

Emberton Neighbourhood Plan

Summary of responses received to Regulation 16 publicity period

First Publicity Period	
Francis Jackson Homes	Our objections and comments concerning the Regulation 15 submission process, and Regulation 16 version of the ENP are set out in detail below, but are summarised thus: • Proper legal process has not been followed with regards to the consultation of the ENP and as such, the legal Regulation 15 requirements have not been addressed or met Legal Opinion has been sought regarding the legality of the consultation process undertaken to date, and is provided by Satnam Choongh (Barrister) of No5. Chambers (copy attached in full as Appendix 4). This confirms that legally, MKCC must refuse the proposal put forward by the qualifying body, and that it would thus be unlawful for MKCC to submit the draft plan for independent examination. If MKCC have already advised the qualifying body that it is satisfied, it must reconsider and reverse its decision in light of the evidence provided herein and the attached Legal Opinion, and instead issue a decision under Schedule 4B(6)(4)(b). Further, as a result of this we seek an undertaking that MKCC will not submit the plan for examination under Schedule 4B(7) accordingly. If these steps are not undertaken promptly by MKCC, we reserve the right to challenge these steps by way of an application for Judicial Review. • Failure of the submitted ENP to comply with the Basic Conditions Detailed responses are set out in full below, but can be summarised as: - o Contrary to paragraph 71 of the NPPF, the ENP through its small housing allocation and revised settlement boundary policies, prioritises the residential development of back land (not infill), greenfield, garden land over previously developed land, also contrary to paragraphs 119 and 120 of the NPPF, as well as the results of the NPPF) and thus fails to help the community to grow and thrive (contrary to NPPF paragraph 79) – such tightly framed and restrictive policies are in fact likely to restrict, not boost (contrary to NPPF paragraph 60), the supply of housing land within the Plan Area; o Contrary to paragraphs 66 and 67 of the NPPF,

	the Potential Housing Sites are out of date and thus do not provide a robust, up to date basis on which to base the ENP.
National Highways	National Highways has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority
	and street authority for the Strategic Road Network (SRN). It is our role to maintain the safe and efficient operation of the SRN whilst acting as a
	delivery partner to national economic growth.
	In relation to the Emberton Neighbourhood Plan, our principal interest is in safeguarding the operation of the M1 motorway (approximately 7.90km west) and the A421 trunk road (approximately 12.8km
	southeast) of the Emberton Neighbourhood Plan area respectively. We understand that a Neighbourhood Plan is required to be in
	conformity with relevant national and Borough-wide planning policies. Accordingly, the Neighbourhood Plan for Emberton is required to be in
	conformity with Milton Keynes Local Plan 2016-2031, the Town &
	Country Planning Act 1990, the Planning & Compulsory Purchase Act 2004, the Localism Act 2011 and the Neighbourhood Development
	Planning Regulations 2012.
	We understand the future plan for the area is the potential to build 10 new homes over the plan period. National Highways would expect to be
	consulted as and when this application comes forward in the usual way to confirm each application will be assessed by standard procedure in relation to their expected distribution and impact on the SRN.
	Having reviewed the submission version of the Neighbourhood Plan, we note that the scale of growth remains low. The plan reinforces this by
	stating that the overall size of the village boundary will remain the same by 2031. Any potential impacts will be assessed accordingly.
	National Highways therefore consider the limited level of growth
	proposed across the Emberton Neighbourhood Plan area, will not have a significant impact on the operation of the SRN.
Natural England	Natural England is a non-departmental public body. Our statutory
	purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future
	generations, thereby contributing to sustainable development. Natural England is a statutory consultee in neighbourhood planning and
	must be consulted on draft neighbourhood development plans by the Parish/Town Councils or Neighbourhood Forums where our interests
	would be affected by the proposals made.
	In our review of the Emberton Neighbourhood Plan, we are supportive of policies E1-E4. However, we have a few comments to make which are
	outlined below.
	Policy E1: Local Green Space We welcome the inclusion of <i>Policy E1</i> which will aid in the protection
	of green spaces from inappropriate development.
	However the Neighbourhood Plan makes no reference to Green Infrastructure. We recommend that the policy includes reference to the
	connection of Green Infrastructure (GI) within the parish. Elements of GI such as open green space, wild green space, allotments, and green
	walls and roofs can all be used to create connected habitats suitable for species adaptation to climate change. Green infrastructure also

