

Milton Ernest Parish Council

Mr D Hogger  
Examiner

Examination Ref.: 01/DH/MENP

22<sup>nd</sup> June 2021

By email

Dear Mr Hogger

### **Milton Ernest Neighbourhood Plan Examination**

Thank you for your letter of 10 May 2021 outlining progress on and next steps in the examination of the Milton Ernest Neighbourhood Plan. The Parish would also like you thank you for extending the deadline for responding to 24 June.

Having now had the opportunity to review your questions we now offer our responses below. We hope these are helpful and would be happy to provide further clarification if that would be of assistance.

Your sincerely

Steve Dilley  
Chair, Milton Ernest Parish Council

#### ***1. Why does the MENP not include any references to the relationship between the Neighbourhood Plan and the Bedford Borough Local Plan 2030 (BBLP30) and the current Local Plan Review?***

Work on the Neighbourhood Plan commenced in 2013 and progressed in parallel with the Local Plan 2030 and its adoption in January 2020. It was hoped that the Neighbourhood Plan could have been submitted earlier, but it was delayed by the submission to Bedford Borough Council (BBC) of a 6,000-dwelling development at the Twinwoods site (which is within the parish). If approved as part of the (then) emerging Local Plan it would have had a significant impact on the Neighbourhood Plan. In line with the Basic Conditions, the Neighbourhood Plan seeks to conform to the strategic policies and objectives of the adopted development plan.

It is recognised that the Borough Council is now preparing a new Local Plan for the period to 2040. However, examination and adoption of this remains some way off. Indeed, the Borough Council's Local Development Scheme suggests the new Local Plan will not be submitted until January 2023, with adoption in December that year. There are several rounds of consultation on the new Local Plan still to follow and whilst the Parish notes the direction of travel there is no certainty yet as to what the implications will be for Milton Ernest, nor

indeed whether the Local Plan will proceed as anticipated. It is not considered appropriate to wait for this clarity as it will further delay work on the Neighbourhood Plan.

However, the Parish acknowledges that the planning policy framework, at local and national level continues to change, but feels it prudent to progress with the current version of the Neighbourhood Plan, set against the context of the adopted Local Plan, and to review as and when there is further clarity on a new Local Plan. Indeed, the need for a review is identified within the Neighbourhood Plan.

*2. Paragraph 2.24 of the MENP (page 10) confirms the requirement of BBLP30 policy 4S, which establishes a housing requirement for the village of between 25 and 50 homes. Paragraph 8.5 on page 36 of the MENP (first bullet point) confirms that 25 dwellings is the maximum number that would be supported by the Parish Council. This fact is confirmed in section 4.3 on page 26 of the Neighbourhood Masterplanning Final Report (April 2018), which states in the first paragraph that '25 dwellings is the number of homes that was identified by the Parish Council that land needs to be allocated for'.*

*The advice in PPG Reference ID: 41-103-20190509 (the Neighbourhood Planning section) states that 'neighbourhood planning bodies are encouraged to plan to meet their housing requirement and where possible exceed it'. On that basis, could the Parish Council explain the justification for supporting the allocation of land for only 25 dwellings (i.e. the very bottom of the potential range) and for not introducing any flexibility in the level of housing provision on the site?*

The Parish Council has worked on the Neighbourhood Plan since being designated in 2013. The requirement established in Local Plan policy for the Neighbourhood Plan to identify and allocate sites for development sets a difficult backdrop for the Plan, as witnessed through representations to this Examination stage and which the Parish is sensitive to.

Whilst the Parish has recognised the need to plan for new homes in accordance with the Local Plan, it has also been conscious of concerns expressed by the community. Policy 4S of the Local Plan notes that the Borough Council will support local communities to identify the most appropriate means of meeting requirements through Neighbourhood Plan. Through consultation in Milton Ernest it is considered that 25 homes are the most appropriate scale of development, particularly given the limited range of services and facilities present within the village.

The Neighbourhood Plan is seeking to balance the aspirations of the community to retain the scale, feel and rural nature of where they live with requirements to identify a deliverable site or sites for 25-50 houses as required by the Local Plan. The parish survey in 2015 showed the option most preferred for growth during Neighbourhood Plan period was 25 new houses. This would represent an increase of 7% over the current levels of housing and is in line with previous developments, such as Riverside View and Butterfield Court.

