

Milton Keynes City Council

**North Crawley
Neighbourhood Plan
2021-2036**

Independent Examiner's Report

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28 November 2022

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Summary

I have been appointed as the independent examiner of the North Crawley Neighbourhood Development Plan.

North Crawley is located about 3.5 miles east of Newport Pagnell. The village has a rich heritage with a Conservation Area, three Ancient Monuments and a number of listed buildings, including the Grade 1 St Firmin's Church. The village is located in an elevated position and is surrounded by arable fields and pasturelands with significant woodlands. This landscape and the village's heritage give it a distinct local character.

It has a population of around 736 according to the Census 2011, but this population is declining with fewer families and an ageing profile. The village has a number of services and facilities including an infant school, shops and two public houses.

The Plan is presented well. It has 14 policies covering a wide range of issues, but most importantly it contains five site allocations providing for around 30 – 35 houses, over and above any requirement. This recognises the importance placed on a sustainable community and a strong desire to influence the area's future. The policies do not repeat Milton Keynes City Council level policy, but seek to add a local layer or address matters of importance to the local community.

It has been necessary to recommend some modifications. In the main these are intended to ensure the Plan is clear and precise and provides a practical framework for decision-making as required by national policy and guidance. These do not significantly or substantially alter the overall nature of the Plan.

Subject to those modifications, I have concluded that the Plan does meet the basic conditions and all the other requirements I am obliged to examine. I am therefore pleased to recommend to Milton Keynes City Council that the North Crawley Neighbourhood Development Plan can go forward to a referendum.

In considering whether the referendum area should be extended beyond the Neighbourhood Plan area I see no reason to alter or extend this area for the purpose of holding a referendum.

Ann Skippers MRTPI
Ann Skippers Planning
28 November 2022



1.0 Introduction

1. This is the report of the independent examiner into the North Crawley Neighbourhood Development Plan (the Plan).
2. The Localism Act 2011 provides a welcome opportunity for communities to shape the future of the places where they live and work and to deliver the sustainable development they need. One way of achieving this is through the production of a neighbourhood plan.
3. I have been appointed by Milton Keynes City Council (MKC) with the agreement of the Parish Council, to undertake this independent examination. I have been appointed through the Neighbourhood Planning Independent Examiner Referral Service (NPIERS).
4. I am independent of the qualifying body and the local authority. I have no interest in any land that may be affected by the Plan. I am a chartered town planner with over thirty years experience in planning and have worked in the public, private and academic sectors and am an experienced examiner of neighbourhood plans. I therefore have the appropriate qualifications and professional experience to carry out this independent examination.

2.0 The role of the independent examiner

5. The examiner must assess whether a neighbourhood plan meets the basic conditions and other matters set out in paragraph 8 of Schedule 4B of the Town and Country Planning Act 1990 (as amended).
6. The basic conditions¹ are:
 - Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the neighbourhood plan
 - The making of the neighbourhood plan contributes to the achievement of sustainable development
 - The making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area
 - The making of the neighbourhood plan does not breach, and is otherwise compatible with, retained European Union (EU) obligations²
 - Prescribed conditions are met in relation to the neighbourhood plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood plan.

¹ Set out in paragraph 8 (2) of Schedule 4B of the Town and Country Planning Act 1990 (as amended)

² Substituted by the Environmental Assessments and Miscellaneous Planning (Amendment) (EU Exit) Regulations 2018/1232 which came into force on 31 December 2020

7. Regulations 32 and 33 of the Neighbourhood Planning (General) Regulations 2012 (as amended) set out two additional basic conditions to those set out in primary legislation and referred to in the paragraph above. Only one is applicable to neighbourhood plans and was brought into effect on 28 December 2018.³ It states that:

- The making of the neighbourhood development plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.

8. The examiner is also required to check⁴ whether the neighbourhood plan:

- Has been prepared and submitted for examination by a qualifying body
- Has been prepared for an area that has been properly designated for such plan preparation
- Meets the requirements to i) specify the period to which it has effect; ii) not include provision about excluded development; and iii) not relate to more than one neighbourhood area and that
- Its policies relate to the development and use of land for a designated neighbourhood area.

9. I must also consider whether the draft neighbourhood plan is compatible with Convention rights.⁵

10. The examiner must then make one of the following recommendations:

- The neighbourhood plan can proceed to a referendum on the basis it meets all the necessary legal requirements
- The neighbourhood plan can proceed to a referendum subject to modifications or
- The neighbourhood plan should not proceed to a referendum on the basis it does not meet the necessary legal requirements.

11. If the plan can proceed to a referendum with or without modifications, the examiner must also consider whether the referendum area should be extended beyond the neighbourhood plan area to which it relates.

12. If the plan goes forward to referendum and more than 50% of those voting vote in favour of the plan then it is made by the relevant local authority, in this case MKC. The plan then becomes part of the 'development plan' for the area and a statutory consideration in guiding future development and in the determination of planning applications within the plan area.

³ Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018

⁴ Set out in sections 38A and 38B of the Planning and Compulsory Purchase Act 2004 as amended by the Localism Act

⁵ The combined effect of the Town and Country Planning Act Schedule 4B para 8(6) and para 10 (3)(b) and the Human Rights Act 1998

3.0 The examination process

13. I have set out my remit in the previous section. It is useful to bear in mind that the examiner's role is limited to testing whether or not the submitted neighbourhood plan meets the basic conditions and other matters set out in paragraph 8 of Schedule 4B to the Town and Country Planning Act 1990 (as amended).⁶

14. Planning Practice Guidance (PPG) confirms that the examiner is not testing the soundness of a neighbourhood plan or examining other material considerations.⁷ Often representations suggest amendments to policies or additional and new policies. Where I find that policies do meet the basic conditions, it is not necessary for me to consider if further amendments or additions are required.

15. In addition, PPG is clear that neighbourhood plans are not obliged to include policies on all types of development.⁸

16. PPG⁹ explains that it is expected that the examination will not include a public hearing. Rather the examiner should reach a view by considering written representations. Where an examiner considers it necessary to ensure adequate examination of an issue or to ensure a person has a fair chance to put a case, then a hearing must be held.¹⁰

17. I sought clarification on a number of matters from the Parish Council and MKC in writing on 4 November 2022 and my list of questions is attached to this report as Appendix 2. I am grateful to both Councils who have provided me with comprehensive answers to my questions. These responses received (all publicly available) together with consideration of all the documentation and the representations made, have enabled me to examine the Plan without the need for a hearing.