provides multiple benefits for people including recreation, health and well-being, access to nature, opportunities for food growing, and resilience to climate change. Natural England's Green Infrastructure Framework provides evidence- based advice and tools on how to design, deliver and manage green infrastructure (GI). GI should create and maintain green liveable places that enable people to experience and connect with nature, and that offer everyone, wherever they live, access to good quality parks, greenspaces, recreational, walking and cycling routes that are inclusive, safe, welcoming, well-managed and accessible for all. GI provision should enhance ecological networks, support ecosystems services and connect as a living network at local, regional and national scales. Development should be designed to meet the 15 Green Infrastructure Principles. The Green Infrastructure Standards can be used to inform the quality, quantity and type of green infrastructure to be provided. Major development should have a GI plan including a long-term delivery and management plan. Relevant aspects of local authority green infrastructure strategies should be delivered where appropriate. GI mapping resources are available here and here. These can be used to help assess deficiencies in greenspace provision and identify priority locations for new GI provision. Policy E2: Environment and Biodiversity Enhancement We recommend removing the use of the words 'where possible' in reference to the ecological enhancement of new developments and the wider parish. Policy E3:Trees and Hedgerows In addition to younger trees and hedgerows, Emberton parish is fortunate to have several pockets of Ancient Woodland priority habitat within its boundaries. We advise including some wording within this policy to include mention of these woodlands, and guaranteeing to protect them from any development. Ancient woodland takes hundreds of years to establish and is defined as an irreplaceable habitat. More about Ancient Woodland can be found in Annex
previous comments submitted at Regulation 14 stage, and for any
We note the Local Plan for Milton Keynes was recently adopted in 2019, and that there are not any important environmental constraints, within our matrix for currently screening neighbourhood plans, that affect this Neighbourhood Plan Area. At this time, therefore, we are unable to make any detailed input on neighbourhood plans being prepared within this local planning authority area.

Canal & River Trust	Based on the information available the Trust has no comment to make on the Emberton Parish Plan.
Trevor Roberts	I am writing in support of the recently submitted Emberton Neighbourhood Plan which I think has been well prepared and includes a well thought out assessment of current and future housing needs in the Parish.
Sue Almond	 I would like to express my support for the Neighbourhood Plan submitted to you by Emberton Parish Council in March 2023. In my view, the Plan accurately reflects the wishes of the villagers expressed in the original village questionnaire. The proposed scale of development is in keeping with the housing needs of the village, recognising that there is extensive affordable housing under development in both Olney and MK East with far better accessibility and services than in this more isolated location. The Plan should allow Emberton to evolve while retaining the essential character of the village and preserving the surrounding open countryside.
Glyn Jones	I am writing to state my objection to the proposed Emberton Neighbourhood Plan. The reasons for my objection are as follows: According to the 'Milton Keynes Council Assessment of Five Year Housing Land Supply', only one new house is required to be built in Emberton. The Olney Road site would seem far too large a site for the required housing and my objection to the plan as a whole is based around my concerns about the choosing of this (Olney Road) site for development. The proposed plan will place a number of new homes in a site that is fully visible from within the country park, thus encroaching on an important communal green space and increasing the light pollution within that space. Having such a development in the proposed site will also change the character of the current housing stock such a development will be out of character compared to the housing that currently exits on Onley Road (which benefit from a non-estate location with views to the front and rear of the properties). Any properties built on the plot would inevitably, negatively impact a large number of surrounding properties, resulting in significant loss of privacy/light to several residents. Notably, there is a very large property on the proposed development site which has an extremely prominent second floor balcony. Any development of houses on the proposed site would be dwarfed by this large structure and the balcony would render any privacy completely impossible to achieve the development could well resemble a camp with a look out post overseeing all below this, along with the proximity to Emberton Park must cast doubt over whether it is a suitable location for development. The Access to Harvey Drive is also extremely narrow and would not be suitable for multiple/ large HGV's HGS's/work vans will have to be parked on Olney Road/at the entrance of the Country Park, adding to the already high levels of traffic on Olney Road and restricting access to the Country Park. To build new homes near the entrance/on the border of Emberton