It is noted that the Local Plan establishes a range of 25-50 homes for all of the rural service centres, though it is not clear how this figure has been established (though we do appreciate that it is not the Local Plan that is subject to discussion), particularly given that Policy 5S of

the Local Plan directs growth to sites within settlement boundaries, but, at the same time, there are very limited opportunities for such growth within the Milton Ernest settlement boundary as defined in the Local Plan. The site that is considered to be most suitable for growth in Milton Ernest has been allocated as such and the settlement boundary amended to support this but, as seen through the representations, this is objected to by some residents (However, the allocation of land at Rushden Road for 25 homes was supported by 75% of all respondents to the Regulation 14 consultation). So the Parish has a difficult balancing act.

It is considered that the allocation for 25 homes meets the Local Plan policy requirement, being within the housing range and helping contribute towards delivery of the aims and objectives of the Neighbourhood Plan.

Furthermore, the Neighbourhood Plan does not preclude applications coming forward on sites within the SPA elsewhere in Milton Ernest, and which would further contribute to the housing figure. These would need to be judged on their merits against the policies of the development plan (including the policies in the Neighbourhood Plan should it be 'made'). These would be treated as 'windfall'.

***3. The PPG in Paragraph Reference ID: 8-001-20190721 (the Natural Environment section), confirms that 'planning policies and decisions should take account of the economic and other benefits of the best and most versatile agricultural land'. Has this issue been considered by the Parish Council?***

All sites promoted and that were subject to assessment are within the category of best and most versatile agricultural land. If the Local Plan requirements are to be met then the Parish accepts that some of the best and most versatile land will be lost. The allocated site will involve some loss of agricultural land, but this is balanced against retention of land elsewhere which is recognised as being important for other reasons, including biodiversity and for the historic growth of the village (as reflected in the identification of areas of permanent grassland for example – see question 21 below). The extent of the area identified as suitable for growth retains a large area of open space within the promoted site area. This could potentially be retained as agricultural land, or as highly productive allotments for the local community.

***4. Can the Parish Council confirm that policy ME NE2: Natural Environment and Views (page 24), is only applicable to public views?***

This is correct.

***5. Will the allocation at Rushden Road (policy ME H1 on page 38) have any implications for the trees and verges along the A6 as protected by policy ME NE3 on page 24?***

Access into the allocation site will result in the removal of some vegetation alongside the A6. However, it is considered that the access could be designed in such a way to act as a 'gateway' into the village, slowing traffic down and improving crossing facilities for those on foot or travelling by bike. For clarity, and should the Examiner be amenable, the Parish suggest that wording is added into Policies ME NE3 and ME H1 that states that '*any new access into the*

*allocated site should be designed to minimise the loss of existing vegetation and facilitate sensitively designed crossing and traffic calming schemes along Rushden Road’.* The Parish is happy for the Examiner to review and recommend appropriate wording.

***6. Policy ME CF1 seeks to secure the protection of existing social and community facilities from loss (page 29). How would that protection be secured, especially if a particular use was found not to be viable?***

Policy 99 of the Local Plan outlines the approach to the loss of existing sports and community facilities, which the Parish suggest would be applicable to identified community facilities in Milton Ernest. Additional text in the Neighbourhood Plan, or within policy ME CF1 (if deemed appropriate) could be added to clarify that this policy should be read alongside Local Plan policy 99.

***7. Why is privately owned Milton Ernest Hall identified as a community facility on Figure 8 (page 28)?***

Milton Ernest Hall was originally identified as a community facility but was subsequently removed. It appears that the accompanying plan was not also amended. This was an error.

***8. Where is the riverside frontage referred to in policy ME CF1 on page 29? Why is it not identified on a plan?***

The policy was originally drafted to protect the riverside frontage of Riverside Meadow. This was before the local green space policy was finalised. The Neighbourhood Plan now designates Riverside Meadow as local green space and therefore reference to riverside frontage in policy MEDF1 can be removed.

