

ANNEX C TO ITEM 3

The following sets out the LPI Inspector's **recommended changes** to the Second Deposit version of the Local Plan in **Section 2** of the **Part 1** Report, and the recommended response from Cabinet.

This part of the report deals with objections lodged to the first three chapters of the Plan (Chapter 1: Introduction, Chapter 2: Vision and Aims, Chapter 3: Strategic policies). The list of objectors, the detail of the objections, and the Council's case in response is summarised in the Inspector's report. The relevant paragraphs for each issue / site are cross-referenced in italics and brackets.

Abbreviations used within this annex and the Inspector's report:

BCC:	Buckinghamshire County Council
DV1:	first deposit version of the MK Local Plan (Sept 2000)
DV2:	second deposit version of the MK Local Plan (Oct 2002)
EP:	English Partnerships
GOSE:	Government Office for the South East
LCS:	Landscape Character Study
MK:	Milton Keynes
MKC:	Milton Keynes Council
MK&SM Study:	MK and South Midland Sub Regional Study (2002)
MK&AV GAA:	Mk and Aylesbury Vale Growth Area Assessment
SRS:	Milton Keynes and South Midlands Sub Regional Strategy
ODPM:	Office of the Deputy Prime Minister
PIC:	Pre Inquiry Change to the MK Local Plan (April 2003)
PPG:	Planning Policy Guidance Note
RPG:	Regional Planning Guidance
SEERA:	South East England Regional Assembly
SPG:	Supplementary Planning Guidance
UCS:	Urban Capacity Study

Chapter 1: Introduction

POLICY:	INTRODUCTION, PARAS 1.1 – 1.33 AND TABLE IN1
Inquiry Appearance / Session:	Round Table: Regional / Sub Regional Issues (15 July 2003).
Issues / Objection:	Response to the emerging sub-regional strategy. Guidance in relation to local centres.
Inspector's Recommendation(s) <i>(Section 2 paras 1.1-1.2)</i>	<ul style="list-style-type: none"> Amend text to reflect the up-to-date sub-regional situation and decisions taken by the Council in relation to the recommendation that the Plan should be based on the emerging sub-regional growth figures. (It follows from this that Pre Inquiry Change (PIC) 1 is not supported). Revise guidance for local centres to read "suitable for improved retail provision and wider range of uses, including employment, community and residential".
Recommended Response:	<ul style="list-style-type: none"> Accept recommendation in respect of amending the text to reflect an updated sub-regional situation. Accept recommendation in respect of amending the guidance for local centres.
Inspector's reasoning	<ul style="list-style-type: none"> Need to update text to reflect latest situation Text in relation to local centres is misleading No changes recommended in response to a number of other objections
Comments:	<ul style="list-style-type: none"> Factual updating of Local Plan text to detail the evolution of the Milton Keynes and South Midlands sub-regional strategy. Changes elsewhere in the Plan will detail the relationship of the Local Plan with the emerging alterations to Regional Planning Guidance. The revision of guidance relating to local centres is consistent with amendments made the Town Centre and Shopping chapter.
Implications for Local Plan timetable:	None. The changes are largely to ensure consistency with the emerging Sub Regional Strategy

Chapter 2: Vision and Aims

POLICY:	LOCAL PLAN AIMS
Inquiry Appearance / Session:	None.
Issues / Objection:	Detailed wording and content of the aims.
Inspector's Recommendation(s) <i>(Section 2 paras 2.1.1-2.1.8)</i>	<ul style="list-style-type: none"> • The third aim under Transport be amended to read “New development will be allocated at locations that are easily accessible by sustainable transport modes or are capable of being well served by such modes through transport enhancements”. • The words “and the external environment” be added to the first Energy aim. • In the Health and Safety section amend the first bullet point to read “Improve community safety, recreation and the management of the public realm”. • Under Employment replace “identified” with “likely”. • In the seventh aim replace “protect local mineral deposits” with “safeguard viable mineral deposits from sterilisation by development”.
Recommended Response:	Accept recommendations
Inspector's reasoning:	<ul style="list-style-type: none"> • Detailed amendments would improve clarity of certain aims • No changes recommended in response to a large number of detailed objections. No additional ‘aims’ recommended
Comments:	The Inspector acknowledges that the aims are of necessity broad brush [para 2.1.4] and his recommendations are just to provide clarity.
Implications for Local Plan timetable:	None. There is no fundamental criticism of the aims: the changes are relatively minor.

