


NEIGHBOURHOOD PLANNING OFFICER DECISION			
DECISION REQUIRED <i>(please tick one box)</i>			
Designate a Neighbourhood Forum	<input type="checkbox"/>	Agree comments on a pre-submission plan	<input type="checkbox"/>
Designate a Neighbourhood Area	<input type="checkbox"/>	Agree comments on a submitted plan	<input type="checkbox"/>
Whether to accept and publicise a Submitted Plan	<input type="checkbox"/>	Agree the appointment of an Examiner	<input type="checkbox"/>
Whether to decline or accept a repeat proposal	<input type="checkbox"/>	Agree actions to take following an Examiner's report	X
Whether to modify a Plan or Order	<input type="checkbox"/>		<input type="checkbox"/>
LOCATION/ PARISH			
		Lavendon Parish Council	
DATE RECEIVED			
		23 October 2019	
DEADLINE FOR DECISION <i>(where Regs require this)</i>		ASAP – Regs require decision within 5 weeks but allow for longer where discussions on the changes take place with the Parish Council	
LEAD OFFICER		David Blandamer	
ISSUES/COMMENTS <i>(including details of any consultations undertaken and any comments received)</i>			
<p>Following an independent examination, Milton Keynes Council has considered the report of the examiner on the Lavendon Neighbourhood Plan. Following discussion with the parish council, Milton Keynes Council proposes to accept the Examiner's recommendations.</p> <p>A decision is sought to agree to the course of action outlined above and as set out in the accompanying Decision Statement.</p> <p>Arrangements are being made with Electoral Services to hold a referendum in January 2020.</p>			
BACKGROUND DOCUMENTS: <i>(insert hyperlink to files on L drive)</i>			
\\Mkc\dfs01\Shared\Planning\Development Plans\Localism Act\Neighbourhood Plans from non frontrunners\Lavendon NP\Examination			
DECISION TAKEN:			
Agree the Examiner's recommendations and proceed to referendum			
SIGNED:			
			
Tracy Darke, Director Growth, Economy & Culture			
DATE: 15 November 2019			

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Examiner's recommendations		MKC comments	Recommended changes
Recommendation 1			
Para 3.8	Change the title of the Proposals Map to " Policies Map ". Show the relevant policies in the key to the map. Show the sites with planning permission on a separate map.	Agreed	Change the title of the Proposals Map to " Policies Map ". Show policies in the key to the map. Show the sites with planning permission on a separate map.
	Number or letter the criteria in policies for ease of reference.	Agreed	Number or letter the criteria in policies.
Recommendation 2			
Para 3.16	<p>Revise Policy E2 as follows: Revise the first paragraph to read: "Development proposals <i>should</i> enhance the natural environment and contribute to biodiversity net gains within the Parish <i>in line with Plan:MK Policy NE3</i>. Biodiversity improvements will help"</p> <p>Revise the second paragraph to read: "<i>Development proposals should include baseline information on the environmental value of the site.....</i>"</p> <p>Delete "in close liaison with the Parish Council" from paragraph 4.</p> <p>Delete paragraph 6.</p>	Agreed	<p>Amend Policy E2 to read: "Development proposals that should enhance the natural environment and contribute to biodiversity net gains within the Parish in line with Plan:MK Policy NE3 will be supported, subject to compliance with other policies of the Neighbourhood Plan. Biodiversity improvements will help in mitigating against the adverse effects that development has on the environment.</p> <p>New development will be expected to acquire Development proposals should include baseline information on the environmental value of the site and demonstrate how its quality can be maintained or enhanced through the introduction of adequate mitigation. Proposals that would benefit the wider Parish will be looked at favourably. Planting of high-quality native trees and</p>

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			<p>shrubs will be expected as part of the development landscaping scheme. To avoid habitat fragmentation and maintain/enhance existing ecological networks, on-site mitigation will be encouraged. Where this cannot be achieved, development proposal will have to demonstrate why and contribute towards off-site mitigation projects, in close liaison with the Parish Council.</p> <p>Developers will be expected to maintain new planting schemes for a period of 2 years from completion of construction works, either directly or through the appointment of a management company. The developer will be expected to remove and replace any dead/dying/decaying vegetation identified within that timeframe.</p> <p>The Parish Council will encourage early engagement and discussion to identify strategies that could assist in the delivery of this policy.</p>
	<p>Add the following to the justification: <i>“Landscaping schemes should enhance the quality of the proposed development and surrounding area, using native species that benefit wildlife and biodiversity and using plants of a size and planting density that create a reasonable level of positive impact from the outset. Planting schemes that use inappropriate planting species or have</i></p>		<p>Add new para after 5.3 to read: “Landscaping schemes should enhance the quality of the proposed development and surrounding area, using native species that benefit wildlife and biodiversity and using plants of a size and planting density that create a reasonable level of positive impact from the outset. Planting schemes that use inappropriate planting species or have plants that are too young and small taking a long time to become established should be</p>