***9. Paragraph 8.5 of the MENP (page 36) establishes the principle of providing a 5m thick buffer to screen the new buildings from existing residential properties and a 10m thick buffer to protect the setting of the two listed buildings to the south of the site. Firstly, what is the justification for these specific distances? Secondly, policy ME H1 (page 38) only refers to a buffer zone of 10 metres width. Why is there no reference to the 5m buffer? And thirdly, Figure 9 on page 39 (which is a plan of the allocation) makes no specific reference to buffer zones or to the listed buildings (both matters that are referred to in the policy) – why not?***

The rationale for these buffers is informed by the masterplanning work undertaken through the Locality technical support programme.

Reference to the 10 metre buffer is considered of greater significance given the setting of the Listed buildings and is reflected in the policy. This, combined with space required to be provided in response to areas of flood plain in the south east corner of the site lend themselves to provision of a buffer along the eastern edge of the site. Elsewhere, existing vegetation helps act as a buffer. Policies 30 – 33 of the Local Plan are concerned with the impact of development and include matters such as overlooking and relationship with existing development. It is thought these are sufficient in respect of the need for other

defined buffers and provide some room for flexibility within the design process. However, should the Examiner consider it helpful to add clarity to the Plan, then the Parish is happy to update Policy MEC H1 to include reference to a 5 metre buffer as well as the 10 metre buffer around the listed buildings.

It is acknowledged that the allocation plan does not include all 'constraints' as it was felt this was adequately addressed in the text. However, and if the Examiner is minded to recommend this for purposes of clarity, the Parish is happy to amend Figure 9 to include both the buffer and Listed Buildings. It felt appropriate this could also include areas in the flood plain in the south eastern corner of the site.

***10. Is the site allocation Figure 9 (page 39) accurate with regard to the location of the existing hedgerow? (See Rep 31)***

The existing hedgerow as indicated along the frontage of Rushden Road is correct, as indicated in the submission made by DLP on behalf of the site promoters. Representation 31 refers to that part of the hedgerow shown on Figure 9 as extending north from the Rushden Road frontage around the rear of properties. This is shown incorrectly on Figure 9. The Parish is happy to remove this from Figure 9.

***11. Are there any brownfield sites within the village that might be suitable for development and if so, what consideration has been given to the allocation of such sites for housing?***

Sites submitted for assessment are presented in the Site Assessment Report. Site 678 is noted as being partially brownfield land, though part of the site is also undeveloped. The site is noted in the assessment as being in employment use and subject to an extant permission for development that would extend and support ongoing employment use, including the change of land from agricultural / paddocks to open storage. It is also acknowledged that the Local Plan recognises the importance of and retention of employment across the Borough. Other sites are considered to be more deliverable within the Plan period.

***12. Why has the Parish Council not undertaken a comprehensive review of the Settlement Policy Area boundary?***

The approach taken by the Parish Council was to assess sites promoted for development and then review those parts of the settlement boundary as necessary to enable future growth to come forward. Beyond this, the policies of the Local Plan and the Neighbourhood Plan (if made) are considered an appropriate framework within which any other applications can be considered.

The Parish notes that the change to the settlement boundary proposed in the Neighbourhood Plan is similar to that previously identified by the Borough Council in earlier iterations and consultation on the Local Plan – see for example the 2017 consultation on the draft strategy which shows potential growth to the north of Rushden Road. An extract of this is included in the Aecom masterplanning report submitted alongside the Neighbourhood plan for examination purposes.

*13. With regard to the allocated site at Rushden Road (policy ME H1 on page 38) can the Parish Council summarise what assessment has been undertaken with regard to:*

- the traffic implications of the proposed development;*
- the wildlife/ecological implications of the proposed development;*
- the impact of the proposed development on the landscape and setting of the village;*
- the flood risk implications of the proposed development;*
- the implications of development on the listed buildings and their settings;*
- waste water and sewerage;*
- the pedestrian and cycle links between the site and the village centre; and*
- the effect of lighting on the night sky.*

The masterplanning work undertaken by Aecom through the Locality Neighbourhood Planning technical support programme has considered site constraints and opportunities to arrive at recommendations which then inform policies in the Neighbourhood Plan. The analysis undertaken as part of the masterplanning work included matters associated with flooding, hedgerows and trees, vehicle, pedestrian and cycle access, listed buildings, views and relationship with the open countryside. This is proportionate for the Neighbourhood Plan.

The promoters for site 518 have confirmed the availability and deliverability of the site and have set out their position on these matters in their response to the submission version of the Neighbourhood Plan. It will be for the applicants, through the planning application process, to demonstrate appropriate design and mitigation measures.