POLICY:	LOCAL PLAN TARGETS
Inquiry Appearance / Session:	None.
Issues / Objection:	Appropriateness of requirements in relation to buses.
Inspector's Recommendation(s) (Section 2 para 2.2.1)	<ul style="list-style-type: none"> Replace "bus stop" with "bus route" under "Targets and Indicators" in the Equality section (para 2.8 -8th bullet)
Recommended Response:	<ul style="list-style-type: none"> Partially accept recommendation - accept change to wording of text but not the precise wording recommended by the Inspector
Inspector's reasoning:	<ul style="list-style-type: none"> Target needs to reflect fact that many bus services stop on request rather than only at bus stops
Comments:	<p>The change to the text in DV2 to refer to 400m from a bus stop rather than bus route was made because by DV2 the technical difficulties of measuring distances from stops had been overcome. Accepting the recommendation is acceptable where there are request stop routes, but the target applies outside of residential areas where the request system is not in operation (e.g. in employment areas).</p> <p>It is therefore recommended that the first line of the bullet point is reworded to say:</p> <p>400 metres is measured from a bus <u>route operating a stop on request service, or 400 metres from a bus stop in all other areas.</u></p>
Implications for Local Plan timetable:	None. There are no fundamental criticisms of the targets by the Inspector. The recommended change is a relatively minor one to improve the clarity of one particular indicator (out of 20 in total).

POLICY:	TABLE VA1
Inquiry Appearance / Session:	None.
Issues / Objection:	Detail and content of performance indicators in table VA1.
Inspector's Recommendation(s) <i>(Section 2 paras 2.3.1- 2.3.14)</i>	<ul style="list-style-type: none"> • Exclude the wildlife performance indicator. • Add explanatory text to paragraph 2.8 dealing with the reason why retail floorspace is in the table under "Equality".
Recommended Response:	<ul style="list-style-type: none"> • Reject recommendation regarding the wildlife performance indicator • Accept recommendation regarding retail floorspace
Inspector's reasoning:	<ul style="list-style-type: none"> • If retained, a wildlife indicator should be related to avoiding adverse impact on areas of wildlife interest. • Basis for retail floorspace indicator is not clear • No changes recommended in response to a large number of detailed objections
Comments:	<ul style="list-style-type: none"> • Need to explain in the plan (at para 2.8) that the wildlife performance indicator is related to an estimate of newly created sites arising from new development proposals - e.g. the expansion areas. An alternative indicator suggested by the Inspector - 'no land of nature conservation interest adversely affected by development' - would be much more subjective and therefore much harder to measure than the other indicators in the table. • Agree it would be helpful to clarify why the retail floorspace indicator is related to equality: it is considered that shops will be accessible to more people if they are located in places easily accessible by means of transport other than the car - i.e. in the main shopping centres rather than in out-of-centre locations.
Implications for Local Plan timetable:	None - changes relate to performance indicators rather than policy

