By email and hard copy

Dear Chris

MILTON KEYNES CORE STRATEGY EXAMINATION

Thank you for providing the opportunity to comment on Milton Keynes Council's (MKC) additional papers:

- MKC/36 – Matter 6: The Strategic Land Allocation (SLA);
- MKC/34 - Proposed change to Policy CS1 and related matters and;
- MKC/33 – Matter 8: Infrastructure.

On behalf of our clients, the Burford Group and Merton College Oxford, we would like to make the following comments:

MKC/36 – Matter 6: The Strategic Land Allocation

- The Council's interpretation of the new policy AD1 is that the starting point for their new Plan:MK will be the delivery of the housing and employment requirements and the spatial approach of The South East Plan, but this "does not mean they will be the end point" (Page 1, point 3). The Council do not want to "fix" this as a strategic direction of growth, and in that sense do not want to comply with this element of The South East Plan. At the Examination hearings, a great deal of time was spent discussing how Regional Spatial Strategies remain in place and that the Core Strategy must comply with it. MKC cannot escape that legal obligation. Proposed policy AD1 provided all parties with wording which overcame this issue and we suggest it is included as proposed: it was explicitly offered by the collective of Participants as a way of overcoming the unsoundness of the proposed Core Strategy which has been written as if The South East Plan need not be complied with. For MK Council to try and constrain the outcome of the Plan:MK process fatally undermines the salvage operation. The starting point for Plan:MK must be said at present to be The South East Plan as proposed. No-one should seek to constrain, direct or force the "end point" of that plan-making process, one way or the other.
• Aside from the debate over The South East Plan and the South East SDA within Central Bedfordshire as the starting point for Plan:MK, our contribution (David Lock) for the remainder of the south east corner of the Borough (i.e. not into Central Bedfordshire) pursued a different point.

• The argument was made that if the proposed SLA is in the Core Strategy, the remaining territory in this corner of the Borough is left washed over by "open countryside" policies. In reality it is exposed to speculative planning applications for development on miscellaneous parcels of land in response to any faltering in housing land supply in the Borough, or special local needs and circumstances (recent and renewed applications made by Woburn Sands illustrate the point perfectly). This leaves local residents, especially of Wavendon and the MK part of Woburn Sands, feeling constantly under development pressure, agitated and anxious.

• The argument was made that the Core Strategy should provide for the south east corner residual territory to be planned properly during the plan period to establish a long term land use planning settlement - fixing (for example, and if desired) green edges to the villages; leaving "future-proofing paths" for possible future City Road ("grid road") connections, and so forth.

• Wavendon Parish Council has initiated the procedure for a new style Neighbourhood Plan for this territory, but even if it has the resources and staying power to complete the new procedure for such plans, it cannot deal with the issues described as it must confirm to the Core Strategy which, as proposed, leaves the land as "open countryside" and rudderless.

• The logic remains that the future of the south east corner of Milton Keynes Borough should be resolved once and for all. The possibility of needing connections to The South East Plan's SE SDA must be addressed as part of that purpose. MKC should state in the Core Strategy it will resolve the long term future of this area.

• A related but separate point was made that unallocated land west of Newport Road should be included within the Strategic Land Allocation. This was in response to the Inspector asking why it was omitted. Our answer was that the omission was political, and irrational on planning grounds. The fact that the Statement of Common Ground agreed between MKC and Gallagher Estates has agreed the principle that this land is suitable as a site for a secondary school, if it was agreed that a school was needed, confirms beyond doubt that this land should be included within the SLA.

• MKC propose “consequential amendments to the Proposals Map”. These show an enlarged SLA including additional land controlled by Gallagher Estates attached to Eagle Farm North and a privately owned parcel of land at Wavendon Lodge on the south eastern extent of the land south of the A421.