The Parish Council note that the Borough Council has raised no objections to the site in its guise as Leading Local Flood Authority, Highways Authority or in respect of its responsibility for listed buildings. All recommendations from the Borough Council, arising from the Regulation 14 consultation, have been accepted and incorporated into the plan. In addition, all recommendations made in the Habitats Regulation Assessment have been incorporated into the plan. No objections were received from Historic England or Natural England. Anglian Water supported Policy ME SD4 (Flood Risk) and made no objection to policy MEH1.

Specific mention does need to be made about the traffic implications of the site. The Neighbourhood Plan has made clear the impact of the A6 on the parish both in terms of traffic volume and of separation. The village needs a bypass.

Any development, in any location, will add to the amount of traffic on the A6 as this is the primary access road to goods, services, education and employment. That additional traffic will have some detrimental impact on the community. However, this is a function of the decision to have development, not on its location.

This being said, the impact, in relative terms will be small in comparison to the existing level of vehicles. A development of 25 houses is likely to result in 50-100 vehicle movements during the morning peak period. This compares to the 20,000 vehicles in total that were recorded, in a survey carried out by Bedfordshire Police in 2017, using the A6 in Milton Ernest (in both

directions) between 0600 and 0900 for seven consecutive days. This translates into around 3,000-4,000 vehicles each day between 0600 and 0900 for the five weekdays. An increase of between one and three percent.

As mentioned, it will be for the applicants, through the planning application process, to demonstrate appropriate design and mitigation measures.

*14. Section 8.2 (page 35) of the Neighbourhood Plan refers to the Site Assessment Report. Can the Parish Council explain the methodology employed to compare all the various sites once the assessment scoring had been undertaken (i.e. once the components of each individual site had been scored either green, amber or red) - including the site South of Parkside – site 907? How was a conclusion drawn regarding which site(s) to select? For example, it is claimed that sites 162, 678, 907 and 161 all score higher, or the same as, the allocated site 518. (See Rep 4b)*

The Site Assessment report indicates that choices needed to be made as to the most appropriate site(s) to bring forward in the Neighbourhood Plan. The sites were considered against the aims and objectives of the Neighbourhood Plan to consider which perform best against these. All perform equally against the majority of these, being able to deliver new homes responding to village character, and providing new open space. However, allocated Site 518 was considered to perform best against these, particularly in relation to access and proximity to the village centre, the potential to facilitate improvements to crossing facilities and safety along the A6, and thus supporting community well-being objectives, improving the cohesion of residents living north and south of the A6, and thus to village services, many of which (including the Church, School and Village Hall) are north of the A6.

The specific issues in relation to the others site which resulted in them being considered less suitable than the Rushden Road site were:

- **Site 160 (land adjacent to A6 and Thurleigh Road):** inappropriate in scale and making harmful impacts to nearby scheduled monuments and listed buildings;
- **Site 162 (land at Marsh Lane):** access would be via Marsh Lane, which is unsuitable in terms of local impact;
- **Site 163 (land at Meadow End House):** outside the SPA and the SPA could not sensibly be extended to include it;
- **Site 678 (existing industrial land at the north end of the village):** inappropriate in scale, partially outside of the SPA and potentially damaging to employment opportunities;
- **Land south of Parkside:** severe impact on setting of a Grade 1 listed building (Milton Ernest Hall) and unsuitable access arrangements. In addition, it covers an area of Permanent Grassland identified in the Milton Ernest Biodiversity map and includes trees subject to tree preservation orders

The access arrangements for the land south of Parkside are particularly worrying. Two-way traffic would use a short, narrow road before exiting onto a junction with Radwell Road close to Radwell Road/A6 junction. This is less than satisfactory. In terms of relative impact, the Police survey of 2017 measured 3,319 vehicles in the three-hour peak period (in total for

seven days) on Radwell Road. This compares with 20,000 vehicles on the A6. The relative impact on the Radwell Road would therefore be in the order of six in comparison with the A6. The additional impact of construction traffic attempting to join/exit the site would significantly add to traffic congestion and pose a real safety risk to residents, pedestrians, cyclists and other road users.

