



Strategic Planning & Research Unit

For and on behalf of
Various Clients

Representation to the Plan:MK Examination
Matter 3

on behalf of
Various Clients

Prepared by
**Strategic Planning Research Unit
DLP Planning Limited**

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0.0 INTRODUCTION

- 0.1 These responses to the inspectors matters and questions are made on behalf of Various Client's with land interests in Milton Keynes and who have experience of delivering housing schemes within the city
- 0.2 In order to avoid repetition, the responses to the question are short but they do provide reference back to the SPRU Regulation 19 submission and so should be read in conjunction. It also contains as an appendix a recent proof of evidence relating to 5 year land supply which sets out our detailed analysis of past delivery performance in Milton Keynes and evidence that is directly relevant to the inspector's questions.
- 0.3 It should be set out in clearly at the start of this matter that the inspector should investigate all sustainable options for increasing the rate of delivery of housing in Milton Keynes to ensure that the OAN is fully met in Plan:MK . The lessons of the past should be learnt and Plan:MK should contain suitable allocations and policies to ensure that issues of under delivery in the past are not repeated.

MATTER 3: THE OVERALL NEED AND REQUIREMENT FOR HOUSING. THE STRATEGY AND LAND SUPPLY TO MEET THE REQUIREMENT. (PRINCIPALLY POLICY DS2 AND TABLE 4.3)

- a) **Issue 1 - Context and potential transformational growth**
 - i. ***Q3.1 Does Plan: MK avoid duplicating planning processes that will apply to the neighbourhood areas? In particular, with the CMKAP, as well as the various NPs for communities within urban Milton Keynes and the rural NPs?***
 - 1.1 It is not considered that DS2 duplicates the planning process in terms of Neighbourhood Planning.
 - ii. ***Q3.2 Should the proposed housing numbers in the reports be regarded as: (1) evidence of an objectively assessed housing need; or (2) a policy objective for growth that informs a higher housing requirement; or (3) neither at this stage on grounds of prematurity?***
 - 1.2 It is unclear which reports are being referred to here – if it is the statements in MK Futures 2050 of 2,000 a year to 2026 and then between 1,750 and 2,000 dpa then as stated in the Executive Summary this is an assessment of need. This is explained further on page 35 of the MK Futures 2050 report which states that these figures have been produced by modelling population growth and migration. In light of this statement it would be correct to regard these figures as an assessment of housing need.
 - 1.3 The doubling of the level of housebuilding referred to in the NIC commission “partnering for prosperity” report is required in order to “achieve its economic potential”. Paragraph 158 of the Framework requires the assessment of and strategies for housing, employment and other uses are integrated. It is therefore possible that the level of growth being modelled is in line with the future “policy off” economic projections which simply model the impact of planned infrastructure provision and as such may also be regarded as an objective assessment of need. As the proposed infrastructure has not been incorporated into a plan it would be premature to reach any conclusion as to what a future integrated housing and economic strategy would require based upon these

proposals although this is clearly a reasonable attempt to demonstrate the direction of travel.

b) Issue 2 – Determining the full OAN

i. Q3.3 Having regard to NPPF paragraph 159 (first bullet point), for MK is the functional housing market assessment wider than the administrative boundary? If so, is the evidence and approach to the HMS justified in determining the housing numbers for Plan:MK, including the approach of adjoining authorities who may be partially within the ambit of a wider MK housing market? Is it clear there is no unmet need from adjoining authorities?

- 2.1 There is strong evidence that the housing market of Milton Keynes extends well beyond its own borders and that the draw of the local economy is substantial influencing both patterns of migration and commuting (see tables 3, 4 and 5 on pages 14 and 15 of the SPRU Reg19 submission for Various Clients).
- 2.2 Other studies such as the CURS work published by DCLG and the GL Hearn SMAVS (SPRU Reg19 pages 12 and 15) also conclude that MK sits central to a much wider HMA than is defined by just its own boundary.
- 2.3 There is an unmet need in Luton. At present there is no other adopted local plan which is accommodating this identified unmet need.
- 2.4 As presently being planned there is also likely to be unmet need from the Buckinghamshire HMA as the approach to identifying the OAN is considered to be flawed. Likewise, the approach adopted by the same consultants in Central Bedfordshire also remodels housing need substantially below that projected by using the 2015 DCLG household projections as a base figure.
- 2.5 Lastly MK has strong links to London as set out in paragraphs 4.14 to 4.19 and continued undersupply of housing in the capital for the foreseeable future will also influence future demand for homes and house prices in MK.

ii. Q3.4 Has the housing requirement figure of at least 26,500 dwellings (2016-2031) (equivalent to 1766dpa) as set out in policy DS2 been informed by a robust, credible assessment of the full objectively assessed need (OAN) for housing and is it positively prepared and consistent with national planning history?

- 2.6 No.
- 2.7 The housing evidence is contained within MK/HOU/005 Milton Keynes Strategic Housing Market Assessment 2016-2031 Report of Findings February 2017. As such there was not the opportunity for this evidence to be considered and commented upon as part of the consultation on the submission plan.
- 2.8 It is not considered that the approach adopted is a credible position. In particular we consider that the uplift of just 10% in response to household formation rates and market indicators to be insufficient and the uplift should be 20% for the reasons set out in section 5 of the SPRU Reg19 submission.
- 2.9 We further consider that the final OAN figure of 1,739 which is based upon a reworking of the output of the EEFM not to reflect the requirement of being positively prepared. The outputs of the integrated EEFM models includes both population and housing need. The EEFM produces a requirement 30,240 for the plan period. The outputs of the EEFM are set out in table 15 page 34 of the SPRU Reg 19 and while the advice on the EEFM

web page is that it is logically inconsistent to apply different assumptions to these in the model we accept that it is appropriate to review the model to see if the outputs generated are credible.

- 2.10 The SHMA provides no justification for remodelling the commuting assumptions from the EEFM in paragraphs 2.34 and 2.35.
- 2.11 The translation of 2,400 extra workers to 1,700 is left unexplained. However, there are a number of steps in this calculation including assumptions regarding the age/sex of migrants, unemployment and economic activity rates none of which have been explained and more importantly the SHMA does not provide a sound justification for moving away from the outputs of the integrated EEFM.
- 2.12 It should further be noted that both the EEFM and the SHMA assume that there will be additional workers available outside of Milton Keynes to fill the additional jobs. This approach has been rejected by the previous inspectors at Aylesbury Vale and South Worcestershire who have suggested that amending the commuting ratio was in effect a policy based decision and that the ratio should be maintained as a constant.

iii. Q3.5 Has the SHMA given sufficient attention (sensitivity testing) to the potential suppression of household formation rates, particularly in the 25-34 and 35-44 year old cohorts, having regard to the advice at PPG paragraphs 2a-015 and 2a-017?

- 2.13 The SHMA explains (paragraph 2.59) that the changes in household representation rates since 2008 were anticipated and these reflect real demographic trends, and therefore they should not be adjusted further; although the extent to which housing supply may have affected the historic rate is one of the reasons that they also consider market signals when determining the OAN for housing.

iv. Q3.6 Taking into account the SHMA's approach to other adjustments, is a 10% uplift for market signals a reasonable adjustment in light of the evidence on house prices and affordability in the context of the wider HMA?

- 2.14 No.
- 2.15 Section 2 of the SPRU Reg19 submission highlights why a 20% uplift should be applied to the demographically calculated need. In summary this is because:
 - a. Evidence from NHPAU indicates that the scale of the proposed uplift in the South East ranges from 9% (demographic approach) to 31% (stabilising affordability). Whilst it is acknowledged that it would not be fitting to simply apply these percentages, it does provide an appropriate range to consider in addressing affordability issues in Milton Keynes.
 - b. Land prices: Milton Keynes is amongst the most expensive areas in the HMA with values higher than Bedford, Central Bedfordshire and Luton. It is also considerably higher than the national average (England excluding London).
 - c. The House Price Index signifies that average house prices in Milton Keynes appear to be rising faster than Bedford, London and nationally (England excluding London). However, the ratio of lower quartile house prices to lower quartile earnings shows Milton Keynes fairs quite well when compared to other areas within the HMA.
 - d. Rental costs; VOA data indicates that MK is one of the most expensive areas in the HMA.

- e. Rates of housing delivery in Milton Keynes have been very low over the CS period (from 2010 onwards). Milton Keynes has experienced prolonged periods of under delivery, resulting in increased affordability ratios.
 - f. Homelessness is much higher than other areas within the HMA when considering the number of households per 1000 households which are in need. Rates of homelessness in Milton Keynes are higher than in London.
 - v. ***Q3.7 Is the 2016 EEFM a robust starting point to understand past economic trends and assess the likely change in job numbers and working age population? With regard to PPG paragraph 2a-018 should the SHMA give consideration to other models and /or past employment trends?***
- 2.16 Yes, although this is an integrated model and therefore the other outputs such as the population growth and housing requirement should be given equal weight.
- vi. ***Q3.8 How does the EEFM model deal with the following:***
 - (i) *Commuting ratios;*
 - (ii) *Economic activity rates, unemployment, double-jobbing and any assumptions on increased economic activity in those aged 65+;*
- In applying the “current (commuting) ratio” taken from the 2016EEFM what commuting figure was used in the SHMA?***
- 2.17 The EEFM is an integrated model and as such it makes internal adjustments to the above within set parameters. The economic activity rates are usually higher than those assumed by the Office for Budget responsibility and therefore there may be a justification for sensitivity testing the projection with OBR rates, but this would increase the population required to fulfil the jobs and as such increase the dwelling requirement associated with the level of projected employment.
- vii. ***Q3.9 The SHMA identifies a positive uplift of 1739 dwellings to balance jobs and workers, contributing towards the submitted OAN of 1766dpa. What should be made of alternative submissions that the EEFM provides an output for MK of 32,331 dwellings (2,155 dpa) for the plan period? Please explain how the SHMA arrive a different figure from the EEFM and what assumptions have been applied. If those assumptions vary from the EEFM, how should I interpret the EEFM advice (April 2017) that it is an integrated model that should not be subjected to alternative estimates?***
- 2.18 As stated above there needs to be a justification to move away from the assumptions in the integrated model. For example:
- a. The assumption made by the model that there will be additional workers outside of the city that can commute in to fill jobs that cannot be met by the city's own population growth might require an assumption that the level of net commuting is held constant and all job growth is met by increased population in to the city. This would increase the number of dwellings required to meet the job growth projected from that produced by the model.
 - b. The assumption in the model that activity rates will increase faster than the national average as measured by the office for Budget Responsibility might also be

challenged, as again this would result in a higher level of housing being required than that projected by the model.

- 2.19 The SHMA has provided no justification for making alternative assumptions and it would appear that unlike the usual sensitivity testing (i.e. holding net commuting or remodelling national OBR changes to the activity rate which tend to increase the dwelling requirement) the HMA is instead making assumptions that result in a lower requirement which is a product of the SHMA utilising even higher activity rates than the EEFM. The lack of justification for these changes renders the results of less weight.

viii. Q3.10 Jobs growth has notably out-performed housing delivery in recent years (para 4.33 of Plan:MK) at a ratio of 3.5 jobs per dwelling. The submitted Plan states that the OAN aligns to the more cautious assessment of jobs growth in the Experian model at 1.06 jobs per dwelling and if the EEFM is realised the ratio would be 1.2 jobs per dwelling. Has the SHMA applied or sensitivity tested the Experian model and how is the ratio of 1.2 jobs per dwelling calculated?

- 2.20 The consequence of the job growth outstripping housing supply is the substantial increase in net commuting into the city as highlighted by chart 6 of the SPRU Reg19 (page 32) which shows the percentage of job growth in MK out performing Great Britain and the South East (especially since 2019).

- 2.21 This growth in jobs has also, at least since 2011, coincided with a significant rise in the level of net commuting from 15,000 in 2011 to just under 30,000 in 2017 (SPRU Reg19 chart 3 page 32)

ix. Q3.11 Does the adjustment of 1739 (116dpa) provide sufficient flexibility to meet forecast employment needs? Is there plausibility to the submissions that the adjustment (and therefore the full OAN) is too cautious?

- 2.22 No

- 2.23 The calculation requires a specific set of assumptions to be met with regard to increased economic activity rates, increased numbers of in commuting, as well as other assumptions within the consultant's model. These assumptions all tend to increase the number of workers that are to be expected from the same population and appear to be at the far end of the range. As such there is little or no flexibility, and if they are proven to be over ambitious the result will either be further levels of in commuting and/or the economic costs of labour supply impacting on economic growth. Both potential results would be unsustainable.

- 2.24 Our Reg19 analysis suggests that the job forecasts themselves are much lower than past rates of growth so there would be a need to consider flexibility in this respect as well.

x. Q3.12 The SHMA finds a basis for making a series of adjustments for demographic factors, market signals/affordability and future jobs which cumulatively add up to 28,615 (or 1,908dpa). What justifies an approach of calibrating that adjustment to only the 1,739 for future jobs so that the OAN is 26,493 (or 26,483)? In this regard is the SHMA consistent with PPG (para2a-005-20140306) that assessment findings should be "transparently prepared"?

- 2.25 The calculation is not transparent. In fact, the final jobs led figure of 1,739 dpa in the SHMA requires a number of steps that are far from clear both in terms of what the

assumptions have been made and why. For these reasons the SHMA output regarding the balancing of jobs to dwellings is not to be preferred and the EEFM forecast of dwelling requirement must be considered more robust in these circumstances.

- 2.26 Paragraph 19 of the executive summary states that the cumulative impact of these identified adjustments increases housing need by an additional 1,739 dwellings over the Plan period, but this is not the cumulative impact it is simply the uplift to balance jobs and housing growth.
- 2.27 The argument that is advanced by the consultants is that the increased level of dwellings to meet the increased population required for job growth will also provide for concealed families who are already in the city as well as providing for extra choice for surpassed households in the city. In such circumstances the consultants argue one may either use a jobs lead approach or a demographic approach with market uplift in a response to market indicators.
- 2.28 If the increased dwelling requirement is to provide homes for additional workers moving into the area to take up jobs, then the additional provision will not be available for existing population either to relieve concealed households or increase market choice and improve availability for the existing population. This is especially the case where the uplift is so modest as is the case with the SHMA results.

xi. Q3.13 Have any reasonable alternative OAN figures been assessed as Part of sustainability appraisal?

- 2.29 No
- 2.30 Alternatives of 30,000 dwellings (Option B) and past build rates (Option C) were assessed (page 16 top page 23 Initial SA). Option B scored the same as Option A the figure of 26,650. Option A is preferred because of the uncertainty over emerging strategies MK Futures 2050 and EWR and the fact Option B would require the Council to find more greenfield land

c) Issue 3 Translating OAN into a housing requirement/target

xii. Q3.14 Are there any constraining factors (PPG paragraph 2a-004) that would inhibit consideration of a higher housing requirement/target than the OAN?

- 3.1 No

xiii. Q3.15 Will the housing requirement in Plan:MK significantly boost the supply of housing as sought by paragraph 47 of the NPPF? Does it reflect the objectives to keep the planned growth of MK 'on track'?

- 3.2 The housing requirement will not significantly boost the supply of housing because it will not result in a significant identification of new sites, and an over reliance on the existing strategic sites will mean that delivery will not necessarily improve. Boosting the supply of housing is not just about the plan having the correct overall target but it is also about securing the right range of sites in the right locations.

xiv. Q3.16 What explains previous under-delivery of housing in MK? If the housing requirement were to increase in the plan period what evidence would indicate that it would be (a) sustainable and (b) deliverable?

- 3.3 It is important to note that in reaching a conclusion on the OAN considerations such as constraints including issues such as suitability and deliverability are not material. These might however be a consideration in determining the final housing requirement.

- 3.4 It is our view that the past under delivery of housing in Milton Keynes is explained by the over optimistic approach taken by both the council and the developers at the Core Strategy Examination in suggesting that the main strategic allocation will come forward quicker and deliver at a faster rate than had been previously experienced. This lead to an over reliance on a small number of SUE's.
- 3.5 The two policy instruments put in place to address this potential issue at the CS examination namely a Sites Allocation Plan to identify 1,000 units on smaller easier to develop sites and an early review of the plan both failed to materialise in the expected timescale this is explained more fully in chapter 6 of Appendix 1.
- 3.6 At the previous planning appeal inquiries it has been a matter of common ground that the industry could deliver the required number of completions. The difference between ourselves and the council was that we argued to do so would require a greater mix of sites as too much reliance was being placed on high levels of completions from a few strategic sites.
- 3.7 The analysis to support this view of the market is set out in Chapter 6 of appendix 1 and in particular section 6 which analyses the level of new build transactions as a percentage of overall activity which clearly indicates the potential for increased sales of new properties.
- xv. Q3.17 Has SA of the housing requirement in Policy DS2 assessed reasonable alternatives? How has sustainability appraisal been used to support the scale of housing provision in the Plan? [Are there negative (unsustainable) effects of lower or higher housing provision?]**
- 3.8 According to the initial SA pages 16 to 24 the impact of 26,650 and 30,000 dwellings are similar although the latter might require further green field release.
- xvi. Q3.18 Is the housing requirement in Policy DS2 expressed as a net or gross figure? Has the figure taken into account the effects of estate regeneration? Is there any anticipated loss of existing housing stock?**
- 3.9 The figure is a net figure as no allowance has been made for demolition in the calculation of the figure.
- xvii. Q3.19 Would an adjustment to the housing requirement for affordable housing provision be justified? (PPG para 2a-029-20140306) What overall percentage of affordable housing has been achieved over recent years? Based on the thresholds in Policy HN2 how many affordable housing units are likely to be delivered in the plan period on qualifying sites and from any other sources?**
- 3.10 According to the SHMA there is a need to provide some 8,200 affordable dwellings in the plan period which represent some 31% of the 26,650 minimum number of dwellings being planned for.
- 3.11 As of December 2017, there were 641 households spending Christmas in a home they could not call their own.
- 3.12 The Shelter Report, "Far from alone: Homelessness in Britain in 2017" (November 2017, estimated that there were 2,358 adults and children and a further 38 people sleeping rough in Milton Keynes. The Borough was ranked as experiencing the second highest problem in the South East, and the 4th highest outside of London.

d) Issue 4 Wider Accommodation Needs

xviii. Q3.20 Is the 2017 Gypsy & Travellers Accommodation Assessment up-to-date and does it provide a robust and justified evidence base? Is the identified need for 19 pitches justified?

4.1 No Comment

xix. Q3.21 Is there any evidence that the Plan should make provision for short stay stopping sites(transit sites) in line with Planning Policy for Traveller Sites? The GTAA refers to an Autumn2018 Review, is there a commitment to undertake this and when would outputs be available?

4.2 No Comment

xx. Q3.22 How will the needs of people who have permanently ceased to travel be addressed? Has consideration been given to a wider assessment of caravan and houseboat needs as required under Section 124 of the Housing and Planning Act 2016?

4.3 No Comment

xxi. Q3.23 Explain how the needs of different groups in the community have been addressed in the SHMA and then the Plan, such as, but not limited to, families with children, older people, people with disabilities and people wishing to build their own homes. What conclusions does the 2017 SHMA reach in terms of the scale and mix of housing type needed, including in terms of tenure and size? (NPPF paragraph 159) How does the Plan reflect the findings?

4.4 No Comment

xxii. Q3.24 Is there evidence for the Plan to make specific provision for accommodation for elderly persons either as part of the housing mix (Policy HN3) or specific allocations for sheltered and supported accommodation? (See also PPG para 12-006-20150320).

4.5 No Comment

xxiii. Q3.25 Overall, is the housing requirement in the plan justified? If not, what should it be?

4.6 No

4.7 For the reasons set out in the SPRU Reg19 submissions the overall level of provision should be 2,155 dpa. This is based upon the EEFM projected dwelling to meet the forecast level of employment growth. This level of growth is lower than that which has occurred in the past at 2,129 jobs per year (SPRU Reg19 table 15) compared to an average of 3,133 jobs per year 2000 to 2015 (SPRU Reg19 table 12).

4.8 This figure however contains no uplift to reflect market indicators (this should be 20%) and makes no allowance for reduced Household formation rates. As such provision of this level of dwellings in the context of the forecast job growth is unlikely to have any impact on improving affordability.

e) Matter 3: Issue 5 - Housing Land Supply

xxiv. Q3.26 Overall, will the submitted allocations in Plan:MK provide sufficient flexibility to help deliver the spatial strategy?

5.1 No

- 5.2 For the most part the plan is reliant on existing allocations and urban sites many of which could have come forward without the adoption of the local plan. As such the proposed allocations many of which already have planning permission are unlikely to deliver the step change required to meet housing needs.
- 5.3 The issue of land supply and the reliability of the Council's forecasting method has been subject to 4 appeals which SPRU have been engaged in 3 of which the inspectors have found there not to be a five year supply of land based upon the council's over optimistic approach to forecasting completions.
- 5.4 The most recent proof of evidence on behalf of an appellant for Laurie Lane (APP/Y0435/W/17/3182048) is included as an appendix to this submission as it sets out in detail much of the relevant evidence required to respond to the inspector's questions. Also included are the three appeal decisions as these will be referenced in this section, the above appeal plus Land at Linford Lakes (APP/Y0435/W/17/3175391) and Long Street Road, Hanslope, (APP/Y0435/W/17/3177851)

xxv. Q3.27 Having regard to the Housing Supply Topic Paper (MK/TOP/002) and proposed trajectory and accompanying spreadsheet of sites submitted in the schedule of proposed modifications (SUB/MK/004), is the housing implementation strategy in Policy DS2 sufficiently clear? In particular is the submitted Plan clear on: (i) what comprises and justifies the housing trajectory?

- 5.5 The spread sheet of sites is clear in terms of how the trajectory has been derived however the assumptions regarding the levels of completions are not soundly based.
- 5.6 The projected level of completions reaching 3,697 in 2020/21 is based upon projections of completions on the SUE's which is in excess of anything that has been experienced locally, or indeed nationally.

xxvi. (ii) What is the anticipated deliverable and developable supply of housing land over the plan period, including any contingency for resilience (for example: the submitted 9.7% buffer)?

- 5.7 The trajectory suggests that a total of 28,361 dwellings will be delivered by 2031 (see table in main modification MK/SUB/004a2).

xxvii. (iii) How decision makers should calculate a five year deliverable supply?

- 5.8 Decision makers should calculate the 5 year land supply against the housing requirement and use the Sedgefield method as the trajectory produced by the council demonstrates that the shortfall can be met within the next five years.

xxviii. (iv) What contingency measures would be called upon were monitoring to identify a deficiency in the deliverable supply prior to a plan review?

- 5.9 According to the plan contingency is provided by the small sites identified in the SHLAA some of which are allocated (paragraph 4.4).
- 5.10 Paragraph 23.5 refers to the core strategy and the contingency provided by the site allocation plan, but these are now both superseded by allocations in Plan MK.
- 5.11 Appendix F of the submission plan sets out the target of 29,000 dwellings by 2031 and identifies the actions. One of the triggers is under delivery by 20% consideration should be given to changing this to 15% to reflect the Housing Delivery Test in the latest consultation from the MHCLG

xxix. Q3. 28 Should Plan:MK include a policy to ensure that sufficient housing land is delivered if monitoring identifies that any of the strategic sites would be appreciably delayed? If so, what action would be appropriate and how and when would it be triggered?

5.12 Yes

5.13 Firstly, however the plan needs to address the over reliance on just a few large scale SUE's.

5.14 This requires two courses of action:

- a. Rather than holding back the Reserve Site East of the M1 it should be allocated now so that the planning for infrastructure can take place and the site can be brought on stream in a phased way, with infrastructure being provided at the appropriate time
- b. There is a requirement for a greater variety of sites which can be developed alongside these large strategic sites. In some cases, these might consist of smaller allocations next to these sites that can come forward prior to the infrastructure requirements of the larger site being met and in other cases they will be smaller and medium sites that offer a very different character and location to these larger scale allocations.

