Milton Keynes Core Strategy Examination

Hearing Statement: Matter 7 – Other Areas of Change

Gallagher Estates

Respondent Ref: 273046

May 2012
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Barton Willmore on behalf of Gallagher Estates

Respondent Ref: 273046

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0.0 INTRODUCTION

0.1 This Statement has been prepared by Barton Willmore LLP on behalf of Gallagher Estates. As background, Gallagher Estates controls and is the promoter of development at various strategic locations at Milton Keynes including the Western Expansion Area (WEA); land within the Strategic Land Allocation comprising Glebe Farm, Eagle Farm North and Eagle Farm South; and land immediately to the south of Milton Keynes at Eaton Leys (which forms part of the site identified by the Council as ‘MKSA9’).

0.2 This Statement seeks to address the questions raised by the Inspector, setting out the case on behalf of Gallagher Estates regarding the soundness of the Core Strategy as submitted and whether the legal and procedural requirements have been met.
Q7.1 Having regard to the scale of growth expected in the Other Areas of Change, does Policy CS 8 give sufficient guidance about the planning priorities for them?

7.1.1 Policy CS8 that the detailed approach to the regeneration of the Lakes Estate in Bletchley will be established through subsequent DPDs. Paragraph 8.9 of the Core Strategy states that an assessment of need for new sites (for development) will be undertaken through the Site Allocations DPD. This should include an assessment land to the south of Milton Keynes, at Eaton Leys, could be required to meet the wider housing and development needs of the area, or other plan objectives, including the neighbourhood regeneration of the Lakes Estate.

7.1.2 Policy CS8 states that the regeneration of areas including the Lakes Estate could require “physical change” and “economic improvement”. As part of the Council’s established strategy for the area, Gallagher Estates is promoting land at Eaton Leys as an opportunity for housing-led regeneration to the south of Milton Keynes.

7.1.3 We support the Council’s proposed approach to assessing future development sites as outlined in paragraphs 8.3 and 8.9 of the Core Strategy. It states that sites which will support the regeneration objectives set through Policy CS8 will be prioritised. This should include the potential development-led physical regeneration.

7.1.4 Having regard to this approach, the Council’s appraisal of alternative strategic sites (notably Doc. B110) should attach greater weight (“priority”) to the potential of Eaton Leys to contribute to this regeneration strategy. A leaflet produced by Gallagher Estates identifies the regeneration and other wider planning benefits which could be provided through strategic development in this location.

7.1.5 The leaflet includes an illustrative masterplan which identifies the relationship of Eaton Leys to the Lakes Estate and the wider area of Bletchley. A copy is provided as Appendix 1 and summarises the wide range of benefits which the development of this site could deliver or help facilitate. These include an extension of the Linear Park network; a new Park and Ride facility accessed directly from the A5 south of the City (the need for which is identified in Policy CS11); significant market and affordable housing in the area; and substantial funding generated by the development which can be invested in the regeneration of the area.
7.1.6 The development of Eaton Leys as part of the wider regeneration of this area would provide an opportunity to enhance the tenure mix of housing in the locality through the provision of a substantial mixed tenure redevelopment.

7.1.7 Turning to the Council’s appraisal of Eaton Leys, we have advised in our previous representations that the Council’s criticisms of MKSA9 should not be attributed to land at Eaton Leys promoted by Gallagher Estates. MKSA9 includes land to the east of the A4146 outside of our client’s control and which is considered less suitable for development. Copies of these representations are provided at Appendix 2 for ease of reference.

7.1.8 For the reasons summarised in our previous representations, the criticisms made by the Council of the wider MKSA9 area are not applicable to Eaton Leys and consideration of our client’s land distinguished from those wider areas results in a more favourable assessment.

