Milton Keynes Core Strategy DPD Examination

Written Statement from Aylesbury Vale District Council

(representor reference 413791)

May 2012

Matter 1 – Overview (process and justification, legal compliance, national policy, sub-regional and wider context) (Core Strategy’s vision, objectives and policies as a whole)

Issues 1.4, 1.5, and 1.6

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Milton Keynes Core Strategy Examination

Written Statement from Aylesbury Vale District Council, May 2012

Matter 1 – Overview (process and justification, legal compliance, national policy, sub-regional and wider context) (Core Strategy's vision, objectives and policies as a whole).

Issue 1.4 Does it [the Core Strategy] take appropriate account of the sub-regional and wider context, including cross-boundary impacts?
Issue 1.5 Does the Core Strategy provide clearly articulated and justified guidance about the way in which cross-boundary issues and joint working will be addressed?
Issue 1.6 On the basis that the South East Plan (RS) remains part of the development plan, is the Core Strategy in general conformity with it? If it is not, what are the specific elements of the strategy that lead to non-conformity? How might these be rectified?

1.1 There are a number of issues related to soundness which Aylesbury Vale District Council (AVDC) has raised and which remain unsatisfactorily resolved by Milton Keynes Council (MKC) in the Schedule of Responses or subsequent amendments and iterations of the Core Strategy that have been published since October 2010. These issues require further consideration as highlighted by the Inspector in the Revised Schedule of Matters and Issues (ID/2A).

1.2 To assist discussion at the Examination hearing sessions, AVDC has prepared the following statement in addition to the representations submitted throughout the preparation of the Core Strategy at the formal stages.

1.3 In particular this Statement provides further information about AVDC’s representations on the following documents:
   - Core Strategy Revised Proposed Submission Version, October 2010
   - Core Strategy Pre-Submission version, February 2010
   - Sustainability Appraisal of Reasonable Alternative Sites, June 2011
   - Core Strategy Post-Submission changes, September 2011

Issues 1.4, 1.5, and 1.6

1.4 The comments related to Issues 1.4, 1.5 and 1.6 overlap so to avoid repetition this response from AVDC applies to the group of issues.

Cross Boundary Growth & Growth Levels

1.5 In general AVDC supports the revised approach to housing targets in the MKCS (Milton Keynes Core Strategy). That is, to provide for a more realistic level of housing in Milton Keynes in line with the changes to the planning system being brought about by government.

1.6 This includes the clear intention of government to revoke the South East Plan imminently. For the avoidance of doubt and to help the examination on this point a recent ministerial letter maintains government’s clear intention on the revocation of Regional Strategies (Annex A).

1.7 As part of the revised housing targets and the approach MKC is taking to the changes by government to the planning system, AVDC also welcomes the deletion of the South West SDA related policies and textual mentions within the Core Strategy that stemmed
from the South East Plan. This is fully in line with the approach in the emerging Vale of Aylesbury Plan (AVDCs developing Local Plan).

1.8 AVDC also welcomes the statement from MKC that there is no identified need to plan for expansion of MK into adjoining local authority areas. See attached copy of the draft Statement of Common Ground (Annex B) and representations from MKC on the Vale of Aylesbury Plan consultation (Annex C), evidencing these points.

National Planning Policy Framework (NPPF) Compliance

1.9 In considering the NPPF there is an interesting question that may wish to be debated at the examination. That is whether the housing targets set out in the South East Plan are themselves compliant with the NPPF? The transitional arrangements are noted however para 47 first bullet of the NPPF clearly states that housing needs should be impartially assessed in their local area. This was not the basis on which the South East Plan (or the Sustainable Communities White Paper preceding it) was developed.

1.10 Indeed if the MKCS had retained the housing targets set out in the South East Plan then it is difficult to see how the Strategy would be NPPF compliant due to the age of the evidence base behind the South East Plan – prior to the global economic downturn of recent years - and not tested or developed at the local level in compliance with NPPF. It was driven by a regional policy approach that moved growth around the region - away from areas of higher pressure and towards those of lower. As such it was based on the premise of meeting the needs of the wider South East rather than meeting local needs.