5.15 It is our view that these changes should be made to the plan via main modifications, the alternative is to provide a trigger for the release of the smaller and medium sites based we would suggest on the under delivery of 15% against the requirement when averaged over the past 3 years.

5.16 We do not consider there should be a trigger for the allocation of the Reserve Site it is considered this should be allocated now but accept that the lead in time will be dependent on securing the relevant infrastructure required for each phase of a phased development.

xxx. Q3.29 Is there robust evidence underpinning the calculation of the land supply for the Plan Period? In particular:

i) are the allowances for total existing commitments clear? To what extent, if any, does it include allocated sites from the un-adopted Site Allocations DPD? Do any allowances from SADPD allocations take into account proposed main modifications? to that plan?

5.17 All allocations should be included in Plan MK there should not be a reliance on earlier plans and their allocations. Such allocations need to be included and tested within this plan.

ii) Is the capacity from estate regeneration and urban intensification (for example Campbell Park) justified?

5.18 No – see paragraph 8.39 to 8.43 of appendix 1.

5.19 In addition, many of the sites within the existing urban area have already been identified for development or would come forward as windfall.

iii) Is the windfall allowance adequately justified?

5.20 No comment

iv) Has appropriate consideration been given to lapse rates for planning permissions?

- 5.21 No consideration has been given to lapse rates for planning permissions in the context of the whole plan period – although clearly some large scale sites have been subject to renewal of planning permissions and there is evidence of sites lapsing.

v) Is there any dispute that a 20% buffer should be added to the deliverable supply to address persistent under-delivery?

- 5.22 No, it is clear that 20% should be applied see evidence in Appendix 1

vi) Having regard to the PPG (3-035-20140306), and the preference for Sedgefield, what would be the justified approach to make good the shortfall in delivery since 2016?

- 5.23 The PPG makes it clear that prior to adopting the Liverpool approach councils will need to approach other LPA's in order to establish if they are able to assist in meeting the unmet need within the five years.
- 5.24 The council have not done this and as such the Liverpool approach is not justified.
- 5.25 Furthermore, the trajectory in the main modification demonstrates that the council consider they have over a six years' worth of housing land supply using the Sedgefield approach. Further details regarding the caselaw relating to this issue is set out in Chapter 4 of Appendix 1.

xxxi. Q3.30 Does the evidence indicate that reasonable conclusions have been drawn about site capacities, having regard to density assumptions and any specific viability, infrastructure or other barriers to delivery? [Please note: the specifics of individual strategic sites will be considered separately under Matter 5].

- 5.26 We have no comment in general on site capacity

xxxii. Q3.31 What lead-in times and delivery rates (including number of developers/outlets per site) have been used to underpin the assumptions regarding the deliverability of strategic sites (in particular SD6, 7, 8, 9, 13, 15)? What is this based on? Where is it set-out? Are the projected delivery rates, particularly in the next five years, on some of the established strategic sites (notably SD6, 7 and 8) reasonable given past performance?

- 5.27 This is set out in the council's trajectory.
- 5.28 The assumptions are based upon the council's approach of contacting the developer/land owner with a proposed lead in time and rate of completion. The council then consider any response prior to making an assumption.
- 5.29 There is extensive evidence of lead in times and past performance (both Local and National) which could be relied upon to consider the appropriateness of the council's assumptions. These issues are dealt with in detail in chapter 6 of appendix 1 which concludes that nationally strategic sites of over 2,000 dwellings are on average likely to deliver some 171 dpa, but that locally the eastern expansion area has averaged 284 dpa (Table 10 page 64) this is when it consisted of two "quarters" and had on average 12 individual active parcels and over 15 different developers engaged in its delivery. This scale of subdivision and diversification is not being demonstrated on any of the Allocations with the exception of the Western Expansion Area (see appendix 1 table 17 page 86).

5.30 In terms of the lead in times and proposed completions rates on the selected sites these are summarised below with reference to more detailed information in Appendix 1 chapter 8

a. Policy SD6 EASTERN EXPANSION AREA

- i. There are five parcels with dwellings under construction out of a total of 15 parcels. These are being built out by two developers with reserved matters consents: BDW Trading Ltd (Barratt and David Wilson Homes) and Places for People Developments Ltd. This is in comparison to the 12 active parcels and 15 developers who delivered the early part of the Eastern Expansion Area.
- ii. With Broughton now complete, the delivery rate may increase in Brooklands, but with only 2 developers, albeit operating under 3 sales outlets, it is difficult to see how more than 250 dpa might be achieved, which was the last year's level of completions. At this level, MK would still have two of the highest performing national Urban Extensions within its boundaries.
- iii. The trajectory suggests that some 1549 dwellings will be delivered on Brooklands and 224 on Broughton Gate over the next five years. This suggests a higher rate of completions than that which has occurred in the past but from a much reduced number of active plots and far fewer developers. These assumptions do not appear to be based on sound evidence.

b. Policy SD7 WESTERN EXPANSION AREA

- i. This is made up of two quarters area 10 and area 11
- ii. Appendix 1 (Table 3 of Appendix 1) outlines the parcels within Area 10 and their current status. Bovis have 5 sites, and the other 5 sites are shared between Bellway Homes, Abbey Developments Ltd and Taylor Wimpey (South Midlands).
- iii. In Area 11 (Fairfields), is controlled by just one developer (BDW Trading) delivering completions on the site from two outlets; Barratt and David Wilson Homes.
- iv. The highest achieved average local rate of delivery was 284 dpa was on the Eastern Expansion Area. The rates of delivery in the trajectory considerably exceed this for all but the last 4 years of the plan period, in fact by 2018/19 and 2019/20 over 700 and then almost 800 completions are forecast. Such levels are unprecedented in MK and are far in excess of the average for strategic sites nationally which average a rate of 171dpa for greenfield SUE's of over 2,000 dwellings.
- v. There is no evidence presented to this examination to support such a divergence from both local and national rates of delivery. The site is not so substantially different from the Eastern Expansion Area to justify such a change in the rate of delivery

c. Policy SD8 STRATEGIC LAND ALLOCATION

- i. A full assessment of the site can be found in Appendix 1 of Appendix 1 (paragraphs 1.78 to 1.130). This conclude that this area will deliver some

724 completions in the next five years. As this is considered to be a realistic level considering lead in times and rates of completions when compared to both national and local evidence on delivery of sites of this size.

- ii. Our assessment is at variance with the trajectory which suggests completions will peak in 3 year's time at 570 dpa and that the average rate of delivery over the first five years will be 1,944 dwellings in total averaging at 389 dpa. Again, this is a much higher average rate than experienced locally and is from an area which is not being delivered by a lead developer but has a number of landownerships and developers, so it is not as coordinated as other SUE's in terms of delivery of infrastructure etc.
- iii. The proposed trajectory for the next five years is not considered to be based on sound evidence.
- d. Policy SD9 NEWTON LEYS
 - i. No comment
- e. Policy SD13 SOUTH EAST MILTON KEYNES STRATEGIC URBAN EXTENSION
 - i. It is noted that from 2026 onwards the projected rates of completion are both higher than those delivered locally and much higher than the national average. There will need to be convincing evidence that these rates have been achieved by the developers in the past and that this success is likely to be replicated here if these levels are to be retained in the trajectory.
- f. Policy SD15 LAND AT EATON LEYS, LITTLE BRICKHILL
 - i. The original application extended across two local authority areas with 600 dwellings in MK and the larger number, 1,200 dwellings, in Aylesbury Vale District Council. The applicant is JJ Gallagher Ltd. The applicants withdrew the application for the part of the site that was in Aylesbury Vale.
 - ii. It is not clear how the removal of the larger part of the strategic site will impact on the delivery of the MK element of the scheme given that the area was designed as a whole.
 - iii. In respect of the level of completions the average level of build out rates for a site of this size (now reduced to 600) is 86 a year (Appendix 7, NLP table 3 page 19). The Gallagher's approach has at times led to increased levels of completions compared to the national average, but also has longer lead-in times.
 - iv. The full site assessment can be found in Appendix 1 of Appendix 1 (paragraph 1.131 to 1.150).

xxxiii. Q3.32 As of 1 April 2018 (or 1 April 2017 if 2018 data not available) what would the five year requirement be, for both the 'Sedgefield' and

'Liverpool' methodologies, assuming a 20% buffer for under-delivery against an annualised, flat trajectory?

- 5.31 According to the trajectory there would be 6.2 years supply under Liverpool and 6.04 years supply under Sedgfield.
- 5.32 It is our view that the level of housing land supply is in the order of 3 years (see Appendix 1 table 29 page 103)

xxxiv. Q3.33 Is there robust, credible evidence demonstrating the capacity of the development sector to complete and sell this quantity of housing in the Borough in the next 5 or so years?

- 5.33 At the previous inquiries we have been engaged in it was a matter of common ground that the industry could deliver the required number of completions. The difference between ourselves and the council was that we argued to do so would require a greater mix of sites as too much reliance was being placed on high levels of completions from a few strategic sites.
- 5.34 The analysis to support this view of the market is set out in Chapter 6 of Appendix 1 and in particular section 6 which analyses the level of new build transactions as a percentage of overall activity which clearly indicates the potential for increased sales of new properties.

xxxv. Q3.34 What has inhibited the achievement of comparable annual housing delivery targets in the 2013 Core Strategy? Is Plan:MK's approach to strategic sites at risk of repeating a similar performance? If so, what measures have been considered to de-risk delivery of the Plan?

- 5.35 The risk of over reliance on a few strategic sites which require a long lead in time was highlighted at the examination of the CS and this was to be remedied by the quick production of a Sites Allocations Plan to allocate small sites predominantly in the rural area which would have increased the choice of sites and the location of development as well as a quick review of the Plan. Neither were completed to the timescale given.
- 5.36 A different approach needs to be adopted to this issue at this examination if similar outcomes are to be avoided. This approach should:
- a. Address the issue of lead in time for strategic sites it has been suggested that the Reserve Site MKE is made an allocation and that provision be made for it to be phased so elements may come forward prior to securing all the required infrastructure – this will speed up the delivery of this site.
 - b. Addressing the issue of enhanced choice of sites and the over reliance on large scale sites does not require the deletion of such sites as they are a proven way of delivering substantial quantum of development. They are not going to deliver all of the required development and additional sites are required to allow smaller builders and indeed national builders to respond quickly to increases in demand for housing in a way that is not possible on the larger sites. In addition, such sites can be delivered in a range of locations. Therefore, the second part of the remedy is to increase the number and locations of non-strategic allocations.

xxxvi. Q3.35 Is there a sufficient range of housing supply sources (and sites) in Plan:MK to bolster delivery? To achieve significant growth in a sustainable way (including critical mass to support infrastructure) are there realistic, reasonable and sustainable alternatives in a MK context

other than sustainable urban extensions? How have the SHLAA and SA processes considered small and medium sized housing sites?

- 5.37 No – see response to Q3.34
- 5.38 The SA considered the allocation of small non-strategic sites (option E) as an alternative to the allocation of SUE's (Option B)
- 5.39 The SA concludes Options B and C are more likely to deliver homes in the long-term whereas Options A, D and E are likely to be able to deliver some homes in the short-term. It also concludes that Options A and E are likely to have the lowest negative impact on the environment compared to the other options which involve significant development on greenfield land.
- 5.40 It is not clear why given these conclusions a mixed approach of allocating both strategic sites with supporting smaller sites was not evolved as a further option.

xxxvii. Q3.36 Is the proposed buffer in the housing land supply (29,000 homes to meet the need for 26,500 homes equivalent to 9.7%) justified and positively prepared? Does this provide a sufficient and robust approach for potential uncertainties over capacity at South East MK? Would a 9.7% buffer in supply provide reasonable resilience?

- 5.41 No
- 5.42 It is unclear how the buffer has been devised. Certainly, other assessments of need especially those relating to employment growth would require a much higher level of provision as would meeting the objectives of the MK futures 2050 and the NIC report.
- 5.43 The buffer is also considered insubstantial when considered in the context of the long established record that the Council have of overestimating delivery rates and underestimating lead in times for development, ultimately leading to a failure to meet need.
- 5.44 The evidence to support this position is highlighted in paragraph 5.29 above. In particular table 6 page 52 of appendix 1 shows that since 2007 MK has only delivered 57% of the forecast completions in the 2007 AMR. Since 2011 some 85% of forecast completions in the 2011 AMR have been delivered.
- 5.45 Table 7 of appendix 1 (page 53) undertakes a similar calculation for the first 5 years of the forecasts. This suggests on average only 75% of the forecast level of dwellings are delivered.
- 5.46 There is clear evidence in Appendix 1 that a buffer above the OAN is justified. In terms of available evidence there would appear to be a justification for between a 15% to 25% buffer.

f) Housing Land Supply Conclusions

xxxviii. Q3.37 Will there be a five year supply of deliverable housing land on adoption of Plan:MK?

- 6.1 Not if a realistic view is taken of the delivery rates on a number of the major allocations see conclusions to Appendix 1.

xxxix. Q3.38 Will there be a five year supply of deliverable pitch provision for gypsies and travellers?

- 6.2 No comment

- xl. Q3.39 Is there likely to be a sufficient supply of developable housing land throughout the lifetime of the Plan?***
- 6.3 The present distribution of housing suggests that there might not be sufficient sites allocated of the right type in the right place to secure the completions required to meet the required level of need
- xli. Q3.40 Is there appropriate consistency and totalling between the figures for various sources of supply within Chapter 4 of Plan MK (Tables 4.1 and 4.2) and between figures in Chapter 4 and Appendix A of the Plan (Table 18.2)?***
- 6.4 No comment
- xlii. Q3.41 For those who submit the Plan would be unsound in terms of housing delivery, how should Plan:MK be changed to ensure that it is deliverable and therefore effective?***
- 6.5 See response to Q3.34

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APPENDIX 1

**On behalf of various clients. Appendices to Representation to the
Plan:MK Examination**

Matter 3

GLADMAN DEVELOPMENTS - GDL/02/P
Roland Bolton (SPRU) - Housing Land Supply



Strategic Planning & Research Unit

For and on behalf of
Gladman Developments

Proof of Evidence on Five Year Land Supply
In respect of Milton Keynes Council

Land off Olney Road, Lavendon, Buckinghamshire
INSPECTORATE REF: APP/Y0435/W/17/3182048
PLANNING APPLICATION REF: 17/00165/OUT

Roland G Bolton
Strategic Planning Research Unit
DLP Planning

January 2018



Strategic Planning & Research Unit

**INSPECTORATE REF: APP/Y0435/W/17/3182048
PLANNING APPLICATION REF: 17/00165/OUT**

**APPEAL SITE: TOWN AND COUNTRY PLANNING ACT 1990
APPEAL BY GLADMAN DEVELOPMENTS
Land off Olney Road, Lavendon, Buckinghamshire**

**TOWN AND COUNTRY PLANNING ACT 1990
SECTION 78**

**PROOF OF EVIDENCE
ON THE FIVE YEAR HOUSING LAND SUPPLY POSITION
IN MILTON KEYNES**

**Prepared on behalf of
Gladman Developments**

**Evidence
of
Roland G Bolton BSc (Hons) MRTPI**

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January 2018

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CHAPTER 1: EXPERIENCE

- 1.1 My name is Roland George Bolton. I have an Honours Degree in Town and Regional Planning and I am a Member of the Royal Town Planning Institute (MRTPI). I am currently a Senior Director of DLP Planning Ltd (DLP) and Head of the Strategic Planning Research Unit (SPRU) which specialises in undertaking bespoke planning research projects, including Objective Assessments of Housing Need and Five-Year Housing Land Supply assessments. DLP Planning Ltd is a national planning consultancy and I am based in the Sheffield office, working across the whole of England. I have worked in public sector, private practice and academic roles for over 33 years.
- 1.2 I have a wide range of experience and have held positions within local government. This culminated in the post of Head of Local Plans for Rochester upon Medway City Council from 1987-1989. During this time, I was responsible for producing the Medway Towns Local Plan which was a joint Local Plan between 4 authorities and included the release of major sites for development linked to infrastructure provision. I have also represented Councils at Structure Plan Examinations particularly in relation to the calculation and distribution of housing requirements.
- 1.3 In 1989, I joined the planning consultants Chapman Warren as a Principal Planner in the Cambridge office. In this post, I represented a wide range of clients, appearing at various structure plan examinations providing evidence on future housing needs, supported and assisted by Dave King and his associates from the Anglian Polytechnic and the Chelmer Model.
- 1.4 In 1992, I took up the position of Senior Lecturer in Town Planning at Sheffield Hallam University. Whilst at Sheffield, in addition to my lecturing duties, I acted as a consultant to the current DLP/SPRU practice, providing advice to clients in both the public and private sector on a range of development related issues. Much of this consultancy work was in respect of preparing and presenting evidence promoting strategic housing allocations at various examinations.
- 1.5 I have now been a Director of DLP for over 20 years, having joined the company to open up the Sheffield office in 1996. During this time, I have advised clients on a wide range of residential developments from the planned expansions of Northampton, Milton



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Keynes, Luton and York, through to urban projects like Sheffield University Student Village (3,500 student bed spaces) and Commercial projects such as Midway park (40-hectare Strategic Employment Allocation at Junction 16 of the M1).

- 1.6 In 2012, I formed the Strategic Planning Research Unit (SPRU) within DLP to bring together the company's expertise to deliver the strategic planning work. This includes the Objective Assessment of Housing Need (OAN), five-year housing land supply, retail impact assessments, as well as land promotion and representations to Local Plans.
- 1.7 I have had considerable experience of giving evidence as an expert witness at Public Inquiries and attending Local Plan Examinations including the three most recent inquiries which have considered the 5 year land supply position in Milton Keynes: Woburn Sands, heard in July 2017 (APP/Y0435/W/17/3169314), Hanslope heard in November 2017 (APP/Y0345/W/17/3177851) and Linford Lakes heard in December 2017 (APP/Y0345/W/17/3175391).
- 1.8 I have worked on issues of housing land supply in the Milton Keynes area and the surrounding region/sub-region on a number of occasions across the last 20 years. I gave evidence at the Milton Keynes Local Plan Examination, the South East Regional Plan examinations, as well as the Milton Keynes South Midlands Sub Regional Strategy Examinations. With my colleague Michael Edgar, I prepared evidence for the Examination into the Milton Keynes Core Strategy on behalf of development industry clients. I also appeared at the Examination of the North Northamptonshire Joint Core Strategy and the Milton Keynes Site Allocations Plan in 2017.
- 1.9 My Evidence at the Milton Keynes Local Plan examination (which closed on March 2004) was critical of the delivery rates that the Council were then advocating and I argued that the Strategic Reserve Area (now part of the Eastern Expansion Area) should be allocated and brought forward at the same time as the Western Area strategic allocation.
- 1.10 The scope of this Proof of Evidence is to consider the 5-year supply of housing position for Milton Keynes in accordance with the National Planning Policy Framework (the Framework) and the National Planning Practice Guidance (the Guidance) and the weight that may be attributable to the supply of market and affordable housing.



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- 1.11 The evidence I have prepared and provided for this appeal on Land off Olney Road, Lavendon, Buckinghamshire APP/Y0435/W/17/3182048, is true and has been prepared and is given in accordance with the guidance of my professional institution and I confirm that the opinions expressed are my true and professional opinions.

Signed	
Name	Roland Bolton BSc (Hons) MRTPI
Position	Senior Director, DLP Planning Ltd
Date	15 th January 2018

CHAPTER 2: INTRODUCTION

- 2.1 By way of introduction, this Chapter provides a summary overview of the areas of agreement and differences in the assumptions which will then be explored further in my evidence below.
- 2.2 At the time of finalising my evidence (week commencing 8th January 2018), the Statement of Common Ground (SoCG) on housing land supply was waiting a response from the Council therefore when I state that matters are agreed with the Council I am relying on the Council's previous position as set out in recent appeals. I would reasonably anticipate that these will all be within the final SoCG.
- 2.3 The relevant parts of the development plan, national policy and guidance and applicable case law that guide the calculation are set in Chapter 3, the general background to the supply calculation in Chapters 4 to 7, and then an overview of the main 8 Areas/Categories of Housing Land Supply are contained within chapter 8 with the full analysis outlined in Appendix 1.
- 2.4 The Council have previously agreed (draft SoCG Para 2.1) that the background evidence that both parties should rely upon is the "Assessment of Five Year Land Supply 2017 – 2022" (July 2017) (CD12.4).
- 2.5 The fundamental starting point is that on the Council's best case (including relying upon the Liverpool method of considering backlog), their position is that they can demonstrate 5.16 years supply of housing land.
- 2.6 This is an increase of 0.13 years supply on the figure identified by the Council when confirmed as being a supply of just 5.03 years in the email of Mr Williamson on the 30th March 2017 (CD12.6).
- 2.7 The Council's June 2017 data calculates supply as follows:
- a. Period of Assessment: 1 April 2017 – 31 March 2022;
 - b. Housing Requirement from 2017 – 2022: 12,623 dwellings based on the Liverpool method only;
 - c. Housing Land Supply: 13,727 dwellings;

- d. Adjusted Supply, including the Council's discount of 10% for some selected sites: 13,030 dwellings (i.e. a reduction of -697 dwellings to that shown at c. above);
- e. Excess of supply over requirement: 1,104 dwellings;
- f. Number of years' supply = 5.16 years.

2.8 At the Woburn Sands Inquiry heard in July 2017 (APP/Y0435/W/17/3169314), the Hanslope Inquiry heard in November 2017 (SPP/Y0435/W/17/3177851) and the Linford Lakes Inquiry heard in December 2017 (APP/Y0345/W/17/3175391), the Council called an external planning consultant as their housing land supply witness, Jon Goodall (Troy Planning). He presented a different approach to that published by the Council and his proof of evidence regarding the delivery of sites is included in CD12.7 and CD12.11, as well as the relevant Core Docs from this appeal in CD12.9. I spoke to Mr Goodall at the end of the land supply evidence at the last inquiry and he informed me that he had not been instructed to act for the Council at this Inquiry. While the Council have confirmed that on this occasion they will be relying on the evidence on delivery in the July 2017 Five Year Housing Land Supply Report (draft SoCG para 2.1), the Council have subsequently stated on 9th January 2017 (email from James Williamson at 16:46, appendix 45) that they will be appointing Mr Goodall of Troy Planning to present the evidence and as such, at the time of completing my proof of evidence, I am still awaiting confirmation of the Council's official position on their five year supply.

2.9 However, it is important to recognise at the outset that on the Council's best case, their housing supply is marginal at best, with just 0.16 years of supply above the 5 year requirement. The simple alteration from the Liverpool method to the much more widely-accepted Sedgefield method would automatically take the Council's supply below 5 years, even on its own case.

(1) Matters of Agreement

2.10 At the time of completing my evidence, the draft SoCG and the Council's previously adopted position would suggest that the following are agreed:

- a. The Council's most recent statement of their housing land supply position is "Assessment of Five Year Land Supply 2017 – 2022 (July 2017) (CD12.4) sets

out the Council's position on 5 year land supply for this Appeal (draft SoCG para 2.7);

- b. The **Period of assessment should be 2017 – 2022** (draft SoCG para 2.2).
- c. Core Strategy (Policy CS2 and Table 5.2) provides the basis for the calculation of the five-year housing land requirement this states that there is an interim **minimum requirement of 1,750 dwellings a year** in the period April 2010 to March 2026 (draft SoCG para 2.3 to 2.5);
- d. There have been **9,019 net completions** in the CS plan period to 2017 (email N Thompson 17.18 13/10/17). This is a change from the "Assessment of Five Year Land Supply 2017 – 2022 (July 2017) (CD12.4);
- e. There is a **backlog of 3,231 dwellings** (draft SoCG para 2.10);
- f. A 20% buffer should therefore be applied to both the annual requirement and the backlog (draft SoCG para 2.12);
- g. There is a need to apply a discount to the projected level of completions (draft SoCG para 2.14);
- h. It is agreed if the Sedgfield method is used to calculate the 5-year land supply then there is no five-year land supply (draft SoCG para 2.17).

