

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

### **Matter 3**

### **Statement on behalf of Connolly Homes**

**Prepared by**

Woods Hardwick Planning Ltd  
15-17 Goldington Road  
Bedford  
MK40 3NH

**On behalf of**

Connolly Homes Plc

**Job reference**

RG/SB/2075/2017

**Contact**

planning@woodshardwick.com  
woodshardwickplanning.com  
(01234) 268862

**Client:** Connolly Homes

**Title:** Milton Keynes Council Site Allocations Plan Draft Matters, Issues and Questions for Examination, Statement on Matter 3

**Project No:** RG/SB/2075/2017

**Date of Issue:** 31 August 2017

**Status:** Final

**Samantha Boyd  
Senior Planner**

---

Contact details:

Woods Hardwick Planning Ltd  
15-17 Goldington Road  
Bedford  
MK40 3NH

Tel: 01234 268862  
Fax: 01234 353034  
Email: [s.boyd@woodshardwick.com](mailto:s.boyd@woodshardwick.com)

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 in Milton Keynes Council's (MKC) original call for sites for a residential scheme however the site is not proposed to be allocated in the 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 Paragraph 182 of the 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 1 and 2. Matter 3 refers to Individual Allocations. The Inspector has asked a number of questions, our client wishes to respond to the questions as below:

*Is it effective to allocate sites, which already have planning permission, within the SAP?*

3 Our client is of the view that sites with an extant planning permission will generally be considered suitable for development although it may be necessary to assess whether circumstances have changed which would alter their suitability. Where no circumstances have changed there is no value in allocating a site within the SAP where the principle of development has been established through the granting of planning permission. In addition, for residential development, it is presumed sites with an extant planning permission will have been included in the Housing Trajectory and therefore counted within MKC 5 Year Housing Land Supply leading to double counting and distorted results. The inclusion of such sites as an allocation in the SAP is therefore unjustified and ineffective in fulfilling the purpose of the SAP

*SAP2 - What certainty is there that any noise from neighbouring light industrial uses could be successfully mitigated by a future residential development?*

4 Our client is of the view there is no certainty that a residential development could be suitably designed so that noise from the adjacent industrial use and the railway line that is proposed to be re-opened in 2025 can be successfully mitigated to an acceptable level. For this reason it has not been suitably demonstrated that this site is suitable as a site allocation in the SAP, particularly when there are other more suitable sites available such as land at Oakgrove School.

*SAP4 - What is the justification for allocation a site that is in conflict with part of the adopted development plan? It is reasonable to take this approach? Would the allocation of the site give rise to adverse parking issues?*

5 Our client notes the Highways Team comments, attached in Milton Keynes Council Response 3 (June 2017) to the Inspector's Preliminary Questions, which confirm that if this site were to be developed for residential, the site will need to replace any loss of parking on a like for like basis as referenced in the CMK Alliance Plan 2026 (Policy CMKAP T4(f)). However, MKC are of the view that if the site is allocated through the SAP process, this would supersede the CMK Alliance Plan Policy (as above).

6 No information has been submitted to demonstrate whether such a level of parking can be achieved. No justification has been provided that explains reason for the allocation of a site that is in conflict with another part of the adopted development plan. Our client is of the view this site is therefore not suitable as an allocation in the SAP, particularly as there are other more suitable sites available such as land at Oakgrove School.

*SAP 7 -Given the dismissal on appeal, twice, for residential development on this site (albeit not for housing) for factors including inadequate living conditions for future occupiers, what certainty is there that any noise and/or outlook issues could be satisfactorily overcome?*

7 This site is part of an undeveloped piece of land which sits between the rear elevation of a large Morrisons store in the Westcroft district centre and the edge of a suburban housing area. Saved LP Policy DC2 relates to this centre and establishes its primary purpose as serving and meeting the daily needs and weekly shopping needs of the adjacent neighbourhoods. The supporting text advises that further complementary non-retail uses will be encouraged, appropriate to its role as a district centre. To allocate this site for residential purposes would be contrary to the aims and objectives of Saved LP Policy DC2.

8 In an appeal decision for a Care Home (C2 use) it was noted by the Inspector (Para 18) that many residents would have an outlook onto the mainly blank elevations of the large supermarket building, the adjacent service road and/or the large delivery lorries which appear to park on it. It was also noted that in order to provide adequate noise mitigation to future residents, non opening windows were proposed in the appeal scheme which the Inspector found to be a negative feature.

- 9 SAP 7 proposes the allocation of the land for some 25 dwellings however, no evidence has been put forward to demonstrate the issues raised in the appeal can be overcome causing potential issues with deliverability. Our client is of the view that this site allocation should not be considered suitable, particularly as there are other more suitable sites available such as Land at Oakgrove.

SAP11 & SAP 13 - *Can these sites be reasonably regarded as available for development?*

- 10 Our client is aware MKC received further information from the relevant landowners in relation to SAP11, provided in Milton Keynes Council Response 3 (June 2017) to the Inspector's Preliminary Questions, which casts significant doubt over whether site SAP11 will come forward for residential development. The site owner has confirmed the site is well placed for their current operations and there is a 50/50 chance the site may be sold for residential. The site owners have asked for an element of flexibility in the SAP policy to allow a mixed used development should this be their chosen option.

- 11 Our client also notes the concerns raised by the Highways Team who confirmed the long term desire of Network Rail is for the level crossing to be closed. However, at this stage no firm proposals have been brought forward to date. Highways confirm that the development of this site cannot be allowed to prejudice any future development of the East-West rail line or impact on the crossing in its current form.

- 12 Based on the above this site does not appear to have a reasonable prospect of coming forward within a timescale that fulfils the purpose of the SAP which is to allocate sites that are deliverable in the short term. It is therefore not appropriate to allocate this site for residential development as the availability and deliverability of the site is questionable. Our client is of the view this site should not be included in the SAP particularly as there are more suitable sites available such as land at Oakgrove School which can be delivered by Connolly Homes.

SAP14 - *Is it reasonable to allocate this site for residential development given the explicit uncertainty within policy about whether it is deliverable, potentially being required for other purposes?*

- 13 Our client is of the view that it is unreasonable to allocate SAP14 for residential purposes where the future regeneration plans for North Bradville are unknown. To allocate the site on the assumption that it will not be required for alternative purposes at a later point in time is ineffective and unjustified.
- 14 For the plan to meet the soundness tests of the NPPF, the growth strategy should be deliverable and the policies effective. As it is currently written, there is no certainty of delivery particularly in relation to proposed site allocations SAP2, SAP4, SAP7, SAP11/13 and SAP14 meaning over 200 dwellings are unlikely to be delivered through the SAP.
- 15 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. Our client is of the view that the Submission SAP cannot be considered the most appropriate strategy as it fails to include the allocation of land at Oakgrove School, Middleton, a site that is suitable, available and deliverable.