Chapter 3: Strategic Policies

POLICY:	S1: GENERAL PRINCIPLES
Inquiry Appearance / Session:	Round Table: Regional / Sub Regional Issues (15 July 2003).
Issues / Objection:	<p>Sub-regional role for Milton Keynes and implications for scale and direction of growth.</p> <p>Clarity of policy particularly in relation to relationship to transport, sustainable development, policy constraints and the environment.</p>
Inspector's Recommendation(s) <i>(Section 2 paras 3.1.1-3.1.6)</i>	<ul style="list-style-type: none"> • Replace the words “bike” and “on foot” in paragraph 3.16 with “cycle” and “walking”. • Re-instate (vii) and add explanatory text to make it clear that the key environmental constraints include landscape features, high quality agricultural land and floodplains. • Review PIC 2 to reflect the up-to-date sub-regional situation.
Recommended Response:	<ul style="list-style-type: none"> • Accept recommendations
Inspector' reasoning:	<ul style="list-style-type: none"> • Agree with objectors who argue that DV1 reference to environmental constraints should be reinstated (deleted from DV1) • Many objections adequately dealt with by changes made to DV1. No changes recommended in response to a large number of other detailed objections
Comments:	<ul style="list-style-type: none"> • Proposed changes to the explanatory text (re cycling / walking) and the reinstatement of criterion vii to the policy are reasonable and not of major significance. • Recommendation to amend PIC 2 to reflect the up to date sub-regional situation gives flexibility to come up with appropriate wording at the time. • References in the plan to the sub-regional strategy will need to be updated.
Implications for Local Plan timetable:	None - change is only a relatively minor amendment to wording of policy / text

POLICY:	S3: CITY EXPANSION AREAS
Inquiry Appearance / Session:	<p>Round Table Development Strategy – MK City (17 July 2003).</p> <p>Round Table: Development Strategy – Rest of the Borough (18 July 2003).</p> <p>Various site specific appearances in relation to the allocated and omission expansion areas, and the City / rural development split.</p>
Issues / Objection:	<p>Extent and location of expansion areas.</p> <p>Balance of City/rural area growth.</p>
Inspector's Recommendation(s) <i>(Section 2 para 3.3.1)</i>	<ul style="list-style-type: none"> • Revise the descriptions of the expansion areas in the light of the recommendations in Section 1 of this Interim Report.
Recommended Response:	<ul style="list-style-type: none"> • Accept recommendation
Inspector's reasoning:	<ul style="list-style-type: none"> • Factual changes needed for consistency with recommendations elsewhere in Section 1 of the Part 1 Report
Comments:	<ul style="list-style-type: none"> • Inspector supports the logic of having 3 EAs to deliver sustainable development and is, therefore, broadly in agreement with the Council's strategy. • Consequential amendments recommended by Inspector reflect proposed changes to EA boundaries. • Potential implications for future growth directions post 2011. • If Stantonbury Park Farm is allocated for development, in accordance with the Inspector's recommendation, the site should also be treated as an expansion area for the purposes of this and other policies (eg S4, EA1, EA2 etc)
Implications for Local Plan timetable:	Policy serves only to identify the expansion areas; any objections will focus on specific changes / additions to these areas

POLICY:	S4: PHASING OF THE CITY EXPANSION AREAS
Inquiry Appearance / Session:	Round Table Development Strategy – MK City (17 July 2003). Various site specific appearances in relation to the allocated and omission expansion areas.
Issues / Objection:	How can delivery of housing be promoted. Relationship between development and infrastructure.
Inspector's Recommendation(s) <i>(Section 2 paras 3.4.1- 3.4.5)</i>	<ul style="list-style-type: none"> • Add a final sentence to paragraph 3.29 to read “To achieve the policy aim MKC will seek to ensure that applications for these sites are dealt with expeditiously, taking into account all material planning considerations”. • Add Northern Expansion Area in the first sentence in the policy. • Exclude the first sentence of paragraph 3.29a.
Recommended Response:	<ul style="list-style-type: none"> • Accept recommendation
Inspector's reasoning:	<ul style="list-style-type: none"> • Policy should strengthen the approach to improving housing delivery • The Northern Expansion Area should also be within the scope of this policy • Deleting reference to the whole of the WEA being unlikely to be needed by 2011 would increase flexibility and avoid an unnecessary obstacle to housing delivery
Comment:	<ul style="list-style-type: none"> • MKC agreed in principle to the first change in the course of the inquiry. • As the policy was drafted in DV1, it excluded the Northern EA because of the requirement for development in the EEA and WEA to start only when existing committed development areas were substantially complete: this did not apply to the NEA because it is substantially a brownfield site. • This requirement was deleted in DV2 in order to remove a constraint on housing delivery in the EEA and WEA. As a result, it is accepted that the NEA - and any additional expansion areas - should be subject to this policy which seeks a logical and orderly sequence of development, well related to existing and committed development / facilities / public transport, and linked to the provision of new infrastructure / facilities / services.
Implications for Local Plan timetable:	The change to para 3.29a re the WEA may lead to objection, but deleting the statement about the timing of the WEA does not in itself mean that the whole of this area is more likely to be completely developed by 2011

