I agree that this revision would ensure that the policy is less prescriptive whilst ensuring that overlooking of existing dwellings is taken into consideration in designing and layout out the new development.
- 3.36 The sixth criterion has been added at the request of Anglian Water to avoid the risk of nuisance in the form of noise, odour or general disruption from maintenance work at the pumping station. A representation has suggested that the criterion should be revised to delete reference to “the boundary of the curtilage”. MKC has responded to my question on the matter and they consider that as the purpose of the 15m distance is to avoid nuisance from the pumping station, the distance should be measured for the curtilage not the dwelling. They have provided me with a map which shows that this requirement would not unduly affect the area of land available for development on this site. I am satisfied that the criterion is appropriate and accords with strategic policy to prevent nuisance.
- 3.37 I have considered how the access is to be gained to this site to ensure that the site is deliverable in accordance with national guidance. The Qualifying Body has informed me that this may be through site H3 or directly onto Orchard Way across the verge which is in the control of the Parish Council.
- 3.38 Representations have been made by local residents concerning the impact on their amenities and loss of views. I have noted that the policy requires consideration to be given in the design and layout of the housing on this site to minimising the impact on the outlooks of existing properties.

**Recommendation 7: Revise Policy H4 as follows:**

**Revise line 1 to read “...residential development of *about* 11 - 15 dwellings...”**

**Revise line 2 to read “....*Development proposals should satisfy all the following criteria:*”**

**Revise the first criteria to read: “Proposals should include a mix of *housing types, sizes and tenures in accordance with the latest evidence of housing need, including family homes (3-4 bedrooms) and smaller dwellings suitable for the elderly.*”**

**Delete the following from the third criterion: “Applications for fewer than 11 units will be refused on this basis.”**

**Revise the second sentence of the fourth criterion to read: “...Single-storey or 1.5 storey dwellings will be encouraged *where appropriate* to minimise....”**

### **Policy H5 Land South of High Street**

- 3.39 The policy allocates the site for up to 15 dwellings and sets out criteria to be considered in determining any planning applications for the development of the site. As noted in paragraph 3.19 above, the policy should not set a ceiling on the number of dwellings to be developed on a site. The wording should also be revised to delete reference to “planning permission being granted” in accordance with paragraph 3.7 above.
- 3.40 The third paragraph states that the proposal should include “*an enhanced affordable housing offer with tenures that are secured in perpetuity*”. The Council’s Housing Officer has noted that the term “an enhanced affordable housing offer” is not a recognised term and cannot be applied through planning policy. It is further noted that the term “tenures that are secured in perpetuity” is applied as a standard term, however, there are statutory rights to buy or acquire and some forms of affordable housing such as shared ownership and shared equity are designed as affordable ways into home ownership.
- 3.41 In response to my question on their intentions for this policy, the Qualifying Body has responded that they had intended that the site should provide for a higher proportion of affordable homes on the site than normal policy would require. However, the plan makers have not provided robust evidence to support this aspiration. I am therefore recommending that the policy should be revised to refer to affordable housing being delivered in accordance with the strategic policy on affordable housing in Policy HN2.
- 3.42 There are several site specific matters that will have to be considered in designing the layout of the development and that will affect its developability: part of the site lies within the conservation area; there is a large protected horse chestnut tree that has a considerable spread and a public footpath crosses the site; and the location of the access point will require care in view of the bend in the adjacent road.
- 3.43 The third bullet point states that the design of the development should “complement” the conservation area. It is not clear why the policy stipulates that the proposals should include one or two rows of terraced housing as there is a mix of housing in the vicinity of the site with terraced housing to the west of the site and detached housing to the north. There is no robust evidence to support the development of mainly two bedroomed housing on this site. It is considered that this requirement is unduly prescriptive and it is

recommended that the same requirement as that in Policy H4 for a mix of housing to reflect the evidence of the latest housing needs assessment should be applied.