1.11 Through the Localism Act, Ministerial Statements, and the NPPF it is clear that the principal driver for setting jobs and homes targets should be from the local level upwards and not the top down imposition of the past. On this basis it is questionable whether these elements of the South East Plan are actually NPPF compliant (save for the transitional arrangements).

1.12 The revised housing targets for Milton Keynes are therefore more consistent with the approach set out in the NPPF as they reflect locally-identified needs rather than seeking a regional redistribution approach policy led approach as in the South East Plan.

Policy CS6 Place-shaping Principles for Sustainable Urban Extensions in Adjacent Local Authorities

1.13 Since the MKCS was published in 2010 MKC has now confirmed that it can accommodate all growth with no need for cross boundary growth in the short-medium term. This is consistent with the approach in the emerging Vale of Aylesbury Plan which will not include explicit provision for cross boundary growth from MK. The latest on the position on the Vale of Aylesbury Plan is set out in an AVDC Cabinet report dated 15 May 2012¹.

1.14 As it is the clear and agreed position between authorities that there is no need for cross border planned growth (and this is not foreseeable in the future), Policy CS6

¹ Report to AVDC Cabinet 15.05.2012 sets out an approach to meet the identified growth needs of the district. It sets out the numbers of jobs and homes and a broad distribution for growth at the most sustainable locations to meet the regeneration and other needs of communities and businesses in the district. [http://committees.aylesburyvaledc.gov.uk/committees/committees.aspx?commid=74&meetid=1343](http://committees.aylesburyvaledc.gov.uk/committees/committees.aspx?commid=74&meetid=1343)
Place-shaping Principles for Sustainable Urban Extensions in Adjacent Local Authorities in the MKCS should be deleted.

1.15 Due to changing circumstances it is now irrelevant, out of date, and its retention gives a confusing message to communities and the development industry about the potential for growth.

1.16 Policy CS6 is also largely un-evidenced and in parts it is outside the legal scope of the MKCS. Policies in the MKCS can only apply within MK administrative area, and parts of CS6 seek to address location specific issues such as the identification of a southern relief road north of Newton Longville (un-evidenced). This is further compounded by the title of the section “Future Development Areas” that the policy resides within, all of which contradicts the commitment from MKC that growth can and will be accommodated within their administrative boundary.

1.17 Taking the above into account it is fundamental that the policy in its current form is deleted. AVDC has consistently raised concerns regarding this issue of the Core Strategy seeking to set policy for areas beyond the MK boundary. Requests for changes have however not been taken forward.

1.18 AVDC believe that the Memorandum of Understanding outside of the MKCS is sufficient to address any cross border issues. However if MKC believe there is a need to include a formal statement then it should be a statement or supporting text in the MKCS rather than a policy. It is misleading to include a policy on matters that the councils do not believe will occur during the plan period. Any such statement should be generic, flexible and actionable taking into account the principles of all authorities concerned. It should for example not be written in the style of Policy CS6(4) where reference is made specifically to the “character of the adjoining areas of the city” but does not acknowledge the need to also consider the character of other adjoining settlements.

1.19 The concern about implications for adjoining areas also applies to economic growth (see separate AVDC representations on Matter 4). If the strategy for economic growth in MKCS is taken forward, then there is a significant risk that growth and regeneration in Aylesbury Vale will not be achieved.

Summary

1.20 AVDC supports the general approach in the MKCS of reduced housing targets; and with MK and the adjoining authorities in agreement that there is no identified need for expansion of MK across into adjoining local authorities then policy CS6 should be deleted.
Annex A – recent Ministerial Correspondence

4 O APR 2012

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Our Ref: BN/SBH/3130/712

David Lidington MP
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SOUTH EAST PLAN

Thank you for your letter of 13 April to the Rt. Hon. Greg Clark MP regarding the revocation of the South East Plan. I have been asked to reply.

I can reassure you that it remains our clear intention to lay orders in Parliament to revoke the eight existing regional strategies outside London as soon as possible, subject to the environmental assessment process to which your letter refers. As you are aware, the consultation on the environmental assessments closed on 20 January and we are currently considering responses so the process is ongoing. I regret therefore that I cannot be more precise about the timetable for abolition at this stage.

In the meantime, regional strategies remain part of the statutory development plan for the purpose of determining planning applications (until such time as regional strategies are abolished). Planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise.