2.11 In summary the different positions are set out on the table below. The five year supply figure of 5.15 years (which is lower than the 5.16 years) has been calculated using net figures, rather than gross figures. This was agreed by the Council at the Woburn Sands appeal.

Table 1 Summary of Five Year Housing Land Supply Position

	SPRU Supply (Sedgefield)	MKC Supply (Sedgefield)	SPRU Supply (Liverpool)	MKC position (Liverpool)
Requirement				
Minimum requirement 2010 to 2026	28,000	28,000	28,000	28,000
Annual Minimum requirement	1,750	1,750	1,750	1,750
Total built 2010 to 2017 (net)	9,019	9,019	9,019	9,019
Requirement (1,750 x 7)	12,250	12,250	12,250	12,250
Shortfall	-3,231	-3,231	-3,231	-3,231
Overall Minimum requirement 2017-2026	18,981	18,981	18,981	18,981
Annual Minimum requirement	2,396	2,396	2,109	2,109
Add 20%	2,875	2,875	2,531	2,531
5 yr requirement	14,377	14,377	12,654	12,654
Supply				
Overall supply including additional sites not completed as expected in 2016/17	13,727	13,727	13,727	13,727
MKC Delivery adjustment		-697		-697
SPRU Delivery adjustment	-5,299		-5,299	
Total supply	8,428	13,030	8,428	13,030
Overall supply compared to requirement	-5,949	-1,286	-4,226	437
Overall years supply	2.93	4.53	3.33	5.15

(2) Matters of Disagreement

(i) The Site Allocations Plan (SAP)

- 2.12 In April 2017, the Council submitted the Site Allocations Plan Proposed Submission Draft (SAP) to the Planning Inspectorate for an independent examination into the soundness of this Development Plan Document (DPD).
- 2.13 The SAP identified some 1,133 Dwellings on 21 proposed allocations.
- 2.14 The SAP was the subject of examination hearings before Inspector Richard Schofield on 12th and 13th September 2017. This statutory examination expressly did not consider the issue of five-year supply. This was made explicit in the Inspector's note (PC2) (CD9.6):

"Whether or not the Council can demonstrate a five-year housing land supply is for the Council to justify, as necessary, at appeals".

2.15 Inspector Schofield published an interim letter on 26 September 2017 (CD9.7) This highlighted four areas about which he had concerns regarding the soundness of the plan:

- a. The Role of the SAP: The Inspector requested that the Council confirm the purpose of the SAP was to bring forward around 1,000 dwellings only.
- b. The Consistency between the SAP and the CS and the Local Plan: in the case of three Sites, denoted SAP18, SAP19 and SAP20, there was identified/acknowledged conflict with the Core Strategy employment allocation. In respect of Site SAP7, there was conflict with the local plan policy. The Inspector therefore requested further explanation and evidence as to the effect of the loss of employment and retail land on the strategic aims of the Core Strategy and Local Plan had been properly considered. Without this evidence, he recorded that it would be difficult to conclude that these policies have been positively prepared or are effective.
- c. Sustainable Development Opportunities: In respect of Sites SAP7 and SAP2 the proximity of these sites to noise sources (a supermarket and light industrial uses respectively) meant that they did not appear to provide the sustainable development sought by the National Planning Policy Framework and so further justification was required.
- d. Site Availability: The Inspector stated that Sites SAP 11 and SAP13 were in active use as commercial sites, occupied by retailers. He requested robust evidence that the sites would be delivered. On Site SAP14 the fact that the site might be required for other uses as part of the regeneration plans for the area which had no firm end date also required further robust evidence of delivery to be considered effective.

2.16 The Inspector requested that the further information required specifically in relation to SAP18, SAP19 and SAP20 should be supplied by 23 October 2017 and that upon receipt of this information, he would consider whether any or all of the above sites need to be deleted from the SAP.

- 2.17 In the Council's response dated 23rd October 2017 (CD9.8), the substantive points made by the Council to demonstrate the sites availability have in fact already been placed before the Local Plan Inspector, and as such, do not amount to new or persuasive evidence.
- 2.18 On the 3rd November 2017, despite the Council's letter providing further information, the Inspector required further clarity stating *"I will be grateful, to ensure that my final understanding is correct, for a clear explanation from the Council as to how it identified sites SAP18, SAP19 and SAP20 as proposed housing allocations"* (CD10.2).
- 2.19 The Council responded on the 17th November 2017 (CD10.3, PC3C) and this response is not substantially different to their previous response in October 2017. The Inspector has yet to response, and this issue remains unresolved.
- 2.20 In summary of the total 1,133 potential dwellings and 21 sites the Inspector has raised concerns on 8 sites which had the potential to deliver up to 570 dwellings, more than half of the total.
- 2.21 Of these sites, the Five-Year Land Availability Assessment (CD12.4) includes four sites: SAP14 (27 dwellings), SAP18 (150 dwellings), SAP19 (135 dwellings) and SAP20 identified in the Assessment of Housing Land Supply as Oakworth Avenue Broughton Former Employment Land (130 dwellings, but up to 118 dwellings as identified in the SAP) as contributing to the five-year supply. If these sites were to be removed from the SAP it would remove 442 dwellings from the total supply and 413 dwellings from the Council's own official estimated supply, taking into account the Council's "discount" of 10% applied to sites SAP 18 and SAP 19 (i.e. 442 - 15 - 14).
- 2.22 It should be noted that just this adjustment alone would reduce the Council's marginal oversupply of 436 dwellings deliverable in the five-year period to just 36 dwellings.

(ii) Proposed Submission Version of Plan:MK (October 2017)

- 2.23 Milton Keynes Council has recently published Plan:MK which suggests an Objectively Assessed Need (OAN) for the plan period 2016-2031 of approximately 26,500 or 1,766 dwellings per annum states (CD10.1, paragraph 4.1). This figure must be tested at examination under the appropriate National Policy and Planning Policy Guidance and cannot be given weight in this appeal.

- 2.24 Plan:MK increases the OAN by 10% an uplift which was informed by components of the Borough's Land Supply (CD10.1, paragraph 4.6 page 13). In section 24, Monitoring Framework under objective 2 – "To deliver land for a minimum of 29,000 new homes" the action required on page 233 is stated:

"Bring forward Site Allocations work in parallel with the work on the review of the Core Strategy through Plan:MK in order to ensure that there is a 10% buffer in the 5-year supply of sites and reasonable choice and competition in the market."

(iii) The Core Strategy Housing Trajectory and the Backlog

- 2.25 If the delivery of housing is measured against the Core Strategy trajectory as set out in Section 18 (CS page 113 – 115), which sought to take into account issues of lead in times for and the delivery rates of the strategic sites, then the backlog is even greater.
- 2.26 When measured against the Core Strategy trajectory as required by paragraph 5.14 (page 23) and table 17.1 Core Strategy Objectives, Critical Success Factors and Monitoring Indicators (page 233) of the Core Strategy, the shortfall is some 3,687 dwgs ((12,706 – 9,019)/12,706x100) = 29%.

Table 2 The Core Strategy Housing Trajectory

Year	Trajectory MK CS fig 18.21	Cumulative total
2010/11	1,295	
2011/12	1,580	
2012/13	1,596	
2013/14	1,566	
2014/15	2,189	
2015/16	2,105	
2016/17	2,375	12,706
2017/18	2,429	
2018/19	1,882	
2019/20	1,567	
2020/21	1,490	
2021/22	2,001	22,075
2022/23	2,092	
2023/24	1,815	
2024/25	1,211	
2025/26	848	15,335

Source: MKCS Figure 18.1 page 115

- 2.27 This shortfall in delivery is outside the tolerance of 20% set as one of the Critical Success Factors of the Strategy (see Core Strategy table 17.1 Core Strategy Objectives, Critical Success Factors and Monitoring Indicators) which states:

"Housing market fails to improve resulting in annual completions consistently more than 20% below the housing trajectory"

- 2.28 The actions to address the deficit include the following:

"For the rural area, have a controlled release of sites (following consultation with Parish and Town Councils) in reviews of the Plan:MK (new Local Plan) and the Site Allocations Plan to ensure that development is phased over the life of the plan. "

- 2.29 If the five-year land supply calculation is undertaken against the trajectory (rather than the annual rate) which took into account issues of lead in times for the delivery of the strategic sites then even on the Council's estimated levels of supply there is not a five year supply as demonstrated in the table below:

Table 3 Implication of Using Core Strategy Trajectory Instead of Annual Minimal Housing Requirement?

	MK CS Trajectory / MKC supply	MK CS Trajectory / SPRU supply
Requirement		
Requirement 2010/11 to 2021/22	22,075	22,075
Total built 2010 to 2017 (net)	9,019	9,019
Overall Minimum requirement 2017-2022	13,056	13,056
Annual Minimum requirement	2,611	2,611
Add 20%	3,133	3,133
5 yr. requirement	15,667	15,667
Supply		
Overall supply including additional sites not completed as expected in 2016/17	13,727	13,727
Delivery adjustment	-636	-5,299
Total supply	13,091	8,428
Overall supply compared to requirement	-2,576	-7,239
Overall years supply	4.18	2.69

(iv) Contribution from "Other Sites"

- 2.30 While I have considered the delivery of all the sites in the July 5YRLS 2017 there are a number of smaller non-allocated sites that I do not consider will come forward. These amount to 139 dwellings.

(v) The Method of Discounting from Projected Completions

- 2.31 The Council has a persistent record of substantially overestimating its future completions.
- 2.32 There is a general agreement that there is a need to discount from the Council's initial completion rates derived from responses to their questioning of developers and land owners.
- 2.33 There is however disagreement as to how this might be done, and consequently the scale of the reduction required. I deal with this in detail in Chapter 7 of this Proof of Evidence.
- 2.34 If the Council continued to apply the 10% discount to all sites, as they did in the "Milton Keynes Council – interim assessment of five-year land supply" (November 2015) (CD12.3) after the Frost appeal (CD13.14), then there would not be a five-year supply.
- 2.35 However, the Council has changed its approach in the "Assessment of Five-Year land supply" and instead of applying a 10% discount to all projected completions, as supported by the evidence in the Frost Appeal, it has instead (and rather curiously) only applied it to those sites that are forecast to have completions in year 5.
- 2.36 The Council's approach, based upon the evidence in paragraph 3.2 of the 5YRLS July 2017 (CD12.4), seeks to address non-implementation but does not seek to deal with slippage i.e. completions occurring later beyond the five year plan.
- 2.37 Up to 2011, the Council applied its own 25% discount referred to as the "optimum bias" based upon the recorded level of under performance against its own forecasts. My research suggests that the more recent Council forecasts are still on average over estimating completions by 25%.
- 2.38 I have adopted a different approach and discounted the Council's forecast completions by reference to an analysis of the evidence of availability and the delivery record of both local and national sites.
- 2.39 The results of my assessment are set out in Chapter 6.

(vii) Sedgefield vs Liverpool

- 2.40 The Council state in paragraph 2.5 of the 5YRLS July 2017 (CD12.4) that they “favour” the Liverpool method of spreading the unmet requirement over the remainder of the plan period is appropriate for Milton Keynes. This has been repeated in the draft SoCG para 3.2. The Council's stated justification for this is that the specific circumstances of Milton Keynes mean that most new housing is to deliver on a number of large strategic sites, which will take many years to build-out.
- 2.41 This is not a correct basis on which to apply the Liverpool method, and is contrary to the Planning Practice Guidance Chapter on Housing Land Availability Assessment (HELAA) (Paragraph: 035 Reference ID: 3-035-20140306). I am of the opinion that the Council do have a choice of sites currently (indeed they have had this for some time), and could allocate a range of sites, including smaller sites that could deliver housing in a timely manner.
- 2.42 I further consider that the long history of strategic allocations in Milton Keynes means that many of the sites have been allocated and are delivering, so the issue of lead-in times is less relevant, and given this knowledge the Council had the opportunity to address the issue in the Core Strategy and subsequent SAP.
- 2.43 Finally, February 2018 is almost half way through the plan period and there is clearly an urgent need for an uplift in supply sooner rather than later.
- 2.44 As a matter of calculation, the application of the Sedgefield alone (rather than the Liverpool method) to the Council's land supply position would result in a lack of a five-year land supply.

(viii) Future Completions

- 2.45 There is disagreement as to the ability of some of the Council's identified sites to produce completions in the next five years, the timescales for some sites to be brought forward, and the rate at which sites will actually deliver. I consider that the Council is once again overestimating the completions that these sites will produce.
- 2.46 Figure 1 on page 20 (below) identifies the location of larger strategic sites whose delivery rates I am challenging.

- 2.47 This results in a total reduction from the 13,727 dwellings in the Council's supply, to 8,428 dwellings.
- 2.48 Appendix 2.1 provides a plan with the location of the large sites (Western Expansion Area, Tattenhoe Park, Brooklands Eastern Expansion Area, and Central Milton Keynes. Strategic Reserve Allocation and Eaton Leys).

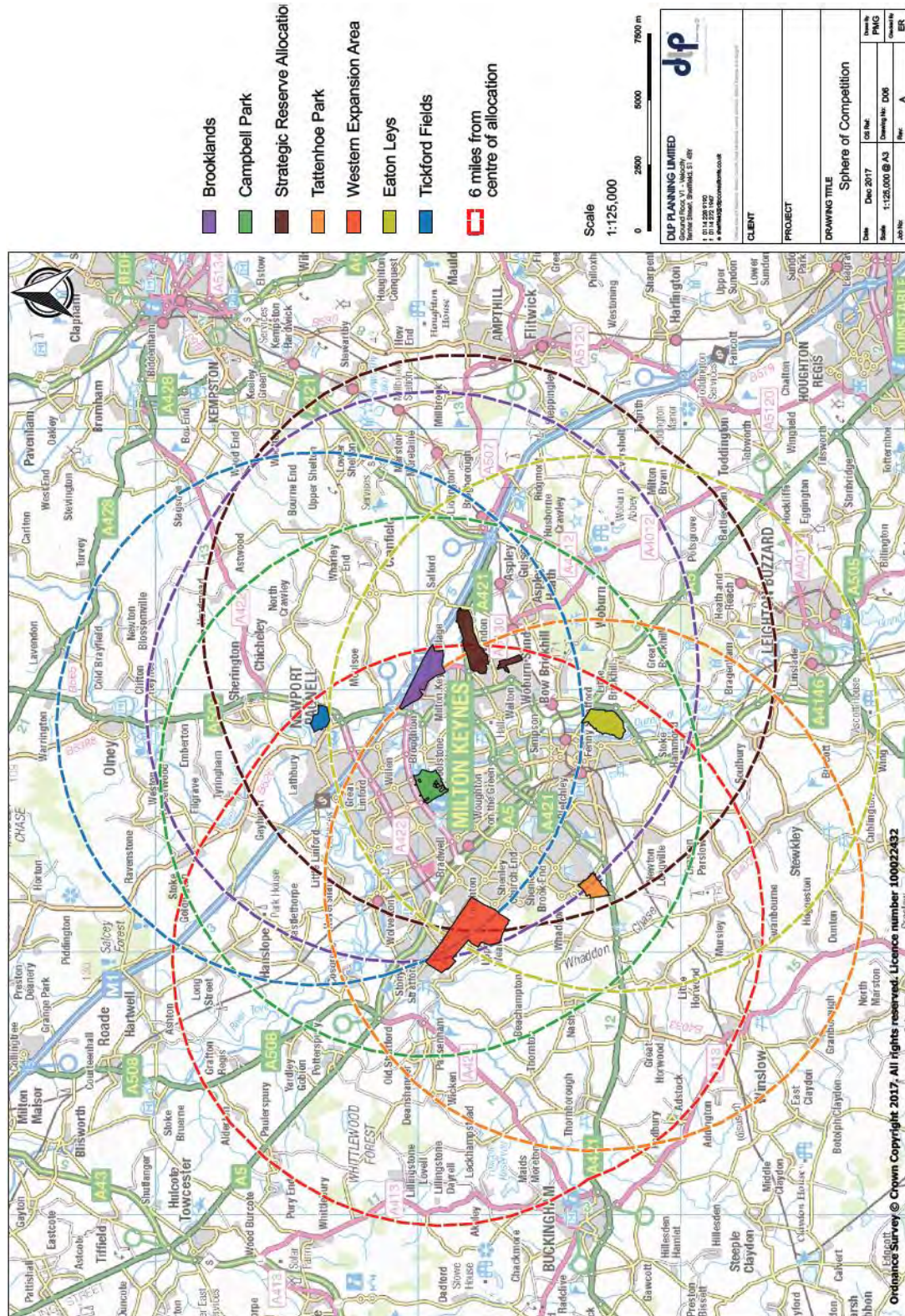
(3) Outline of Evidence

- 2.49 In Chapter 3, I set out the approach to be taken to the calculation of the five-year supply by reference to national policy and guidance, as well as relevant appeal decisions.
- 2.50 In Chapter 4, I set out the justification as to why I consider the Sedgefield method of dealing with the backlog should be used for the purposes of this appeal.
- 2.51 In Chapter 5, I set out the national and local evidence base regarding timescales and delivery rates, which are used to inform my forecasts of delivery on the larger sites.
- 2.52 In Chapter 6, I consider the Council's past performance in forecasting completions, their past approaches to applying a "discount" and the present evidence to justify a discount and approach most recently adopted by the Council.
- 2.53 Further to considering these general matters I deal with the contribution from those locations which I consider the Council have still overestimated the likely level of delivery in the next five years. These are outlined in brief in chapter 8 and detailed in full in Appendix 1 and are as follows:
- a. Western Expansion Area;
 - b. Tattenhoe Park;
 - c. Brooklands (Eastern Expansion Area);
 - d. Strategic Reserve Allocation;
 - e. Eaton Leys;
 - f. Campbell Park Remainder;
 - g. Canalside Marina;
 - h. Site Allocations Plan (SAP);
 - i. Tickford Fields;
 - j. Other sites (Latham's Buildbase, Lakes Estate Neighbourhood Plan sites, Police Station Houses, Site 4 Vernier Crescent, Reserve Site 3, Reserve Site

off Hendrix Drive, Reserve Site off Nicholson Grove and Reserve Sites A & D
Hindhead Knoll.

2.54 Finally, in Chapter 9, I draw together my conclusions on the five-year land supply.

Fig 1: Map of Strategic Sites in Milton Keynes



CHAPTER 3: FIVE YEAR HOUSING LAND SUPPLY NATIONAL POLICY AND GUIDANCE

- 3.1 In this Chapter, I begin by setting out by applicable National Planning Policy Framework and Planning Practice Guidance paragraphs, before turning to address the relevant case law and Appeal Decisions in this field.

(1) National Planning Policy Framework

- 3.2 Chapter 6 of the NPPF covers the delivery of a wide choice of high quality homes. The pivotal paragraph is Paragraph 47 which establishes that in order to boost significantly the supply of housing, local planning authorities should:¹
- a. Use their evidence base to ensure that the Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area.
 - b. Identify and update annually a supply of specific deliverable sites sufficient to provide five years' worth of housing against their housing requirements with either:
 - i. A 5% buffer; or
 - ii. A 20% buffer where there has been a record of persistent under delivery of housing.
- 3.3 Footnotes 11 and 12 of the Framework define "deliverable" sites as:
- a. Being available now;
 - b. Offering a suitable location;
 - c. Being achievable with the prospect that housing will be delivered within five years; and
 - d. Being viable.
 - e. To be considered developable, the site should be in a suitable location for housing development and there should be a reasonable prospect that the site is available and could be viably developed at the point envisaged.
- 3.4 Sites with planning permission are to be considered deliverable until permission expires, unless there is clear evidence that schemes will not be implemented within five years.

¹ *Gallagher Homes Ltd v Solihull MBC* [2014] EWHC 1283 (Admin), 31(ii): "the NPPF put considerable new emphasis on the policy imperative of increasing the supply of housing"

- 3.5 Windfall sites can only be included in the five-year supply where there is compelling evidence that such sites have consistently become available in the local area and will continue to provide a reliable source of supply (NPPF paragraph 48).

(2) Planning Practice Guidance

- 3.6 The Planning Practice Guidance (PPG) Chapter 3: Housing and Economic Land Availability Assessment (HELAA) provides guidance on the application of NPPF 47.
- 3.7 The PPG Chapter states that the demonstration of a five year supply is a key material consideration when determining housing applications and appeals and is central to demonstrating that relevant policies for the supply of housing are up-to-date in applying the presumption in favour of sustainable development (Paragraph 3-033).
- 3.8 The PPG states that the approach to identifying a record of persistent under delivery of housing involves questions of judgement for the decision maker in order to determine whether or not a particular degree of under delivery of housing triggers the requirement to bring forward an additional supply of housing (Paragraph 3-035).
- 3.9 In terms of the factors that should be considered when assessing the availability of sites, the PPG (Paragraph 3-020) suggests that:
- a. There is confidence that there are no legal or ownership problems, this will often mean that the land is controlled by a developer or landowner who has expressed an intention to develop, or to sell.
 - b. The existence of a planning permission does not in itself mean that the site should be considered available as one does not need to have an interest in the land to make a planning application.
 - c. Where potential problems have been identified, then an assessment will need to be made as to how and when they can realistically be overcome.
 - d. Consideration should be given to the delivery record of the developers or landowners and whether the planning background of a site shows a history of unimplemented permissions.
 - e. In considering achievability including viability, the Guidance suggests that a site can be considered achievable for development where there is a reasonable prospect that the particular type of development will be developed on the site at

a particular point in time. It recognises that there is essentially a judgement as to the economic viability of a site, and the capacity of the developer to complete and let or sell the development over a certain period (Paragraph 3-021).

- 3.10 In assessing suitability, availability, achievability and constraints, it is necessary to assess the timescale within which each site is capable of development, including indicative lead-in times and build-out rates for the development of different scales of sites. It suggests that on larger sites, allowance should be made for several developers and that the advice of developers and local agents will be important in assessing lead-in times and build-out rates by year (Paragraph 3-023).
- 3.11 In terms of dealing with any undersupply - local planning authorities should aim to deal with any undersupply within the first five years of the plan period where possible. Importantly it goes on to state that where this cannot be met in the first 5 years, local planning authorities will need to work with neighbouring authorities under the duty to cooperate (Paragraph 3-035).
- 3.12 Paragraph 3-031 provides guidance on what constitutes a 'deliverable site' in the context of housing policy. It requires that LPAs will need to provide robust, up to date evidence to support the deliverability of sites, ensuring that their judgements on deliverability are clearly and transparently set out. It goes on to state that the size of sites will also be an important factor in identifying whether a housing site is deliverable within the first five years. Plan makers will need to consider the time it will take to commence development on site and build out rates to ensure a robust 5-year housing supply.
- 3.13 Developable sites are defined at Paragraph 3-032 as those that are in a suitable location for housing development and have a reasonable prospect that the site is available and could be viably developed at the point envisaged.
- 3.14 The annual assessment of five-year land supply by LPAs should be undertaken in a robust and timely fashion, based on up-to-date and sound evidence, taking into account the anticipated trajectory of housing delivery, and consideration of associated risks, and an assessment of the local delivery record. The assessment, including the evidence used, should be realistic and made publicly available in an accessible format.

