

Duty to Cooperate Statement

Context

The Localism Act came into effect in November 2011 and established the duty to cooperate in the planning of sustainable development. The Act amended the Planning and Compulsory Purchase Act 2004. Section 33A of the Act (as amended by Section 110 of the Localism Act) requires local planning authorities to cooperate with other specified bodies in maximising the effectiveness with which the preparation of development plan documents are undertaken. In particular, the Duty requires the local planning authority to “engage constructively, actively and on an ongoing basis...” to develop strategic policies so far as relating to a strategic matter. The Act defines a strategic matter as:

“Sustainable development or use of land that has or would have a significant impact on at least two planning areas, including (in particular) sustainable development or use of land for or in connection with infrastructure that is strategic and has or would have a significant impact on at least two planning areas.”

The requirements of the Duty are further described in paragraphs 178-181 of the National Planning Policy Framework (NPPF) and the Planning Practice Guidance (PPG). Public bodies have a duty to cooperate on planning issues that cross administrative boundaries, particularly those which relate to the strategic priorities identified in paragraph 156 of the NPPF. These strategic priorities include the homes and jobs needed in the area; the provision of retail, leisure and other commercial development; the provision of infrastructure for transport telecommunications, waste management, water supply, wastewater, flood risk and coastal change management, and the provision of minerals and energy (including heat); the provision of health, security, community and cultural infrastructure and other local facilities; and climate change mitigation and adaptation, conservation and enhancement of the natural and historic environment, including landscape.

Site Allocations Plan

Whilst Milton Keynes Council has cooperated with those bodies stated by the Localism Act throughout the preparation of the Site Allocations Plan and believes that the requirements of the Duty have been met, it is considered that the policies and proposals included within the Site Allocations Plan do not relate to a ‘strategic matter’ or ‘strategic priority’ as defined by the Localism Act 2011 and the NPPF. Cross boundary impacts are not expected as a result of implementing the Plan. The Plan seeks to deliver a relatively small amount of development on 21 small and medium sites within the built-up area of Milton Keynes in no great proximity to the boundaries with neighbouring local authorities. It is also proposing to deliver homes to meet the housing target set out in the adopted Core Strategy (2013), meaning infrastructure requirements in relation to the new housing proposed are planned for already. Many of the sites in the Site Allocations Plan are also either previously allocated housing sites, have adopted development briefs or are now in ‘made’ neighbourhood plans.

Milton Keynes Council therefore considers that the Duty to Cooperate does not apply in this instance.