7.1.9 Gallagher Estates offers its general support to the Council’s objectives for putting this Core Strategy in place for the next five years, focusing on bringing forward the development of the SLA within this period. Nonetheless, we have explained that this Core Strategy should also seek to identify an additional strategic areas of development which could be needed in the short term, both through planning strategically for cross-boundary growth with Aylesbury Vale District; through the regeneration plan for the Lakes Estate, which could include the development of Eaton Leys to generate investment in the area; and/or to meet other identified needs at Milton Keynes.
Q7.2 Are the interrelationships between these areas and the proposals for Central Milton Keynes and the Strategic Land Allocation properly considered?

7.2.1 This is a matter for the Council to respond.
Q7.3  Having regard to Policies CS 4 and CS 8, should the priorities for Bletchley and Wolverton town centres be set out more clearly in the Core Strategy? Is it appropriate that the development management DPD should set out priorities for the key centres (reference to Core Strategy paragraph 8.8)?

7.3.1  We have no further comments on this matter.
Appendix 1

Eaton Leys, Milton Keynes - Promotion Flyer Leaflet
a new community

A new community designed to meet the needs of existing residents of the Lakes Estate regeneration area

- Community involvement in the design and delivery of the development
- Sensitive design within the existing landscape to minimise impact
- Mixed use and mixed tenure buildings to create variety as part of a wider renewal programme
- A new neighbourhood constructed with high standards of innovation and low energy use, built to new sustainability standards
- Pedestrian friendly streets and movement network integrating well with existing neighbourhoods

planning situation

Historically, the MK and Aylesbury Growth Area Study (2003) concluded that Eaton Leys should be identified for medium to long term growth (up to 2016). The site was also considered as a possible development option through the MKSM Sub Regional Strategy and through the Milton Keynes Local Plan Inquiry but these considered the site to having potential for housing development beyond 2016.

The site is being promoted through the Milton Keynes Local Development Framework process. Consideration will be given to the site’s potential for housing development through the Core Strategy and the Site Allocations documents. The site has already been considered by MK Council as one of a limited number of potential housing sites as part of the pre-submission amendments made to the Mk Core Strategy. Gallagher Estates is also seeking to explore the potential for the site to come forward as part of any local housing strategy.

The site is also being promoted through the Aylesbury Vale LDF as a suitable location for delivering housing growth in the sub-region alongside the other significant benefits summarised above.

Eaton Leys represents a unique opportunity to contribute towards the housing led regeneration and renewal of Bletchley and in particular the adjacent Lakes Estates. The development would deliver new high quality and sustainable housing including affordable housing which could replace existing housing stock. The development of Eaton Leys would incorporate new community facilities as part of this proposal and could also generate funding towards new facilities in the regeneration area.

contact

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site location

The site is situated to the south of Milton Keynes and to the east of Bletchley.

The site benefits from direct access to CMK via the A5 and is also located within a 15 minute walk to the facilities of Central Bletchley including the rail station. Fenny Stratford is accessed via the existing bridges over the River Ouzel. The site is also within walking distance of both Fenny Stratford and Bow Brickhill rail stations, both of which are located on the East-West rail line.

The site is well contained, located on the inside of the A4146 which forms the eastern boundary and represents a natural extension to the built up area of Milton Keynes and Bletchley.

The site is generally flat rising gently from the Ouzel Valley towards the A4146. It contains a number of established hedgerows which would be retained as part of any development of the site.

regeneration objectives

Opportunity for public-private partnership to deliver housing led regeneration as part of the ongoing housing led regeneration of Bletchley and the wider area, allowing for more effective use of public funding.

- Provision of new affordable housing, offering the potential for the regeneration of older housing estates within Bletchley such as the adjacent Lakes Estate
- Potential for residents and families of affordable housing within Bletchley to be re-housed locally without any major upheaval
- Creation of high quality affordable housing, meeting all current HCA space and living standards.
- Land made available within the regeneration area for new community facilities and additional market and social housing
- Major new investment generated by the development to provide funding for improved sports, leisure and community facilities in this regeneration area
- Facilitating delivery of an extension to the Linear Park through Milton Keynes
- New housing overlooking a new linear valley route as a substantial environmental asset which could provide pedestrian connections to the City of Milton Keynes and across to Bletchley
- Housing which is well designed, truly sustainable and meets modern requirements

masterplan objectives

Sustainable development proposal to help deliver new homes including a range of community, education and open space uses.