• The additional 4 hectares of land at Wavendon Lodge has no previous planning status for inclusion in the SLA, and has not been the subject of consultations or assessments, and is not included in the Draft Development Framework currently subject of separate consultation by MK Council. The landowner has not contributed in cash or in kind to any of the Development Framework project. It is considered that the late inclusion of this unassessed parcel of land discredits the SLA and its planning processes as a whole, and that it should remain excluded.
• If the owners wish to promote the site on its merits through the SLAA or otherwise, they are free to do so, but it is an unwelcome complication of a comprehensively assessed planned and promoted SLA that will cause delays and confusion to the public for a benefit that is wholly unexplained.

• Milton Keynes Council propose an amendment to policy CS5 requiring the SLA to contribute to new or upgraded transport infrastructure including dualling of the A421 between the Fen roundabout and the M1 Junction 13 and transport interchange incorporating a park and ride site. Completion of the dualling of the A421 will improve a strategic east west route through Milton Keynes. It is of importance to the whole of Milton Keynes and the region, not just the SLA. It is neither justified nor affordable for the dualling cost to be placed as a burden on the SLA. Line HTo20 of the Local Transport Plan (LTP3) states that “the council will deliver dualling of the A421 in conjunction with the HCA” (page 67). This is restated in the draft Strategic Land Allocation Development Framework Supplementary Planning Document (July 2012) at page 38. This should be made clear in Policy CS5.

• Policy CS5 should clarify that any contribution made by the landowners of the SLA towards dualling will be part of the MK Tariff provision, rather than an addition to it. A precedent for this was made with Gazeley’s contribution to the dualling of the A421 from the Kingston roundabout to Fen Farm roundabout. This offset their Tariff obligations.

• The proposal that developers assess the potential and feasibility of Community Energy Networks on the SLA at the planning application stage is welcomed. This is clearly the most appropriate point for determining whether a Community Energy Network is possible on the SLA.

MKC/34 - Proposed change to Policy CS1 and related matters

• MKC offer clarification of the purpose of the Site Allocations DPD. The Council state that at the same time as progressing work on Plan: MK, and without effect on its resourcing, they will prepare the SPD to provide a more expeditious process of bringing forward non-strategic land allocations. This will “provide flexibility and contingency to the land supply identified in the Core Strategy” and they propose to quarry the SLAA for this activity.

• MK Council propose to revise wording in relation to the housing target so that it is “in the region of” 28,000 and that 1,750 homes “on average” should be provided per annum (page 2). It remains our view that the housing target must be referred to as a minimum to be compliant with The South East Plan. The Council’s proposed amendments weaken the housing target rather than strengthen it.

• The Council’s inclusion of a 20% housing land buffer is welcomed but paper MKC/34 lacks additional detail as to an absolute housing target. MKC appear to suggest that this equates to an additional 1,000 homes and the Site Allocations DPD will be focussed on identifying these sites. There is a contradiction elsewhere in MKC/34 where MKC states that housing that comes forward through the Site Allocations DPD “are not considered as additions to the 28,000” (second page, paragraph 7). The 20% buffer must be additional to the 28,000 figure and this must be made clear.

• In addition, the Site Allocations DPD should be identifying sites other than those specifically related to the 20% buffer. The Council’s rural area housing target is the
primary need for the DPD. MKC appear to have omitted this key point in paper MKC/34.

MKC/33 – Matter 8: Infrastructure

- The Local Investment Plan (LIP) needs to be clear on its relationship with the Milton Keynes Tariff and future Community Infrastructure Levy (CIL). The former identifies a set figure per dwelling required by developers within the Urban Development Area to deliver required infrastructure. It should be made clear that projects included within the LIP are not additional to those costed and included in the Tariff.

- The LIP is not a replacement for CIL. Milton Keynes Council will produce a CIL Schedule of costed projects which will need to be independently examined through the statutory process. Text should be included in the LIP that makes clear that the LIP is not a substitute for a properly identified and costed list of essential infrastructure linked to the Core Strategy which has been subject to full consultation and Examination.

I trust the above comments assist in your consideration of the Core Strategy. Please do not hesitate to contact us for further explanation of any point.

Yours sincerely

PETER CHAMBERS
Associate

text: pchambers@davidlock.com

cc: Duncan Phillips
John Gloag