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	<i>plants that are too young and small taking a long time to become established should be avoided."</i>		avoided."
Recommendation 3			
Para 3.19	Revise Policy E3 as follows: Revise paragraph 2 to state that "mitigation and protection schemes <i>must</i> be implemented....".	Agreed	Amend Policy E3 as follows: "All development proposals should identify any significant trees within the site or affected by the proposals and demonstrate how these trees will be protected in accordance with BS5837 or the equivalent standards. Mitigation and protection schemes must will be implemented prior to construction work commencing and must be retained in good order throughout the construction period. If the loss of trees and/or other established vegetation cannot be avoided, all development proposals will have to allow for clear, effective measures to offset the loss of biodiversity. This may include (but may not be limited to) planting new, high-quality trees and/or funding off-site planting schemes (although on-site mitigation is encouraged)."
Recommendation 4			
Para 3.20	Delete Policy E4.	Agreed	Delete Policy E4.
Recommendation 5			
Para 3.21	Add the following at the beginning of paragraph 6.6: "<i>Development proposals affecting heritage assets will also be considered against Plan:MK Policy HE1</i>".	Agreed	Amend para 6.6 to read: "Development proposals affecting heritage assets will also be considered against Plan:MK Policy HE1. These policies will be implemented through consultation with Milton Keynes Council during the planning application process. Early

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			discussion communication with the Parish Council when formulating a scheme will assist developers to obtain feedback on their proposals.”
Recommendation 6			
Para 3.23	Revise the first bullet point of Policy CD2 to read: “<i>Demonstrate how proposals achieve sustainable development and are integrated into the village to promote social inclusion and support of village facilities.</i>”	Agreed	Amend Policy CD2 to read: “All new development should demonstrate high quality design, respect the character of the surrounding area and enhance the quality of design within the village wherever possible. Development proposals that would enhance the character and appearance of the Conservation Area will be supported. A central part of achieving high quality design is responding to and integrating with local surroundings and landscape context, as well as the built environment, through: (i) Demonstrate how proposals achieve sustainable development and are integrated into the village, to promote social inclusion and the support of village facilities. (ii) Using high quality materials that complement the existing palette of materials used within the area. (iii) Being of a scale, density, massing, height, design and layout that reflect the character of the village or particular area in which the development proposal is located. (iv) Using stone walling and/or green hedging as appropriate for highway boundaries wherever possible, in keeping with the existing streetscape. (v) Ensuring safe access for pedestrians, cyclists and road users. (vi)

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			<p>Providing adequate refuse and recycling storage incorporated into the scheme to minimise visual impact. (vii) Innovative design that is sustainable in its design, construction and operation. (viii) Promoting high quality interior spaces and the use of natural light and solar gain. (ix) Adopting the principles of sustainable urban drainage, where appropriate.</p> <p>All dwellings capable of being inhabited by families should provide sufficient private garden amenity space to meet household recreational needs. These should be in scale with the dwelling, reflect the character of the area and be appropriate in relation to topography and privacy.</p> <p>Parking spaces should be located in a manner that ensures that parked cars do not overly dominate the street scene and do not form clusters of frontage car parking.</p> <p>Parking should be designed so that it fits in with the character of the proposed development.</p> <p>Considerations should include: (a) Garages designed to reflect the architectural style of the house they serve. (b) Garages set back from the street frontage. (c) Parking located in between houses (rather than in front) so that it does not dominate the street scene.</p>
Recommendation 7			
Para 3.25	<p>Revise Policy FR1 as follows: Revise the first paragraph to read: “all</p>	Agreed	<p>Amend Policy FR1 to read: “To promote sustainable development and combat climate</p>