	commissioned in this location. Infill housing in Gravel Walk has already been granted planning permission and there is currently a proposal to build 29 new houses in Emberton so, with such a large influx of housing imminent, it seems illogical for the Parish Council to press ahead with this current plan. Both the Acorn Nurseries and Gravel Walk sites seem to offer the most suitable solution to Emberton's limited housing needs/requirements as they would offer the least disruption to other residents i.e. they would not present the overlooking / overshadowing issues of the Olney Road site, the access is much easier and there would be no effect/encroachment on the important communal green space provided by Emberton Country Park. I would ask that my concerns are taken into account when making a final decision on the proposed plan and I very much hope that an alternative plan can be agreed upon.
George Pickwick	I would like to record my support for the Emberton Neighbourhood
	plan dated February 2023.
	The plan is comprehensive and clear and appears well thought out to
	represent the needs of the residents and particularly clarifies the need
	to protect the village from fragmentation and protect the settings of
	listed property within the village.
	The housing needs assessment section also presents a sound and well
	thought out rationale to limited local new housing needs which can be
	met by infill development and thus precludes the requirement for any
	unnecessary development into open countryside.
Second Publicity Period	· · · · · · · · · · · · · · ·
Megan McAuley	I am writing to state my objection to the proposed Emberton
	Neighbourhood Plan. The reasons for my objection are as follows:
	According to the 'Milton Keynes Council Assessment of Five Year
	Housing Land Supply', only one new house is required to be built in Emberton. The Olney Road site would seem far too large a site for the
	required housing and my objection to the plan as a whole is based
	around my concerns about the choosing of this (Olney Road) site for
	development. The proposed plan will place a number of new homes in a
	site that is fully visible from within the country park, thus encroaching
	on an important communal green space and increasing the light
	pollution within that space. Having such a development in the proposed
	site will also change the character of the current housing stock such a
	development will be out of character compared to the housing that
	currently exits on Onley Road (which benefit from a non-estate location
	with views to the front and rear of the properties). Any properties built
	on the plot would inevitably, negatively impact a large number of
	surrounding properties, resulting in significant loss of privacy/light to
	several residents. Notably, there is a very large property on the
	proposed development site which has an extremely prominent second floor balcony. Any development of houses on the proposed site would
	be dwarfed by this large structure and the balcony would render any
	privacy completely impossible to achieve the development could well
	resemble a camp with a look out post overseeing all below this, along
	with the proximity to Emberton Park must cast doubt over whether it is
	a suitable location for development. The Access to Harvey Drive is also
	extremely narrow and would not be suitable for multiple/ large HGV's
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	HGS's/work vans will have to be parked on Olney Road/at the entrance of the Country Park, adding to the already high levels of traffic on Olney Road and restricting access to the Country Park. To build new homes near the entrance/on the border of Emberton Country Park (an area of natural beauty) seems far from ideal and if there are alternatives available, I can't see why building work would be commissioned in this location. Infill housing in Gravel Walk has already been granted planning permission and there is currently a proposal to build 29 new houses in Emberton so, with such a large influx of housing imminent, it seems illogical for the Parish Council to press ahead with this current plan. Both the Acorn Nurseries and Gravel Walk sites seem to offer the most suitable solution to Emberton's limited housing needs/requirements as they would offer the least disruption to other residents i.e. they would not present the overlooking / overshadowing issues of the Olney Road site, the access is much easier and there would be no effect/encroachment on the important communal green space provided by Emberton Country Park. I would ask that my concerns are taken into account when making a final decision on the proposed plan and I very
	much hope that an alternative plan can be agreed upon.
lan Duncan Richard Laval	I support the current revisions to the Neighbourhood Plan. Target expansion levels have been easily achieved through in-fill development over the past decade or so and I believe will continue to be supported in the same fashion, especially with the help of two allocated units in the Harvey Drive location. I particularly like the references to and proposed support of darker skies, given how special most of the parish area is in this respect. The sooner the Plan is adopted, the sooner it can be used to counter inappropriate development. On this last note I do not support the proposed development at the Acorn Nursery site, which is inappropriate in scale and too detached from Emberton village facilities, which are severed from the site by the A509. I have a range of concerns with the plan as it is now but will only cover what I perceive to be the two key issues. Development boundary The development boundary is illogical. If it is going to cover all buildings and gardens on the west side of the A509 why does it not include the
	existing development on the east side? Unless it is to deliberately exclude the only piece of brownfield land that was offered up for development. Whether the fact that this land is close to the Parish Council's chairs home was part of the decision making process I cannot say, I assume a declaration of interest was given when this was discussed at the council and that the chair took no part in the decision making process. This deliberate exclusion of the east side of the A509 also removes the only opportunity of a development that would have provided affordable homes. The plan shuts out any chance of providing affordable homes by concluding that only backland development is suitable for Emberton. Consultation The plan is initially based on the responses to the village survey which was carried out in March 2018. The world and even Emberton has moved on in the five years since. It is hard to justify any decisions based on data that is so out of date. The demographics of the village have changed and the way people work has changed making that survey a less than solid foundation for any planning.