- 3.44 NPPF advice is that “*new development should make a positive contribution to local character and distinctiveness*”. It is therefore recommended that the third bullet point should be revised to better reflect national guidance.
- 3.45 The sixth bullet point states that development should “respect” the horse chestnut tree and right of way in accordance with Policy L2. As the tree is protected and contributes to the character of the conservation area, it is recommended that the criterion should be strengthened to make it clear that the development should be laid out and designed to “safeguard” it. There is no need to refer to Policy L2 in this policy.
- 3.46 No assessment has been undertaken to demonstrate how access to the site is to be achieved. Rather than include untested suggestions about mini-roundabouts or other bespoke junction design, it is recommended that the policy should stipulate that access to the development should be designed to the satisfaction of the Council’s Highways Officer and parking should be on plot to the Council’s Parking Standards.
- 3.47 A representation has noted that the fifth criterion is confusing and addresses two matters: any new or altered highway infrastructure should be designed to mitigate the transport impacts of the scheme as detailed in a transport assessment for the site. If a gateway feature is desired that should form part of the design based policy requirements for the site.
- 3.48 Other representations from local residents have noted the need to ensure that the site can be accessed safely in view of the restricted visibility from the east and the need to safeguard the horse chestnut tree and public footpath.

**Recommendation 8: Revise Policy H5 as follows:**

**Revise line 1 to read “...residential development of *about 15 dwellings...*”**

**Revise line 2 to read “....*Development proposals should satisfy all the following criteria:*”**

**Revise the first criteria to read: “*Proposals should include a mix of housing types, sizes and tenures in accordance with the latest evidence of housing need. A terrace of two bedroomed dwellings suitable for first time buyers would be supported.*”**

**Revise the second bullet point to read: “*Proposals should incorporate affordable housing in accordance with Policy HN2 of Plan:MK.*”**

**Combine the third and sixth bullet points to read: “*The housing should be laid out and designed to make a positive contribution to the conservation area and its setting to enhance the entrance to the village.*”**

***Open space should be laid out to safeguard the protected horse chestnut tree. The right of way should be retained across the site.”***

***Combine the fourth and fifth bullet points to read: “Access to the proposed development should be designed to the satisfaction of the Council’s Highways Officer. Parking should be located within each house plot and should accord with the Milton Keynes Parking Standards SPD January 2016. The transport statement should consider how the access to the development can contribute to creating an entrance gateway to the village.”***

## **Transport**

### **Policy T1 Traffic Calming**

- 3.49 The policy supports proposals for traffic calming on the High Street or other development that makes a significant contribution to delivering this. Traffic calming measures may be required as part of planning applications for other development, however they are usually not matters for determination through planning policy. It is not clear what the “other development” consists of. It is recommended that the policy should be deleted and it should be included in a separate section of the Plan as a Community Project.

#### **Recommendation 9: Delete Policy T1.**

**Include the proposal as a Community Project in a separate section of the Plan clearly headed as not a planning policy. (eg “The Parish Council will support proposals for traffic calming on High Street.....).**

### **Policy T2 Effects of cross-border growth**

- 3.50 The policy states that the Parish Council will seek continued dialogue regarding cross border growth at Cranfield and elsewhere. This is a procedural matter and a community aspiration, as such it does not constitute planning policy and should be included as a Community Project.
- 3.51 The second sentence of the policy refers to development in the parish taking account of this potential and avoiding cumulative impacts. The Qualifying Body has responded to my question on the matter to state that this sentence is intended to ensure that any Transport Assessments prepared in support of planning applications in North Crawley parish should take account of significant developments elsewhere outside the parish such as at Cranfield.
- 3.52 A representation comments that the policy as drafted is not a planning policy and should be included in the supporting text.



- 3.53 As a consequence of the recommendations to delete Policies T1 and T2, it is suggested that the Transport section should be revised to become the Employment section and the objective revised accordingly.