18. In 2018, the Neighbourhood Planning Independent Examiner Referral Service (NPIERS) published guidance to service users and examiners. Amongst other matters, the guidance indicates that the qualifying body will normally be given an opportunity to comment upon any representations made by other parties at the Regulation 16 consultation stage should they wish to do so. There is no obligation for a qualifying body to make any comments; it is only if they wish to do so. The Parish Council chose not to offer any comments.

19. I am very grateful to everyone for ensuring that the examination has run smoothly and in particular David Blandamer at MKC.

⁶ PPG para 055 ref id 41-055-20180222

⁷ Ibid

⁸ Ibid para 040 ref id 41-040-20160211

⁹ Ibid para 056 ref id 41-056-20180222

¹⁰ Ibid

20. I made an unaccompanied site visit to familiarise myself with the Plan area on 20 September 2022.

21. Where modifications are recommended they appear in **bold text**. Where I have suggested specific changes to the wording of the policies or new wording these appear in ***bold italics***.

22. As a result of some modifications consequential amendments may be required. These can include changing section headings, amending the contents page, renumbering paragraphs or pages, ensuring that supporting appendices and other documents align with the final version of the Plan and so on.

23. I regard these as primarily matters of final presentation and do not specifically refer to such modifications, but have an expectation that a common sense approach will be taken and any such necessary editing will be carried out and the Plan's presentation made consistent.

4.0 Neighbourhood plan preparation

24. A Consultation Statement has been submitted. It meets the requirements of Regulation 15(2) of the Neighbourhood Planning (General) Regulations 2012.

25. Work began on the Plan in 2017. A questionnaire was sent to all households and the results fed back at a number of events

26. During preparation of the Plan, monthly public meetings were held between November 2019 and March 2020. An information leaflet was distributed to all households in February 2021 explaining how feedback could be offered. Regular updates were made on the Community Facebook page and emailed to those on a distribution list. An update on the Plan was a standing item on Parish Council agendas and included in the monthly Parish magazine distributed to all households. A series of events was also held in July and November 2021.

27. Two periods of pre-submission consultation were undertaken. In response to a question regarding this sequence of events, I am informed that the Strategic Environmental Assessment had not been prepared prior to the first consultation as it was only Historic England's response to the first consultation which highlighted the need for SEA.

28. The first period was undertaken for a six week period between December 2021 and January 2022. The second period was undertaken for a six week period between April and May 2022.

29. The first and second periods of consultation were advertised by a hand delivered letter with a copy of the Plan (in the first consultation) and an explanation of the SEA (in

the second consultation) to each household and email contact with all those on the distribution lists and statutory bodies. The consultations were publicised on the Facebook page and via the Parish Council meetings and website. Two drop in sessions were held during each consultation period.

30. I consider that the consultation and engagement carried out is satisfactory.

31. Submission (Regulation 16) consultation was carried out between 8 July – 19 August 2022.

32. The Regulation 16 stage resulted in six representations. I have considered all of the representations and taken them into account in preparing my report.

5.0 Compliance with matters other than the basic conditions

33. I now check the various matters set out in section 2.0 of this report.

Qualifying body

34. North Crawley Parish Council is the qualifying body able to lead preparation of a neighbourhood plan. This requirement is satisfactorily met.

Plan area

35. The Plan area is coterminous with the administrative boundary for the Parish. MKC approved the designation of the area on 30 January 2018. The Plan relates to this area and does not relate to more than one neighbourhood area and therefore complies with these requirements. The Plan area is shown on page 1 of the Plan.

Plan period

36. The Plan period is 2021 – 2036. This is clearly stated on the front cover of the Plan and within the Plan itself. This requirement is satisfactorily met.

Excluded development

37. The Plan does not include policies that relate to any of the categories of excluded development. The Plan therefore meets this requirement.

Development and use of land

38. Policies in neighbourhood plans must relate to the development and use of land. Sometimes neighbourhood plans contain aspirational policies or projects that signal the community's priorities for the future of their local area, but are not related to the development and use of land. If I consider a policy or proposal to fall within this

category, I will recommend it be clearly differentiated. This is because wider community aspirations than those relating to development and use of land can be included in a neighbourhood plan, but actions dealing with non-land use matters should be clearly identifiable.¹¹

39. In this instance, actions and projects unrelated to the development and use of land are referred to in the Introduction and more detail is provided in the separate Section 4 of the Plan. This approach aligns with the approach advised by PPG.

6.0 The basic conditions

Regard to national policy and advice

40. The Government revised the National Planning Policy Framework (NPPF) on 20 July 2021. This revised Framework replaces the previous National Planning Policy Framework published in March 2012, revised in July 2018 and updated in February 2019.

41. The NPPF is the main document that sets out the Government's planning policies for England and how these are expected to be applied.

42. In particular it explains that the application of the presumption in favour of sustainable development will mean that neighbourhood plans should support the delivery of strategic policies in local plans or spatial development strategies and should shape and direct development outside of these strategic policies.¹²

43. Non-strategic policies are more detailed for specific areas, neighbourhoods or types of development.¹³ They can include allocating sites, the provision of infrastructure and community facilities at a local level, establishing design principles, conserving and enhancing the natural and historic environment as well as set out other development management policies.¹⁴

44. The NPPF also makes it clear that neighbourhood plans should not promote less development than that set out in strategic policies or undermine those strategic policies.¹⁵

45. The NPPF states that all policies should be underpinned by relevant and up to date evidence; evidence should be adequate and proportionate, focused tightly on supporting and justifying policies and take into account relevant market signals.¹⁶

¹¹ PPG para 004 ref id 41-004-20190509

¹² NPPF para 13

¹³ Ibid para 28

¹⁴ Ibid

¹⁵ Ibid para 29

¹⁶ Ibid para 31

46. Policies should be clearly written and unambiguous so that it is evident how a decision maker should react to development proposals. They should serve a clear purpose and avoid unnecessary duplication of policies that apply to a particular area including those in the NPPF.¹⁷

47. On 6 March 2014, the Government published a suite of planning guidance referred to as Planning Practice Guidance (PPG). This is an online resource available at www.gov.uk/government/collections/planning-practice-guidance which is regularly updated. The planning guidance contains a wealth of information relating to neighbourhood planning. I have also had regard to PPG in preparing this report.

48. PPG indicates that a policy should be clear and unambiguous¹⁸ to enable a decision maker to apply it consistently and with confidence when determining planning applications. The guidance advises that policies should be concise, precise and supported by appropriate evidence, reflecting and responding to both the planning context and the characteristics of the area.¹⁹

49. PPG states there is no 'tick box' list of evidence required, but proportionate, robust evidence should support the choices made and the approach taken.²⁰ It continues that the evidence should be drawn upon to explain succinctly the intention and rationale of the policies.²¹

50. Whilst this has formed part of my own assessment, the Basic Conditions Statement sets out how the Plan has responded to national policy and guidance. It contains a table which considers each Plan policy alongside the NPPF offering a helpful commentary.