In summary, no site is perfect and every site will have an impact on those living locally to it. But, for the reasons set out above, the Parish Council remains of the view that the Rushden Road site is the best option, of those sites available, for delivering additional housing.

***15. Can the Parish Council confirm that site 907 (South of Parkside) was given the same level of consideration as the other potential development sites? (See Rep 37)***

Although Site 907 was submitted for consideration after other sites within the Parish it was subject to the same assessment process as all sites and included within an updated version of the Site Assessment report. As noted in response to the previous answer, the outcomes of the Site Assessment Report indicated the need for choices to be made as to which site might be most appropriate to bring forward in the Neighbourhood Plan. It was considered that Site 518 performed better against the aims and objectives of the Neighbourhood Plan.

***16. Can the Parish Council confirm that the errors in Appendix A (Heritage Assets) on page 49 (as identified in Representation 4d) are indeed errors?***

The Parish Council confirms this is an error resulting from the copying of information from the Historic England records and proposes to remove these from the Plan.

***17. Paragraph 4.55 of Rep 25 confirms that site 162 could be annotated as 'informal green space' (as shown on the plan in Appendix 2 of the representation). Has the Parish Council given consideration to this suggestion and if so, what conclusions were reached?***

Site 162 has not been considered as such in the Neighbourhood Plan though the Parish Council does acknowledge this suggestion and confirms that, if the Examiner agrees, this could be identified as such. However, it is not considered that it would be appropriate to identify it as such if the reason would be to offset the need for provision of or retention of green space on allocated site 518. It is also identified as an area of 'Permanent Grassland' (see question 21 below).

***18. Representation 28 identifies two potential errors in the documentation with regard to the identification of natural spaces. Are they errors and, if so, how should they be addressed?***

The Parish Council is happy to remove the westerly extension of Area 73G identified as a 'natural area' on Figure 6 of the Neighbourhood Plan. This will, as requested, remove the front gardens of the properties from the designation.

***19. Is there any reason to conclude that the greater use of Marsh Lane by pedestrians and cyclists would have any undesirable safety implications?***

Not that the Parish is aware of. Through the Neighbourhood Plan the Parish supports provision of improved conditions for pedestrians and cyclists, particularly for shorter, everyday journeys. Projects within the Plan express support for improvements to the quality of cycle infrastructure within the Parish in line with Government advice.

***20. Can the Parish Council confirm that the MENP would have no significant implications for Louis Park (previously known as Milton Ernest Hall Park)? (See Rep 56)***

The Parish Council confirms that this is indeed the case, and is supportive of aspirations to restore the parkland. The identification as 'permanent grassland' responds to recommendations from the Borough Council (see question 21): the purpose being to retain and preserve the historic character of Milton Ernest. The Hall is Grade I Listed and the wall around the grounds are Grade II Listed. These benefit from policy designation at the national and local levels which the Parish is not seeking to add to. Any changes to the Listed buildings or the setting of them, which would extend to the Park, would be subject to those policies.

***21. What is the purpose of identifying 'permanent grassland' on Figure 6 (page 21) when there is no relevant policy in the section entitled 'Green spaces' that is applicable to such land?***

These areas are identified on the map of Biodiversity in Milton Ernest (Figure 7) prepared by the Bedford and Luton Biodiversity Recording and Monitoring Centre.

It was suggested in the Regulation 14 consultation response from the Borough Council that areas of grassland the Parish had indicated on draft plans should be amended to reflect the extent of the Scheduled Monuments in Milton Ernest. It was also noted in the Regulation 14 consultation response that there are some earthworks in Milton Ernest that are not covered by the scheduling but which would benefit from being identified within areas of permanent grassland. The reason being that this would then emphasise the importance of these areas in preserving the historic environment in Milton Ernest.

The Parish acknowledge this is not clearly referenced within policy and, should the Examiner be amenable, suggest that an additional bullet point be added to Policy ME C2 which might state: '*Preserve areas of permanent grassland as identified on Figure 6 which define the extent of Scheduled Monuments and Earthworks that mark the extent of former settlement activity, the history and evolution of Milton Ernest over time*'. Equally, reference could be made in Policy ME NE3, recognising that these areas are characteristic features of the environment, and linking to text at paragraph 5.3 of the draft plan which notes these are areas which are rich in plant life. The Parish is happy for the Examiner to review and recommend appropriate wording.