**Recommendation 10: Delete Policy T2.**

**Include the proposal as a Community Project in a separate section of the Plan clearly headed as not a planning policy. (eg “The Parish Council will seek continued dialogue....”)**

**Revise paragraph 3.3 to read “Community Projects Number support the delivery of ..... Cranfield.”**

**Policy T3 Employment development**

- 3.54 The policy is negatively worded and states that new employment uses will not generally be supported unless it can be demonstrated that traffic movements and on-street parking will not increase as a result. It is considered that this is unduly restrictive and not in accordance with NPPF paragraph 28 which supports economic growth in rural areas.
- 3.55 Representations have been made objecting to the policy stating that it is a restrictive policy constraint and contrary to national planning policy. The Qualifying Body has responded to state that they do not wish to actively support new development in view of local concerns. They would prefer that relevant planning applications should be determined against the NPPF and Local Plan policies.

**Recommendation 11: Revise Policy T3 as follows:**

**“Proposals for employment development *will be considered against the NPPF and Local Plan policies. Development proposals should demonstrate that traffic generated will not result in an unacceptable adverse impact on the local highway network and that adequate on site parking can be provided.*”**

**Heritage and Design**

**Policy HD1 Materials & Design**

- 3.56 The policy seeks to ensure that new development respects the key characteristics of the area in which it is to be located. The policy is supported by Character Area Assessments contained in Appendix 2. These contain brief descriptions of each section of the village. They would prove more useful to prospective developers if they included photographs and information on materials and important building features such as window, door and roof details. Historic England has suggested that a Conservation Area Appraisal would be a valuable document to provide important advice on the special

character of the heritage assets and conservation area to guide the enhancement of the conservation area and the development of this site.

- 3.57 Part of Policy HD1 is not planning policy; it is advice on the content of Design and Access Statements that should be included in the policy justification. In accordance with my recommendation on the Heritage and Design objective under Recommendation 2, it is suggested that the policy be revised to include reference to the enhancement of the area, where appropriate.

**Recommendation 12: Revise Policy HD1 as follows:**

**“Development proposals must respect *and, where appropriate, enhance the key characteristics of the character area in which they are located taking account of the character area assessments set out in Appendix 2.*”**

**The characteristics to be included in the Design and Access Statement should be included in the justification to the policy.**

### **Policy HD2 Development in the Conservation Area**

- 3.58 The policy supports the development of electric vehicle charging points, parking facilities and traffic calming measures in the conservation area providing they do not result in significant harm. It would have been more helpful to users of the plan if the policy had provided more information on the factors to be taken into account in considering these proposals and how harm could be avoided. However, the policy supports the delivery of national objectives and I make no recommendations on the policy.

### **Policy HD3 Advertisements and signage**

- 3.59 The policy states that new signage or advertisements within the village will not be supported. It is considered that this is overly prescriptive and not in accordance with national guidance on advertisement control and does not contribute to supporting a prosperous rural economy. It would also have a negative impact on any new business in the plan area which wished to promote itself. It is recommended that this part of the policy is deleted.

**Recommendation 13: Delete the first sentence of Policy HD3.**

### **Policy L1 Local Green Space Designation**

- 3.60 The policy seeks the designation of three areas of land as Local Green Space in accordance with NPPF paragraph 76. A Local Green Space Assessment has evaluated the sites in accordance with NPPF paragraph 77. The Assessment states that Kilpin Green and Nixey’s Walk are registered as

Village Greens whereas paragraph 5.3 states that they have been nominated as village greens. The Qualifying Body has confirmed that the titles of the two areas have not been formally registered as village greens. It is recommended therefore that this should be corrected in the Assessment.