POLICY:	S5: CENTRAL MILTON KEYNES
Inquiry Appearance / Session:	3 rd party interests (24 February 2004).
Issues / Objection:	Relationship to development framework for CMK. Role of CMK within the region. Content of the policy.
Inspector's Recommendation(s) <i>(Section 2 paras 3.5.1-3.5.5)</i>	<ul style="list-style-type: none"> • Revise paragraph 3.33 as proposed by MKC in CD1.8.
Recommended Response:	<ul style="list-style-type: none"> • Accept recommendation
Inspector's reasoning:	<ul style="list-style-type: none"> • Where planning obligations are sought for public transport provision within CMK, this should be in accordance with the policy tests of Circular 1/97 or its successor. • Inspector comments that this is particularly important, having regard to the concerns of other objectors regarding the claimed over-provision of car parking within CMK.
Comments:	Inspector agrees with change put forward by MKC in the course of the inquiry.
Implications for Local Plan timetable:	None - change is only a relatively minor amendment to wording of text

POLICY:	S6: BLETCHLEY
Inquiry Appearance / Session:	None
Issues / Objection:	Role of Bletchley in the hierarchy of centres. Emphasis given to public transport.
Inspector's Recommendation(s) <i>(Section 2 paras 3.6.1-3.6.5)</i>	<ul style="list-style-type: none"> Amend the first sentence of Policy S6 to read "Proposals that help to establish Bletchley as a secondary focus for commercial and cultural development within the City will be encouraged". Amend the first sentence of paragraph 3.40 by substituting "a" for "the". Further Modify Policy S6 (ii) to read as follows: "(ii) Improve access by public transport to and within the centre, including better interchange facilities and the segregation of pedestrian and vehicle traffic, and linkages between different areas within and adjoining the town centre." Further Modify Policy S6 (v) to read as follows: "(v) Maximise the potential of Bletchley Park, Milton Keynes College Campus and adjoining land, leading to a greater intensity of activity, supporting and supported by high quality public transport."
Recommended Response:	<ul style="list-style-type: none"> Accept recommendations
Inspector's reasoning	<ul style="list-style-type: none"> Bletchley and Wolverton should have 'secondary' status as focal points for development Improvements for pedestrians is as important in Bletchley as it is in CMK Linkages between different parts of the centre - and the Bletchley Park area - should be improved
Comments:	<ul style="list-style-type: none"> Recommendations are consistent with the Council's objective of encouraging development within the town, and with the Bletchley Regeneration Strategy. The Inspector's proposed changes reflect his support for capitalising on the distinctive advantage that both Bletchley (and Wolverton) enjoy from access by road and rail public transport; and his observation that this advantage is undermined by poor interchange between the railway station and other parts of the town centre, and poor segregation of pedestrians from vehicular traffic.
Implications for Local Plan timetable:	None - change is only a relatively minor amendment to wording of policy