(3) The Housing White Paper

- 3.15 It is common ground between the parties that the NPPF and the PPG are the only planning policy presently in force.
- 3.16 Over the past two years, Government has conducted further analysis and consultation in respect of major reforms to the housing land supply calculation process. The Government instructed the Local Plans Expert Group (LPEG) to advise it in September 2015, and this reported on 16 March 2016. On 7 February 2017, the Government published the Housing White Paper: *Fixing Our Broken Housing Market* (the WP).
- 3.17 The WP is not itself policy but it identifies a direction of travel regarding housing delivery. At paragraph A.109 (page 96), the Government proposed to introduce a housing delivery test in an amended National Planning Policy Framework. The Government proposed to use the housing requirement in an up-to-date plan (where such plans are less than five years old) (CD16.2).
- 3.18 The first three-year period for the assessment is to be from April 2014/15 to March 2016/17.
- 3.19 Paragraph A.113 suggests the test for under delivery and this was based upon the following:
- From November 2017, where delivery falls below 95% of the authority's annual housing requirement an expectation that local planning authorities prepare an action plan;
 - From November 2017, a 20% buffer on top of the requirement to maintain a five-year housing land supply where delivery falls below 85%;
 - From November 2018, application of the presumption in favour of sustainable development where delivery falls below 25%;
 - From November 2019, application of the presumption in favour of sustainable development where delivery falls below 45%; and
 - From November 2020, application of the presumption in favour of sustainable development where delivery falls below 65%.

- 3.20 Owing to delays in the publication of the new NPPF in 2017, the delivery test has not yet been introduced. The policy intention is clear, however. Had this policy been in force, Milton Keynes would have been caught by its operation as follows:
- For the period of assessment April 2014/15 to March 2016/17 MK had delivered 3641 net completions (Table 1, draft SoCG 1342 + 1120 + 1159);
 - The requirement for this period was 5,250 completions (Table 2 of the draft SoCG 1750 x 3);
 - The delivery was 69% of the requirement (3,354/5,250x100);
 - As the delivery rate is below 85% then the 20% buffer would be added on the five year land supply.
- 3.21 On 14 September, DCLG published Planning for the Right Homes in the **Right Places for a period of consultation of 8 weeks, up to 9 November 2017 ("PRHRP")** (CD16.1). This provided for a standardised approach to calculating the Objectively Assessed Need (OAN) The basis for the calculation would be the 2014 DCLG household projections and March 2016 data on Median House prices and earnings.
- 3.22 The consultation document was accompanied by an Excel spreadsheet, with data for each LPA in England. This document recorded that the OAN for Milton Keynes would be 1,831 dwellings per annum.
- 3.23 The purpose of this guidance was to reduce the complexity and cost to Councils of determining the objectively assessed need for housing in assessing planning applications. It was also intended to facilitate plan-making including through the publication of statements of common ground to evidence compliance with the Duty to Cooperate under section 33A of the Planning and Compulsory Purchase Act 2004.
- 3.24 The proposed standardised methodology comprises of three steps:
- Setting the baseline: this is the average annual household growth for the next 10 year period as calculated by the most recent DCLG projections (CD16.1, paragraphs 17). In the case of the consultation figures, these are the 2014-based projections.

- An adjustment to take account of Market Signals: This adds a 0.25% uplift for every 1% an area has a house price to earnings ratio level above 4. This is calculated as follows:
 - i. $(\text{local affordability ratio} - 4)/4 \times 0.25$;
 - ii. The overall housing need figure is therefore as follows: Local Housing Need = $(1 + \text{adjustment factor}) \times \text{projected household growth}$.
 - Capping the level of any increase: the increase is capped to 40% above requirements set in plans less than five years old or 40% above either the DCLG projection or the local plan rate, whichever is higher (paragraph 25).
- 3.25 The PRHRP's proposed approach emphasises the Government's commitment to addressing the issue of affordability. Paragraph 24 explains that this approach requires a response, if average workers are excluded from the housing market and that less affordable areas need to deliver more homes.
- 3.26 The approach still allows LPAs to plan positively for economic growth with reference to local infrastructure projects or increased employment ambition as a result local economic partnership, a bespoke housing deal or delivering a modern industrial strategy.
- 3.27 The consultation includes a transition period mechanism. This states that the new method will be used for determining OAN for plans submitted after 31 March 2018 and by decision makers in terms of calculating five-year supply after 31 March 2018 where the development plan was approved prior to 31 March 2012.
- 3.28 As a recent consultation document, this again provides an indication as to the direction of travel in national policy. It is of particular relevance as to the scale of what is considered as an appropriate response to the issue of affordability.
- (4) High Court/Court of Appeal Judgments and Appeal Decisions by Inspectors and the Secretary of State**
- 3.29 The policies of the NPPF and the PPG have been interpreted in many appeal decisions and subject to scrutiny though the courts. In this section below, I review a number of these cases to provide a context to the approach that I have adopted in preparing my assessment of the housing land supply.

(i) Deliverability and Site-Specific Evidence:

- 3.30 *Wainhomes (South West Holdings Ltd) v SSCLG* [2013] EWHC 597 (Admin) remains the leading judicial authority on the test to be applied in respect of deliverability and the nature of the evidence required. In this case, an Appeal Decision Letter (PINS Ref: APP/Y3940/A/11/2165449) was quashed on a specific ground related to fresh evidence and the duty to give reasons. However, the most important section of the judgment for present purposes is the High Court's interpretation of Footnote 11 to NPPF 47 at paragraphs 34 and 35 (CD13.9).
- 3.31 Mr Justice Stuart Smith concluded at (paragraph 34) that there is no prior assumption that sites without planning permission are deliverable, but the fact that sites have been included in an emerging policy document or evidence base, may (and often will) be a starting point for their inclusion to justify a five-year supply. In other words, inclusion may be evidence in support of a conclusion that the sites are deliverable. However, the weight to be attached to the evidence that they are deliverable will vary from case to case and is a matter of planning judgment for the Inspector.
- 3.32 The judgment also stated at Paragraph 35 that evidence that sites cannot be delivered can be either specific (e.g. evidence that a site is contaminated) or general (e.g. evidence that all sites are subject to objection, though this evidence may be refined to the extent that the objections to particular sites are identified and capable of being considered):

"35 I would accept as a starting point that inclusion of a site in the eWCS or the AMR is some evidence that the site is deliverable, since it should normally be assumed that inclusion in the AMR is the result of the planning authority's responsible attempt to comply with the requirement of [47] of the NPPF to identify sites that are deliverable. However, the points identified in [34] above lead to the conclusion that inclusion in the eWCS or the AMR is only a starting point. More importantly, in the absence of site specific evidence, it cannot be either assumed or guaranteed that sites so included are deliverable when they do not have planning permission and are known to be subject to objections. To the contrary, in the absence of site specific evidence, the only safe assumption is that not all such sites are deliverable. Whether they are or are not in fact deliverable within the meaning of [47] is fact sensitive in each case; and it seems unlikely that evidence available to an inspector will enable him to arrive at an exact determination of the numbers of sites included in a draft plan that are as a matter of fact deliverable or not. Although inclusion by the planning authority is some evidence that they are deliverable, the weight to be attached to that inclusion can only be determined by reference to the quality of the evidence

base, the stage of progress that the draft document has reached, and knowledge of the number and nature of objections that may be outstanding. What cannot be assumed simply on the basis of inclusion by the authority in a draft plan is that all such sites are deliverable. Subject to that, the weight to be attached to the quality of the authority's evidence base is a matter of planning judgment for the inspector, and should be afforded all proper respect by the Court.

3.33 In *St Modwen Developments Limited -and (1) Secretary of State for Communities and Local Government Defendants (2) East Riding of Yorkshire Council* - [2017] EWCA Civ 1643 (CD14.11). I note that this case has been the subject of deliberation by both the High Court and the Court of Appeal. In my analysis of sites, I have not sought to discount sites without planning permission from my analysis, as a matter of course. I however do present evidence on individual sites to assess their deliverability i.e. the likelihood that housing will be delivered in the five-year period (CD14.11, paragraph 51).

3.34 *Shropshire Council vs Secretary of State for Communities and Local Government and BDW Trading Limited trading as David Wilson Homes (Mercia)* [2016] EWHC 2733 (Admin) deals with the issue of deliverability and particularly the need for Inspector's to deal with material before them (CD14.8, paragraph 27) and the need for precision in the 5YHLS exercise (paragraph 30). The judgment states:

*"I consider that NPPF 49 requires the Inspector to make his own judgment on the equation between housing needs and housing supply based upon the relevant evidence provided by the local planning authority and any other party to the inquiry. I also accept the Claimant's submission that, in a case where housing needs and supply are in play, the extent of any shortfall in housing supply may well be relevant to the balancing exercise required under NPPF 14: see *Cheshire East Borough Council v Richborough Estates Partnership LLP* [2016] EWCA Civ 168, per Lindblom LJ at [47]"*

3.35 Hence, in a case such as this, where an Inspector has detailed evidence from both sides, then the Inspector should ordinarily seek to identify the specific figure below 5 years as the scale of shortfall remains an important material factor (Suffolk Coastal in the Court of Appeal, paragraph [47]) (CD14.9). That proposition was not the subject of any critical comment when the case reached the Supreme Court and I understand it to remain good law.

(ii) The Period for Assessment: Firlands Farm

- 3.36 In Firlands Farm, Reading (CD13.5: APP/W0340/A/14/2228089), the Inspector, Mr Ward, addressed the appropriate time period for assessment. He concluded that the assessment should be taken from the point of the last actual data on completions:

34. The Council's latest Annual Monitoring Report was published in January 2015, utilising data set out in the assessment of a five year housing land supply at December 2014. The information on actual completions and planning permissions is as of March 2014. In my view the assessment of a five year supply must be based at a point in time when actual data on completions is available so that any shortfall can be accurately taken into account. In this case actual data is only available up to March 2014 and this should be the starting point for the calculation covering a five year period 2014 to 2019.

- 3.37 In the instant case, it is agreed that as the last actual data for completions from the Council is 31st March 2017 then the calculation of supply should be for the period 1st April 2017- 31st March 2022.

(iii) Liverpool vs Sedgfield: Honeybourne to Watery Lane

- 3.38 The choice of the Liverpool or Sedgfield Method for calculation of the time period has been considered in a few Appeal Decisions over the past 5 years. The Sedgfield method requires the shortfall to be dealt with as quickly as possible by adding it to the next five years of housing provision.
- 3.39 I have considered the earlier judgment of the High Court in *Bloor Homes v SSCLG [2014] EWHC 754 (Admin)* (CD14.4), in which Lindblom J (as he then was), at paragraphs 108 and 109 observed that both Liverpool and Sedgfield were established methods and

"Neither method is prescribed, or said to be preferable to the other, in government policy in the NPPF. (CD14.4)"

- 3.40 However, it is important to note that *Bloor* was heard in December 2013 and thus pre-dated the publication of the PPG. Moreover, *Bloor* was a s288 challenge to the specific Inspector's reasoning and whilst the Court declined to quash that reasoning, it related to the circumstances of the early years of the NPPF: 2012-2013. We are now in 2017, and it would appear that the vast majority of Secretary of State/Inspector's decisions have followed Sedgfield.

- 3.41 Indeed, my reading of recent decisions suggests that this pattern of favouring Sedgefield has become even more pronounced, as it is seen by decision-makers more aligned with NPPF 47, and from 2014 onwards, PPG 3-035.
- 3.42 There have been a small number of instances where Liverpool has been accepted, though this has been on exceptional grounds, primarily at (or arising from) recent Local Plan Examination reports: see Watery Lane below. It is to be noted that this issue has been expressly raised with the Council in formulating the Statement of Common Ground and the Council has not sought to refer to any Appeal Decision that supports their position.
- 3.43 In the Honeybourne, Worcestershire Decision (PINS ref: APP/H1840/A/12/2171339), an Inspector dismissed the Council's arguments in favour of the use of the 'Liverpool method', saying that it would be inconsistent with the Framework by spreading additional provision over the whole plan period: DL36 (CD13.1, paragraph 36).
- 3.44 In the Ashby-de-la-Zouch Decision (PINS Ref: APP/G2435/A/13/2192131- CD13.3), the Inspector concluded at paragraph DL17 that the Framework is silent on this matter and there is no firm guidance elsewhere, but having regard to recent appeal decisions and to the Ministerial Statement: Planning for Growth (31 March 2011), that to boost significantly (paragraph 47 of the Framework) implies a substantial and immediate effect, above and beyond the normal provision and for that reason the Sedgefield method is the most appropriate for recovering the shortfall and the most effective way of meeting the Framework objective.
- 3.45 In the Sandbach Road North Decision (Alsager (PINS Ref: APP/R0660/A/13/2189733 – CD13.4). the Inspector explicitly supported the requirement plus underachievement plus buffer approach. The Inspector stated:
- "The 5 year requirement is 5,750. To that must be added the backlog of about 1,750, making a total of 7,500. Adding the 20% buffer brings a total requirement of some 9,000 dwellings over 5 years, or 1,800 per annum. The fact that such a figure has rarely been reached in the past is not a reason for suggesting it is an inappropriate target. Significantly boosting supply surely implies that ambitious targets are appropriate."* (CD13.4, Paragraph 35)
- 3.46 In the Land west of 29 Church View, Longhorsley Decision (APP/P2935/W/15/3141228 [CD13.6]), the Inspector summarised the competing submissions and ruled that Sedgefield was clearly to be preferred:

"The Council adopt the 'Liverpool' method of addressing the identified shortfall in delivering the dwellings required (making up any shortfall over the lifetime of the Plan) rather than the 'Sedgefield' approach (making up any shortfall within the next 5 years). Although both may be legitimate methods in certain carefully defined circumstances, the Guidance is clear, at last as far as it goes. It advocates dealing with any undersupply within the first 5 years, 'where possible'. A legitimate doubt involves the interpretation of what 'where possible' might reasonably mean. It must mean more than just 'difficult'. After all, the whole point of the exercise is to 'boost the supply of housing significantly' and to encourage a proactive approach in bringing forward sites for development that have already been identified and in identifying others to meet the specified requirements. Moreover, the Guidance indicates that 'where [the shortfall] cannot be met in the first 5 years, local planning authorities will need to work with neighbouring authorities under the Duty to Cooperate'. That is quite a severe test. It implies that, if the Sedgefield approach cannot be met within the confines of a particular authority (perhaps due to severe constraints or exceptional needs), then efforts to do so should be made by cooperating with neighbouring Councils. No evidence is adduced to show that any of that Guidance applies within either the County or within the 'central delivery area'. On the contrary, the argument is that because a 'step change' in delivery is not expected until the 6-10 year period (due to many of the identified sites being large and requiring long 'lead-in' times before delivery), the 'Liverpool' approach should be adopted to provide 'existing consents with a chance of delivering the shortfall'. That is a bit of a muddle. And, it misses the point. The 'Liverpool' approach is not a device for manipulating the 5-year housing supply to mask (in this case) relatively short term and temporary forecast deficits due to the particular mix and characteristics of the sites identified; it is not a means to 'side-step' the considerations that apply in the absence of being able to identify a 5-year supply of housing land. Even less so when, as here, such fears turn out to be more apparent than real. Hence, I see no reason why the Sedgefield approach should not be applied in this case." (my emphasis)

- 3.47 In the Watery Lane, Curborough, Lichfield Decision (APP/K3415/A/14/2224354-CD13.13) the Secretary of State accepted the use of Liverpool, but gave the following explanation for adopting this approach:

21. There are two commonly used methods for addressing an accumulated shortfall. The 'Liverpool approach' apportions the shortfall across the remaining years of the plan period, whilst the 'Sedgefield approach', seeks to make up the shortfall during the next five years. The Secretary of State has had regard to the Guidance which advocates the 'Sedgefield approach' stating that Local Planning Authorities should aim to deal with any undersupply within the first 5 years of the plan period where possible.

22. However, he notes that this was an issue recently considered by the Local Plan Inspector who found, following rigorous examination, that the 'Liverpool approach' was more appropriate in the case of Lichfield notwithstanding the advice in the PPG. The Local Plan Inspector's conclusion was reached having

regard to past rates of delivery in the district, including prior to the recession, and the requirement for completions far in excess of the highest levels ever achieved in the district if the 'Sedgefield approach' were adopted. The Local Plan Inspector highlighted that plans are required to be realistic as well as aspirational and that the Local Plan would likely fail if the Sedgefield approach was used.

- 3.48 In the Land north of Dark Lane, Alrewas decision (CD13.16, APP/K3415/A/14/2225799), the Secretary of State confirms the Watery Lane decision to adopt the Liverpool approach.
- 3.49 The Council's forecast dwelling completions for the next five years are 1,822, 2,809, 3,126, 3,505 and 2,455 (RGB, CD12.4: Total Housing Commitments - Including Windfall Allowance). Only the first and last years are noticeably below the rate required by the Sedgefield approach. The Council do not (and nor have they at any time) suggested that these levels of completions are unrealistic and as such the situation is demonstrably different from Lichfield.
- 3.50 In the two Lichfield cases there was a recently adopted plan which had thoroughly considered the options for meeting the shortfall at the examination, which took into account both pre- and post-recession completion rates.
- 3.51 In the previous Linford Lakes appeal, Mr Goodall also relies upon the appeal decision for Land adjacent to Main Road, Colden Common ([Appendix 42] PINs REF:3141664 dated 12 April 2017) and the fact that the five year land supply situation was considered at the Local Plan Part 2 Examination in 2016 and found to be satisfactory (Appendix 42, paragraph 11). The s78 Inspector for the Main Road appeal reached a decision that because two thirds of the housing was to be delivered across three large strategic sites which were likely to deliver later in the plan period then spreading the shortfall over the plan period was appropriate.
- 3.52 I have direct knowledge of the circumstances in that case, as I attended the Examination of Part 2 of the Winchester Local Plan Examination, and unlike MKC which has had a long history of delivering housing through strategic sites this is not the case for Winchester. It was also not the case that there were strategic sites already delivering completions, as is the case in MKC.

- 3.53 The issue of five year land supply had been considered by the inspector at the examination of part 2 of the Winchester local plan and to address the late delivery of the new SUEs the inspector in their report (CD12.10) required the trajectory to be recast
- 3.54 This differs from Milton Keynes in that, like Lichfield, the Colden Common appeal inspector was relying upon the recent examination of the five year land supply by a local plan inspector undertaken in the context of the national guidance. The situation also differs from Milton Keynes in that, unlike Milton Keynes Winchester does not have a history of housing delivery through large strategic sites and therefore the issue of lead in times for these new sites is critical to the supply. Mr Goodall notes in paragraph 10.10 (CD12.11, page 65) of his evidence that lead in times is less relevant to these appeal proposals given the substantial volume of land consented in Milton Keynes.
- 3.55 Mr Goodall in the Linford Lakes appeal also seeks to rely upon the Report in respect of the Examination of the Basingstoke and Deane Local Plan (CD12.11) (April 2016). This was in the different context of the examination of a development plan document. In the case of MK, there has been a failure to deliver against an existing stepped trajectory (RGB PoE Tables 2 and 3 pages 16 & 16) and a further failure to submit and then adopt in a timely manner a comprehensive Sites Allocation Plan (policy CS2 page 26) and an early review by 2015 (Policy CSAD1 page 27). This is therefore a very different situation to that at Basingstoke and Deane.
- 3.56 Finally, Mr Goodall makes reference to the West Northamptonshire Core Strategy to suggest measuring against the trajectory in the Core Strategy. The example is again from the examination context and not applicable to this appeal, but in any event the example does not assist MKC. Measured against the trajectory up to 2022 MK does not have a five year land supply (my proof, Table 3 (page 15) and paragraph 2.26, page 16).

(iv) Assessment of delivery rates on strategic sites: Wincanton

- 3.57 In the Dancing Lane, Wincanton Decision (APP/R3325/A/12/2170082 [CD13.2]), the Inspector made the following observations about the approach to assessing contributions from identified strategic sites at DL18:

“18. The Council regularly consults developers to determine progress on sites. Nevertheless, I concur with the Inspector who stated that the number of

developers on larger sites affected completion rates and that caution should be exercised where the delivery rates suggested by developers are out of step with the figures in the trading statements of those developers. The appellant has produced evidence to show that developers' trading statements indicate a build rate of 30 to 35 homes per annum per developer per site. The appellant has confirmed that in the last five years they have completed 35 dwellings with 40 in the preceding two years. While this may have been due to increased involvement with commercial developments, it is an indication that the appellant's suggested build rates are not unreasonable."

- 3.58 That earlier appeal was the Picket Piece Andover Decision (determined by the Secretary of State under recovery powers) (appeal APP/X3025/A/10/2140962[CD13.8]) In paragraphs 171 to 184, the Inspector assesses the different predictions of delivery, and had placed weight on the evidence of delivery contained in the trading statements of the developers (paragraphs 175, 178, 182, 183) rather than relying upon information provided by developers to the Council:

"177. Clearly, the current developers of East Anton have a vested interest in presenting an optimistic picture of delivery as they are likely to want to resist competition from additional sites competing for the same market. Equally, the appellant has a vested interest in putting forward pessimistic rates of delivery from existing sites in order to boost the case for an additional housing site. In reality the actual situation could well lie somewhere between the positions of the 2 parties."

(v) Discounting

- 3.59 In the Pulley Lane, Newland Road and Primsland Way, Droitwich Spa Decisions, (APP/H18401/A/13/A/2199426 & 2199085, CD13.11) the Secretary of State agreed with the Inspector's reasoning on the 5 year land supply position (IR paragraph 8.114):

"IR 8.55 Plainly, a 10% lapse rate should be applied to the Council's supply. This approach is supported by the 'Housing Land Availability' paper by Roger Tym and Partners. The approach was accepted by the Inspectors at Moreton in Marsh, Marston Green, Honeybourne and Tetbury. A 10% lapse rate was affirmed in the High Court decision at Tetbury. Given the previous shortfalls of delivery within this LPA, a 10% lapse rate is entirely reasonable and should be applied here in order to ensure a robust 5-year supply figure."

- 3.60 This 10% lapse rate was applied to all sites.
- 3.61 In the Wain Close, Newport Road, Woburn Sands, Milton Keynes Decision, (APP/Y0435/A/14/2224004, CD13.14) the Inspector also considered evidence on the

application of a 10% discount (summary of Appellant's case IR paragraph 72, CD13.14) and found that:

"169 Start dates, build out rates and therefore completion rates, for those sites in dispute, would realistically be somewhere between the analyses presented by Mr Harris and that of Mr Nicol. Even if taking the more conservative view of Mr Harris, who in his oral evidence suggested a slippage of approximately 400 units, it casts serious doubt over whether the Council can deliver the 11,260 dwellings to meet its calculations of the five year housing requirement. It casts further doubt as to whether it could achieve any higher figure. That the Council has demonstrated an optimism bias in the past and includes no allowance for slippage adds weight to this finding."

- 3.62 The Inspector concluded (at IR 173) that the Council did not present evidence to demonstrate that it had a 5YHLS and that concerns regarding the delivery, within the five-year period, of the selection of sites in dispute between the parties and the inclusion of class C2 development, left him with serious concerns that a five-year supply of deliverable housing sites was not available. The Inspector stated that this would be the case whether the Sedgfield or Liverpool method of dealing with the backlog were employed and regardless of how the buffer were dealt with.
- 3.63 In the Linford Lakes appeal (3175391), the Council brought our attention to *Wokingham BC vs SSCLG and Cooper Estates [2017] EWHC 1863 (Admin)* (CD14.12). The relevance of this case is a matter for legal submission, but I should note from a planning professional perspective, that there are clear differences between this case and the circumstances of this appeal. These are as follows:
- 3.64 At the Wokingham inquiry, it appears that no evidence had been produced by either side that a "lapse rate" should be applied (CD14.12, Paragraph 55). In the present appeal case, neither side has argued for a lapse rate to be applied, but instead have produced extensive evidence on the under-performance of the Council's forecasting capability in terms of future completions.
- 3.65 This evidence can be found in RGB PoE tables 6 & 7 (pages 52 and 53). These tables use gross completions so there is a marginal difference in terms of completions with the net completions in draft SoCG Table 1. This makes no material impact on the conclusions drawn from these tables. It very marginally increases the number of actual completions when compared to the forecast levels by the MKC.