I hope that this letter clarifies the current position for you.

BARONESS HANHAM CBE
Annex B – draft Statement of Common Ground agreement (May 2012)

MILTON KEYNES CORE STRATEGY EXAMINATION

STATEMENT OF COMMON GROUND BETWEEN AYLESBURY VALE DISTRICT AND MILTON KEYNES COUNCILS

- MILTON KEYNES GROWTH
- CROSS BOUNDARY JOINT WORKING
- THE DUTY TO COOPERATE

This Statement of Common Ground sets out the areas of common ground and consensus between Aylesbury Vale District Council and Milton Keynes Council on the emerging Milton Keynes Core Strategy, the Localism Act and the National Planning Policy Framework.

The two authorities have a long history of joint working and are in agreement on the following issues:

1. Milton Keynes Core Strategy Policy CS5 provides for the next phase of Milton Keynes growth to be fully contained within Milton Keynes boundaries.
2. Aylesbury Vale District Council, in its emerging Vale of Aylesbury Plan does not propose any future growth within Aylesbury Vale district to provide for any Milton Keynes-related growth. This is based upon the District Councils up to date housing need assessment which includes consideration of Milton Keynes evidence base and Core Strategy. This is based upon the assumption that the Regional Strategy is due to be revoked by government shortly.
3. Milton Keynes and Aylesbury Vale District Council have been actively involved in the Cross Boundary Officer Group and the Member Reference Group; both groups formally established in January 2005 at a local authority level to discuss cross boundary / joint working arrangements.
4. Milton Keynes and Aylesbury Vale District Council are now involved in the South East Midlands Local Economic Partnership set up in May 2011 at a sub-regional level to provide strategic economic leadership (including planning-related issues) to replace the abolished Regional Assembly, Regional Development Agencies, the Cross Boundary Officer Group and the Member Reference Group.
5. As part of their involvement in the South East Midlands Local Economic Partnership, Milton Keynes and Aylesbury Vale District Council are committed to joint working to evaluate, analyse and understand the necessity and justification for further exploration of cross boundary issues (including infrastructure and growth needs of the two local planning authorities).
6. The two authorities are currently involved in an Infrastructure Transition Project, which is funded by CLG and the HCA and brings together four authorities to establish an up to date view of where they stand with regard to future development, the need for infrastructure and how to fund this infrastructure. The local authorities involved - Aylesbury Vale District Council in Buckinghamshire, Cherwell District Council in Oxfordshire, Dacorum Borough Council in Hertfordshire and the unitary authority, Milton Keynes, all have a shared understanding of the importance of growth for maintaining vibrant communities with jobs for their communities.
Annex C – Milton Keynes Council representation to consultation on Vale of Aylesbury Plan, 2012

John Byrne
Head of Planning
Aylesbury Vale District Council
66 High Street
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HP20 1SD

26 January 2012

Dear Mr Byrne,

Re: Milton Keynes Council’s comments on the Vale of Aylesbury Plan consultation

Many thanks for the opportunity to comment on this early stage of work on the preparation of the new Vale of Aylesbury Plan (VAP). The attached comments were agreed by delegated decision of the Cabinet member for Planning, Cllr Andrew Morris, on 24 January.

We have made some detailed comments on the numbers in the consultation document and a particular concern is that some of the options suggest a considerable imbalance between the number of homes and jobs, which could lead to increase pressure from residents of Aylesbury Vale district seeking jobs in the Milton Keynes area. Myself and my colleague Mark Harris would be very happy to meet and discuss our comments with you.

In terms of the duty to co-operate, we accept that the current proposals in the VAP do not have any cross-boundary implications for Milton Keynes. We have, however, made a comment in terms of one of the possible distribution scenarios, namely the new settlement option. Again, should a new settlement in the Northern Housing Market Area be considered to be a feasible and likely way forward, we would welcome discussions with yourselves to allow any impact on Milton Keynes to be fully considered.

Also, whilst the emerging Milton Keynes Core Strategy does not propose any cross-boundary development, should proposals for development on or over the boundary arise, we would clearly want to discuss these with you.

Yours sincerely,

Mrs Diane Webber
Senior Planning Officer
Development Plans Team

[Signature]

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