Contribute to the achievement of sustainable development

51. A qualifying body must demonstrate how the making of a neighbourhood plan would contribute to the achievement of sustainable development.

52. The NPPF confirms that the purpose of the planning system is to contribute to the achievement of sustainable development.²² This means that the planning system has three overarching and interdependent objectives which should be pursued in mutually supportive ways so that opportunities can be taken to secure net gains across each of the different objectives.²³ The three overarching objectives are:²⁴

- an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved

¹⁷ NPPF para 16

¹⁸ PPG para 041 ref id 41-041-20140306

¹⁹ Ibid

²⁰ Ibid para 040 ref id 41-040-20160211

²¹ Ibid

²² Ibid para 7

²³ Ibid para 8

²⁴ Ibid

productivity; and by identifying and coordinating the provision of infrastructure;

- a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being; and
- an environmental objective – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

53. The NPPF confirms that planning policies should play an active role in guiding development towards sustainable solutions, but should take local circumstances into account to reflect the character, needs and opportunities of each area.²⁵

54. Whilst this has formed part of my own assessment, the Basic Conditions Statement offers a commentary on how the Plan helps to achieve sustainable development as outlined in the NPPF.

General conformity with the strategic policies in the development plan

55. The development plan consists of the Local Plan for Milton Keynes (Plan:MK) which was adopted on 20 March 2019. The development plan also consists of the Site Allocations Plan adopted on 18 July 2018, the Minerals Local Plan adopted on 1 July 2017, the Waste Development Plan Document adopted in 2008 and a number of made neighbourhood plans detailed on MKC’s website.

56. The Basic Conditions Statement includes an assessment of the Plan’s policies in relation to Plan:MK. I have also assessed the Plan against the relevant strategic policies in the development plan which are helpfully identified in Appendix J of Plan:MK.

57. MKC has also begun work on reviewing the Plan:MK, but this is at an early stage.

Retained European Union Obligations

58. A neighbourhood plan must be compatible with retained European Union (EU) obligations. A number of retained EU obligations may be of relevance for these purposes including those obligations in respect of Strategic Environmental Assessment, Environmental Impact Assessment, Habitats, Wild Birds, Waste, Air Quality and Water matters.

²⁵ NPPF para 9

59. With reference to Strategic Environmental Assessment (SEA) requirements, PPG²⁶ confirms that it is the responsibility of the local planning authority, in this case MKC, to ensure that all the regulations appropriate to the nature and scope of the draft neighbourhood plan have been met. It states that it is MKC who must decide whether the draft plan is compatible with relevant retained EU obligations when it takes the decision on whether the plan should proceed to referendum and when it takes the decision on whether or not to make the plan.

Strategic Environmental Assessment and Habitats Regulations Assessment

60. The provisions of the Environmental Assessment of Plans and Programmes Regulations 2004 (the 'SEA Regulations') concerning the assessment of the effects of certain plans and programmes on the environment are relevant. The purpose of the SEA Regulations, which transposed into domestic law Directive 2001/42/EC ('SEA Directive'), are to provide a high level of protection of the environment by incorporating environmental considerations into the process of preparing plans and programmes.

61. The provisions of the Conservation of Habitats and Species Regulations 2017 (the 'Habitats Regulations'), which transposed into domestic law Directive 92/43/EEC (the 'Habitats Directive'), are also of relevance to this examination.

62. Regulation 63 of the Habitats Regulations requires a Habitats Regulations Assessment (HRA) to be undertaken to determine whether a plan is likely to have a significant effect on a European site, either alone or in combination with other plans or projects. The HRA assessment determines whether the Plan is likely to have significant effects on a European site considering the potential effects both of the Plan itself and in combination with other plans or projects. Where the potential for likely significant effects cannot be excluded, an appropriate assessment of the implications of the Plan for that European Site, in view of the Site's conservation objectives, must be carried out.

63. The Basic Conditions Statement states that the Plan has been screened by MKC for both SEA and HRA purposes. In relation to SEA, the Screening Report dated February 2022 identified that a SEA would be needed because of the potential for significant effects in relation to heritage considerations following a response to this effect from Historic England.

64. An Environmental Report (ER) has been submitted. This explains that a scoping exercise was carried out. The ER underwent a period of consultation alongside the pre-submission version of the Plan as a second period of consultation was held.

65. The ER concludes that the Plan "...with the appropriate mitigation in place, ... is likely to lead to positive or neutral effects in relation to the historic environment..."²⁷

²⁶ PPG para 031 ref id 11-031-20150209

²⁷ ER page 30

66. The ER has dealt with the issues appropriately bearing in mind the reason for the ER and the policies and level of detail in the Plan. This in line with PPG advice which confirms the SEA does not have to be done in any more detail or using more resources than is considered to be appropriate for the content and level of detail in the Plan.²⁸

67. With regard to Habitats Regulations Assessment, the Screening Report of February 2022 concluded that Appropriate Assessment was not required. This was because no European sites are located within the District and no impact pathways have been identified linking those sites outside the District to development within Milton Keynes Borough. Natural England did not respond to the consultation undertaken.

68. I have treated the Screening Report to be the statement of reasons that the PPG advises must be prepared and submitted with the neighbourhood plan proposal and made available to the independent examiner where it is determined that the plan is unlikely to have significant environmental effects.²⁹

69. Given the distance, nature and characteristics of the nearest European sites and the nature and contents of this Plan, I agree with the conclusion of the HRA Screening Report that an appropriate assessment is not required and accordingly consider that the prescribed basic condition is complied with, namely that the making of the Plan does not breach the requirements of Chapter 8 of Part 6 of the Habitats Regulations.

Conclusion on retained EU obligations

70. National guidance establishes that the ultimate responsibility for determining whether a plan meets EU obligations lies with the local planning authority.³⁰ In undertaking work on SEA and HRA, MKC has considered the compatibility of the Plan in regard to retained EU obligations and does not raise any concerns in this regard.

European Convention on Human Rights (ECHR)

71. The Basic Conditions Statement contains a very short statement in relation to human rights. Having regard to the Basic Conditions Statement, there is nothing in the Plan that leads me to conclude there is any breach or incompatibility with Convention rights.

7.0 Detailed comments on the Plan and its policies

72. In this section I consider the Plan and its policies against the basic conditions. As a reminder, where modifications are recommended they appear in **bold text** and where I suggest specific changes to the wording of the policies or new wording these appear in **bold italics**.