- 3.61 The Policies Map shows only the area to the east of the footpath across Nixey's walk is proposed as a Local Green Space. The Qualifying Body has confirmed that this is an error and the area to the west of the footpath should also be designated. As this is clearly part of the same open space, it is recommended that the Policies Map should be corrected to include the area to the west of the footpath.
- 3.62 NPPF paragraph 78 states that local policy for managing development in a Local Green Space should be consistent with policy for Green Belts. Paragraph 87 of the NPPF states that inappropriate development should not be approved except in very special circumstances. A recommendation is made to modify the policy to more closely reflect national guidance.

**Recommendation 14: Revise the last sentence of Policy L1 as follows:**

***“New development in these areas will be supported to enhance the recreational use of the area. Inappropriate development will not be supported except in very special circumstances.”***

**Correct the Policies Map to include the area to the west of the footpath across Nixey's Walk.**

**Policy L2 Rights of Way**

- 3.63 The first part of the policy states that proposal that require the extinguishment of any existing rights of way will be refused. In accordance with paragraph 3.7 above, a neighbourhood plan policy cannot tie the hands of decision makers. The merits of the extinguishment or diversion of a right of way will be a factor to be considered as part of the planning application process. A recommendation is made to revise the wording of this part of the policy to set out a positive statement on new developments that affect rights of way.

**Recommendation 15: Revise Policy L2 as follows:**

***“New development affecting a right of way should make provision for the right of way as part of the development or for its diversion on a convenient alternative route. Improvements to the standard of accessibility will be supported.”***

## Community Facilities

### Policy C1 Loss of existing facilities

- 3.64 The policy states that proposals that would result in the loss of a community facility or restrict access to any group will be refused planning permission. It is considered that this does not accord with NPPF paragraph 11 as discussed in paragraph 3.7 above. In response to my question on the policy the Qualifying Body has proposed revisions to take set out a requirement for active marketing of the premises or the provision of alternative premises before the loss of the community use would be considered.

#### Recommendation 16: Revise Policy C1 as follows:

***“Proposals that would result in the loss of any existing community facility should be supported by evidence to demonstrate that:***

***a) Two years of marketing for the existing use has been undertaken with no realistic offer received; or***

***b) Alternative premises have or will be provided.***

**For the purposes of this plan, community facilities in the village means public houses, shops, sports facilities, the school, meeting halls, and the church.”**

### Policy C2 Financial contributions

- 3.65 The policy states that any financial contributions secured through planning obligations agreements for the Parish Council will be directed towards retaining or improving community facilities. In response to my question the Qualifying Body has confirmed that there is no CIL in place or emerging in Milton Keynes.
- 3.66 The NPPG on Neighbourhood Planning encourages qualifying bodies to consider the infrastructure needs arising from new development in their plan area and should set out the prioritised infrastructure required to address the demands of development identified.
- 3.67 Site H5 identifies the need to provide a safe access to the site to enhance the entrance the village which will be capable of being secured through a planning condition and S106 agreement.
- 3.68 No background evidence has been submitted to support Policy C2 to demonstrate how the new development will impact on community facilities or the type of improvements required. The policy is a general statement of the Parish Council’s aspirations for its use of the community aspect of CIL when this is introduced. It should therefore be included in the separate section on Community Aspirations.

## **Recommendation 17: Delete Policy C2.**

**Add the following as a Community Aspiration: “*The Parish Council will support the improvement of the following community facilities through CIL, grants etc. List of facilities and improvements.*”**

## **Monitoring**

### **Policy M1 Monitoring**

- 3.69 This section helpfully sets out the criteria to be used in considering whether a review of the NCNP is required. However, this is a procedural matter and not planning policy. The text under the heading M1 Monitoring should be included in the justification and not presented as a policy.

**Recommendation 18: Delete Policy M1. Include the text under the heading M1 Monitoring in the justification to this section.**

## **New Policy**

### **Green Infrastructure**

- 3.70 Natural England has suggested that the plan should include policies on various types of green infrastructure. The preparation of a neighbourhood plan provides the community the opportunity to consider proposals for the enhancement of local green infrastructure. However, there is no requirement for the Plan to include policies on any particular topic and the Plan makers have chosen not to address this subject.