- Close to existing town centre facilities at Bletchley and Fenny Stratford
- Incorporate new community facilities which could include schools, community halls, open space
- Close to existing rail and bus routes, especially the rail connections from Bletchley, Fenny Stratford and Bow Brickhill stations
- Provide a special bus only route for convenient and sustainable transport to nearby centres, including local rail stations, and to CMK. This could include provision of a new Park and Ride facility off the A5
- Ability to utilise and link directly to existing highway infrastructure including the A5 connection to CMK
- Respect and enhance the existing landscape and streams as an integral part of the scheme
- Maintain the extent of the flood plain and the provision of sustainable urban drainage as part of new development

site context

The western boundary of the site is formed by the River Ouzel, beyond which is the Grand Union Canal. The majority of the site is outside of the flood plain. This area would be significantly enhanced and widened as part of any development proposal to create an extension to the Ouzel Valley Linear Park which provides a ‘green’ recreational corridor with access to CMK and through to northern areas of the City.

The northern edge of the site includes the archaeological remains of the Roman town Magiovinium. The remains have been assessed and could be retained and recognised within any development proposal through a preserved and enhanced archaeological site. This approach has been confirmed through discussions with English Heritage and the District Archaeologists.

The existing playing fields at Manor Fields located immediately to the north west of the site remain an important leisure facility. Delivery of the Linear Park extension would incorporate and offer potential to enhance this facility.
Appendix 2

Representations submitted on behalf of Gallagher Estates dated November 2011
R. Wilson, Esq.,
Development Plans Team,
Civic Offices,
1 Saxon Gate East,
CENTRAL MILTON KEYNES. MK9 3EJ

BY EMAIL & POST: corestrategy@milton-keynes.gov.uk

Dear Mr. Wilson,

**MILTON KEYNES CORE STRATEGY - POST SUBMISSION CONSULTATION REPRESENTATIONS SUBMITTED ON BEHALF OF GALLAGHER ESTATES**

We are pleased to submit the following representations on behalf of Gallagher Estates in response to the above consultation. These representations respond to Milton Keynes Council's (MKC's) assessment of site MKSA9 which includes land at Eaton Leys which is within the control of our client. The representations support the previous submissions made on behalf of Gallagher Estates which support the identification of Eaton Leys as a strategic reserve "contingency" site within the emerging Milton Keynes Core Strategy.

It is important to note that MKSA9 includes land beyond our client's control and does not form part of the strategic development proposal at Eaton Leys. Land to the north of Watling Road and to the east of the A4146 which forms part of MKSA9 is considered less suitable for development. This results in a significantly less favourable assessment of our client's site at Eaton Leys, which we consider a more suitable site for development and is less affected by the identified constraints than the wider area of MKSA9. We therefore strongly urge MKC and the Inspector to consider the potential of Eaton Leys separately and instead of MKSA9.

We have reviewed MKC's latest post-submission changes documents and have the following comments to make in response to the approach which has been taken by MKC in assessing "alternative sites" and specifically in respect of the assessment of land Eaton Leys promoted by our client for future development.

**Procedural Matters**

The Post-Submission Changes consultation documents provide an assessment of strategic site options as reasonable "alternatives" to the proposed Core Strategy strategic allocation. Fundamentally, this is the wrong starting point for this exercise.