²⁸ PPG para 030 ref id 11-030-20150209

²⁹ Ibid para 028 ref id 11-028-20150209

³⁰ Ibid para 031 ref id 11-031-20150209

73. The Plan is presented to a high standard and contains 14 policies. The Plan begins with a helpful contents page and a Foreword from the Chairman of the Parish Council.

1. Introduction

74. This section offers a helpful introduction to the Plan and how to use it.

2. Background and Context

75. This interesting and well-written section provides an informative and thorough description of the Plan area as it has developed historically and sets out some of the key issues facing the Parish today.

76. This section also contains a vision and objectives for the Plan.

77. The vision for the Plan states:

“Over the period of this Neighbourhood Plan, North Crawley will continue to be a thriving and vibrant community. Future development will recognise and respect its history, rural landscape and distinctive views and its unique village character. Modest growth will contribute to the parish becoming an even better place in which to live, work and to visit.”

78. The vision is supported by five objectives covering housing, employment and traffic, heritage and design, landscape and green spaces and community facilities. All are articulated well, relate to the development and use of land and will help to deliver the vision.

3. Neighbourhood Plan Policies

3.1 Housing

79. This section contains a set of eight policies on housing including five site allocations. Plan:MK aims to deliver a minimum of 26,500 dwellings between 2016 and 2031, but allocates land for around 30,900 dwellings. Plan:MK covers the same length of time as this Plan, but has different start and end dates.

80. Although this is not a strategic policy, I note that Plan:MK Policy DS1 indicates that development within villages and other rural settlements will be within defined settlement boundaries and in compliance with made neighbourhood plans.

81. Plan:MK Policy DS2 is the housing strategy. It sets out the delivery of a minimum 26,500 new dwellings. The focus for development is the existing urban area of Milton Keynes, the adjoining land to the urban area and in three key settlements. In addition, the development of small and medium sized sites within rural settlements appropriate to the size, function and role of that settlement is supported through site allocations in neighbourhood plans.

82. I am also mindful that the NPPF supports the allocation of small and medium sized sites suitable for housing through neighbourhood plans.³¹

83. The approach to delivering new development in villages and other rural areas at City level is then, as Plan:MK indicates, is to place the emphasis on neighbourhood plans. There is therefore no specific or specified housing requirement figure set out in strategic policy given the stated strategy.

84. MKC has set a nominal housing requirement figure of one dwelling, but has agreed that the Plan can allocate more housing provided it is sustainable and in general conformity with Plan:MK.

85. To support the housing figures put forward by the Plan, a Briefing Paper on the Future Housing Requirement has been prepared. It concludes that the amount of housing proposed in the Plan of some 30 – 35 dwellings is appropriate. This level of growth, which equates approximately to a 10% uplift in housing numbers for the Parish, has been supported by MKC. I consider that this is an appropriate figure taking account of relevant policies, the existing strategy at MKC level, the characteristics of the Plan area and the aspirations of the local community and the reasons for those aspirations.

86. A defined settlement boundary was designated by the Plan:MK. This Plan follows that boundary but revises it to include the proposed site allocations. There are also some other additions to land which will now fall within the settlement boundary. These are areas of land to the west of the bowling green, to the rear of Ivy House, the curtilage of Church Farm, an area adjacent to the road by the telephone exchange and north of the Lodge House on Pound Lane.

87. Having sought clarification from the Parish Council, I understand it was the intention to only alter the settlement boundary to include the proposed site allocations. I therefore intend to recommend that the settlement boundary shown on the Policies Map reverts to that in the adopted Plan:MK, but is amended to include the proposed site allocations. This recommendation appears under the Policies Map section of this report.

88. Plan:MK Policy DS5 defines the land outside settlement boundaries as open countryside and sets out the type and extent of development suitable for such areas.

³¹ NPPF para 70

Policies H1 Delivery of Housing, H2 Infill Development and Replacement Dwellings

89. **Policy H1, Delivery of Housing**, sets out the provision of 30 – 35 new homes over the Plan period. It supports new housing on sites within the settlement boundary, windfall sites and through the site allocations proposed in the Plan. As explained above, I consider this to be an appropriate strategy for the Plan.

90. However, it is important to recognise that despite the design work carried out by AECOM on the proposed site allocations, the figures are indicative and should not be regarded as a ceiling. In addition, in adding up those yields from the indicative design work, the total number of dwellings could be in the range of 30 – 40. For this reason, a modification is recommended.

91. **Policy H2, Infill Development and Replacement Dwellings**, supports windfall development on appropriate infill sites within the settlement boundary. It details what type of land or sites would not be acceptable; these include the loss of open space and wildlife habitats. This is an appropriate way forward as Plan:MK refers to selective infill and this policy defines what that consists of at a local level.

92. The second element of the policy supports development in residential gardens; again where appropriate. The policy details those types of sites which would not be considered appropriate.

93. I consider that the policy could be made more precise in places to provide clear and unambiguous content so that it is evident how a decision maker should react to development proposals in line with PPG.³² A modification is therefore recommended to paragraph two of the policy.

94. With this modification, I consider both Policies H1 and H2 will meet the basic conditions by having regard to national policy for the delivery of housing, being in general conformity with the housing strategy in Plan:MK and in particular Policies DS2 and DS5 of Plan:MK and helping to achieve sustainable development.

95. There is also a correction to make in paragraph 3.1.3 which refers to schemes of more than 11 houses in relation to affordable housing. Plan:MK Policies HN1 and HN2 which respectively address housing mix and density and affordable housing, refer to “11 or more”.

- **Insert the word “*about*” before “...30 to 35 new homes...” in the first sentence of Policy H1**
- **Amend paragraph two of Policy H2 to read:**

³² PPG para 041 ref id 41-041-20140306

“Inappropriate infilling includes proposals that *would* result in the loss of open space; development that would adversely affect the special interest, character, or appearance of the conservation area (or the *setting* or significance of other heritage assets); intensification of existing uses where this *would have* adverse impacts on *the amenity or privacy of nearby occupiers*; development that would cause harm to the *character or appearance of the local area through the loss or reduction of important gaps* between existing dwellings, *the partial or total loss of wildlife habitats*, including the loss of significant trees and *hedgerows*; and developments that are inconsistent with the design principles of Policies HD1 and HD2.”

- **Amend the first sentence of paragraph 3.1.3 on page 13 of the Plan to read: “A development of *11 or more* houses will be required...”**

Policies H3 – H7 Site Allocation Policies

96. **Policies H3 to H7** are the site allocation policies. The Plan explains that an independent site assessment and selection process was carried out by AECOM. The 13 sites assessed resulted from a Call for Sites in 2017 and through landowners’ submissions in 2020. Five sites were found to be suitable or potentially suitable for housing development.

