Milton Keynes Core Strategy - Response to Inspector’s main matters and questions on behalf of O&H Properties Ltd

1.1 Spatial strategy preparation process

Our client continues to raise concerns over the process that Milton Keynes Council has followed in the preparation of their Core Strategy. In particular the housing target that underpins the spatial strategy and the key policies CS1 (Milton Keynes Development Strategy), CS2 (Housing Land Supply) and CS5 (Strategic Reserve Areas). Paragraph 182 of the National Planning Policy Framework (NPPF) requires local authorities to submit a plan, which is “sound”, and to achieve this the spatial strategy and housing targets must be ‘justified’. It remains our view that the Milton Keynes strategy is not based on a robust and credible evidence base and that the council has not been through the correct preparation process to inform their plan.

Paragraph 1.1 of the Council’s Housing Technical Paper 2011 confirms that the lower housing target of 28,000 to 2026 was set following the Government’s announcement of its intention to revoke the regional spatial strategies. This announcement was made in July 2010, and the new housing target (15% below the South East Plan target and excluding the South East Strategic Development Area (SESDA)) consulted upon in the Revised Proposed Submission Consultation Core Strategy in October the same year. It is contended that during this period of up to three months, the council did not have sufficient time to properly reconsider their housing projections in order to formulate a robust housing target or to fully justify the removal of the SESDA. Furthermore, in the period since this decision was made, it is clear that the council have sought to retrospectively justify this target and in particular the reduced allocation of 2,500 new homes.

This approach remains contrary to national guidance, now set out in the NPPF and in particular paragraph 47, which states ‘…local planning authorities should use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for the market and affordable housing in the housing market area, as far as is consistent with the policies set out in this Framework...’ Furthermore, paragraph 52 encourages local authorities to allocate ‘larger scale development’ in order to increase housing supply in areas of defined need.

Ever since the council promoted their lower housing target, the Inspector and a large number of Core Strategy participants have sought clarification as to why this figure deviates from the South East Plan (SEP) and how this lower number is justified. Although the council has made repeated attempts to respond to these fundamental questions, through further written submissions, additional studies and even quite significant changes to the plan (e.g. the inclusion of Wavendon Golf Club as a housing allocation) it remains the case that the process they have followed including assessment, evaluation of alternatives, sustainability appraisal and public involvement is flawed. We therefore continue to assert the view that the plan is unsound, as the spatial strategy is based on a subjective housing target, which is not supported by a
robust evidence base or an appropriate plan making process. Furthermore the deletion of the SESDA is actually contrary to the latest government guidance in the NPPF and is likely to be counter productive in achieving the council’s overarching aim of boosting housing supply in order to meet identified need.

1.2 Consistency with National Planning Policy Framework (NPPF)

The NPPF has a clear emphasis on promoting development that is sustainable and encourages local authorities to adopt this approach in their plans.

Paragraph 14 states, “At the heart of the National Planning Policy Framework is the presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision taking.”

For housing development, the NPPF encourages local authorities to ‘positively plan’ and to create an environment that is likely to boost the supply of housing. By contrast the Milton Keynes Core Strategy adopts a conservative approach to housing delivery, which seeks to constrain the amount of land available for housing development during the plan period. This is considered to be overly cautious and not consistent with the NPPF, particularly as the lower housing target or cap is not considered to be justified. The deletion of the SESDA is a further example of the council seeking to constrain rather than promote housing development, which is clearly contrary to the main thrust of the NPPF.

The council’s recent decision to allocate Wavendon Golf Course (part of MKSA4) to meet their housing target, ran counter to the conclusions of their own Strategic Sustainability Assessment, which concluded that land to the north west of Wavendon (MKSA6) performed better in sustainability terms. This approach is a further illustration of the conflict between the Core Strategy and the objectives of the NPPF.

1.3 Strategic priorities

The conservative nature of the overall housing target and the way this is used to justify the omission of the South East Strategic Development Area (SESDA) which was promoted in SEP, along with the failure to acknowledge the impact that the under delivery of strategic housing from neighbouring authorities will have, mean that the overall housing strategy is flawed. This is considered to be a major weakness of the Core Strategy, in that it essentially guarantees that the housing demand over the plan period will not be met. While it is acknowledged that the planning system cannot guarantee the delivery of housing, the NPPF makes it clear that local authorities should be looking to ‘boost significantly the supply of housing’ by taking a positive and pro-active approach to encouraging housing development. The plan is not considered to reflect this approach and instead may even limit housing delivery by reducing the number of allocated sites that were envisaged in SEP.
1.4 Sub-regional context/cross boundary working

The Core Strategy acknowledges the sub-regional context, but does not respond to some of the issues that have occurred outside of its administrative boundary. In particular, while the council’s evidence (paragraph 1.39 of MKC/3a) acknowledges the unlikelihood of the South West Strategic Development Area (SWSDA) coming forward within Aylesbury Vale during the plan period, it does not make any allowance to deal with the impact of this. It is considered that as the SWSDA was proposed to address housing demand coming from Milton Keynes (although the identified area falls outside of the administrative boundary) it would seem appropriate for the council to propose some form of response to this unmet demand. Equally the deletion of the SESDA is seen as another example of the council seeking to ignore the sub-regional context and wider need for housing in and around Milton Keynes.

Under the heading ‘positively prepared’ within paragraph 182 of the NPPF, it states ‘the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is consistent to do so and consistent with achieving sustainable development’

It is considered that by ignoring the unmet demand of the SWSDA and SESDA the plan fails to meet the NPPF test of being ‘positively prepared’.

1.5 Joint working procedures

Policy CS6 sets out the council’s approach to joint working with neighboring authorities to achieve edge of area or cross boundary developments. While this policy is welcomed it is considered to be rather hollow without the council providing any specific commitment to any strategic developments, such as the SDA’s.

Under the heading ‘effective’ within paragraph 182 of the NPPF, it states ‘the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities’

Although the Core Strategy identifies the strategic priorities of the region to increase housing supply and particularly affordable housing, it includes little in the way of tangible ways this will be achieved through joint working with neighbouring authorities.

1.6 South East Plan conformity

The Core Strategy continues to be in conflict with the South East Plan (SEP), despite the contrary assertions from the council. This is evidenced by the significantly lower (15%) housing targets and the deletion of the SESDA. In our view in order for the Core Strategy to conform with SEP, it needs to acknowledge the development
commitments made within it and identify the timescale within, which these can realistically be brought forward.

1.7 Impact of Regional Strategy abolition

As stated in response to issue 1.6, if SEP is abolished the allocation of the SE and SW SDA are likely to fall away, although the housing demand for each will remain. The council argues that the demand for the SESDA no longer exists, while the future of the SWSDA lies outside of their control. We consider that neither of these responses satisfactorily responds to the potential loss of over 10,000 planned homes from the regional context. It should also be noted that this figure excludes those that were identified within Central Bedfordshire.

1.8 Conformity with ‘positive preparation’

Paragraph 182 of the NPPF requires plans to be ‘positively prepared’. To meet this test the NPPF states ‘the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development’

We believe that the Milton Keynes Core Strategy is based on a subjective assessment of deliverable housing, which does not seek to fully address the clear need, identified in the latest Strategic Housing Market Assessment (SHMA) or the South East Plan. Furthermore it makes no allowance for addressing the likely shortfall of neighbouring authorities, particularly Central Bedfordshire’s requirement in the SESDA or Aylesbury Vale’s requirement in the SWSDA. These deficiencies result in a plan, which has not been ‘positively prepared’, cannot be deemed ‘effective’ and therefore cannot be considered sound.