- 3.66 In the *Wokingham* case, John Howell QC (sitting as deputy High Court Judge) found that the Council could not reasonably have expected the application of a lapse rate in the Inspector's decision as neither side had advanced such a case (CD14.12, paragraph 52). In this Lavendon appeal, not only is there is considerable evidence regarding the Council's poor record of forecasting future completions, it is in fact part of the Council's case as set out in their recent five year land supply assessment and included in the draft SoCG that a lapse rate should be applied (draft SoCG paragraph 2.14).
- 3.67 In commenting upon the application of a lapse rate, Mr Howell QC found that the reasons for doing so as expressed by the Inspector were inadequate (CD14.12, paragraph 111) including applying the rate to sites whose forecast delivery that he had assessed as being reasonable. However, those findings were naturally confined to the specific facts of that case.

(vi) Interpretation of Footnote 11 of the Framework

- 3.68 In paragraphs 6.28 – 6.33 (CD12.11, pages 25-26) of Mr Goodall's proof for the Linford Lakes appeal, reference is made to the judgment of Ouseley J in *St Modwen v SSCLG* [2016] EWHC 968 (Admin), which considered the interpretation of Footnote 11 of the NPPF. Mr Goodall explains at paragraph 6.31 that (CD12.11):

"the judgement therefore recognises that it is plausible that distinctions will emerge between the total supply of sites assessed as potentially deliverable and a local planning authority's trajectory of what it indicates will probably be delivered. The assessment itself does not explicitly require certainty that a given site will be developed (or alternatively, delivered in full (nor can the planning system be assured of providing the certainty."

- 3.69 In the subsequent judgement on appeal, the Court of Appeal ([2017] EWCA Civ 1643) dated 20th October 2017, the Court further considered the interpretation footnote 11 to paragraph 47 as follows:

"38. Sites may be included in the five-year supply if the likelihood of housing being delivered on them within the five-year period is no greater than a "realistic prospect" – the third element of the definition in footnote 11 (my emphasis). This does not mean that for a site properly to be regarded as "deliverable" it must necessarily be certain or probable that housing will in fact be delivered upon it, or delivered to the fullest extent possible, within five years. As Lord Gill said in paragraph 78 of his judgment in Suffolk Coastal District Council, when referring to the policies in paragraph 47 of the NPPF, the insistence on the provision of

“deliverable” sites sufficient to provide five years’ worth of housing reflects the futility of local planning authorities relying on sites with “no realistic prospect of being developed within the five-year period” (CD14.11).

- 3.70 It has not been my approach in considering the five year land supply that there should be ‘certainty’ over the delivery of particular sites. I have however considered the likelihood of the sites being of delivered and discounted those sites which I consider that there is no realistic prospect of being delivered in the next five years (NPPF 47 and PPG.). I have approached the assessment consistent with both the High Court and the Court of Appeal judgments.

(5) Conclusion

- 3.71 In summary, in assessing whether a Local Planning Authority is able to demonstrate a five-year supply of housing land, the key principles from the NPPF and national guidance are:
- a. Local authorities need to identify and update annually five years’ worth of supply of specific deliverable sites for housing against their housing requirements, with an additional buffer of 5% applied to ensure choice and competition in the market for land.
 - b. Where there has been a record of persistent under-delivery of housing, local authorities should increase the buffer to their requirement to 20%. This is to ensure choice and competition in the market for land.
 - c. Housing land supply is a dynamic and rolling target as sites are completed or are no longer viable and fall out of the supply. Therefore, there is a need to continually feed the supply of housing land through grants of permission as well as allocations in development plans.
- 3.72 If a Council cannot demonstrate a five-year supply of housing, its policies relevant to that supply cannot be considered up-to-date. This triggers paragraph 14 of the Framework, as housing proposals should be considered in the context of the presumption in favour of sustainable development and the “tilted balance”.

CHAPTER 4: SEDGEFIELD VERSUS LIVERPOOL

- 4.1 The application of Sedgefield vs Liverpool is a significant issue in the present appeal, given that on the Council's own case, the application of Sedgefield would automatically deprive them of a 5YHLS. In addition to the number of Appeal Decisions in which Sedgefield has been favoured, there are a number of local features that render Liverpool inappropriate in the context of Milton Keynes.

(1) The Duty to Cooperate

- 4.2 In Chapter 3, I emphasised that PPG (paragraph 3-35) states that authorities should aim to deal with any undersupply within the first 5 years of the plan period where possible and where that is not possible then the Council should engage the Duty to Cooperate, through the plan-making exercise.
- 4.3 I am engaged with the local plan processes in three neighbouring LPAs: Bedford, Luton and Central Bedfordshire. MKC has never suggested to these Councils that MK's identified shortfall should be met within their boundaries.

(2) Core Strategy Examination Report

- 4.4 At paragraph 2.5 of the June 2016 Assessment of 5 Year Land Supply (CD12.5) the Council states that it "favours" the Liverpool method because the large sites it has chosen to allocate will take many years to build out and that this fact was recognised by the Core Strategy Inspector in the Examination Report (29th May 2013, CD7.1).
- 4.5 That argument is incorrect. In finding the plan sound, the Inspector took into account that the Council stated at the time that there was a site allocations development plan document (DPD) in preparation that would bring forward non-strategic, smaller sites (paragraph 44). The Core Strategy Inspector also noted the role of this future site allocations DPD in providing short-term flexibility and contingency as well as ensuring that the housing requirement for both the urban and rural parts of the borough will be met by 2026 (CD7.1, paragraphs 92 and 93).
- 4.6 Figure 18.1 of the Core Strategy (page 116) shows the shortfall in the first four years of the plan to be 1,495 dwellings. This is then to be more than addressed in the next five years which shows the projected delivery of 10,980 dwellings which is 1,565 above the Core Strategy annual average.

(3) Delayed Delivery

- 4.7 Paragraph 4.4 of the June 2016 Assessment of 5 Year Land Supply (CD12.5) suggests that the main cause of the shortfall is the delaying in bringing forward major sites but that this is being “addressed”. With respect, if the shortfall is being addressed then there is no justification to adopt the Liverpool approach.
- 4.8 While the Council may “favour” the Liverpool method of spreading the unmet requirement over the remainder of the plan period, this does not amount to robust evidence that the shortfall cannot be addressed in the next five years – in fact the Council suggested to the Core Strategy Inspector that the shortfall could be dealt with by allocating non-strategic sites in the DPD and it is still pursuing this approach.
- 4.9 The report by Shelter entitled “Far from Alone; Homelessness in Britain in 2017 (November 2017) (Appendix 3) shows that Milton Keynes is now the second worst authority in the south east for homelessness. Whilst homelessness is the product of more complex factors than simply the availability of housing, this is an additional driver to meet the need for housing **quickly** (and not spread over the remainder of the Plan period) especially the need relating to affordable housing.
- 4.10 In any event there is only 9 years left of the plan period so the timescale for addressing the shortfall is contracting considerably.

(4) Other Examples

- 4.11 Reliance upon a number of large strategic sites but this is no different from the circumstances in the Longhorsely appeal (CD13.6- APP-/P2935/W/15/3141228 para 25 page 7/8) where the deficit was caused by the Council's own choice of the mix of sites which had the particular characteristics of being in excess of 2,500 dwellings and as such the Liverpool method should not be used to “side step” the considerations that apply in the absence of a five year land supply.
- 4.12 In Wellingborough, there was a shortfall of 493 dwellings against a need of 1,750 (Appendix 4, table 1 page 16) and the Council were reliant on just 3 SUEs and the Council still adopted the Sedgfield Method as follows (Appendix 4, Council's proof paragraph 6.2). In this case

“The Council acknowledge there is a shortfall against this requirement since the start of the plan period in 2011 and that this should be made up with the supply

identified for the immediate five-year land supply calculation – the Sedgefield approach.”

- 4.13 The Inspector at the Wellingborough appeal did not question the application of the Sedgefield method, and while she discounted the Council's supply on the basis of national and local evidence on delivery, she still found there to be some 5.1 years supply of land (Decision Letter paragraph 54, CD13.7).
- 4.14 The situation of Milton Keynes is very different to that described in Watery Lane, Curborough, Lichfield (APP/K3415/A/14/2224354) in which the Secretary of State adopted the “Liverpool” approach (CD13.13, Paragraphs 21 to 26). As set out above, the Secretary of State did so as this issue had recently been considered by the Local Plan Inspector who had found that, following rigorous examination, that the ‘Liverpool approach’ was more appropriate in the case of Lichfield notwithstanding the advice in the PPG.
- 4.15 In Milton Keynes, there is no recently adopted plan. The Core Strategy was adopted on 10 July 2013. This Examination did not undertake any (let alone rigorous) examination of the Sedgefield versus the Liverpool approach but instead concluded that the trajectory set out in figure 18.1 was sound. When measured against the trajectory requirement to 2022 there would not be a five-year land supply as I have already highlighted in Chapter 2, table 3.

(5) The SAP Preparation and Examination

- 4.16 The Council consulted for 15 weeks on its Emerging Preferred Options for the Site Allocations Plan between October 2015 and February 2016. Following an Issues & Options consultation in 2014 the Council assessed 61 sites in the urban area and had identified its emerging preferred options. Appendix E of the consultation document summarises the results of the assessment process and includes sites listed as “Likely or Possible” preferred adoptions that would deliver a total of 2,098 dwellings while the total capacity of all sites considered was some 6,173 dwellings. This suggests that the sites are available to address the under-supply in the short term.
- 4.17 Mr Cheston, who gave evidence to the SAP examination, on behalf of the Council, stated in response to the challenge that the Council was required to engage in the Duty to Cooperate prior to adopting a Liverpool approach that the Council had an

“embarrassment of riches” when it came to the range of potential smaller sites in the rural area that could be released to address any shortfall. This source of potential sites meant that there was no need to engage the Duty.

- 4.18 The Council's suggestion in the 2016 Assessment of “Five Year Land Supply” (CD12.5) is that the market might limit the level of completions to about 1,500 units a year (paragraph 3.13) irrespective of the target set. It is my view that the failure to achieve the requirement is due to the nature and number of allocations made and permissions granted.
- 4.19 The Council's “Assessment of Five Year Land Supply” appears to suggest that future completions will continue to be constrained by financial considerations as outlined in paragraph 2.9 of the June 2016 Assessment of Five Year Land Supply. The Council consider that the shortfall is due to the basic lack of finance and realisable demand and not a failure to make enough housing land available for development. The Council state it is *“market failings and viability issues”* which has caused homes not to have been delivered, not overall supply of housing land.
- 4.20 I consider the potential of the market to deliver in the next Chapter 5 and conclude that there is the potential for higher rates of delivery. I note that MK's completions have reduced since a high in 2011/12, while the rate of completions across the country has increased. This suggests to me that financial constraints and realisable demand are increasing and more local factors are influencing the rate of delivery.

(6) Conclusion on Sedgfield vs Liverpool in the MK Context

- 4.21 If the Council are not to meet the shortfall in the first five years then under PPG 3-035, they need to engage the Duty to Cooperate within the plan-making process to address the shortfall. The Council have not done this, furthermore there is evidence that sites do exist that could be brought forward to address the shortfall in the short term.
- 4.22 When the totality of evidence is considered, it is clear that the Council seek to favour the Liverpool approach simply because of the mix and character of sites they have chosen to allocate (irrespective of their record of delivery). But that is not a correct application of the “wherever possible” component of the policy test.



Strategic Planning & Research Unit

Roland Bolton's Evidence on
Five Year Land Supply
Land off Olney Road, Lavendon,
Milton Keynes
APP/Y0435/W/17/3182048

- 4.23 The Council were fully aware that there are a range of sites, including smaller sites, they could have chosen to grant planning consents on, or indeed allocate, to ensure delivery occurred in a timely manner.
- 4.24 The Site Allocations Plan (SAP) is seeking to address this issue, in part, by demonstrating that the shortfall could be met by a wider range of sites. However, the number of units arising from that process was simply inadequate, and more importantly, during the examination a large number of these sites have been identified by the Inspector as likely to be unsound. The extent of the changes that are required has the clear potential to result in the SAP being found unsound. However, even if it is not the Council has clear difficulties in meeting its 5 year housing land supply requirement.
- 4.25 It may be noted that as of now the Council is almost half way through the plan period and there is clearly a need for an uplift in supply now.

CHAPTER 5: THE HOUSING REQUIREMENT

(1) The Core Strategy

- 5.1 The Core Strategy Policy CS2 and Table 5.2 state that the interim housing requirement is **1,750 dpa**. It is common ground in this Appeal, that the Core Strategy figure should be used for the calculation of the housing requirement.
- 5.2 This 1,750 dpa figure is explained further in paragraph 5.18 of the Core Strategy. The interim minimum requirement was lower than the requirement in the revoked South East Plan which was an average of 2,068 per annum. This in turn was lower than that required within the MK growth area (2,617.5 per annum).
- 5.3 The Core Strategy states that this interim housing target will be used for the purpose of monitoring housing land supply until such a time that a new housing target is adopted in Plan:MK. It is to be regarded as a minimum figure only.

(2) The Strategic Housing Market Assessment 2017 (SHMA 2017) and the East of England Forecasting Model (EEFM)

- 5.4 MK have published a Strategic Housing Market Assessment (February 2017). This covers the period 2016-2031 and not the period covered by the Core Strategy: 2010 to 2026.
- 5.5 The SHMA is a technical study intended to assist the Council in assessing the needs for market and affordable housing within the Borough in paragraph 1.18 it states:

"It is important to recognise that the information from this document should not be considered in isolation, but forms part of a wider evidence base to inform the development of housing and planning policies. This document does not seek to determine rigid policy conclusions, but instead provides a key component of the evidence base required to develop and support a sound policy framework."

- 5.6 It is common ground that the Core Strategy interim requirement of 1,750 dpa should be used for the purpose of determining the 5-year land supply in this appeal (draft SoCG paragraph 2.4).
- 5.7 The SHMA 2017 is untested at examination and SPRU have now made submissions to the Regulation 19 Consultation arguing that a single source of economic data for projecting the level of housing required to meet future economic growth in Milton Keynes is inappropriate in the way in which it has been analysed (Appendix 2.2).

- 5.8 The EEFM also introduces outputs for population and housing. For MKC, the EEFM suggests that there is a dwelling requirement of **2,155dpa**.
- 5.9 The reason that the SHMA calculates a different requirement is partly due to the use of a different time period. It is also because the consultants have selected different assumptions to those contained within the EEFM to convert projected Job growth to dwelling demand. In considering the weight that might be placed on such an approach, I refer to the note produced by Neil McDonald (an independent adviser on housing demographics) with input from Rebecca Roebuck (Cambridgeshire County Council) and Cristina Howick (Peter Brett Associates) on the EEFM web site (appendix 5, April 2017) which in relation to the use of the jobs forecast to calculate future housing requirement states:

'The EEFM is an integrated model, which forecasts both jobs (labour demand) and the population needed to fill those jobs. Users should not make alternative estimates of the population needed to fill the EEFM jobs, based on economic activity/participation rates from another source. To do so is logically inconsistent with the EEFM and the results may be highly misleading.'

- 5.10 In the choice of the weight that might be attributed to either the SHMA requirement of **1,766dpa**, and the EEFM requirement of **2,155dpa**, the consistency of the EEFM should be preferred over the SHMA approach.

(3) The Site Allocations Plan

- 5.11 During the SAP Examination, other requirement figures were suggested. David Wilson Homes responded to the Inspector's questions on Matter 2 with a POPGROUP forecast of housing need (appendix 5). This proposed an economic projection of **2,122 dpa** and a total OAN including market singles and backlog of **2,291 dpa** (Appendix 6, page 11).

(4) Planning for the Right Homes in the Right Places: Consultation: DCLG Consultation September 2017

- 5.12 The standardised approach to calculating the Objectively Assessed Need (OAN) as published by the DCLG suggests an OAN for Milton Keynes of **1,831 dwellings dpa** based upon the 2014 DCLG household projections and March 2016 data on Median House prices and earnings. Whilst this figure is presently under consultation, any delay in the submission of the Plan:MK beyond 31 March 2018 would activate this requirement figure.

(5) Proposed Submission Version of Plan:MK October 2017

- 5.13 The recently published Plan:MK states (CD10.1, paragraph 4.1) Milton Keynes Council has prepared a Strategic Housing Market Assessment (SHMA) to objectively assess the housing need for the Borough over the plan period of 2016 – 2031, taking account of both the growth of the existing population and net in-migration to the area. As highlighted above this gives an Objectively Assessed Need (OAN) for the plan period 2016-2031 of approximately 26,500 or **1,766 dwellings per annum**.
- 5.14 If submitted before 31st March 2018, this OAN will be examined against the current guidance. As explained above, the SHMA has not taken the correct approach to determining the employment-led dwelling projection and as such there is likely to be considerable pressure for a much higher level of housing. As explained in our submissions to the consultation, we consider the appropriate OAN to be **2,155 dwellings per annum**.

(6) Conclusion

- 5.15 I believe it is common ground that for the purposes of this appeal the Core Strategy figure should be used (Draft SoCG para 2.3).
- 5.16 I have referred to the higher OAN figure in the DCLG consultation together with the other evidence above, as the overall picture is that the interim requirement figure set in the Core Strategy was set lower than the previous target and the direction of travel is clearly for a higher OAN in excess of 2,000 in the near future post 31st March 2018.
- 5.17 The Plan:MK submission plan has now been published, but the work that it is based on is demonstrably flawed in terms of the current guidance. The correct dwelling requirement to balance the employment projections that are used in the SHMA are 1,890 dpa, as forecast by the EEFM.

CHAPTER 6: EVIDENCE ON THE DELIVERY OF HOUSING

(1) The Core Strategy Inspector's Findings

- 6.1 The Core Strategy states that the interim housing target of 1,750 dpa will be used for the purpose of monitoring housing land supply until such a time that a new housing target is adopted in Plan:MK. It is to be regarded as a minimum figure.
- 6.2 To understand the background to the delivery targets in the Core Strategy, it is important to consider briefly the Core Strategy Examination evidence base and Inspector's (Mrs Travers) conclusions.
- 6.3 The Inspector, Mrs Travers highlighted the detailed trajectories that had been presented in evidence in respect of the Eastern (EEA) and Western Expansion Areas (WEA) and other strategic sites (CD7.1, paragraph 87). She concluded that the inclusion in the trajectory of an optimism bias allowed for anticipated slippage and would help ensure the overall target was met or exceeded (CD7.1, paragraph 88).
- 6.4 The Site Allocations DPD (the SAP) was proposed by the Council to make up the deficiency in the supply (CD7.1, paragraph 92) and to provide short term flexibility and contingency as well as making sure the housing requirement would be met by 2026 (CD7.1, paragraph 93).

(2) The Evidence of Delivery at the Core Strategy Examination

- 6.5 The evidence provided by the Council at the examination of the Core Strategy illustrates how over-optimism affected both the Council and the developers in control of allocations and thus affected the plan-making process. This evidence provided to the Core Strategy Examination is summarised in the table in Appendix 3 "Housing Trajectory" in the Council's Core Strategy Examination statement MKC/8 Main Matter 3 "Overall Housing Provision" (CD7.2).
- 6.6 The table below summarises the evidence before the Core Strategy Inspector and the actual resulting rates of delivery. In respect of the large sites with the exception of Brooklands and Broughton Gate (see table 4 below), the optimism expressed at the time of the Core Strategy Examination has clearly been misplaced.

Table 4 Summary of Core Strategy Trajectory and actual completions

Core Strategy Evidence	2012/13	2013/14	2014/15	2015/16	2016/17	Total	Average
Brooklands	139	124	170	216	186	835	167
Broughton & Atterbury	127	88	103	0	112	430	86
Kingsmead	0	16	40	100	100	256	64
Tattenhoe Park	0	216	250	192	206	864	216
WEA (Area 10) Whitehouse	0	25	187	298	300	810	203
WEA (Area 11) Fairfield's	0	216	297	300	280	1,093	273
Broughton Gate	0	0	0	0	200	200	200
Oakgrove	20	200	200	200	200	820	164
Campbell Park	0	60	85	98	200	443	111
Central Milton Keynes CBX3	0	68	69	0	0	137	34
Central Milton Keynes Sustainable Residential Quarter	0	59	100	24	84	267	67
Central Milton Keynes other sites	0	0	0	0	25	25	25
Central Milton Keynes (total)	0	127	169	24	109	429	107
Actual completions	2012/13	2013/14	2014/15	2015/16	2016/17	Total	Average
Brooklands	77	66	185	305	247	880	176
Broughton & Atterbury	106	72	85	0	2	265	53
Kingsmead	1	0	26	0	7	34	7
Tattenhoe Park	0	0	123	5	0	128	64
WEA (Area 10) Whitehouse	0	0	0	21	124	145	73
WEA (Area 11) Fairfield's	0	0	0	114	165	279	140
Broughton Gate	106	72	85	0	2	265	53
Oakgrove	7	89	151	175	177	599	120
Campbell Park	1	0	22	23	84	130	26
Central Milton Keynes	0	0	33	19	23	75	25
Actual v predicted	2012/13	2013/14	2014/15	2015/16	2016/17	Total	Under/Over performance
Brooklands	-62	-58	15	89	61	45	5%
Broughton & Atterbury	-21	-16	-18	0	-110	-165	-62%
Kingsmead	1	-16	-14	-100	-93	-222	-653%
Tattenhoe Park	0	-216	-127	-187	-206	-736	-575%
WEA (Area 10) Whitehouse	0	-25	-187	-277	-176	-665	-459%
WEA (Area 11) Fairfield's	0	-216	-297	-186	-115	-814	-292%
Broughton Gate	106	72	85	0	-198	65	25%
Oakgrove	-13	-111	-49	-25	-23	-221	-37%
Campbell Park	1	-60	-63	-75	-116	-313	-241%
Central Milton Keynes	0	-127	-136	-5	-86	-354	-472%
EEA (Brooklands, Broughton and Broughton Gate)	23	-2	82	89	-247	-55	-4%
WEA (Areas 10 & 11)	0	-241	-484	-463	-291	-1,479	-68%

- 6.7 The Council's evidence was based upon detailed statements regarding future delivery provided by the following main developers.

(i) The Western Expansion Area

- 6.8 The evidence to support the Western Expansion Area Delivery was provided by Gallagher Estates (CD12.8). This referred to the earlier site at Broughton Manor Farm (or "Broughton Gate") which was divided into 12 parcels that were then sold onto national housebuilders (Bryants, George Wimpey, David Wilson Homes, and Barrett's, Cala and Redrow) and local and mid-sized companies (Abbey New Homes, Lagan and Careys).
- 6.9 Gallagher argued that on the basis of 3 of the 4 years of completions, that an average rate of 350 dpa would be achieved (paragraph 3.5). The completions figures in the Table above paragraph 3.5 for the years 2009/10 to 2011/12 actually equate to an average of 307 dpa.
- 6.10 The start dates put forward by Gallagher and build rates were transferred into the Core Strategy Trajectory and the table on the next page highlighted that the dates for first completions of 2013/14 for Area 10 and 2014/5 for Area 11 were delayed as first completions did not occur until 2015/16.
- 6.11 Furthermore, the rate of completions as forecast in the table on page 11 (CD12.8) have been substantially over estimated with there being 665 fewer completions on Area 10, and 814 fewer completions on Area 11.
- 6.12 At paragraph 4.1, Gallagher refer to their experience in the Wixams and St Neots (CD12.8). I have previously reviewed completions in Bedford, and note that at the Wixams, delivery has been averaging at just over 100 dwellings a year – this does not appear to support higher delivery rates than were suggested by Gallagher's.