Mr S O'Connor	Please note my concerns and objections highlighted below to: Policy H3 Land at Harvey Drive – Proposal for two dwellings 1. Dwellings would be clearly visible from Emberton Country Park which would be in direct contradiction to Policy H1 Development Strategy which wishes for all development to be sensitively located and enhancing the rural character of the village and preserving the wider landscape setting of the village. 2. Proposed dwellings would impact on all houses in lower Olney Road, Hulton Drive and other residences on Harvey Drive. The proposed site for dwellings will change the open views to aforementioned houses. 3. I have enjoyed seeing deer fawns and pheasants on the proposed site as well as other wildlife. Any development of dwellings here would deter such wildlife. 4. Light pollution will also be a factor affecting the surrounding houses as well as from Emberton Country Park. 5. Vehicular access to the proposed properties/site is significantly restrictive. Construction of the properties would be especially difficult and vehicular access via Harvey Drive by HGVs etc would not be possible. 6. Furthermore, Harvey Drive already provides vehicular and pedestrian access to three properties on Harvey Drive as well as nine houses along Olney Road (No. 59 to 75). Regards the latter which is used on a daily basis by multiple houses, access via Harvey Drive has been in place for decades in respect of accessing the lane at the back of the houses on Olney Road and garages in the rear gardens. Harvey Drive is essentially a small driveway itself and already serves 12 properties; access by any further dwellings would be far too many. 7. The number of infill houses for the village has already been achieved i.e. the house built at the back of West Lane House and the approval to build a further dwelling in Gravel Walk. There is also a planning application pending on the Acorn Nurseries site in respect of around 24 housers. No further infill is proceedly required
Miss G O'Connor	around 24 houses. No further infill is presently required. Please note my concerns and objections highlighted below to: Policy H3 Land at Harvey Drive – Proposal for two dwellings 1. Dwellings would be clearly visible from Emberton Country Park which would be in direct contradiction to Policy H1 Development Strategy which wishes for all development to be sensitively located and enhancing the rural character of the village and preserving the wider landscape setting of the village. 2. Proposed dwellings would impact on all houses in lower Olney Road, Hulton Drive and other residences on Harvey Drive. The proposed site for dwellings will change the open views to aforementioned houses. 3. I have enjoyed seeing deer fawns and pheasants on the proposed site as well as other wildlife. Any development of dwellings here would deter such wildlife. 4. Light pollution will also be a factor affecting the surrounding houses as well as from Emberton Country Park. 5. Vehicular access to the proposed properties/site is significantly restrictive. Construction of the properties would be especially difficult and vehicular access via Harvey Drive by HGVs etc would not be possible. 6. Furthermore, Harvey Drive already provides vehicular and pedestrian access to three properties on Harvey Drive as well as nine houses along Olney Road (No. 59 to 75). Regards the latter which is used on a daily basis by multiple houses, access via Harvey Drive has been in place for decades in respect of accessing the lane at the back of the houses on Olney Road and garages in the rear