POLICY:	S7: KEY SETTLEMENTS
Inquiry Appearance / Session:	Development Strategy: Rest of the Borough Round Table Session (18 July 2003).
Issues / Objection:	Concept of Key Settlements. Selection of settlements for inclusion under Policy S7.
Inspector's Recommendation(s) (Section 2 paras 3.7.1-3.7.4)	<ul style="list-style-type: none"> Reclassify Hanslope as a Selected Village and revise the settlement boundary accordingly.
Recommended Response:	<ul style="list-style-type: none"> Accept recommendation
Inspector's reasoning:	See previous comments (Annex A) re Hanslope
Comment:	<ul style="list-style-type: none"> The Inspector agrees that most development should be in the City, but also supports focussing rural development in centres that are accessible and have a range of services [para 3.7.2]. He supports the identification of Olney as a Key Settlement, given the size of the town and its range of facilities, notwithstanding limitations on further growth relating to infrastructure and traffic congestion. He does not consider that there are any other villages that warrant Key Settlement status.
Implications for Local Plan timetable:	See previous comments (Annex A) re Hanslope

POLICY:	S8: SELECTED VILLAGES
Inquiry Appearance / Session:	Development Strategy: Rest of the Borough Round Table Session (18 July 2003).
Issues / Objection:	Concept of Selected Villages. Choice of villages to be covered by the policy.
Inspector's Recommendation(s) (Section 2 paras 3.8.1-3.8.7)	<ul style="list-style-type: none"> • Add Hanslope to the list of Selected Villages • No change to the Plan in relation to the boundary proposed adjacent to 22 Bullington End Road, Castlethorpe • Revise the settlement boundary of Castlethorpe to reflect the existing adopted settlement boundary in relation to land at Hanslope Road.
Recommended Response:	<ul style="list-style-type: none"> • Accept recommendations
Inspector's reasoning	<ul style="list-style-type: none"> • Recognises that this policy is an exception to the general strategy of the plan (to concentrate development in the City and Key Settlements), and allow 'a degree of flexibility based on the views of rural communities' • Does not consider that Castlethorpe requires additional development to complete the village, or additional housing land to maintain its vitality • Detailed amendment to settlement boundary for Castlethorpe, to revert to boundary in Adopted Local Plan
Comments:	<ul style="list-style-type: none"> • See previous comments re: Hanslope in Annex A. • Inspector supports MKC approach re: Selected Villages being identified as a result of consultation with parish councils. In the absence of parish council support, he has not therefore recommended any other Selected Villages • The amendment to the settlement boundary at Castlethorpe reflects discussion during the inquiry. Development of 2 dws on the 'triangle site' at the corner of Hanslope Road had been permitted and was under construction at the time of the Inquiry. The objective of the parish council - to tidy up the site and improve surveillance on the route between Lodge Court Farm and the village centre - will be achieved by this development. • Therefore, if the whole area south of Lodge Farm Court is left as 'open countryside' as per the Adopted Local Plan, this would significantly reduce the likelihood of any further housing development in this area, thus meeting some of the concerns raised by objectors.

Implications for Local Plan timetable:	See previous comments re: Hanslope in Annex A.
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POLICY:	S10: OPEN COUNTRYSIDE
Inquiry Appearance / Session:	Informal Hearing – 11 February – Green Burial Company
Issues / Objection:	Uses to be included within the policy. Definition of open countryside. Need for a more flexible approach to rural diversification.
Inspector's Recommendation(s) <i>(Section 2 paras 3.10.1-3.10.4)</i>	<ul style="list-style-type: none"> • Add “or other uses that can only reasonably be accommodated in the open countryside” to the end of policy S10.
Recommended Response:	<ul style="list-style-type: none"> • Accept recommendation subject to further consideration of detailed wording of addition to policy
Inspector's reasoning:	<ul style="list-style-type: none"> • Plan cannot set out all possible examples of uses that might be acceptable in open countryside
Comments:	<p>The suggested change reflects discussions at an informal session of the inquiry (relating to Green Burial Grounds), although the officer suggestion was an addition to the explanatory text (para 3.53) rather than to the policy itself.</p> <p>The wording proposed by the Inspector may be open to interpretation: further consideration will be given to whether this wording can be improved while meeting the spirit of the Inspector's recommendation.</p> <p>Confirmation in para 3.10.3 of the report that our use of the term “open countryside” is clear and acceptable is welcome.</p>
Implications for Local Plan timetable:	None - change is only a relatively minor amendment to wording of policy