Table 5 Past completions on the Wixams

Site	2008/09	2009/10	2010/11	2011/12	2012/13	2013/14	2014/15	2015/16	Total	Average Delivery Per Annum (2008/09-2014/15)
Wixams, Village 1	8	190	160	138	113	109	109	44	871	109

Source BBC: 5 year housing statements

- 6.13 The most recent five-year land supply evidence assumes an average of 592 dpa for the WEA, (323 dpa for Area 10 and 269 dpa Area 11). This is substantially higher than the recent rates of completions (212 dpa in total)

(ii) The Eastern Expansion Area (EEA)

- 6.14 Evidence on the delivery of the Eastern Expansion Area (EEA) was provided by Places for People (CD7.2, Appendix 1B page 51). This stated that the site was acquired in 2007.
- 6.15 Places for People stated that the optimum build rate for the Brooklands was between 250 to 300 homes per annum. This quantum of development is comparable to the average rate of development at Monkston (average 254 homes per annum) and below that of Broughton (average 344 homes per annum). Their statement submitted that the site would be substantially completed by 2021.
- 6.16 Completions at Broughton and Atterbury reached 377 in 2009/10, but this site has not averaged this since (Table 9, page 63). In fact, the annual returns for completions from 2007/8 onwards suggest that no Grid Quarter/Settlement achieved 350 dpa over the period of their development.
- 6.17 The delivery rate on Brooklands of 173 dpa has been substantially lower than the 250 to 350 dpa suggested by Places for People in their submission to the Core Strategy Examination. Broughton, the other part of the EEA has delivered at a similar rate 161 dpa, making the whole of the EEA deliver at about 333 dpa.

(iii) The Homes and Communities Agency (HCA)

6.18 In Appendix 1 C of MKC8 (7.2), the HCA highlighted that they owned approximately 430 hectares of developable land suitable for residential, employment and mixed-use development. The evidence in Table 1 (CD7.2, MKC8 page 61/62) suggested the following timing for the delivery of these parcel of land as follows:

- a. Tattenhoe Park: The start on this site was scheduled for October 2012. Outline permission was granted in August 2007 for circa 1,300 dwellings, but reserved matters were not submitted for Site 1 homes until early 2012. The HCA stated that the development would be completed by 2022 (Table 1 page 61) suggesting a rate of delivery of approximately 130 dpa.
- b. Oakgrove: Outline planning permission was granted in October 2011. Phase 1 reserved matters permission was approved in February 2012. The area was expected to deliver 1,100 homes. Phase 1 providing 230 homes commenced on site in April 2012 with completions expected by 2023. Again, this suggests an average rate of delivery of 110 dpa.
- c. Kingsmead South: Outline planning permission was granted for 450 homes in August 2007 (Sites 1 & 2 were to be marketed in 2012), and a start on site was expected in Summer 2013, with the development being completed in 2019. It is noted that MK have only recorded 37 completions in Kingsmead since 2008 see Table 5.
- d. Campbell Park Phase 1: Outline planning permission was granted in March 2007 with RM Consent for Phase 1 in August 2007 (110 dwellings) which was to be completed by 2015. This application comprises a wider area built out by Taylor Wimpey with 102 of 269 dwellings completed at October 2013 and non since.
- e. Campbell Park Remainder: Outline planning permission for the whole area was granted in March 2007 for circa 2,000 units (the exact level was to be subject to the CMK review process). This site was to start in 2015/16 and be completed by 2026 at an expected build rate of 200 a year. This is now said to deliver its first completions in 2020/21 and is still not subject to a reserved matters application for the remainder of the site under

outline consent 04/00586/OUT. With 832 dwellings consented under 3 reserved matters consent (06/02039/REM, 17/00850/REM and 12/01704/REM) , there is approximately 1,168 dwellings without reserved matters consent.

- f. CMK – West End: Sustainable Residential Quarter. Outline planning permission was granted for 1,960 units in January 2008 (04/00028/OUT) and is valid up to January 2018. There was considered to be the capacity for circa 920 homes (subject again to the CMK review process). These were due to be delivered between 2013 and 2023 with a build rate of 93 a year. No completions have ever been recorded.

(3) Previous Assessments of Five-Year Housing Land Supply

- 6.19 The Council have produced assessments of five-year housing land supply on a regular basis. They do not have a good track record of correctly predicting the future level of completions from their commitments. This is illustrated by the assessment of previous projections over since 2008 against recorded completions in Tables 6 and 7 on the following pages.

Table 6 Previous Forecasts of Five-Year Land Supply by MKC compared to actual completions

	2007/08	2008/2009	2009/10	2010/11	2011/12	2012/13	201/14	2014/15	2015/16	2016/2017	Total
Actual completions	2,317	1,856	1,422	1,306	1,586	1,315	1,001	1,440	1,202	1,247	14,692
MK AMR March 2007	1,900	2,600	3,100	2,700	2,500	2,700	2,500	2,600	2,600	2,600	25,800
Percentage of forecast actually delivered	122%	71%	46%	48%	63%	49%	40%	55%	46%	48%	57%
Actual completions		1,856	1,422	1,306	1,586	1,315	1,001	1,440	1,202	1,247	12,375
MK AMR March 2008		1,500	1,100	1,400	1,600	1,900	2,100	2,400	2,600	2,500	17,100
Percentage of forecast actually delivered		124%	129%	93%	99%	69%	48%	60%	46%	50%	72%
Actual completions			1,422	1,306	1,586	1,315	1,001	1,440	1,202		9,272
MK AMR March 2009			1,296	1,007	1,541	2,119	2,435	2,450	2,375		13,223
Percentage of forecast actually delivered			110%	130%	103%	62%	41%	59%	51%		70%
Actual completions				1,306	1,586	1,315	1,001	1,440	1,202	1,247	9,097
MK AMR March 2010				1,128	1,694	1,897	2,366	2,028	1,897	1,684	11,010
Percentage of forecast actually delivered				116%	94%	69%	42%	71%	63%	74%	83%
Actual completions					1,586	1,315	1,001	1,440	1,202	1,247	7,791
MK AMR December 2011					1,642	1,492	1,893	2,169	1,969	2,263	9,165
Percentage of forecast actually delivered					97%	88%	53%	66%	61%	55%	85%
Actual completions						1,315	1,001	1,440	1,202	1,247	6,205
MK AMR December 2012						1,596	1,566	2,189	2,105	2,375	9,831
Percentage of forecast actually delivered						82%	64%	66%	57%	53%	63%
Actual completions							1,001	1,440	1,202	1,247	4,890
MK AMR December 2013							1,566	2,189	2,105	2,375	8,235
Percentage of forecast actually delivered							64%	66%	57%	53%	59%
Actual completions								1,440	1,202	1,247	3,889
MK 5 year land supply 01/06/2014								1,792	2,145	2,538	6,475
Percentage of forecast actually delivered								80%	56%	49%	60%
Actual completions									1,202	1,247	2,449
MK 5 year land supply 01/06/2015									1,487	2,259	3,746
Percentage of forecast actually delivered									81%	55%	65%
Actual completions									1,202	1,247	2,449
MK 5 year land supply 01/11/2015									1,379	2,295	3,774
Percentage of forecast actually delivered									87%	54%	66%
Actual completions										1,247	1,247
MK 5 year land supply 01/06/2016										1,644	1,644
Percentage of forecast actually delivered										76%	76%
Percentage of predicted supply constructed in first 5 years of forecast											69%

Table 7 Comparison of MKC's Forecast Completions Against Actual over Five-Year Period

	2007/08	2008/2009	2009/10	2010/11	2011/12	2012/13	201/14	2014/15	2015/16	2016/2017	Total
Actual completions (Historic completions from annual reports)	2,317	1,856	1,422	1,306	1,586						8,487
MK AMR March 2007	1,900	2,600	3,100	2,700	2,500						12,800
Percentage of forecast actually delivered	122%	71%	46%	48%	63%						66%
Actual completions		1,856	1,422	1,306	1,586	1,315					7,485
MK AMR March 2008		1,500	1,100	1,400	1,600	1,900					7,500
Percentage of forecast actually delivered		124%	129%	93%	99%	69%					100%
Actual completions			1,422	1,306	1,586	1,315	1,001				6,630
MK AMR March 2009			1,296	1,007	1,541	2,119	2,435				8,398
Percentage of forecast actually delivered			110%	130%	103%	62%	41%				79%
Actual completions				1,306	1,586	1,315	1,001	1,440			6,648
MK AMR March 2010				1,128	1,694	1,897	2,366	2,028			9,113
Percentage of forecast actually delivered				116%	94%	69%	42%	71%			73%
Actual completions					1,586	1,315	1,001	1,440	1,202		6,544
MK AMR December 2011					1,642	1,492	1,893	2,169	1,969		9,165
Percentage of forecast actually delivered					97%	88%	53%	66%	61%		71%
Actual completions						1,315	1,001	1,440	1,202	1,247	6,205
MK AMR December 2012						1,596	1,566	2,189	2,105	2,375	9,831
Percentage of forecast actually delivered						82%	64%	66%	57%	53%	63%
Percentage of predicted supply constructed in first 5 years of forecast											75%

- 6.20 Table 6 above shows that the Council have a long and established track record of overestimating the level of completions from their committed supply with only 57% of the completions forecast in AMR 2007 being delivered to date or at best 85% of the completions forecast by AMR 2011 being delivered.
- 6.21 In respect of the levels of forecast delivery within the five-year period Table 7 highlights that the 2008 AMR forecast was the only one to forecast correctly while all of the other 5 year forecasts overestimated delivery. On average only 75% of the completions forecast by the Council have actually been delivered in the 5 year period.
- 6.22 Therefore, whilst the Council may exercise a comprehensive monitoring system, the results are not being filtered in terms of the applying an appropriate check, nor have the reasons for past overestimation been addressed as the problem appears to persist.

(4) Conclusion on the Delivery of the Core Strategy

- 6.23 The Council have a well-established track record of being over-optimistic in terms of the timing of the delivery of larger scale commitments and the expected levels of completions.
- 6.24 It is also noticeable that in some cases the latest five-year land supply evidence is proposing even higher rates of completions than those suggested at the Core Strategy Examination, even though these have subsequently been undershot.
- 6.25 In line with previous Inspector's Reports in other Appeals, it is necessary to look beyond officer opinion and the aspirations of the specific developers, at the actual site-specific evidence, alongside instructive national evidence on housing delivery on large strategic sites. In this case, I have highlighted that completions on specific sites have been over estimated in past forecasts.
- 6.26 These past estimates of lead-in times and delivery rates have been developed in conjunction with the promoters and developers of the allocations and permissions.
- 6.27 This highlights that it is not only Local Authorities who can have an over-optimistic view of the ability of these sites to be delivered. It is important that these aspirations are tempered by past experience and evidence of past rates of delivery.

(5) National Evidence on Housing Delivery on Large Strategic Sites

(a) Assumptions Regarding Timescales and Delivery Rates

(i) NLP Paper (November 2016)

6.28 “Start to Finish How Quickly do Large-Scale Housing Sites Deliver?” was published in November 2016 by Nathaniel Lichfield and Partners (NLP) (Appendix 7). It is a well-regarded and up-to-date national level assessment. The headline points were as follows:

- (i). 70 large sites were assessed, including sites in Milton Keynes;
- (ii). 3.9 years was the average lead in time for large sites prior to the submission of the first planning application;
- (iii). 6.1 years was the average planning approval period of schemes of 2,000+
The average for all large sites is circa 5 years;
- (iv). 161 dpa is the average annual build rate for a scheme of 2,000+ dwellings;
- (v). 321 dpa is the highest average annual build rate of the schemes assessed, but this site has only delivered for three years;
- (vi). Higher build out rates can be delivered in stronger markets;
- (vii). Delivery does not increase in proportion to the size of the site. A site of 2,000 or more dwellings does not deliver four times more dwellings than a site delivering between 100 and 499 homes, despite being at least four times the size.

6.29 The highest average annual build-out rates recorded in this analysis came from the Cranbrook site in East Devon, where an average of 321 dwellings per annum were delivered between 2012/13 and 2014/15. Delivery of housing only started on this site in 2012/13, with peak delivery in 2013/14 of 419 dwellings. The 321 dpa relates to just three years of data, and the scheme benefitted from significant government funding to help secure progress and infrastructure. Such factors are not present in most schemes, and indeed, the data suggests that sites tend to build at a higher rate in initial years, before slowing down in later phases.

- 6.30 The second highest average build-out rates recorded in this analysis comes from the Eastern Expansion Area (Broughton Gate & Brooklands) site in Milton Keynes, where an average of 268 dwellings per annum were delivered between 2008/09 and 2013/14. This highlights that the planning and delivery of housing in Milton Keynes is distinct from almost all the sites considered in this research as it is based upon serviced parcels of land being delivered to the market with the roads already provided, allowing house builders to proceed straight onto the site and commence delivery. It considers that these limited the upfront site works required and boosted annual build rates. Furthermore, the research highlights that were multiple outlets building-out on different serviced parcels, with monitoring data from Milton Keynes Council suggesting an average of 12 parcels of land being active across the build period helping to optimise the build rate
- 6.31 It is important to note that not all sites in Milton Keynes follow this approach and my analysis of local delivery rates in the past is set out later in this section. The application of these research findings to other sites in Milton Keynes will be dependent to the extent to which these present sites show the same characteristics of this exceptional site.
- 6.32 In respect of lead-in times the research states (page 8):
- “Large sites are typically not quick to deliver; in the absence of a live planning application, they are, on average, unlikely to be contributing to five year housing land supply calculations”*
- (ii) HBF Paper (2016)
- 6.33 This research follows on from the Home Builders Federation (HBF), research earlier in 2016 which was been undertaken in response to the Government's criticism that large sites are only delivering some 48 dwellings a year, undertook a survey of 300 large sites in February and March 2016 (appendix 8, page 1).
- 6.34 In the HBF research “Large sites” were defined as those with at least 350 dwellings in total, a lower site threshold than the NLP research. In 2015, the average sales on all sites (including start-ups, on-going, tail-ends) was 70 dwellings a year (Appendix 8 page 1). In order to omit the low levels of sales that occur at the start and end of a site's delivery and to get an average for when the site was delivering at its best, the research attempted to exclude the lead-in and tail-out elements of a site build-out (appendix 9 penultimate slide). To do this the research excluded those years from the calculation

of the average those years in which a site delivered of less than 10 dwellings, less than 20 dwelling and less than 35 dwellings a year. By excluding these years of lower sales rates, the average rate of sales naturally increases and the results are as follows:

- 70 sales a year – average across all sites:
- 85 sales a year – average on all sites with 10 or more sales a year:
- 88 sales a year – average on all sites with 20 or more sales a year:
- 95 sales a year – average on all sites with 30 or more sales a year:

6.35 Before applying national averages to the MK sites, it is important to review other sources of evidence as well as reach a conclusion as to what if any factors would suggest that these sites would perform better or worse than the national average. A summary of previous research is presented in the table on the next page.

(iii) Colin Buchanan Report (2005)

6.36 The earliest work by Colin Buchanan ("Housing Delivery on Strategic Sites" [appendix 10]) was undertaken prior to the recession (2005) considered delivery rates on strategic sites mainly within the East of England (paragraph 2.1.5), and reviewed completion rates on the basis of the size of the site. This research suggests the delivery of an average of 200 dwellings a year on all strategic sites over 1,000 dwellings and that the time between the submission of an application and first construction is 5 years (Appendix 10, paragraphs 3.5.2 and 3.5.5).

(iv) Savills (2013)

6.37 More recent evidence relating to urban extensions suggest a build rate of just over 100 dwellings a year, although this has risen to 120 per year in 2013 (Savills [appendix 11]).

6.38 It should also be noted that the timescale between submission of outline and completions on site is now averaging about three years (Savills [appendix 11]).

(v) University of Glasgow (2008)

6.39 In terms of the delivery on all sites, the research undertaken by the University of Glasgow for CLG Housing Markets and Planning Analysis Expert Panel – "Factors Affecting Housing Build-out Rates" published in February 2008 (Appendix 12) by

Professor David Adams and Dr Chris Leishman, considered pre-recession evidence and stated at paragraph 2.5 that;

'Most builders generally appear to set a target of between 40 and 80 units built and sold from each outlet annually'.

6.40 In this context it may be noted that the Savills report (appendix 11) concluded in paragraph 6.2 that:

'The typical strategy of most companies who participated in the research was to aim for a build and sales rate of about one unit per week on greenfield sites and slightly higher than this on brownfield sites. Although this confirms anecdotal evidence, it should certainly not be taken as a 'natural build-out rate'. Rather it reflects the particular institutional structure of the British house building industry in which fierce competition for land then requires controlled and phased release of new development to ensure that the ambitious development values necessary to capture land in the first place are actually achieved when new homes are eventually sold...'

6.41 The table below summarises this research.

Table 8 Summary of research on delivery rates

	Average number of months between events					Submission of application to start on site	Average delivery	Delivery per developer
	Approval of outline	Conclusion of 106	Approval of reserved matters	Site prep & signing off conditions	Total number of months			
Colin Buchanan (all sites)						5	188	
Colin Buchanan (sites of 1,000 to 1,999 dwellings or more)						4.7	101	
Colin Buchanan (sites of 2,000 to 1,999 dwellings or more)						5	189	
Colin Buchanan (sites of 3,000 dwellings or more)						5.5	330	
University of Glasgow								55
Hourigan Connolly	24	21	18	12	75	6.25	107	35
Savills 2014 all sites	12	15	15	6	48	4	110	
Savills 2014 (post 2010)	11	6	11	4	32	2.7		
Home Builders Federation Research (sites of 350 plus 2015)							70 (95)	
NLP 2016 (sites less than 100)							27	
NLP 2016 (sites 100 to 499)							60	
NLP 2016 (sites of 500 to 999)							70	
NLP 2016 (sites 1,000 to 1,499)							100	
NLP 2016 (sites of 1,500 to 1,999)							135	
NLP 2016 (sites more than 2,000)						5.3 – 6.9	161	

Sources: Colin Buchanan - *Housing Delivery on Strategic Sites 2005 (table 1) (Appendix 10)*

University of Glasgow - *(CLG housing markets and Planning Analysis Expert Panel) Factors affecting build out rates (Table 4) (Appendix 12)*

Hourigan Connolly - *An interim report into the delivery of Urban Extensions 2013 (Summary of individual case appendices 4 to 12) (Appendix 13)*

Savills - *Urban Extensions Assessment of delivery rates (Appendix 11)*

Home Builders Federation Planning Policy Conference presentation by John Stewart 2016 (Appendix 9)

NLP- *Start to Finish: How Quickly do Large-Scale Housing Sites Deliver? 2016 completions estimated from Fig 7 page 14 (appendix 7)*

(b) Lapse rates

- 6.42 The NLP report (appendix 7, page 12) refers to the findings of the DCLG as reported by Ruth Stanier (Director of Planning at DCLG) in her "Planning Update" presentation to HBF conference 2015. This presentation suggested that at the national level, DCLG has identified a 30-40% gap between planning permissions granted for housing and housing starts on site (presentation).
- 6.43 This DCLG analysis also suggested that 10-20% of permissions do not materialise into a start on site at all and in addition, an estimated 15-20% of permissions are re-engineered through a fresh application, which would have the effect of pushing back delivery and/or changing the number of dwellings delivered.

(c) The Impact of Competition

- 6.44 The PBA report for Birmingham City Council "Sutton Coldfield Green Belt Sites Phase 2 Report of Study" (June 2014) (appendix 14) also reviews the Glasgow University and the Hourigan Connelly research and concludes that for the three former green belt sites examined in that report, all performed as the national trend would suggest (paragraph 6.1). This performance is summarised in paragraph 3.26 of the report as follows:

"There are a number of features demonstrated by the three Sutton Coldfield sites examined in Section 2 which are consistent with the research examined in this Section. These are, namely:

- *6-7 years from release to first delivery of housing;*
- *Maximum delivery on any site in one year of 219 units (suggesting 2-3 developers were present);*
- *Peak mean delivery of 141 unit's pa per site across the area (422 divided by three sites); and*

Mean delivery across the three sites of 106 units' pa (1591 divided by 15 years), or 35 unit's pa per site as an equivalent flat trajectory ironing out the peaks and troughs of the housebuilding cycle through the years in question."

- 6.45 This PBA Report considers the impact of competition between sites, which is also an issue here with the Western and Eastern Expansion areas as well as the strategic Reserve Eaton Leys and Tattenhoe Park.

- 6.46 The report refers back to section 4 of the earlier University of Glasgow Report's Table 9 (Appendix 13), which suggests that developers of houses on greenfield sites on the edge of major provincial cities 6.00 miles as representing competition. The impact of this competition is to change prices (Appendix 12, paragraph 4.09 and 4.11).
- 6.47 The Sphere of Influence map in Appendix 2.1 illustrates that the large sites in MK are all within a distance of each other which would generally be perceived as being in competition.
- 6.48 In considering the delivery of these larger sites with substantial infrastructure costs, future competition, and hence concerns regarding pricing, is likely to make developers cautious regarding their actual planned rate of delivery (appendix 14, paragraphs 6.4 and 6.5).
- 6.49 The evidence from NLP is that larger sites will deliver at about 160 dpa while the HBF research suggest that smaller sites might deliver at below 100 dpa. It is important to note that rates of delivery are not determined just by the local markets, but also by the practicalities of construction.

(d) Summary on National Evidence

- 6.50 There is a considerable risk not only to the supply of housing, but also nationally if decisions are based on inflated and overly optimistic levels of completions. It is self-evident that if all decision makers (local authorities, Inspectors and the Secretary of State) consistently assume that all large sites will deliver completions at rates above the long term national average, then the aggregate of all these decisions will be the continued under-delivery of the housing that the country needs if the long-term average rate of provision remains consistent.
- 6.51 This evidence provides an important context for the assessment of delivery rates on the disputed sites.
- 6.52 Significant departures from these average sales rates should be clearly justified by reference to local experience and local market factors. The position of the Council represents a significant departure from these averages.

(6) Local Market Evidence

(a) Local Market Evidence - Past Delivery

- 6.53 Table 9 summarises recent past completions for the selected Grid Square. For example, this demonstrates that at the very highest end, Bletchley (Newton Leys) averaged a delivery rate of 263 dpa over the period since 2008. However, this is the rate of delivery from a single Grid Square and was not replicated in other locations with these delivering lower average rates.
- 6.54 A wider view of completion rates across the Quarters highlights that no other quadrants have delivered at the rate of Newton Leys at Bletchley. It would therefore be incorrect to apply these delivery rates for the quadrant to individual emerging sites. I will address the emerging sites further from in Chapter 8 and in detail in Appendix 1.
- 6.55 The evidence of past completion rates on each strategic sites is an important consideration in the context of future forecasts rates of delivery rates on individual sites. Table 9 includes recorded completions for those quarters in MK with the highest rates of completions.
- 6.56 Table 10 calculates the average build rate for the quarters that make up the Western and Eastern Expansion areas (WEA and EEA). This highlights that the two quarters that form the EEA have over the ten-year average 282 dpa, but that development occurred sequentially across both quarters.
- 6.57 As already highlighted the WEA area started delivering completions later than expected and in the last 2 years delivered an average of 151 dpa.