	gardens. Harvey Drive is essentially a small driveway itself and already
	serves 12 properties; access by any further dwellings would be far too
	many. 7. The number of infill houses for the village has already been
	achieved i.e. the house built at the back of West Lane House and the
	approval to build a further dwelling in Gravel Walk. There is also a
	planning application pending on the Acorn Nurseries site in respect of
	around 24 houses. No further infill is presently required. I trust that all
	of the above points/objections will be noted and considered fully.
Ms M Hobbs	Thank you for the opportunity to comment on the above plan which I
	have found both interesting and informative. I take this opportunity to
	express my appreciation of the efforts made by all who have
	contributed to this document. Please note my concerns and objections
	highlighted below to: Policy H3 Land at Harvey Drive – Proposal for two
	dwellings 1. Dwellings would be clearly visible from Emberton Country
	Park which would be in direct contradiction to Policy H1 Development
	Strategy which wishes for all development to be sensitively located and
	enhancing the rural character of the village and preserving the wider
	landscape setting of the village. 2. For the same reasons as outlined in
	the above point, proposed dwellings would also impact on all houses in
	lower Olney Road, Hulton Drive and other residences on Harvey Drive.
	We purchased our property on Olney Road for the simple fact that
	there were no developments to the front or rear of the property in line
	with our property. The proposed site for dwellings will change the open
	views to aforementioned houses on Olney Road etc. 3. Over the past 22
	years of living on Olney Road, I have on numerous occasions spotted
	deer fawns and pheasants on the proposed site as well as other wildlife.
	Any development of dwellings here would deter such wildlife. 4. Light
	pollution will also be a factor affecting the surrounding houses as well
	as from Emberton Country Park. 5. Vehicular access to the proposed
	properties/site is significantly restricted due to Harvey Drive essentially
	being a narrow track road. Construction of the properties additionally,
	would be especially difficult and vehicular access via Harvey Drive by
	HGVs would be impossible. 6. Furthermore, Harvey Drive already
	provides vehicular and pedestrian access to three properties on Harvey
	Drive as well as nine houses along Olney Road (No. 59 to 75). Regards
	the latter which is used on a daily basis by multiple houses, access via
	Harvey Drive has been in place for decades in respect of accessing the
	lane at the back of the houses on Olney Road and garages in the rear
	gardens. Harvey Drive is essentially a small driveway itself and already serves 12 properties; access by any further dwellings would be far too
	many. 7. The number of infill houses for the village I understand has
	already been achieved i.e. the house built at the back of West Lane
	House and the approval to build a further dwelling in Gravel Walk.
	There is also a planning application pending on the Acorn Nurseries site
	in respect of around 24 houses. No further infill is presently required. I
	trust that all of the above points/objections will be noted and
	considered fully.
Anglian Water	We note Policy H1 seeks the 'organic growth of housing within the
	village'. The potential scale of growth is likely to be able to be serviced
	through extensions to and new connections to the water supply and
	water recycling network. Emberton is within the Olney Water Recycling
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	Centre (WRC) catchment. The Olney WRC has headroom to cater for further growth and so growth of the quantum indicated in the draft Neighbourhood Plan should be capable of being served by new connections to the catchment public sewer network. The availability of WRC and wastewater network capacity will be a matter for developers to engage with Anglian Water on in pre application discussions. Developers should contact planningliaison@anglianwater.co.uk. On policy BE1, we note that no new employment sites are proposed. Given the current typology of business it is likely that new business would be similar and so have low levels of water demand. We would urge that businesses should be encouraged to be water efficient. On this point, please find attached Anglian Water's new non- domestic water demand policy. The policy reinforces the need for the highest levels of water efficiency on employment sites and the need to go further than the 110 litres per person per day standard in current Building Regulations and in the adopted Plan MK. We welcome Policy CFR1 mandating the use of sustainable drainage systems (SuDS) for new developments. Given the location of Emberton the requirement that new development should not increase the risk of flooding elsewhere is supported to ensure that developments do not add to surface water and then fluvial flows downstream. I can confirm that the draft Neighbourhood Plan presents no issues on which Anglian Water would want to object and at this stage seek modifications.
Melanie Duncan	I support the submitted Emberton Neighbourhood Plan, as it reflects the feedback from the parish on how Emberton wishes to evolve and it respects the policies of Plan:MK.
Jake Green	We write to object to the submission version of the Emberton Neighbourhood Plan in reference to the remittal of Proposed Allocation site ref 006/2021, Land at Gravel Walk, Emberton. The allocation as previously shown within the draft Emberton Neighbourhood Plan (Appendix 1) that went for local consultation in May/June 2022, has now been removed from the submission version of the NP. The 'Assessment of Potential Housing Sites' document states that the development of a single dwelling on the site has been allowed at appeal (ref APP/Y0435/W/21/3286461) and 'no further action to be taken'. No other justification has been provided for removing this site from the allocations. We request that the site at Gravel Walk ref 006/2021 be reinstated within the final version of Neighbourhood Plan and that the site be included within the settlement boundary. The successful appeal for a single dwelling at Gravel Walk adds weight in favour of the assessment of the site for allocation with the NP. Currently, the submission version of the Neighbourhood Plan conflicts with the draft version and does not represent the current planning status of the land which has extant planning permission for a single dwelling.
Debbie Wyatt	We are long—term residents of Emberton (20 years) and we would not be comfortable with new housing being built on Harvey Drive. We understand that there is a tolerance for 1 new dwelling within Emberton, and believe that has now been confirmed for Gravel Walk. Furthermore, the site of Acorn Nursery is currently in discussion as to how many properties will be built. Therefore, we would respectfully suggest that Emberton has satisfied its objective in accordance with the