Whilst we acknowledge that MKC has usually tested the sites through sustainability appraisal and carried out public consultation in respect of these proposals, it is important to note that land at Eaton Leys is promoted as an additional site to be identified as a strategic reserve, not as an alternative to the strategic allocation to the south east of Milton Keynes. (Separate representations have been submitted by Barton Willmore on behalf of Gallagher Estates in support of the strategic allocation subject to detailed comments).
We have reviewed MKC’s assessment of MKSA9, which includes land at Eaton Leys, and wish to take this opportunity to raise the following objections and which we will expand upon in our examination statements.

**Land at Eaton Leys**

As stated above, Gallagher Estates is promoting land at Eaton Leys for residential development during the Core Strategy plan period. This site forms part of the larger area identified in MKC’s assessment as MKSA9, but is limited to land west of the A4146 and south of the Watling Road. A plan is enclosed with identifies the land which is promoted by Gallagher Estates.

The site has been suggested to MKC through the Core Strategy process as a potential reserve site to provide flexibility in the supply of land for housing. This land could then be brought forward if the need arose for additional land to be introduced to maintain a sufficient supply of new homes.

A summary of the site’s planning history is provided in MKC’s site selection report (paragraphs 7.50 to 7.52). This refers to the report of the Local Plan Inspector who considered that the area would be an appropriate site for housing development and presents a favourable assessment of the site’s development potential. It would appear that the only reason the LP Inspector did not identify Eaton Leys for development was that the Strategic Reserve Areas (SRAs) to the south east of Milton Keynes were the preferred location for housing development in the longer term (post 2011). The site is therefore recognised as being suitable for housing.

Subsequently, the MK2031 Strategy for Growth stated that land to the south of Milton Keynes (including Eaton Leys) would be well connected and has good access to Bletchley and "southern Milton Keynes". It would also enable an extension of the Linear Park Network. We address these specific matters below. In summary, the MK2031 strategy provided a favourable assessment of this site’s potential for development in the longer term.

The site selection report also provides a summary of feedback from the Sustainability Appraisal of Reasonable Alternatives (SARA) consultation undertaken by MKC in July 2011. This refers to the support of Bletchley and Fenny Stratford Town Council to the development of the site. The development of Eaton Leys also offers potential benefits in terms of the wider regeneration of Bletchley and Fenny Stratford, including the existing town and local centres in the area. Other comments which are included in the summary of feedback to the SARA consultation are addressed below.

MKC’s criticisms of MKSA9 are set out in the strategic site selection report (September 2011). In summary, these are that MKSA9:

1. Lies partly within and adjoining the Brickhills Area of Attractive Landscape (as designated on the adopted Milton Keynes Local Plan Proposals Map and saved policies);
2. Is located south of the railway and is therefore considered by MKC to have limited potential for integrating with the rest of the Milton Keynes;
3. Includes land to the north and south of the A5. The site selection report notes that noise attenuation could be required and this would increase "abnormal" construction costs;
4. Is partly within Flood Zone 3 as defined by the Environment Agency’s Flood Maps;
5. Includes a Scheduled Ancient Monument.

**Impact on the Area of Attractive Landscape**

As stated above, the Brickhills AAL which is subject to saved Policy S11 of the adopted Milton Keynes Local Plan (adopted 2005), extends to include land to the east of the A4146. We note that MKSA9 includes land to the east of the A4146 and south of the A5 which lies within the AAL.
Importantly, land which forms part of MKSA9 east of the A4146 which lies within the AAL is not promoted by Gallagher Estates as shown on the attached plan. Only land west of the A4146 outside of the AAL is promoted for development. We note that MKC has assessed this area as being generally of poor/moderate landscape quality. We support this assessment.

Development of the site at Eaton Leys could be designed sensitively, including appropriate landscaping to the eastern and southern boundaries. This would serve to minimise any potential impact upon views to/from the AAL.

We therefore object to the flawed assessment of our client’s site in this respect.