### **Priority Habitats**

- 3.71 Natural England has suggested that the plan should acknowledge the existence of priority habitats within the parish boundary and afford them protection through a policy. The importance of these habitats is set out in the NPPF, however, there is no requirement for the Plan to include policies on any particular topic and the Plan makers have chosen not to address this subject. Priority habitats are protected through Plan:MK Policy NE2.

## 4.0 Referendum

- 4.1 The North Crawley 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 North Crawley 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 30 January 2018.

## 5.0 Background Documents

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

- North Crawley Neighbourhood Plan Submission Draft Version 2018 – 2033 dated November 2018;
- North Crawley Neighbourhood Plan Basic Conditions Statement;
- North Crawley Neighbourhood Plan Strategic Environmental Assessment Screening Statement and Appropriate Assessment Screening November 2018;
- North Crawley Neighbourhood Plan Consultation Statement;
- North Crawley Neighbourhood Plan Housing Needs Assessment;
- North Crawley Neighbourhood Plan Site Assessment Summary;
- North Crawley Neighbourhood Plan Local Greenspace Assessment;
- National Planning Policy Framework March 2012 and February 2019;
- 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 Plan:MK 2019;
- Parking Standards, Milton Keynes Council January 2016.

## 6.0 Summary of Recommendations

**Recommendation 1:** Refer to the Policies Map as such throughout the Plan.

Include the word “Policy” in the title of the policies.

**Recommendation 2:** Revise the Heritage and Design Objective to read: “To ensure all new development *makes a positive contribution to and enhances* the character of the village *and safeguards* its key features.”

**Recommendation 3:** Revise paragraph 2.3 to read “...(about 35 dwellings)...

Revise paragraph 2.10 to read: “Policies H3 to H5 allocate land *sufficient for about 35 dwellings*. ....

Include a new policy as follows:

*“The NCNP will provide for about 35 new homes to meet the housing needs of the parish over the plan period 2018 – 2033.*

*New housing will be supported on sites that lie within the Settlement Boundary of North Crawley in accordance with other relevant policies of the development plan.*

*New housing will be delivered through:*

- *Dwellings which have been constructed or have planning consent granted since 2018;*
- *Windfall opportunities in accordance with Policy H2 and Plan:MK Policy DS5 and the NPPF;*
- *The following housing allocations:*
  - D. The Former Maslin Site (Policy H3)*
  - E. Land north of Orchard Way (Policy H4)*
  - F. Land South of High Street (Policy H5).”*

**Recommendation 4:** Delete Policy H1.

Revise the first sentence of paragraph 2.5 to read “The Plan aims to protect....”. Delete the last sentence of paragraph 2.5. Add the following at the end of paragraph 2.5: “*Development in the countryside should be assessed against Plan:MK Policy DS5 and the NPPF.*”

**Recommendation 5:** Revise line 2 of Policy H2 to read “...will be *supported* where....”

**Recommendation 6:** Revise Policy H3 as follows:

Revise line 1 to read “...residential development of *about 5 dwellings*...”

Revise line 2 to read “....*Development proposals should satisfy all the following criteria:*”



Revise the first criteria to read: “Proposals should include a mix of *housing types and sizes in accordance with the latest evidence of housing need, including family homes (3-4 bedrooms) and smaller dwellings suitable for the elderly.*”

Delete the fifth bullet point.

Add a statement on the importance of biodiversity net gain in the introduction to the housing section with a cross reference to Plan:MK Policy NE3.

**Recommendation 7: Revise Policy H4 as follows:**

Revise line 1 to read “...residential development of *about 11 - 15 dwellings...*”

Revise line 2 to read “...*Development proposals should satisfy all the following criteria:*”

Revise the first criteria to read: “Proposals should include a mix of *housing types, sizes and tenures in accordance with the latest evidence of housing need, including family homes (3-4 bedrooms) and smaller dwellings suitable for the elderly.*”

Delete the following from the third criterion: “Applications for fewer than 11 units will be refused on this basis.”