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	<i>development</i> in the Parish will be expected..."		change, all new housing development within the Parish will be expected to adopt sustainable drainage schemes. Surface water runoff should be attenuated on site whenever possible, and if achievable, should be combined with semi-natural balancing ponds to provide enhanced biodiversity and new wildlife habitats. Encouragement will be given to enhancement of up-catchment flood storage, to hold surface water runoff away from the village."
	Add the following at the end of paragraph 7.3 "Development proposals should take account of the policies in Plan:MK on Managing and Reducing Flood Risk in addition."	Agreed	Amend para 7.3 to read: "The Neighbourhood Plan promotes the creation of new flood attenuation measures and requires development proposals to adopt effective surface water management to ensure that the risk of flooding is not exacerbated elsewhere. Development proposals should take account of the policies in Plan:MK on Managing and Reducing Flood Risk in addition. "
Recommendation 8			
Para 3.27	Delete the final paragraph from Policy FR2 and place it in the section on Community Projects.	Agreed	Amend Policy FR2 to read: "Support will be given to proposals to create new up-catchment flood storage ponds, to hold back surface water during storm events or in circumstances where the infiltration is inadequate. The ponds should be located where connectivity between them utilising by existing vegetation can be achieved where possible, to provide a series of linked natural

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			<p>habitats. The Parish Council will work with Milton Keynes Council, the Environment Agency and landowners to identify suitable locations and secure funding towards the scheme."</p> <p>Include new para after 7.7 to read: "The Parish Council will work with Milton Keynes Council, the Environment Agency and landowners to identify suitable locations and secure funding towards the scheme."</p>
Recommendation 9			
Para 3.31	Delete "and this Neighbourhood Plan" from Policy HT2.	Agreed	Amend Policy HT2 to read: "Development proposals that include measures to reduce the impact of traffic, improve the highway environment within Lavendon and the wider Parish and to increase use of non-car modes of transport will be supported, subject to compliance with other policies of the Development Plan and this Neighbourhood Plan. "
Recommendation 10			
Para 3.33	Delete Policy HT3.	Agreed	Delete Policy HT3.
	Move the second paragraph of the policy to the penultimate paragraph of Policy CD2 before "Parking should be designed so that..."		See change to Policy CD2 above.
	Add the following to paragraph 8.8: <i>"Parking standards are set out in the</i>		Amend paragraph 8.8 to read: "A working group has been established to plan for and deliver an expansion of the car park serving

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	<i>Milton Keynes Parking Standards SPD."</i>		the village hall to the rear of the building. This will greatly improve car parking capacity and reduce instances of on-street car parking in the area. Parking standards are set out on the Milton Keynes Parking Standards SPD."
Recommendation 11			
Para 3.35	Number the community facilities in Policy CF1 and show the boundaries of the sites on the Policies Map.	Agreed	<p>Amend Policy CF1 to read: "There will be a presumption in favour of the protection of exiting community facilities for current and future generations. Proposals that would involve the loss of a community facility, or its change of use to a non-community beneficial use, will not be supported without evidence to justify the loss and suitable alternative provision first being secured.</p> <p>For the avoidance of doubt, community facilities within the village are defined as:</p> <ol style="list-style-type: none"> 1. Baptist Church 2. St. Michaels Church 3. Lavendon Village Hall 4. The recreation area 5. The copse 6. The allotments <p>Proposals for improvements to existing community</p>
Recommendation 12			
Para 3.37	Delete the final paragraph from Policy CF2 and include it as a Community Aspiration.	Agreed	<p>Amend Policy CF2 to read: "Land at Harrold Road as shown on the proposals map is designated as community open space and shall be protected from built development. Use of this land for the benefit of the</p>

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			<p>community will be supported and could include:</p> <ul style="list-style-type: none"> • Space for informal recreation and dog walking, connected to the existing public footpath network • Community led tree planting schemes and biodiversity enhancements. • Planting of a community orchard. • Nature and play trail. • Cycling track. <p>The Parish Council will formulate a management plan for the community open space, which will be maintained with the help of volunteers.</p> <p>Include a new paragraph after 9.4 to read: “The Parish Council will formulate a management plan for the community open space, which will be maintained with the help of volunteers.”</p>
Recommendation 13			
<p>Para 3.47</p>	<p>Include a new policy as follows:</p> <p><i>“The LNP will provide for about 140 new homes to meet the housing needs of the parish over the plan period 2019 – 2031.</i></p> <p><i>New housing will be supported on sites that lie within the Settlement Boundary of</i></p>	<p>Agreed</p>	<p>Include new policy to read: “The Lavendon Neighbourhood Plan will provide for about 140 new homes to meet the housing needs of the parish over the plan period 2019 – 2031.</p> <p>New housing will be supported on sites that lie within the Settlement Boundary of</p>