97. AECOM has been commissioned to produce a series of Site Design Guides. As well as containing design guidance, the document also includes specific guidance, a suggested capacity and an illustrative layout for each of the proposed site allocations.

98. The first site allocation is **Policy H3, Top Croft, Chicheley Road**. This is the largest of the site allocations both in terms of site size and number of dwellings. The site is allocated for 15 – 20 units dependent on site-specific technical reports and evidence.

99. The policy has nine criteria. It recognises that the site borders the busy Chicheley Road, one of the main routes into the village of North Crawley. Given the topography of the site, its location and the fields opposite it is very much a transition site with existing residential development in North Crawley forming a strong boundary to the existing countryside. It serves a purpose acting as part of a gap between North Crawley and Little Crawley and Moat Farm, a listed building and scheduled monument, is close by on the opposite side of the road. This means careful design is needed in order to integrate this edge of village site successfully.

100. The Site Design Guide asks for access to be taken off Chicheley Road with pedestrian access via Site H4. The Highways Officer has indicated a preference for vehicular and cycle access to also be taken through Site H4 and wishes to see a footway fronting Chicheley Road. Although Policy H3 refers to the Site Design Guide, it is recognised that this is guidance and the plans illustrative of what might be achieved on

the site. I consider detailed matters can be resolved at any planning application stage. A modification is put forward so that there is flexibility on this point.

101. The second site allocation is **Policy H4, Former Maslin Property**. This site is adjacent to Site H3 and H5. It is allocated for five dwellings. This policy has eight criteria including reference to the Site Design Guides. All are appropriate given the site's context.

102. The third is **Policy H5, Land North of Orchard Way**. This is allocated for five dwellings. Again this policy has seven criteria; all appropriate given the context of the site and its location adjacent to Site H4.

103. This site has confirmed landowner support, but concern has been raised that only one and one and a half storeys properties are to be allowed. This height is specified in the Site Design Guide although I appreciate that the drawing in the document could be interpreted as showing two storey dwellings. However, I consider the words take precedence and this is also included as one of the criteria in the policy. I am therefore clear that the intention is to limit the heights to one and one and a half storeys, but the policy includes the words "where appropriate" and this gives sufficient flexibility.

104. In considering the appropriateness of this height criterion, I consider that given the site's location on the edge of the village and its relationship with Sites H3 and H4, this limit, particularly given the flexibility referred to above, is appropriate to retain in the policy. I appreciate a design-led scheme for the site may demonstrate other solutions. I noted at my site visit that there are two storey properties opposite the site. The criterion is included to ensure that heights are appropriate in relation to the site's edge of village location and the mix of dwelling heights to be found in the locality and to avoid the introduction of high dwellings that would be out of character.

105. The representation also suggests the site is 'squared off' and a further piece of land included in it. There may be merit in this suggestion for practical farming reasons. However, the site has been assessed and consulted upon as it is defined now. To change the boundaries at this late stage in Plan production would not give an opportunity for consultation or further assessment in terms of the site's potential. In my view this would represent a significant change given the land would have to be taken out of its present open countryside designation and included within the new settlement boundary. For these reasons, and taking into account my remit, this is not a modification I recommend.

106. The fourth site allocation is **Policy H6, Land South of High Street**. This site is in two parts with a single dwelling on the smaller part and two units on the other. One part is adjacent to an existing terrace and has sufficient space for one dwelling. The second part is larger, forming a triangular shaped site on the south side of the High Street at one of the entrances to North Crawley village.

107. The site at present has an existing large detached garage building and stable type building on it.

108. It falls within the Conservation Area. In the Conservation Area Review, the larger area of land is identified as parkland and green space. In the Character Area Assessment, the land is described as “Towards the eastern end of the village there is an area often referred to as ‘allotments’ (which is, in fact, private garden land) that provides an informal openness before the village gives way to open countryside.”³³

109. I saw at my visit that the larger part of the site was a transition between the more built up heart of the village and the countryside. As well as an important hedgerow that added to the setting of the terrace and ‘feel’ of this part of the village, there is a large tree close to the boundary of the site.

110. Given the site-specific characteristics of the site, I do have some reservations about development on the site, particularly in relation to the larger part. However, I am mindful that the independent site assessment work shows it as being suitable for development, the previous examiner found the site to be acceptable and no objections have been raised, including from MKC to its inclusion.

111. A number of modifications are recommended in the interests of clarity and to help achieve sustainable development.

112. The first is to recognise that the site is in two parts.

113. The second is to state that two, rather than one, new accesses will be needed. This accords with the strategy put forward in the Site Design Guides Report. A modification to the fourth criterion is therefore recommended.

114. There is a further modification to the criteria of the policy to bring it in line with the legislation that relates to Conservation Areas.

115. Lastly, a new criterion is added in relation to the horse chestnut tree adjacent to the site.

116. The fifth and last site allocation is **Policy H7, Land on Folly Lane**. This site is allocated for two bungalows. The site lies adjacent to the Conservation Area.

117. I saw at my visit that this is a sensitive site on the edge of the village along a narrow lane. Given the topography of the site and the existing development, I consider it is essential that single storey dwellings be specified in the policy itself.

118. The site access is taken outside the site allocation demarcation which I expect has been done in this way to prevent a greater number of dwellings on the site. However, this means that the site boundary does not tie up with the Site Design Guide and the criteria and key features within that document. In addition, one criterion that addresses access is ambiguously worded and refers to not causing “difficulty” for residents living opposite the site. If the access is satisfactorily provided, it should not

³³ Character Areas Assessment page 5

cause any issues, although it is unclear what difficulties were in mind when the policy was written. A modification is therefore made about the access to address both these points.

119. This site has landowner support through a submitted representation.

120. In assessing **Policies H3 – H7**, I consider the site allocations to be in general conformity with Plan: MK Policy DS2 which, as described above, supports site allocations in neighbourhood plans for small and medium sized sites where they are appropriate to the size, function and role of that settlement. Plan:MK Policy NE5 sets out that where development in the open countryside (as defined by Plan:MK Policy DS5) is acceptable in principle under other policies (including Plan:MK Policy DS2), development will need to respect the character of the surrounding landscape. The policy continues that proposals will need to be sensitively designed and incorporate landscape mitigation and enhancement where possible. This includes consideration of historic setting and important views.

121. The Site Design Guides reflect these criteria.

122. Therefore with these modifications, I consider that **Policies H3 – H7** have regard to national policy, are in general conformity with the relevant strategic policies outlined above and will help to achieve sustainable development thereby meeting the basic conditions.

