

Milton Keynes Borough Council Site Allocations Plan DPD Inspector's Draft Matters, Issues and Questions for Examination

Matter 1

Statement on behalf of Connolly Homes

Prepared by

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On behalf of

Connolly Homes Plc

Job reference

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- 1 Woods Hardwick Planning Ltd is instructed by Connolly Homes to represent its interests in land at Oakgrove School, Middleton. The site was promoted for allocation through Milton Keynes Borough Council's (MKC) original call for sites for residential development and was identified as a suitable site in the emerging Preferred Options Draft of the Site Allocations Plan. However, it is not proposed to be allocated in the Submission Site Allocations Plan (SAP).
- 2 Our client is of the view that the SAP as submitted does not meet the "effective" and "justified" tests of soundness in accordance with the National Planning Policy Framework (NPPF) as will be explained in detail below in relation to Matter 1 of the Matters, Issues and Questions for Examination and in separate, but related statements on Matters 2 and 3.
- 3 Matter 1 refers to the Duty to Cooperate, Local Development Scheme, Consultation, Habitats Regulations, Public Sector Equality Duty, accordance with the Act and Regulations and consistency with national policy. The Inspector has asked the following question:

Is there any reason to suppose that the SAP has not been prepared in accordance with the minimum requirements of the relevant guidance and legislation?
- 4 Paragraph 47 of the NPPF sets out the need to boost significantly the supply of new homes by requiring Local Planning Authorities to "ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area, as far as is consistent with the policies set out in this Framework, including identifying key sites which are critical to the housing strategy over the plan period". The SAP fails to accord with the NPPF in this regard.
- 5 The Council suggest the purpose of the SAP is to meet the current shortfall of housing against the 5 year supply requirement by allocating appropriate, deliverable and developable sites. The housing requirement in the 2013 Core Strategy is a minimum of 28,000 new dwellings across the Borough to 2026, equating to 1,750 per annum. The SAP states that sites for around 22,000 new homes are already identified, either through existing planning permissions, allocations in the existing Local Plan/Core Strategy or as part of a windfall allowance for small scale sites. This leaves a shortfall of 6,000 dwellings.

- 6 Policy SAP0 sets out that planning permission will be granted for residential development on the allocated sites SAP1 to SAP21 provided that proposals meet the specified key principles set out for each site and are in accordance with other relevant policies. The total number of houses that would be delivered if all of these sites were to come forward, which is highly questionable, is 1,133. This is nowhere near sufficient housing given the shortfall against the Core Strategy target referred to above.
- 7 In the Inspectors report on the Core Strategy the purpose of the SAP was noted as “*providing short term flexibility and contingency as well as ensuring that the housing requirement for both the urban and rural part of the Borough will be met by 2026*”. Therefore, the SAP does not meet housing requirements set out by the Core Strategy and over the plan period specified.
- 8 MKC appear instead to be relying on Plan:MK proceeding in line with the most recently revised timetable and replacing the Core Strategy in order to ensure the continual delivery of housing. However, this position and the Submitted SAP give no consideration to what would happen in circumstances where the timescale for adoption of Plan:MK slips, or worse still Plan:MK is found to be unsound.
- 9 In order to boost significantly the supply of housing the SAP should be seeking to allocate the full shortfall of 6,000 dwellings to meet the Core Strategy target. This would also more robustly assist in ensuring the 5 year housing land supply is continuously maintained, especially were Plan:MK to be delayed or found unsound at examination.
- 10 The Council state they are in a position where they can demonstrate a 5 year supply of housing land. However, they consider the allocation of around 1,133 dwellings in the SAP will enable the Council to continue to demonstrate a 5 year land supply and provide flexibility and contingency to ensure a robust supply can be maintained.
- 11 Our client is of the view that the 5 year housing land supply is questionable. MKC use the Liverpool method to calculate the 5 year supply rather than the Sedgfield method, which is promoted in National Planning Guidance as the most appropriate method, and forecast unrealistic annual completion rates meaning the 5 year supply position stated by MKC is in doubt

- 12 For the plan to meet the soundness tests of the NPPF, the growth strategy should be deliverable and the policies effective. As explained in greater detail in the statement on Matter 3, there is no certainty of delivery particularly in relation to proposed site allocations SAP2, SAP4, SAP7, SAP11/13 and SAP14 meaning over 200 dwellings would be unlikely to be delivered as discussed in the Statement on Matter 3.
- 13 The NPPF requires plans to be justified, i.e. they should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence. The proposed SAP cannot be considered the most appropriate strategy as it fails to provide anywhere near sufficient housing to meet the CS requirement.
- 14 In order to be considered in accordance with guidance in the NPPF the SAP need to allocate considerably more housing to fulfil its intended purpose.
- 15 The previous consultation on the Emerging Preferred Options for the draft Site Allocations Plan identified the land at Oakgrove School as one of 11 sites likely to be suitable as a preferred option for housing. The supporting information published with the SAP provides no justification as to why the land at Oakgrove School has not been taken forward as a housing allocation and why the proposed sites have been chosen as allocations instead other than within the Draft Sustainability Appraisal Report. Table 5 of this document suggests the negative effects relate to access and the existence of a restrictive covenant. Both of these matters are resolvable and Connolly Homes are of the view that no proportionate evidence has been provided to justify the approach taken. It is therefore not acceptable that the land at Oakgrove School has been excluded for these reasons at the expense of other less sustainable and appropriate sites.
- 16 The site at Oakgrove School is located within the urban area of Milton Keynes, in close proximity to shops and services, and is therefore very sustainable. Its development for housing would result in a natural extension to the recent development to the east and would effectively be an infilling on an area of vacant land between this housing and Oakgrove School to the west. The land has previously been included in planning applications related to the school to the west and the residential land to the east and the principle of it being development is therefore well established. It is however, surplus to requirements as education land and is onerous to Oakgrove School as its maintenance is an ongoing liability with the land providing no benefit.

- 17 The Stage 2 Assessment of the site undertaken to inform the Emerging Preferred Options consultation acknowledged that there are no significant constraints that would impinge on the delivery of development at the land at Oakgrove School. It is being promoted by Connolly Homes and bringing forward such deliverable sites will be paramount if the Council is resolve its housing lands supply shortfall.

- 18 To conclude, the approach taken in the Site Allocations Plan in respect of the sites proposed to be allocated in not the most appropriate when considered against the reasonable alternatives, based on proportionate evidence. Proportionate evidence was provided at the Emerging Preferred Options stage, which indicated the land at Oakgrove School should be allocated. MKC favour an approach which allocates sites that cannot be considered as suitable and deliverable, as explained in the Statement on Matter 3, meaning the plan cannot be considered sound.