Table 9 Selection of highest rates of delivery for Previous Completions

	Year 2007- 08	Year 2008- 2009	Year 2009- 10	Year 2010- 11	Year 2011- 12	Year 2012- 13	Year 2013- 14	Year 2014- 15	Year 2015- 16	Year 2016- 17	Total	Average
Ashland	72	55	26	20	1	10	0	46	78	13	321	32
Bletchley	353	318	200	235	269	239	211	333	219	253	2,630	263
Brooklands	0	0	0	11	114	77	66	185	305	247	1,005	144
Broughton & Atterbury	204	334	377	360	290	106	72	85	0	2	1,830	203
Campbell Park	0	28	0	0	35	1	0	22	23	84	193	32
Central Milton Keynes	492	485	2	0	0	0	0	33	19	23	1,054	211
Fairfields WEA	0	0	0	0	30	0	0	0	114	165	309	103
Oakgrove	0	0	31	121	0	7	89	151	175	177	751	107
Statonbury Park /Oakridge Park	0	0	2	0	156	127	78	0	0	6	369	74
Oxley Park	295	202	115	91	75	163	78	40	0	9	1,068	119
Redhouse Park / NEA	21	32	31	121	67	61	60	75	56	19	543	54
Shenley Wood	0	0	0	0	186	116	0	0	0	0	302	151
Tattenhoe Park	0	0	0	0	0	0	0	123	5	0	128	64
Whitehouse WEA	0	0	0	0	0	0	0	0	21	124	145	73
Willen Park	254	2	27	63	24	39	17	0	0	0	426	61
Wolverton	70	57	353	34	59	225	141	76	5	4	1,024	102
OVERALL TOTAL	2,317	1,856	1,422	1,306	1,586	1,315	1,001	1,440	1,202	1,247	14,692	1,469

Source: CD12.9- MKC Appeal APP/Y0435/W/17/3169314 (CD 9.7) Total Completion by Grid Square

Table 10 Average completion rates for the Eastern and Western Expansion Areas

Eastern Expansion Area	Year 2007-08	Year 2008-2009	Year 2009-10	Year 2010-11	Year 2011-12	Year 2012-13	Year 2013-14	Year 2014-15	Year 2015-16	Year 2016-17	Total	Average
Brooklands	0	0	0	11	114	77	66	185	305	247	1,005	144
Broughton & Atterbury	204	334	377	360	290	106	72	85	0	2	1,830	203
Eastern Expansion Area	204	334	377	371	404	183	138	270	305	249	2,835	284

Western Expansion Area	Year 2007-08	Year 2008-2009	Year 2009-10	Year 2010-11	Year 2011-12	Year 2012-13	Year 2013-14	Year 2014-15	Year 2015-16	Year 2016-17	Total	Average
Fairfields WEA	0	0	0	0	30	0	0	0	114	165	309	103
Whitehouse WEA	0	0	0	0	0	0	0	0	21	124	145	73
Western Expansion Area	0	0	0	0	30	0	0	0	135	289	454	151

Source: (CD12.9) MKC Appeal APP/Y0435/W/17/3169314 CD 9.7 Total Completion by Grid Square

(b) Analysis of Completions in 2016/17

- 6.58 In the past, the Council's Witness have based their local evidence on delivery focused on a single year (2016/17) (CD12.11).
- 6.59 In my view that this information does not assist the inquiry. It considers evidence on the basis of "tariff" and "non-tariff" sites which is a local definition based upon whether a site is subject to the Milton Keynes tariff or not (table 8.2, page 36). It does not define a site by its relationship to other local sites or its size, which are determinative aspects of deliverability.
- 6.60 The expected number of completions in the year 2016/17 was substantially over-estimated, although this should have been the easiest of years in which to predict completions (CD12.11, Mr Goodall's proof, paragraph 8.2, page 34).
- 6.61 Mr Goodall's proof (CD12.11, Table 8.2, page 36) simply illustrates that the Council's inability to forecast completions on the large "Tariff Projects" is the largest contributor to the difference between forecast and actual delivery in the previous year. These are known projects many of which have been developed out over a number of years, but no explanation is provided as to this discrepancy between forecasts and completions. As such, there can be no reassurance that this discrepancy issue has been addressed in the 2017 assessment. This is important as completions, from this source, are forecast to increase substantially from 925 in 2017/18 to 1,395 (2018/19), 1,457 (2019/20), 1,340 (2020/21), and decline to 886 in 2021/22.

Table 11 Comparison of Forecast and Actual Completions Across All Sites

	Forecast Completions	Actual Completions	Under delivery	Rate of under delivery	Contribution to Under performance
Tariff Projects	728	535	193	27%	48%
Future Tariff Projects	10	0	10	100%	3%
Non Tariff Projects	322	302	20	6%	5%
Other Projects	369	293	76	21%	19%
Prior Approval	120	15	105	88%	26%
Small sites	95	101	-6	-6%	-2%
Total	1644	1246	398	24%	100%

Source: Mr Goodall's Proof, Table 8.2, page 36 (CD12.11)

- 6.62 If the methodology for the forecasts has not been corrected and the Council continues to overestimate delivery, then completions from this source could well be some 27% lower than the forecasts i.e. 4,383 dwellings rather than 6,003 dwellings (which is some 1,620 less).

(c) Analysis of Past Rates of Completions

- 6.63 In the past, the Council's witness has relied on the high levels of starts and under construction in the first two quarters to suggest the Council's five-year forecasts are realistic. In Table 8.4 of Mr Goodall's proof (CD12.11, page 38), the high level of starts in 2013/14 and 2014/15 have not resulted in an increased level of completions in subsequent years in fact completions have gone down from the high in 2014/15.
- 6.64 Only in 2011/12 and 2014/15 have completions been higher than the number of starts recorded the year before. This strongly indicates that sites may remain "under construction" for more than a year.
- 6.65 Therefore for 4 of the six years set out in table 8.4 completions the following year have been lower than starts recorded during the previous year.
- 6.66 The table 4 on the next demonstrates that during the 6 years of peak rates of delivery for Milton Keynes in the period 2005/6 to 2011/12 there were 4 consecutive years (2007/8 to 2010/11) within which completions fell significantly short of starts on site.
- 6.67 What is noticeable is that in the last year (2016/17) completions were below the number under construction.
- 6.68 This pattern has occurred previously in circumstances where MK was delivering higher levels of completions. Table 12 on the next page illustrates that completions fell substantially short of the total level of dwellings under construction during the period of increased output. It is these higher rates of starts and under construction that deliver higher rates of delivery, but these are not as high as the recorded starts or under construction the year before.

Table 12 Dwellings recorded as being started and under construction compared to completions the following year

	Completions	Starts	Under Construction	Percentage of previous years starts that are completed	Percentage of previous years under construction that are completed
1st April 1989	0	0	1612		
1st April 1989 - 1990	1682	1302	1229	95%	104%
1st April 1990 - 1991	1377	1350	1202	73%	112%
1st April 1991 - 1992	1846	2061	1417	102%	154%
1st April 1992 - 1993	2019	1733	1131	118%	142%
1st April 1993 - 1994	1472	1623	1282	90%	130%
1st April 1994 - 1995	1808	1803	1277	96%	141%
1st April 1995 - 1996	1885	1756	1148	103%	148%
1st April 1996 - 1997	1699	1451	900	95%	148%
1st April 1997 - 1998	1529	1700	1071	115%	170%
1st April 1998 - 1999	1482	1472	1061	98%	138%
1st April 1999 - 2000	1495	1614	1180	105%	141%
1st April 2000 - 2001	1535	1302	946	106%	130%
1st April 2001 - 2002	1234	1165	875	98%	130%
1st April 2002 - 2003	1188	1310	997	110%	136%
1st April 2003 - 2004	1193	1115	917	81%	120%
1st April 2004 - 2005	1370	2030	1577	112%	149%
1st April 2005 - 2006	1808	2448	2213	146%	115%
1st April 2006 - 2007	1672	2544	3079	110%	76%
1st April 2007 - 2008	2317	1569	2329	85%	75%
1st April 2008 - 2009	1856	1083	1557	76%	80%
1st April 2009 - 2010	1422	1062	1197	81%	91%
1st April 2010 - 2011	1306	1437	1315	91%	109%
1st April 2011 - 2012	1586	1331	1058	101%	121%
1st April 2012 - 2013	1315	1234	977	123%	124%
1st April 2013 - 2014	1001	928	901	64%	102%
1st April 2014 - 2015	1440	1572	1034	131%	160%
1st April 2015 - 2016	1202	1405	1327	113%	116%
1st April 2016 - 2017	1247	1655	1648	112%	94%

Source: MKC housing statistics 2017 Appendix 1d : House Completions, Starts and Under Construction 1989 - 2018

- 6.69 Considering this information over a long period as set out in table 4 it can be seen that during times of increased housebuilding activity (2005/6 to 2009/10) there can be substantially more starts than completions. This shows that completions can fall to just 75% of recorded starts in the preceding year. This is illustrated by Figure 8.6 (page 41 of Mr Goodall's evidence given at the Linford Lakes inquiry (CD12.11, paragraph 8.19).

6.70 Table 9 highlights that the year of the highest level of completions was 2007/08. One reason for the high level of completions in 2007/08 was that there were 5 quarters in MK delivering above 200 completions these were Bletchley (353), Broughton & Atterbury (204), Milton Keynes Central (495) Oxley Park (295), Willen Park (254). With all these quarters the rate of delivery fell the following year with the exception of Central Milton Keynes.

6.71 In terms of the number of parcels and developers engaged on each of these locations the following is a summary of the records referred to in Mr Goodall's proof (CD12.11, paragraph 8.18, page 41) These start at 08/04/08 and therefore relate to the year of completions 2008/09 in my table 10.

a. Bletchley:

- i. 19 sites under construction at 04/04/08;
- ii. Includes Reckitt and Coleman (289 dwgs), Bletchley College (136 dwgs) and Bletchley Park (289 dwgs) developed by Taylor Woodrow and Bell Cross Homes as well as Phase 1 of Newton Leys (227 dwgs) being delivered by George Wimpey;
- iii. Newton Leys has been delivered in 14 parcels;
- iv. Bletchley Park has been delivered in 4 parcels (including 1 of apartments);

b. Broughton & Atterbury (Eastern Expansion Area):

- i. 10 parcels under construction at 04/04/08;
- ii. Broughton Gate and Broughton Manor have seen 15 developers delivering over the whole period these are: CALA Homes, Redrow Homes, Abbey Homes, Barratt (including BDW Trading), Lagan Homes, Taylor Wimpey (including Bryant Homes and Taylor Woodrow), Presentation Housing, David Wilson Homes, Lodge Park Ltd, Paul Newman Homes, PJ Carey, Bryant Homes, Swedish by Design, Places for People, Jardines UK;
- iii. There have been 20 parcels delivered since 2008.

- c. Central Milton Keynes
 - i. SITE C4.1 (441 dwgs) with 341 apartments under construction at 08/04/08 by Abbeygate Helical.
 - d. Oxley Park
 - i. 10 parcels under construction at 04/04/08;
 - ii. 6 developers including: Kingsoak Homes, George Wimpey South Midlands, Westbury Homes, Persimmon Homes (Midlands) Ltd/Charles Church, Barratt Northampton and Linden Homes;
 - iii. There have been 16 active parcels.
- 6.72 In terms of the factors that impact over delivery, clearly the number of active parcels and developers on each strategic site (such as Eastern expansion area and Oxley) as well as the range of sites (for example at Bletchley) are material factors.
- (d) Other Factors and Wider Trends***
- 6.73 The contribution that the development of different tenures may contribute to achieving the peaks experienced in the 2006/7 to 2009/10 is also a consideration. Table 13 on the next page provides the record of actual completions (rather than under construction) for the different tenures.
- 6.74 Table 5 highlights that the level of owner occupied housing delivered in 2005/06 was just 58% and while this rose to 71% the next year, in the peak of delivery the non-owner-occupied tenures still delivered 706 dwellings. As such, this contributed to the aforementioned peak, as well as in general, to the higher rates of completion falling either side of this peak

Table 13 Completions by Tenure

Year	Owner Occupied	HA Social / Intermediate Rent	Shared Ownership - Reduced Cost	Private Rent	Public Rent	Total
1st April 1991/92	1037	479	288	42	0	1846
1st April 1992/93	1252	434	294	30	9	2019
1st April 1993/94	1058	235	118	12	49	1472
1st April 1994/95	1297	322	133	56	0	1808
1st April 1995/96	1264	455	159	0	7	1885
1st April 1996/97	1183	441	72	1	2	1699
1st April 1997/98	1244	221	56	5	3	1529
1st April 1998/99	1226	166	90	0	0	1482
1st April 1999/00	1197	266	26	2	4	1495
1st April 2000/01	1179	317	39	0	0	1535
1st April 2001/02	1052	48	49	85	0	1234
1st April 2002/03	1060	79	49	0	0	1188
1st April 2003/04	856	132	205	0	0	1193
1st April 2004/05	924	209	237	0	0	1370
1st April 2005/06	1057	336	415	0	0	1808
1st April 2006/07	1181	141	350	0	0	1672
1st April 2007/08	1611	341	365			2317
Tenure From 2008	Owner Occupied	HA Social Rent Only	INTERMEDIATE (Shared Ownership, Intermediate Rent, Assisted Sale inc Reduced Cost Sale etc)	Private Rent	Public Rent	Total
1st April 2008/09	1169	181	505	1	0	1856
1st April 2009/10	977	154	284	7	0	1422
Tenure From 2010	Owner Occupied	HA Social Rent Only	INTERMEDIATE (Shared Ownership, Intermediate Rent, Affordable Rent)	Private Rent	Public Rent	Total
1st April 2010/11	917	221	168	0	0	1306
1st April 2011/12	1116	312	152	4	0	1584
1st April 2012/13	1010	147	158	0	0	1315
1st April 2013/14	802	65	132	1	1	1001
1st April 2014/15	1088	95	257	0	0	1440
1st April 2015/16	848	41	313	0	0	1202
1st April 2016/17	996	33	218	0	0	1247

Source: MKC housing statistics 2017 appendix 1e

- 6.75 The high level of completions in Central Milton Keynes was due to a number of apartment schemes being completed, the table below shows at the for four out of the six years between 2005/6 to 2011/12 there were more apartments delivered in MK than dwellings.

Table 14 Type of Dwellings Provided

	Flats	Houses
1st April 1991	27	73
1st April 1992/93	18	82
1st April 1993/94	14	86
1st April 1994/95	15	84
1st April 1995/96	6	89
1st April 1996/97	10	90
1st April 1997/98	4	96
1st April 1998/99	6	94
1st April 1999/00	10	90
1st April 2000/01	9	91
1st April 2001/02	10	90
1st April 2002/03	13	87
1st April 2003/04	21	79
1st April 2004/05	33	67
1st April 2005/06	35	65
1st April 2006/07	51	49
1st April 2007/08	65	35
1st April 2008/09	65	35
1st April 2009/10	45	53
1st April 2010/11	37	63
1st April 2011/12	53	47
1st April 2012/13	35	65
1st April 2013/14	29	71
1st April 2014/15	32	68
1st April 2015/16	33	67
1st April 2016/17	39	61
Average since 1991	28	71

Source: MKC housing statistics 2017 appendix 1f

- 6.76 The previous upturn in delivery was not achieved solely on completions of strategic sites but also with a considerable level of non-owner-occupied housing and a high proportion of apartments particularly within Central Milton Keynes. During this period starts often exceeded completions the following year.

(e) Local Market – House Prices

- 6.77 House prices can provide a good indication of the relative strength of the housing market. In the case of MK, the value trends since 2012 are shown in the charts below and this indicates that prices are generally slightly lower level than in England and much lower than in Buckinghamshire. The values are, however, increasing faster than England as a whole. This does not suggest that the market is stronger than other parts of the country and Build out rates are likely to be the same as the country as a whole.

Chart 1: House Values Comparison MK to England

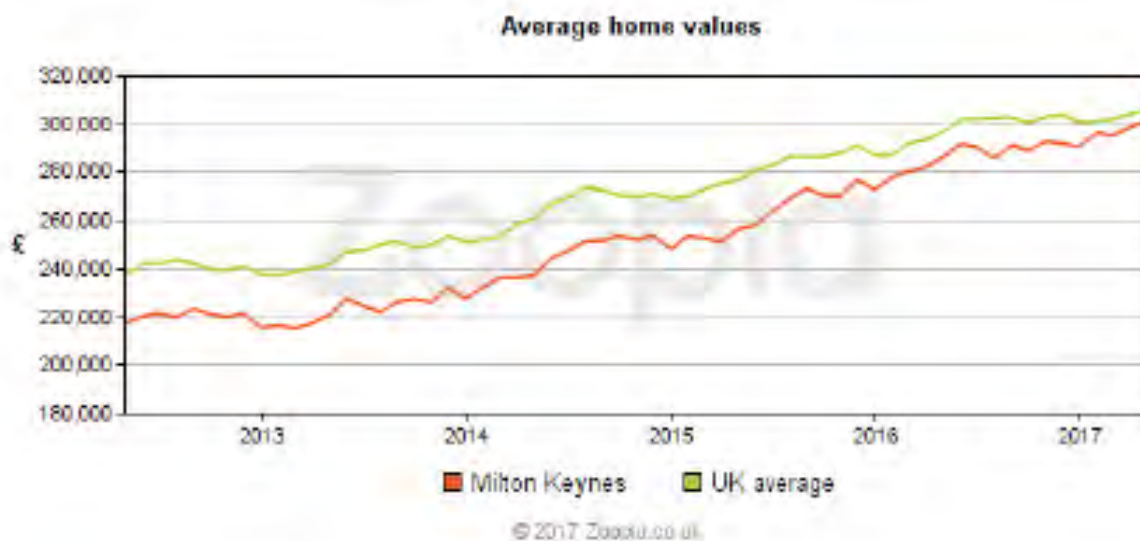
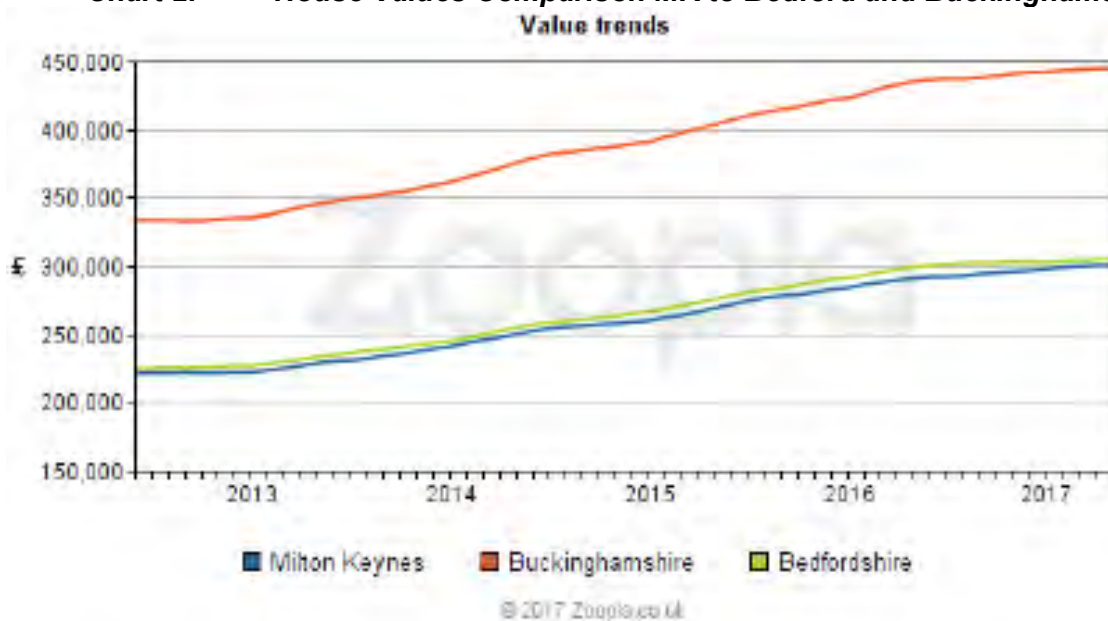


Chart 2: House Values Comparison MK to Bedford and Buckinghamshire



(f) Local Markets – Affordability and “Centre for Cities: Delivering Change: Building Homes Where We Need Them (2014)”

- 6.78 Affordability is assessed by the comparison of median house prices to median resident earnings. The chart below illustrates that while affordability was slightly better than the national average up to 2014, it has changed slightly and is now a little worse than the national average. This illustrates that MK is more affordable than the South East. There

are therefore no market factors to conclude that delivery rates should differ from those experienced nationally. In the Linford Lakes appeal, the Council sought to introduce evidence from the "Centre for Cities" (appendix 3) research which suggested that in 2014 the level of affordability in Milton Keynes was better than that of England as a whole, and that this was because the level of supply was matching demand. The chart below illustrates that since 2014, affordability in Milton Keynes has worsened and is now less affordable than England as a whole. This in my view is likely to reflect that demand is in excess of supply in recent years.