- **Change the first bullet point of Policy H3 to read: “Proposals should satisfy the strategic criteria and incorporate the key features identified in the Site Design Guides Report (Appendix 2) *unless technical evidence demonstrates the need for alternative solutions.*”**
- **Add the words “*in two parts*” after “Site H6...” in the first sentence of Policy H6**
- **Change the fourth criterion of Policy H6 to read: “The development should *retain the existing hedgerows by the introduction of no more than one additional access to the eastern part of the site and only removing what is necessary and essential in the interests of highway safety considerations.*”**
- **Change the fifth criterion of Policy H6 to read: “The housing should be laid out and designed to *conserve, and is encouraged to enhance, the character and appearance of the Conservation Area and its setting to respect the site’s location at the entrance to the village.*”**
- **Add a new criterion to Policy H6 that reads: “A *full assessment of the impact on the protected horse chestnut tree adjacent to the site will be undertaken at an early stage to inform the design of any scheme on the site. The tree should be retained provided it is in good health and otherwise replaced with a specimen of equal merit.*”**

- **Change the first criterion of Policy H7 to read: “Proposals should satisfy the strategic criteria and incorporate the key features identified in the Site Design Guides Report (Appendix 2) and only single storey dwellings will be supported on this site.”**
- **Reword the second criterion of Policy H7 to read: “Vehicular access should be provided to the south of the allocated site in a way that meets all technical requirements and has an acceptable impact on the local highway network.”**

Policy H8 Affordable Housing

123. The premise behind this policy is to ensure that new residential development addresses local housing needs. Policy H8 takes its lead from Plan:MK Policy HN2 which deals with affordable housing and updates it through reference in the supporting text to First Homes. A local connection policy is also set out in the supporting text and the policy has been written with support from MKC.

124. The NPPF is clear that the Government’s objective of significantly boosting the supply of housing should be supported and that the needs of groups with specific housing requirements are addressed.³⁴ Within this context, the size, type and tenure of housing needed for different groups in the community should be addressed and reflected in planning policies.³⁵ This includes the provision of affordable housing, housing suitable for families or older people and those wishing to build their own homes.³⁶

125. However, whilst the policy refers to the policies in Plan:MK and the latest associated supplementary documents, it could be future proofed further. A modification is made to address this in the interests of achieving sustainable development.

126. With this modification, the policy will meet the basic conditions in that it has regard to the NPPF, in particular by seeking to boost the supply of housing needed for different groups in the community. It will help to achieve sustainable development and especially the social objective of ensuring a sufficient number and range of homes are provided to meet the needs of present and future generations. It is a local expression of Plan:MK Policies HN1 and HN2 which respectively address housing mix and density and affordable housing.

- **Add at the end of the third bullet point in the policy “and the latest available data on local housing needs.”**

³⁴ NPPF para 60

³⁵ Ibid para 62

³⁶ Ibid

3.2 Employment and Traffic

Policy T1 Employment Development and Traffic

127. This is a short policy that seeks to ensure that employment related development does not generate traffic that will cause an adverse impact on the local highway network and provides onsite parking.

128. The supporting text refers to the NPPF's support for a prosperous rural economy through the sustainable growth and expansion of all types of businesses and through the development and diversification of agricultural and other land-based businesses.³⁷

129. The supporting text has a number of 'asks' of new development proposals which read as policy and could be included within the policy. With these modifications, I consider the policy will have better regard to the NPPF which indicates policies should support economic growth³⁸ and set out a clear economic vision that positively and proactively encourages sustainable economic growth.³⁹ This will mean the policy will help to achieve sustainable development. It will be in general conformity with Plan:MK and particularly Policies ER8 which supports employment uses in the countryside if they are, amongst other things, appropriate for their location and CT2 which refers to the impact on local highway networks from development and parking amongst other things.

- **Change Policy T1 to read:**

“Employment development proposals should demonstrate that traffic generated will not result in an unacceptable adverse impact on the local highway network and that *satisfactory* on-site parking can be provided *in line with the Council’s latest parking standards*. The layout of development should ensure that *pedestrians and cyclists are taken into account in terms of convenience, safety and accessibility with sufficient cycle parking facilities provided*. Electric vehicle charging points should be provided.”

3.3 Heritage and Design

Policy HD1 Protecting Heritage Assets

130. The Plan area has a number of listed buildings including the Grade 1 listed St. Firmin's Church, three Scheduled Monuments and a Conservation Area.

131. Policy HD1 seeks to ensure that development proposals sustain and enhance the significance of heritage assets through an understanding of the asset's significance and

³⁷ NPPF para 84

³⁸ Ibid para 81

³⁹ Ibid para 82

a statement, as appropriate, that complies with Plan MK: Policy HE1, heritage and development, criterion B. It also refers to the need for an archaeological assessment as appropriate. It supports traffic calming within the Conservation Area. Finally, it refers to the Site Design Guides Report and the Conservation Area Review.

132. The NPPF is clear that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance.⁴⁰ It continues⁴¹ that great weight should be given to the assets' conservation when considering the impact of development on the significance of the asset.

133. The policy meets the basic conditions having regard to national policy. It is in general conformity with strategic policies and particularly Plan:MK Policy HE1, which refers to heritage assets and from which this policy takes its lead; Policy NE5 which refers to conserving and enhancing landscape character including through the historic setting and structures of villages and hamlets; and Policy D1, designing a high quality place. The policy will especially help to achieve sustainable development. No modifications are therefore recommended.

Policy HD2 Advertisements and Signage

134. This policy deals with advertisements and signage. The Plan notes that the village benefits from what is described as "relatively discrete signage". The Conservation Area Review notes that MKC will be supportive of signage that positively contributes to village life.

135. The display of advertisements is subject to a separate consent process which is principally set out in the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

136. Advertisements are controlled only with regard to their effect on amenity and public safety.

137. The policy refers to signs and adverts requiring planning permission. It then refers to size, lighting and otherwise in keeping with their setting. As explained above, advertisements do not require planning permission and where they do require express consent, only amenity and public safety can be considered. In addition, phrases like "in keeping with their setting" could be open to interpretation in relation to policies of this nature.

138. PPG explains that amenity is not defined exhaustively, but can include visual and aural amenity.⁴² Relevant considerations for visual amenity may include the

⁴⁰ NPPF para 189

⁴¹ Ibid para 199

⁴² PPG para 079 ref id 18b-079-20140306

characteristics of the locality, including historic, architectural and cultural features, but it is a matter of interpretation.