	Neighbourhood Plan. To build potentially two houses behind Olney
	Road will not only detract from the view but also increase traffic
	through a very narrow space behind the houses. We currently have a lot
	of traffic using Olney Road as a rat run so if there is traffic on the other
	side of the house too, will potentially be noisy and potentially
	dangerous.
Glyn Jones	According to the 'Milton Keynes Council Assessment of Five Year Housing Land Supply', only one new house is required to be built in Emberton. The Olney Road site would seem far too large a site for the required housing and my objection to the plan as a whole is based around my concerns about the choosing of this (Olney Road) site for development. To build new homes near the entrance/on the border of Emberton Country Park (an area of natural beauty) seems far from ideal and if there are alternatives available, I can't see why building work would be commissioned in this location. Any properties built on this plot would result in significant loss of privacy and loss of light to several residents of Olney Road. The Access to Harvey Drive is extremely narrow and would not be suitable for multiple/ large HGV's will HGS's have to be parked on Olney Road for the duration of the work, adding to the already high levels of parked vehicles on Olney Road? Harvey
	Drive also provides rear access to all houses up to no 59. It is a concern that this access will be affected by the work. At present, there is a very large property on the proposed Olney Road development site which has an extremely prominent second floor balcony. Any development of houses on the proposed site would be dwarfed by this large structure and the balcony would render any privacy completely impossible to achieve the development could well resemble a camp with a look out post overseeing all below this must cast doubt over whether it is a suitable location for development. In any other scenario the owner of this large house (with the large balcony, looking directly over the proposed development site) would, no doubt vehemently object to such a proposed plan (due to the complete loss of privacy/loss of light/altering of character etc.) but; I have no doubt that, no such opposition will come from the owner of this property as the owner
	 (who is on the Parish council) is set to benefit personally from the proposed 'neighbourhood' plan. This brings me to a wider concern regarding the process followed to arrive at the proposed Neighbourhood plan. I am concerned that it is less of a 'plan for the community' and more of a calculated plan to benefit one individual. The neighbourhood plan is described as 'small scale, organic growth' but this seems anything but organic it feels more like a cynical way for one person (a Parish councillor) to make significant personal profit. The Nolan Principles set out very clearly how those in office should conduct themselves: 1 Selflessness 2 Integrity 3 Objectivity 4 Accountability 5 Openness 6 Honesty 7 Leadership Can we be satisfied that in this instance, all Principles have been upheld or is this something that should be investigated? I would question the following: 1. Selflessness: Holders of public office should act solely in terms of the public interest. Cllr Markland owns the land which has been put forward for development. He is set to profit directly (and no doubt, considerably)
	from the proposed plan being approved. How is it possible to say with

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