POLICY:	S11: AREAS OF ATTRACTIVE LANDSCAPE
Inquiry Appearance / Session:	Various sessions related to expansion area omission sites
Issues / Objection:	Justification for designation.
Inspector's Recommendation(s) <i>(Section 2 paras 3.11.1-3.11.2)</i>	<ul style="list-style-type: none"> Remove the AAL designations from the Plan and delete Policy S11.
Recommended Response:	<ul style="list-style-type: none"> Reject recommendation
Inspector's reasoning	<ul style="list-style-type: none"> AALs are a local landscape designation. The thrust of recent government advice is to delete such designations from local plans and adopt criteria-based policies to achieve landscape protection. MKC's Landscape Character Study did not rigorously examine the need to retain AALs. No convincing evidence has been put forward to show why normal countryside protection policies cannot provide sufficient protection.
Comments:	<ul style="list-style-type: none"> The AALs have been identified and accepted as a strategic landscape constraint in the Growth Area Assessments for the Sub Regional Strategy which suggests they can be regarded at a regional /sub-regional level as more than just a local designation. If AALs are deleted then their function as a strategic constraint would need to be reconsidered, with possible implications for the location of new development Policy S10 would provide insufficient protection for important ?????H? ? The approach of different Inspectors to AAL policies within Bucks has been inconsistent in recent local plan inquiries. The Inspector placed weight on Draft PPS7, which recommended the removal of all local landscape policies from local plans. However, the final version of PPS7, published in July 2004 is not so categorical, recognising that some landscapes, whilst not nationally designated, are highly valued at a local level. While stressing that criteria-based policies are to be preferred, PPS7 states that local landscape designations should only be maintained, or exceptionally, extended, where it can be clearly shown that criteria-based policies cannot provide the necessary protection. Such designations must be based on a formal, robust assessment of the qualities of the landscape. In commenting on Draft PPS7, the Countryside Agency - while supporting the new approach to landscape character assessment in principle - expressed concern that existing local

	<p>designations should not be removed without an adequate replacement policy framework in place.</p> <ul style="list-style-type: none"> • In order to rigorously examine the case for retaining AALs, particularly in the context of the long term growth of MK, MKC proposes to commission a further study of landscape character, possibly cross-boundary (with Bucks and Beds). • If a case cannot be sustained for retaining AALs, the brief for the study will also require consultants to prepare a robust alternative policy framework to ensure the protection and enhancement of the Borough's landscape. The outcome of the study would then be reflected in the next review of the Local Plan - i.e. the preparation of new Local Development Documents. • Funding has been identified for this study and a brief is being prepared. We are in discussion with both the Countryside Agency and other local authorities with experience of similar studies. • See also comments on AALs in relation to the proposed Strategic Reserve at Tickford Fields Farm (see Annex A)
<p>Implications for Local Plan timetable:</p>	<p>There may be objections from the development and minerals industries if the Inspector's recommendation to delete AALs is rejected. However, PPS7 carries more weight than the draft version that was available at the time of the inquiry and is now superseded. The change between the draft and final versions is a material change in circumstances since the inquiry. The final version of PPS7 will also be a material consideration when dealing with planning applications.</p> <p>There is likely to be considerable local support for retaining and reassessing AALs from parish councils and other amenity groups.</p> <p>Retention of the AALs would be a case of the Council not accepting a modification recommended by the Inspector: as such, the guidance states that this is unlikely to warrant a second inquiry (see covering report - Financial and Legal Implications).</p>

POLICY:	S12: LINEAR PARKS
Inquiry Appearance / Session:	None specifically relating to linear Parks, but issues discussed in relation to various Omission Sites.
Issues / Objection:	Definition of linear park boundaries. Wording and application of the policy to various sites.

**Inspector's
Recommendation(s)**

*(Section 2 paras
3.12.1-3.12.5)*