139. The NPPF states that the quality and character of places can suffer when advertisements are poorly sited and designed.⁴³ Mindful of this and the importance the local community place on advertisements given the inclusion of a policy on this topic in the Plan, I propose modifications to the policy to ensure it will meet the basic conditions.

140. The second part of the policy refers to support for Plan:MK Policy SD1 which sets out a number of place-making principles for development and in criterion 12. expressly refers to visual cues. However, Plan:MK Policy SD1 sets out the key principles that will guide urban extensions and other strategic scale development to Milton Keynes. In any case, it is not usually necessary to cross-reference other policies. A modification is therefore made to delete this reference in this element of the policy as it does not apply to the scale of development expected in the Plan area. However, the aim of the policy can be brought into this policy.

141. With these modifications, the policy will meet the basic conditions by having regard to the NPPF, be a local expression of Plan:MK policies and help to achieve sustainable development.

- **Change Policy HD2 to read:**

“Advertisements requiring express consent should be sited and designed appropriately for their setting. In undertaking assessments of visual amenity, the characteristics of the locality in which the advertisement is situated and any features of historic, architectural or cultural interest including any locational specific features special to the area will be taken into account.

Otherwise acceptable development that includes visual cues to help with wayfaring through the use of landmarks and other features, design and views will be encouraged and supported.”

3.4 Landscape and Green Spaces

Policy L1 Local Green Space Designation

141. Four areas of Local Green Space (LGS) are proposed. These are shown on the Policies Map in the Plan.

142. The proposed designations are supported by a Local Green Space Assessment.

⁴³ NPPF para 136

143. The NPPF explains that LGSs are green areas of particular importance to local communities.⁴⁴

144. The designation of LGSs should be consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs and other essential services.⁴⁵ It is only possible to designate LGSs when a plan is prepared or updated and LGSs should be capable of enduring beyond the end of the plan period.⁴⁶ The NPPF sets out three criteria for green spaces.⁴⁷ Further guidance about LGSs is given in PPG.

145. I saw the areas on my site visit:

1. **Nixey's Walk** is an irregularly shaped area which as well as providing a tranquil, open area for sitting and recreation, also provides a link between a housing area and the village centre. A small wildlife area has been created.
2. **Kilpin Green** is an oval area at the heart of a residential estate. It is valued for its beauty, recreation and tranquility. I saw at my visit that this grassed and treed area was an integral part of the estate important from a visual amenity and recreation perspective.
3. **The Recreation Ground** is readily accessible for the village and wider Parish and primarily offers sports and recreation facilities including a children's play area. It is valued for its recreational offer.
4. **The tree lined verge adjacent to site H4 along Orchard Way** is a narrow strip of land opposite houses, but also adjacent to one of the proposed site allocations, H4. It is already designated as an Asset of Community Value which gives the community an opportunity to bid for the land should the owner wish to dispose of it. The two designations serve different purposes and I can see no conflict between them. I saw at my visit it is important visually and ecologically. It is demonstrably special to the local community and has local significance. The adjacent proposed site allocation specifically protects this tree-lined verge.

146. In my view, all of the proposed LGSs meet the criteria in the NPPF satisfactorily as they all are demonstrably important to the local community, all are capable of enduring beyond the Plan period, all meet the criteria in paragraph 102 of the NPPF and their designation is consistent with the local planning of sustainable development and investment in sufficient homes, jobs and other essential services given other policies in the development plan and this Plan.

147. I note that Kilpin Green and Nixey's Walk are allocated as amenity open spaces in Plan:MK. Plan:MK allocates the Recreation Ground as recreational open space. Both types of areas are defined in the Plan:MK and subject to non-strategic Policies L2 and L3

⁴⁴ NPPF para 101

⁴⁵ Ibid

⁴⁶ Ibid

⁴⁷ Ibid para 102

of that Plan. However, the designation as LGSs will be a stronger protection for these locally significant areas.

148. Turning now to the wording of the policy, in setting out how new development might be regarded, it should have regard to, and be consistent with, the NPPF which explains the management of development in LGSs should be consistent with that in the Green Belt.⁴⁸ Therefore the policy needs modification to ensure that it takes account of national policy and is clear.

149. With this modification, the policy will meet the basic conditions.

150. Another issue arises; in this Plan two policies, this one and the following (L2 Rights of Way) have the same numbers as policies in the Plan:MK. I consider it prudent to change the numbers of the policies in this Plan so no confusion arises.

- **Change the second paragraph of the policy to read: “*Development proposals within the designated local green space will be consistent with national policy for Green Belts.*”**
- **Change the numbers of Policies L1 and L2 to something else which does not repeat policy numbers in the Plan:MK**

Policy L2 Rights of Way

151. The Plan explains that rights of way around the Parish are valued highly. The NPPF is clear that planning policies should protect and enhance public rights of way and access including taking opportunities to provide better facilities for users.⁴⁹

152. Plan:MK Policy EH7 promotes healthy communities and refers to cycling and walking networks.

153. Policy L2 seeks to ensure that new development does not adversely affect existing public rights of way and that enhancements are supported.

154. It meets the basic conditions by having regard to national policy, being in general conformity with the policies in Plan:MK and helping to achieve sustainable development and so no modifications are recommended.

⁴⁸ NPPF para 103

⁴⁹ Ibid para 100

3.5 Community Facilities

Policy C1 Loss of Existing Facilities

155. Policy C1 resists the loss of community facilities unless evidence is provided that six months of marketing has been undertaken unsuccessfully. The policy includes an illustration of the facilities covered by the policy such as public houses, shops, sports facilities, meeting halls and so on.

156. The Plan refers to both Policies CC3 and ER11 of the Plan:MK. I note that Plan:MK Policy CC3 is not a strategic policy. However, it refers to the protection of community facilities, supporting such losses only where it is demonstrated there is no longer a need for the facility for community use purposes or if an acceptable alternative can be found. Strategic policy Plan:MK Policy ER11 is a specific policy protecting local shops, post offices, banks and public houses unless all means of retaining the use have been explored and the use is no longer viable. The supporting text to Policy ER11 refers to a minimum period of six months for marketing.

157. This policy is then an amalgamation of two policies at MKC level.

158. With regard to supporting a prosperous rural economy, the NPPF is clear that planning policies should support the retention and development of accessible local services and community facilities such as shops, meeting places, sports venues public houses and places of worship as well as sports venues.⁵⁰

159. The NPPF is clear that to provide the social, recreational and cultural facilities and services needed by a community, policies should plan positively for community facilities and guard against the unnecessary loss of valued facilities and services.⁵¹

160. Usually, as in Plan:MK Policy CC3, policies of this nature also include a proviso that equivalent or better replacement facilities can be provided. This allows for flexibility.