Revise the second sentence of the fourth criterion to read: “...Single-storey or 1.5 storey dwellings will be encouraged *where appropriate* to minimise....”

**Recommendation 8: Revise Policy H5 as follows:**

Revise line 1 to read “...residential development of *about 15 dwellings...*”

Revise line 2 to read “...*Development proposals should satisfy all the following criteria:*”

Revise the first criteria to read: “Proposals should include a mix of *housing types, sizes and tenures in accordance with the latest evidence of housing need. A terrace of two bedroomed dwellings suitable for first time buyers would be supported.*”

Revise the second bullet point to read: “*Proposals should incorporate affordable housing in accordance with Policy HN2 of Plan:MK.*”

Combine the third and sixth bullet points to read: “*The housing should be laid out and designed to make a positive contribution to the conservation area and its setting to enhance the entrance to the village. Open space should be laid out to safeguard the protected horse chestnut tree. The right of way should be retained across the site.*”

**Combine the fourth and fifth bullet points to read: “Access to the proposed development should be designed to the satisfaction of the Council’s Highways Officer. Parking should be located within each house plot and should accord with the Milton Keynes Parking Standards SPD January 2016. The transport statement should consider how the access to the development can contribute to creating an entrance gateway to the village.”**

**Recommendation 9: Delete Policy T1.**

**Include the proposal as a Community Project in a separate section of the Plan clearly headed as not a planning policy. (eg “The Parish Council will support proposals for traffic calming on High Street.....).**

**Recommendation 10: Delete Policy T2.**

**Include the proposal as a Community Project in a separate section of the Plan clearly headed as not a planning policy. (eg “The Parish Council will seek continued dialogue....)**

**Revise paragraph 3.3 to read “Community Projects Number support the delivery of ..... Cranfield.”**

**Recommendation 11: Revise Policy T3 as follows:**

**“Proposals for employment development *will be considered against the NPPF and Local Plan policies. Development proposals should demonstrate* that traffic generated will not result in an unacceptable adverse impact on the local highway network and that adequate on site parking can be provided.”**

**Recommendation 12: Revise Policy HD1 as follows:**

**“Development proposals must respect *and, where appropriate, enhance* the key characteristics of the *character* area in which they are located *taking account of* the character area assessments set out in Appendix 2.”**

**The characteristics to be included in the Design and Access Statement should be included in the justification to the policy.**

**Recommendation 13: Delete the first sentence of Policy HD3.**

**Recommendation 14: Revise the last sentence of Policy L1 as follows:**

**“New development in these areas will be supported to enhance the recreational use of the area. *Inappropriate development will not be supported except in very special circumstances.*”**

**Correct the Policies Map to include the area to the west of the footpath across Nixey’s Walk.**

**Recommendation 15: Revise Policy L2 as follows:**

***“New development affecting a right of way should make provision for the right of way as part of the development or for its diversion on a convenient alternative route. Improvements to the standard of accessibility will be supported.”***

**Recommendation 16: Revise Policy C1 as follows:**

***“Proposals that would result in the loss of any existing community facility should be supported by evidence to demonstrate that:***

***a) Two years of marketing for the existing use has been undertaken with no realistic offer received; or***

***b) Alternative premises have or will be provided.***

**For the purposes of this plan, community facilities in the village means public houses, shops, sports facilities, the school, meeting halls, and the church.”**

**Recommendation 17: Delete Policy C2.**

**Add the following as a Community Aspiration: *“The Parish Council will support the improvement of the following community facilities through CIL, grants etc. List of facilities and improvements.***

**Recommendation 18: Delete Policy M1. Include the text under the heading M1 Monitoring in the justification to this section.**