**Railway**

In respect of Eaton Leys, development of the site would be well connected with the adjoining area of Bletchley which is located immediately to the west. We note that MKC in their site assessment states that part of MKSA9, alongside Bletchley, has potential for new linkages. The site is located within a reasonable walk and cycle distance of Bletchley and Fenny Stratford Town Centres and train stations located at each centre. We therefore consider that development would integrate well with these existing areas of Milton Keynes and would likely contribute significantly towards the achievement of the wider regeneration objectives for Bletchley and Fenny Stratford.

The site also has excellent vehicular access, including potential direct access to the A5 and also to the A4146. These links would also provide access to existing bus services which MKC advise could be extended into any new development in this location.

As we set out below, development of the site at Eaton Leys provides an opportunity to extend the Linear Park network. This long held aspiration was considered during the preparation of the Milton Keynes Local Plan, the MK2031 Strategy for Growth and is also identified in the emerging Milton Keynes Core Strategy. In our view, the delivery of this extension to the Linear Park network at Milton Keynes would greatly enhance the attractiveness of more sustainable travel i.e. walking and cycling.

Having regard to the above, we object to MKC’s assessment that development of MKSA9 would have limited potential to integrate with the existing urban area.

**Impact of the Grade Separated A5**

As stated above, Gallagher Estates has not promoted land to the north of Watling Road (nor to the North of the A5) for development. This criticism made by MKC does therefore not relate to our client’s proposal.

**Flood Risk**

The western part of the promotion site is shown as lying within Flood Zone 3. This constraint would need to be taken into account when preparing more detailed development proposals for this area. The sequential approach would need to be applied when determining the location of residential development. In this regard, Gallagher Estates envisages a development in this location which includes housing on land which is beyond the extent of Flood Zone 3.

The western part of the site would provide for the extension of the linear park network, providing a significant landscape and ecological asset to the benefit of the new development and Milton Keynes as a whole.

We therefore object to the negative assessment of this site in respect of flood risk. We have demonstrated above that the principle of development of the site would not be prevented by the extent of flood risk on land adjoining the area which is not promoted for housing.
Scheduled Ancient Monument

The land at Eaton Leys includes the designated Scheduled Ancient Monument (SAM), which is located immediately to the south of the A5 and covers an area to the north and south of the Watling Road.

In our view, development of the site at Eaton Leys could be achieved without any detrimental impact to the SAM. As stated in MKC's assessment, further archaeological investigation would be required to assess the extent of any remains and any limit on development and would be completed in preparing and bringing forward more detailed proposals.

Conclusions

We have demonstrated above that MKC's criticisms of MKSA9 should not be attributed to the land at Eaton Leys promoted by Gallagher Estates (as shown in the attached plan). MKSA9 includes land outside of our client's control and which is less suitable for development. The criticisms made of MKSA9 are not applicable to Eaton Leys and consideration of our client's land distinguished from those wider areas would result in a more favourable assessment.

The Eaton Leys site is available for development and could provide for a sustainable urban extension to the south of Milton Keynes which could be brought forward which meets the relevant requirements of draft Policy CS6 of the Milton Keynes Core Strategy.

There are no constraints which would prevent bringing forward development in the short to medium term. We consider that this site should be positively identified in the Milton Keynes Core Strategy as a strategic reserve with potential in the medium to long term (i.e. toward the end of the plan period). The site could be introduced into the supply of housing land should a need be identified during the plan period, for example, housing delivery does not come forward at the rate anticipated.

We would welcome an opportunity to meet with MKC officers (and officers from Aylesbury Vale District Council) to discuss and progress more detailed masterplan proposals for the development of this site, including the delivery of the extension to the Linear Park network and the other benefits which this proposal could deliver.

We trust the above representations are helpful to MKC in refining the Milton Keynes Core Strategy. Please contact the writer on 0118 943 000 should you wish to discuss any of the above.

Yours sincerely,

MICHAEL KNOTT
Senior Planner

cc. S. Claye, Esq. - Gallagher Estates
    M. Dalby, Esq. - Aylesbury Vale District Council