161. I consider given the stance of the NPPF, that the policy with some modification, will have regard to national policy, be in general conformity with Plan:MK policies and will help to achieve sustainable development.

162. The supporting text also refers to planning obligations. I consider it would be helpful if the text added more detail as to when such obligations can be sought in the interests of clarity.

- **Add a second criterion b) to the first bullet point of the policy that reads: “or an equivalent or better facility is provided in an accessible location to the local community”**

⁵⁰ NPPF para 84

⁵¹ Ibid para 93

- Add at the end of paragraph 3.5.4 *“Planning obligations should only be used where it is not possible to address unacceptable impacts of the development through the imposition of a planning condition.”*
- Add a new paragraph after paragraph 3.5.4 that reads: *“Planning obligations must only be sought where they meet all of the following tests:*
 - a) necessary to make the development acceptable in planning terms;*
 - b) directly related to the development; and*
 - c) fairly and reasonably related in scale and kind to the development.”*

4. Community Projects and Monitoring

163. Although it is not mandatory at the present time to monitor neighbourhood plans, I welcome the stated intention to monitor the Plan as a point of good practice. The Plan is also to be reviewed every five years; again this is not a requirement, but certainly this will help to ensure the Plan is delivering as intended and kept up to date.

164. This section also includes three community projects. Their status is clear.

5. North Crawley Neighbourhood Plan Policies Map

165. It is good to see a Policies Map that is simple and clear to use.

166. As explained earlier, the settlement boundary shown on the Policies Map also includes five areas which the Parish Council have clarified were not intended for inclusion. The only change from the settlement boundary shown in Plan:MK is to include the proposed site allocations. MKC supports this approach. Therefore I recommend a modification to this effect.

- **Change the Policies Map to show the settlement boundary as is in the Plan:MK but to include the proposed site allocations**

6. List of Appendices

167. A number of appendices follow. Appendix 1 is the questionnaire results. Appendix 2 is the character area assessments. Appendix 3 is the briefing paper on future housing requirements. Appendix 4 is the Conservation Area Review. Appendix 5 is the site options and assessment report. Appendix 6 is the site design guides. Appendix 7 is the local green space assessment. Appendix 8 is the basic conditions statement. Appendix

9 is the consultation statement and Appendix 10 is the strategic environmental assessment report.

8.0 Conclusions and recommendations

168. I am satisfied that the North Crawley Neighbourhood Development Plan, subject to the modifications I have recommended, meets the basic conditions and the other statutory requirements outlined earlier in this report.

169. I am therefore pleased to recommend to Milton Keynes City Council that, subject to the modifications proposed in this report, the North Crawley Neighbourhood Development Plan can proceed to a referendum.

170. Following on from that, I am required to consider whether the referendum area should be extended beyond the Neighbourhood Plan area. I see no reason to alter or extend the Plan area for the purpose of holding a referendum and no representations have been made that would lead me to reach a different conclusion.

171. I therefore consider that the North Crawley Neighbourhood Development Plan should proceed to a referendum based on the North Crawley Neighbourhood Plan area as approved by Milton Keynes City Council on 30 January 2018.

Ann Skippers MRTPI

Ann Skippers Planning
28 November 2022

Appendix 1 List of key documents specific to this examination

North Crawley Neighbourhood Plan 2021 – 2036 Submission Version May 2022

Basic Conditions Statement May 2022

Consultation Statement May 2022

Strategic Environmental Assessment (SEA) Screening Report Appropriate Assessment Screening February 2022 (MKC)

Strategic Environmental Assessment (SEA) Scoping Report February 2022 (PC)

Strategic Environmental Assessment (SEA) Environmental Report May 2022 (PC)

Questionnaire Data and Summary Statements December 2017

Character Area Assessment amended January 2022

Briefing Paper on the Future Housing Requirement for North Crawley Version 1 May 2018 amended November 2021 (Smith Jenkins/Steering Group)

Conservation Area Review December 2021 (MKC)

Site Options and Assessment March 2021 (AECOM)

Site Design Guides Final Report June 2021 amended January 2022 (AECOM/Steering Group)

Local Green Space Assessment March 2021

Plan:MK 2016 – 2031 adopted 20 March 2019

List ends

Appendix 2 Questions of clarification

North Crawley Neighbourhood Plan Examination

Questions of Clarification from the Examiner to the Parish Council and MKC

Having completed my initial assessment of the Neighbourhood Plan (the Plan), I am writing to the Parish Council (PC) and Milton Keynes Council (MKC) to ask a number of questions of clarification.

Strategic Environmental Assessment and Habitats Regulations Assessment

1. Planning Policy Guidance (PPG) advises that in some limited circumstances, where a neighbourhood plan is likely to have significant environmental effects it may require a strategic environmental assessment (SEA).

In this case, a SEA Environmental Report (ER) has been submitted. The Basic Conditions Statement states that a screening exercise was carried out by MKC and this concluded a SEA would be needed. Please send me a copy of the screening document and any responses from the statutory consultees.

The ER also refers to a scoping stage. Please send me a copy of the scoping documents, including any responses from statutory consultees.

2. In relation to Habitats Regulations, an assessment must be made to see whether the Plan is likely to have a significant effect on a habitats site, either alone or in combination with other plans and projects.

If the conclusion is that a plan is likely to have a significant effect on a habitats site, then an appropriate assessment of the implications of the plan for the site must be undertaken.

The prescribed basic condition states: "The making of the neighbourhood development plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017." The relevant Regulations indicate that sufficient information must be provided to enable the competent authority (in this case MKC) to determine whether an appropriate assessment is required.

The only information I can find about habitats is a short statement in the Basic Conditions Statement that "The making of the Neighbourhood Plan will not have a significant effect on a European site or a European offshore marine site."

Please can sufficient information or earlier screening reports that support this statement be sent to me to help me assess whether the Plan meets the prescribed condition?

Engagement

3. Two periods of consultation have been carried out. The second included the SEA. Please could this sequence of events be clarified? Was the Plan significantly changed between the first and second periods of consultation?

Other queries

4. I have already asked, and received with thanks, a plan which shows the individual boundaries for sites H3, H4 and H5. I include this request here in the interests of completeness.
5. Please could MKC confirm the date of the Plan area designation?
6. For my information, please could a copy of the previous submission neighbourhood plan, the previous examiner's report and the referendum version of the plan be provided?

This note will be a matter of public record and should be placed on the relevant websites.

With many thanks,

Ann Skippers MRTPI
Independent Examiner
4 November 2022