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	<p><i>Lavendon in accordance with other relevant policies of the development plan.</i></p> <p><i>New housing will be delivered through:</i></p> <ul style="list-style-type: none"> • <i>Dwellings which have planning consent at July 2019 as shown on the Policies Map;</i> • <i>Windfall opportunities in accordance with Policy H2 and Plan:MK Policy DS5 and the NPPF;</i> • <i>The housing allocation for about 8 dwellings at Harrold Road under Policy H4."</i> 		<p>Lavendon in accordance with other relevant policies of the development plan.</p> <p>New housing will be delivered through:</p> <ul style="list-style-type: none"> • Dwellings which have planning consent at July 2019 as shown on the Policies Map; • Windfall opportunities in accordance with Policy H2 and Plan:MK Policy DS5 and the NPPF; • The housing allocation for about 8 dwellings at Harrold Road under Policy H4."
Recommendation 14			
<p>Para 3.50</p>	<p>Revise Policy H1 as follows:</p> <p>Place the first paragraph in the justification.</p> <p>Revise the second paragraph to read: <i>"....within the settlement boundary shown on the Policies Map, provided that...."</i></p> <p>Revise the settlement boundary to include the housing site allocation, sites adjacent to Lavendon village with planning permission for housing and those that have been completed and other sites that meet the</p>	<p>Agreed</p>	<p>Amend Policy H1 to read: "The Neighbourhood Plan defines the Lavendon settlement boundary, as shown on the Proposals Map, to shape the physical growth of the village over the plan period. There is a presumption in favour of sustainable development within the settlement boundary shown on the Policies Map, provided that the proposals comply with the provisions of the Lavendon Neighbourhood Plan and the Milton Keynes Development Plan. Development proposals, including windfall development, should: (i) Preserve or enhance the character and appearance of the Conservation Area and/or listed buildings</p>

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	<p>criteria outlined in the Settlement Boundary Study 2018.</p> <p>Show the settlement boundary on the Policies Map more clearly and in an alternative colour.</p>		<p>and/or listed buildings and/or conserve and enhance the setting of Ancient Monuments. (ii) Protect and wherever possible, enhance the rural character of the village. (iii) Preserve the wider landscape setting of the village. Outside of the settlement boundary the remainder of the Parish is defined as countryside. Development proposals will be supported where they are appropriate to the rural area and area in accordance with the NPPF and the Milton Keynes Development Plan.”</p> <p>Add new para after 10.12 to read: “The Neighbourhood Plan defines the Lavendon settlement boundary, as shown on the Proposals Map, to shape the physical growth of the village over the plan period.”</p> <p>Revise the settlement boundary to include the housing site allocation, sites adjacent to Lavendon village with planning permission for housing and those that have been completed and other sites that meet the criteria outlined in the Settlement Boundary Study 2018.</p> <p>Show the settlement boundary on the Policies Map more clearly and in an alternative colour.</p>
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Recommendation 15			
Para 3.53	<p>Revise Policy H3 as follows:</p> <p>Delete the final paragraph of the policy.</p> <p>Include a paragraph in the justification to the policy to state that developers will be expected to demonstrate through their design and access statements how the policy requirements are to be delivered and that consultation with the Parish Council will be welcomed.</p>	Agreed	<p>Amend Policy H3 to read: "Proposals for new housing development, including details submitted for schemes with outline planning permission, should be well integrated with the village and demonstrate how they will ensure that new residents can access facilities and services.</p> <p>Opportunities to provide new footpath links, open spaces and areas for community recreation should be included where possible, to ensure that the wider community benefits from new development within the village. Proposals that lead to 'enclosed or private' housing estates, segregated from the community should be avoided.</p> <p>This policy will apply to all housing development proposals, including outline planning permissions where reserved matters applications have not been made or determined.</p> <p>Developers should demonstrate how the policy can be achieved and engage with the Parish Council to determine suitable options to integrate their proposals into the community."</p> <p>Include new para after 10.12 to read: "Developers will be expected to demonstrate through their design and access statements how the policy requirements are to be delivered.</p>

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			Consultation with the Parish Council will be welcomed."
	Include the following in a new section headed Community Project with an explanation that the section does not constitute planning policy: <i>"The Parish Council will encourage the engagement of developers with the Parish Council to consider the options for the layout and design of new housing development."</i>	Agreed	Insert new section at end of Housing chapter under heading "Community project" to read: "The Parish Council will encourage the engagement of developers with the Parish Council to consider the options for the layout and design of new housing development."
Recommendation 16			
Para 3.55	Revise paragraph 10.16 to read: <i>"...to provide an area of community open space....."</i>	Agreed	Amend para 10.16 to read: "The development of this site presents an opportunity to provide a sports field an area of community open space for the village, located adjacent to the new housing allocation, which would be secured through a legal agreement or statutory undertaking."
Referendum Area			
Para 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.	Agreed	Referendum area to be based on the Lavendon Neighbourhood Plan Area.