Chart 3: Ratio of lower quartile house price to lower quartile earnings by Local Authority, 2013 to 2015

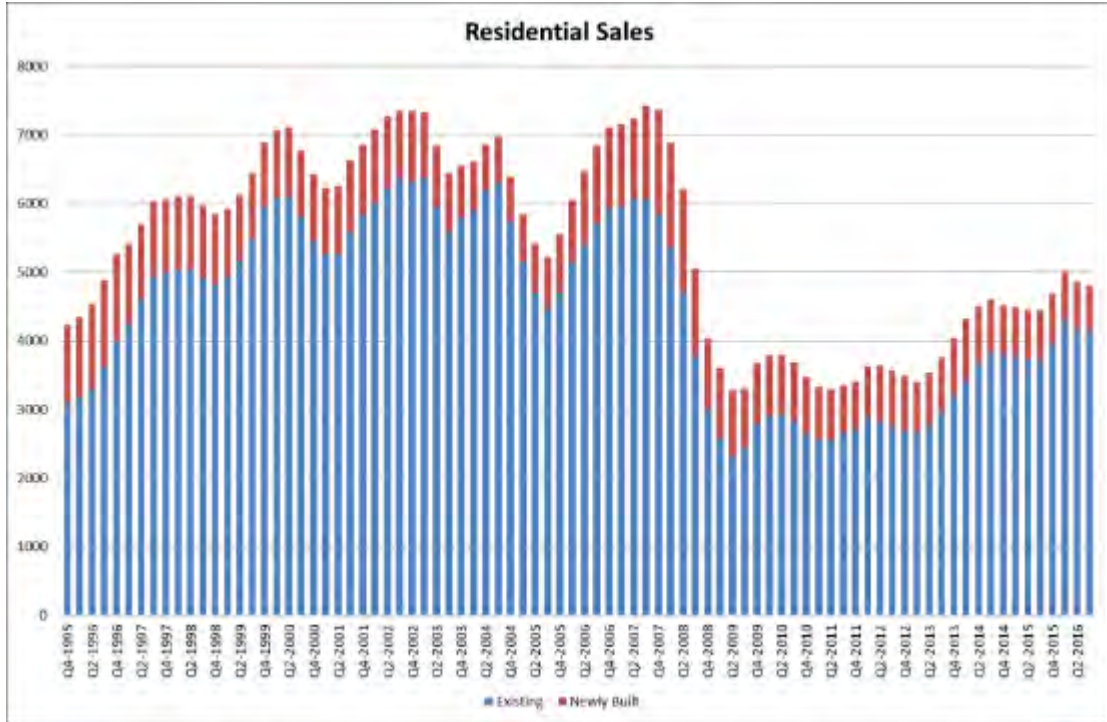


Source ONS Ratio of house price to residence-based earnings (lower quartile and median), 2002 to 2016

(g) Local Market Evidence – Total Residential Transactions and New House Sales

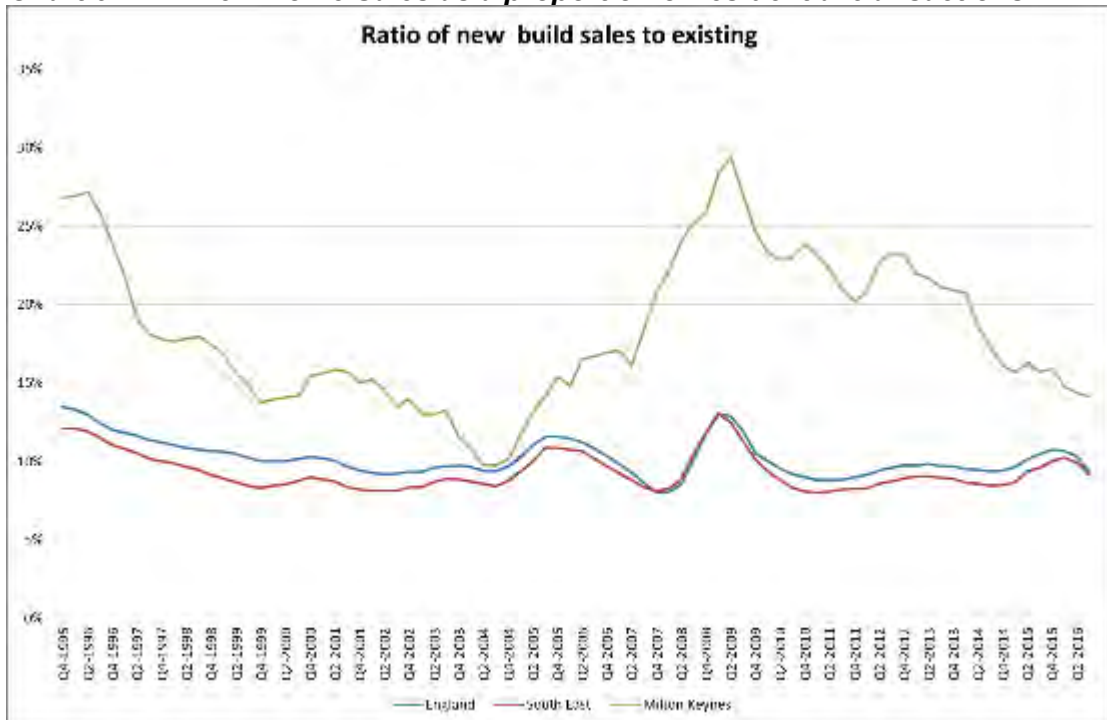
- 6.79 The overall level of residential sales provides an indication as to the existing market. The overall level of transactions is important as it is used as a guide for developers when considering the likely sales rates that might be achievable, and hence the planned rate of delivery. Chart 4 below illustrates that new build has been a substantial part of the MK market. It also shows that overall transactions fell during the recession and now they have returned to levels that occurred in 1995. There is the possibility however that transactions may continue to rise as they did since 1995.
- 6.80 New residential sales tend to make up 10% of total sales nationally (see chart 5 below). In planning the delivery of sites, developers often calculate that between 20 to 25% of transactions could be made up of new homes.
- 6.81 In MK, the percentage of new homes sales as a total of all sales has averaged at 18%. This is higher than the national average of 10% and reflects the level of new build that makes up the market in this area. Since the third quarter of 2014 the ratio has been below this local average of 18% and below the 20% to 25% range that developers use as an estimation of market potential.
- 6.82 In these circumstances, the fact that new sales only consist of 14% of the market at present, shows that there is clearly the market potential for increased levels of new house sales and for the ratio to return to 18% or indeed to be within the 20 to 25% range.
- 6.83 This evidence does not suggest that there is a market limitation to increasing sales and hence increasing the delivery of new homes.

Chart 4: New Home Sales as a proportion of residential transactions



Source: House Price Statistics for Small Areas (HPSSAs) data sets 7 & 8

Chart 5: New Home Sales as a proportion of residential transactions



Source: House Price Statistics for Small Areas (HPSSAs) data sets 7 & 8

(h) Local Market Evidence

- 6.84 As well as considering past rates, the SPRU team has also contacted developers and their sales teams with regard to build out and recent sales rates of those sites that are either being or planned to be delivered. The general response supports the wider evidence base that delivery per outlet is about 50 dwellings a year. The area-specific figures are dealt with in more detail within my specific site appraisals.

(7) Survey Methodology for Housing Trajectory

- 6.85 In preparing the housing trajectory for the five-year period, MKC send out a letter requesting developers or agents to review their forecasts for the site and to make any changes and return to the Council. The letter states that:

"if we do not receive a form back from you we will not amend the forecasts and they will continue to be based on our existing knowledge of the site, the rate of any progress to date and assumptions about how this will continue in the future".

- 6.86 If developers/agents choose not to respond, then the Council's assessment is used.

(8) Completions per Outlet from National House Builders

- 6.87 As highlighted in section 3, other Inspectors have considered predicted levels of completions against the average rate of delivery for the housebuilder concerned as extracted from their own annual accounts. The following is a summary of the relevant national and regional housebuilders:

- Taylor Wimpey: April 2017 Trading Update- 0.93 sales per outlet per week up from 0.80 in the same period in 2016. This equates to 48 sales per year per outlet (Appendix 15).
- Crest Nicholson: May 2017 Trading Update- 0.81 sales per outlet per week excluding PRS down from 0.87 in the same period in 2016. This equates to 42 sales per outlet per a year (Appendix 16).
- Barratt/ David Wilson: Trading Statement May 2017- sales of 0.80 up from 0.78 in 2016. This equates to 42 sales per outlet per a year (Appendix 17). The September 2017 statement has reservations running at 0.74 from July 2017, this was considered to be in line with the full year for 2017 of 0.75 which is equates 39 sales per outlet.

- Bovis: 2017 trading statement- sales rates of 0.48 per site per week down from 0.65 in 2016. This equates to 25 sales per outlet per a year (Appendix 18).
- Bellway: Results Presentation (Year Ended 31st July 2017)- stated reservation rate of 187 per week across 280 outlets, which equates to an average of 42 sales per year (Appendix 19).
- Abbey Homes: June 2017 Trading Update- house sales in the year to April 2017 is 495 down from 544 in 2016 (Appendix 20). The information that is available does not allow us to obtain the units per outlet figure.

6.88 These are rates of sales and as such tend to run ahead of actual build rates. New home owners tend to buy off plan and wait for dwellings to be completed. In this regard they are likely to be higher than the actual rates of completion. As these are sales they do not take into account the provision of affordable housing. Therefore, whilst completion rates will be lower than these sales rates, the final rates of completions on sites may be increased by the provision of affordable housing. As such these rates are in general conformity with the conclusions of other research regarding the likely rates of delivery referred to earlier in terms of larger sites.

(9) Conclusion on Potential Delivery Rates

- 6.89 Sales from individual outlets: national and local evidence suggest that this is likely to be in the region of 50 dwellings a year including affordable units.
- 6.90 Strategic sites: the evidence is that these might deliver at about 100 dpa, although the larger sites in excess of 2,000 dwellings average delivery at 161 dpa. On smaller sites completions are likely to be much lower.
- 6.91 Market signals: there is little to suggest that the market is acting as a brake on delivery.
- 6.92 In considering what levels of completions are likely in the future, both the local and national analysis has to be considered.
- 6.93 Table 15 below highlights the levels of completions being forecast in the 5YRLS July 2017 (CD12.4) which asserts the 5.16 years of and supply. It is pertinent to note that the Council have assumed rates of completions with much higher rates of delivery than is suggested by national and local research on past delivery rates.

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- 6.94 For example, the WEA is projected to deliver at an average of 615 dpa which is an unprecedented rate of delivery. Even considering the contributions from the Areas individually these are still very high rates.
- 6.95 There is no evidence in the local market indicators that build rates are likely to be substantially higher than the national average unless there is other site-specific evidence that supports higher than average rates of completions.
- 6.96 The delivery rates in Table 15 are also higher than those put forward by the developers at the Core Strategy Examination. For example, Tattenhoe Park was 130 dpa and is now 140 dpa and this is reduced because of the 6 dwgs constructed in the first year.
- 6.97 Area 10 was projected to deliver 286 dpa now 342 dpa, WEA Area 11 was 222 dpa now 273 dpa.

Table 15 Projected Completion Rates in the Council's Evidence

	2017/18	2018/19	2019/20	2020/21	2021/22	2017/18 to 2021/22	MK discount	total inc discount	Average Build Rate (inc Discount)
BROOKLANDS SUMMARY	336	424	391	296	102	1,549	0	1,549	310
Whitehouse WEA Area 10	291	433	467	300	312	1,803	92	1,711	342
Fairfields WEA Area 11	201	289	330	380	250	1,450	87	1,363	273
WEA	492	722	797	680	562	3,253	179	3,075	615
Tattenhoe Park	0	6	132	264	222	624	62	562	140
Strategic Reserve	64	355	570	535	510	2,034	188	1,846	369
Eaton Leys	0	0	50	295	255	600	60	540	180

- 6.98 It is important to note that not all sites share the same characteristics of the EEA which achieved the second highest build out rates in the country. Table 17 on page 86 of my evidence summarises the number of active parcels and the developers on the site that presently make up the bigger sites in the five year supply. This table shows that the Council are forecasting significantly higher levels of completions of



Strategic Planning & Research Unit

Roland Bolton's Evidence on
Five Year Land Supply
Land off Olney Road, Lavendon
Milton Keynes
APP/Y0435/W/17/3182048

sites with fewer active parcels and fewer developers. This does not appear to represent a realistic forecast for the purposes of a five year supply.

- 6.99 In terms of general performance in recent years, MK has seen new homes consisting of some 14% of all transactions and this does leave room for increased sales and an uplift of the overall level of delivery.
- 6.100 For large sites the market evidence does not suggest that MK has a substantially stronger market than the average housing market in England and therefore it is unlikely that large sites will deliver at rates higher than the national average unless there are other factors present which I will go onto consider in the next sections.
- 6.101 In Chapter 7, I shall consider the appropriateness of applying a discount by reference to the Council's established record of over estimating completions.
- 6.102 In Chapter 8, I provide a brief overview of the individual sites to assess their likely delivery timescale and their potential to deliver dwellings over the next five years. A full analysis of the site assessments is provided at Appendix 1.

CHAPTER 7: THE APPLICATION OF THE DISCOUNT

- 7.1 The Council apply a 10% discount but only to selected sites (Draft SoCG .2.13). The Council's decision to adopt this attenuated 10% discount rate approach has been a dilution firstly, of their 25% "optimism bias" which was applied to all forecast completions up to 2010 (CD12.2, paragraph 21) and secondly, a general 10% discount rate (CD12.3). The Council then introduced a more restricted 10% discount rate, which was first introduced by the Interim Statement (November 2015) (CD12.3)).
- 7.2 This discount is applied by the Council to those sites (or parts of larger sites) where delivery is expected to extend beyond the five years. This means a discount is only applied to those sites which the Council projection suggests will be producing completions after 2021/22.
- 7.3 For these sites (or parts of sites) the total projected level of completions for the period 2017/18 to 2021/22 is discounted by 10%.
- 7.4 In the June 2017 data the Council "discounted sites" figure is 6,970 dwellings.
- 7.5 The Council calculate 10% of this figure i.e. 697 dwellings.
- 7.6 This figure of 697 dwellings is then subtracted from the Council's total supply of 13,727 dwellings resulting in an overall and "discounted" supply of 13,030 dwellings.
- 7.7 The Council's explanation of this approach is set out in the "Assessment of Five Year Land Supply 2016 to 2021 (June 2016)" (CD12.5) which refers to the Interim Statement in November 2015 (CD12.3) which included a 10% discount across all sites and all years of forecast to account for slippage and non-implementation. The five year land supply of 11,497 is discounted by 10% to 10,347 (CD12.5, paragraph 3.2).
- 7.8 Since this Interim Statement (CD12.3), the Council have then analysed its lapse rates over the last 5 years and found that 18 permissions on 17 different sites had expired. The Assessment goes on to state that non- implementation accounts for the loss of just 63 dwellings from the land supply each year equating to less than 3% of the five-year land supply. As 48% of these losses are on windfall sites the

Council argue that non- implementation represents a residual risk of just 1.4% of the supply (CD12.5, 3.2 & 3.3).

- 7.9 On this basis, the Council have decided to change the 10% discount and only apply it to sites where completions are profiled in Year 5 or beyond and the discount is applied to all years (i.e. all projected completions in Years 1 to 5). This is because the Council consider that there is less risk of non-implementation for sites forecast to deliver in Years 1 to 4.
- 7.10 I have not come across this approach before and to my knowledge it has never been scrutinised (or endorsed) either at appeal or via a development plan examination. The Council do not rely on any Inspector's/Secretary of State's Appeal Decision Letter or Inspector's Plan Examination Report.
- 7.11 The assertion that non-implementation is more likely to occur on sites with completions in year 5 and beyond is simply unsubstantiated by evidence.
- 7.12 The approach taken by the Council purports to deal with non-implementation but provides no analysis of slippage which was the second part of the justification for the 10%.
- 7.13 I note the s78 appeal that preceded this Interim Statement, and was said to provide the background to the 10% slippage, was the Wain Close Appeal (APP/Y0435/A/14/2224004) which was upheld by the Secretary of State in October 2015 (CD13.14). In his decision letter the SoS specifically refers to and agrees with the Inspector's assessment of the five-year housing land supply position concluding that:

"19. The Secretary of State has given very careful consideration to the Inspector's assessment of the evidence on housing land supply at IR166-173. For the reasons given by the Inspector, the Secretary of State shares her view that the Council has not presented evidence to the inquiry to demonstrate that it has a 5 year housing land supply and that this would be the case whether the Liverpool or the Sedgefield method of dealing with the backlog were employed and regardless of how the buffer were dealt with (IR173). As indicated by the Inspector (IR173), the Secretary of State observes that, in these circumstances, paragraph 49 of the Framework sets out that relevant policies for the supply of housing should not be considered up-to-date." (CD13.14, page 4)

- 7.14 The Inspector's conclusions start at paragraph IR144. In terms of "slippage" the Inspector's report states:

"168. As in the Council's 5YHLS delivery is generally focused more towards the back end of that five year period, this increases any concern that if development were delayed, its delivery could fall outside that period. In addition, the Council's 5YHLS is dependent to a great extent on large sites with long lead-in times, (LA1) a matter that is an important factor in identifying whether a housing site is deliverable within the first five years (88). The Council relies on start dates that were very close, at the time of the Inquiry, and persuasive evidence is before me of unresolved issues which may delay starts on some sites. (89) In addition, I am mindful of the lead-in times from outline permission to first completions as demonstrated by the agreed comparison at Broughton Gate to the SLA and WEA. These matters raise serious concerns as to whether completions, on those sites in dispute, during the five year period, would be likely to slip back. Where a slippage in start date were to occur, I consider that it is unrealistic to assume that this will necessarily be made up by the developer or house builder within the five year period and also accept that, in any event, it may not be in their commercial interest.

"169. Start dates, build out rates and therefore completion rates, for those sites in dispute, would realistically be somewhere between the analyses presented by Mr Harris and that of Mr Nicol. Even if taking the more conservative view of Mr Harris, who in his oral evidence suggested a slippage of approximately 400 units, it casts serious doubt over whether the Council can deliver the 11,260 dwellings to meet its calculations of the five year housing requirement. It casts further doubt as to whether it could achieve any higher figure. That the Council has demonstrated an optimism bias in the past and includes no allowance for slippage adds weight to this finding. I acknowledge the proposed allocations through the emerging SAP and neighbourhood plans but I have no assurance that other sites (90) not included in the 5YHLS would be deliverable, when assessed against the Framework, and that they would come forward in the five year period.

Footnotes:

88 PPG paragraph 3-031

89 WEA10, WEA 11, SLA, Brooklands BDW1B and Block B4.1

90 Mr Harris referred, in oral evidence, to other sites in WEA11 that may come forward"

7.15 The evidential basis for the 10% slippage is actually set out in the appellant's Housing Land supply proof (Appendix 21) which explains this as follows:

"Assessing an overall slippage rate

6.2 My analysis earlier on suggests that, systematically, MKC projections in Years 2 and 3 have been at worst 50% to 60% and at best 80% of those forecast. I have limited information on the degree of slippage in year 4 and none on year 5 of any forecasts. I have therefore assumed for purposes of

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this exercise that the Council's current forecasts are accurate for years 4 and 5. The effect of applying such broad assumptions would be to reduce the 5YHLS overall by around 1,400 dwellings or 12%. Interestingly, this is similar to the commonly used 10% slippage factor used by LPAs to figures supplied to them or assumptions made on delivery. As far as I am aware, MKC do not as a matter of course apply any slippage factors to the delivery numbers suggested by developers."

- 7.16 My analysis, in respect of slippage, is that the Council have a persistent track record of over-estimating completions from their identified land supply.
- 7.17 Since 2008 completions have been just 69% of the Council's projected level (table 6). This represents a slippage of 31%.
- 7.18 I have highlighted (table 7) that over a five-year period, completions have averaged at just 75% of the Council's predicted five-year trajectory. This is a slippage of 25%.
- 7.19 Prior to 2011, MKC when producing the housing trajectory for the Annual Monitoring Report, used its own "optimum bias" of 25%. This was applied to all forecast annual completion rates. It also formed part of the Inspector's consideration of the housing supply matter at the Core Strategy examination (CD7.1, paragraph 88). The optimum bias basically deducted 25% of completions each year to avoid over-optimistic forecasting, and fed them back in in later years. This was based on reviews of previous forecasts against actual completions, that showed that historically forecasts were approximately 25% above actual completions each year (CD12.2, Paragraph 42 Milton Keynes Council Assessment of Five Year Land Supply: 2011-2016).
- 7.20 The optimum bias of 25% was not added to the forecast supply in 2011 as the Council considered the short-term forecasts to be far more accurate than in previous years.
- 7.21 The level of slippage that I have calculated matches that in the past as recorded by the Council and which was used to justify the 25% optimum bias. This is significantly more than the apparent 10% discount suggested by the Interim Statement of November 2015 and the Wain Close appellant's evidence.
- 7.22 This analysis is important as the Inspector in the Wain Close appeal draws attention to the need to make an adjustment for the optimism bias stating:

"That the Council has demonstrated an optimism bias in the past and includes no allowance for slippage adds weight to this finding." (CD13.14, paragraph 169)

- 7.23 Given that the Council's accuracy in predicting completions appears to have worsened in recent years then a greater level of slippage could clearly be justified to counter the Council's "optimism bias" which was identified in the previous appeal.
- 7.24 If the 10% discount is applied to all of the supply as per the original appeal decision and the Interim Statement (November 2015) (CD12.3), then even on the Council's own assumptions in the June 2017 data then there is less than a five-year supply of housing land as demonstrated by the table below:

Table 16 Application of 10% discount as per Interim Statement (November 2015) to June 2017 data

	MKC position (Liverpool) 10% discount
Requirement	
Minimum requirement 2010 to 2026	28,000
Annual Minimum requirement	1,750
Total built 2010 to 2017 (net)	9,019
Requirement (1,750 x 7)	12,250
Shortfall	-3,231
Overall Minimum requirement 2017-2026	18,981
Annual Minimum requirement	2,109
Add 20%	2,531
5 yr requirement	12,654
Supply	
Overall supply including additional sites not completed as expected in 2016/17	13,727
Delivery adjustment of 10%	-1,373
Total supply	12,354
Overall supply compared to requirement	-300
Overall years supply	4.88

- 7.25 I consider that my analysis is realistic, as it appropriately reflects evidence of past performance in my assessment of lead in times and build out rates. It would not be appropriate to apply a "slippage" allowance to my assessment of likely supply.

CHAPTER 8: SUMMARY OF SITE ASSESSMENTS

- 8.1 This section will deal with the contribution from those locations which I consider the Council have still overestimated the likely level of delivery in the next five years. A brief overview will be provided in this chapter, and is detailed in full in appendix 1.
- 8.2 I have already highlighted previous research that described the circumstances in which the Eastern Expansion Area achieved the second highest build rate in the country, which included the presence of a lead developer, a large number of active parcels at any one time, and a wide range of developers. The table below summarises these characteristics for the present range of strategic sites which contribute to the Council's five year land supply.

Table 17 Summary of Developers and Active Parcels on Strategic Sites

Comparison to Goodall's App 31 of Linford Lakes Proof (Appendix 43)	Year	Forecast Completions	Active Parcels	Developers	Mr Goodall Average rate of delivery Addendum to SOCG	MK Average rate of delivery Addendum to SOCG	SPRU Average Rate of Delivery
Eastern Expansion Area							
Eastern Expansion Area (NLP RGB app 8 page 15 7 RGB rebuttal para 5.21 b ii page 20)			12 Average	15	268	268	
Western Expansion Area 11 Fairfields							
Year of highest number of outlets	2018/19	289	4	2	252	273	171
Year of highest output	2020/21	330	2	1			
Western Expansion Area 10 Whitehouse							
Year of highest number of outlets	2018/19	433	10	4	333	342	171
Year of highest output	2019/20	467	6	4			
Western Expansion Area Total							
Year of highest number of outlets	2018/19	722	14	6	585	615	342
Year of highest output	2019/20	797	8	4			
Tattenhoe Park							
Year of highest number of outlets							
Year of highest output	2020/21	263	2	0	140	156	100
Brooklands							
Year of highest number of outlets	2018/19	424	8	2	303	310	171
Year of highest output	as above						
Strategic Reserve Sites							
Year of highest number of outlets (developers TW on glebe BDW on Eagle Farm/ Haynes/ Ripper, Connelly on Church Farm RGB rebuttal para 8.61)	2019/20	570	6	3	369	369	
Year of highest output	as above						

(1) Western Expansion Area (WEA)

8.3 The WEA consists of two major sites; Whitehouse (Area 10) consisting of 4,400 dwellings and 6.5ha of employment land and Fairfields (Area 11) consisting of 2,220 dwellings and 9ha of employment land.

8.4 The table below (table 18) summarises the differences between the MKC estimates and my own estimate.

Table 18 WEA Summary of Forecasts MKC and SPRU

WEA Area	2017/18	2018/19	2019/20	2020/21	2021/22	2017/18 to 2021/22	Discount	2017/18 to 2021/22	Ave 2017/18 to 2021/22
MKC 5 yr LS	492	722	797	680	562	3253	179	3075	615
SPRU	342	342	342	342	342	1710		1710	342
SPRU/MKC	-150	-380	-455	-338	-220	-1543		-1365	-273

8.5 What is clear is that for the WEA to achieve the build rates suggested by MKC, it would have to become the highest performing strategic site in England and maintain unprecedented levels in excess of 600 completions a year over the next five years. It would have to outperform the completion rates achieved on the combined eastern expansion area by effectively doubling the rate of delivery.

8.6 The table shows that the Western Expansion Area, which is to deliver 6,600 dwellings, is forecast by MKC to deliver an average of 615 dpa. This is almost 4 times the average for a greenfield site of this size according to the NLP research (171 dpa) and is at a rate that has never been sustained over a five-year period anywhere in the country.

8.7 The delivery of this site remains in an early stage, and there is yet to be any compelling evidence that the Western Expansion Area (Fairfields and Whitehouse) are capable of delivering an average of 615 dwellings per annum as proposed by the Council. It would be delivering at twice the rate of the Eastern Expansion Area during a time when both quarters were delivering 284 dpa.

8.8 Table 3 of Appendix 1 outlines the parcels within Area 10 and their current status. Bovis have 5 sites, and the other 5 sites are shared between Bellway Homes, Abbey

Developments Ltd and Taylor Wimpey (South Midlands). To achieve a build rate of 361 dpa as projected by MKC, the 4 builders would need to deliver at a rate of 90 dpa consistently throughout the next five years. This is substantially higher than the average delivery rates per outlet or the average rate of delivery on tariff sites recorded by Mr Goodall in his evidence for completions last year.

- 8.9 In terms of Area 11 (Fairfields), there is just one developer (BDW Trading) delivering completions on the site from two outlets; Barratt and David Wilson Homes. An email exchange with Barratt on 2nd June 2017 suggest that they control significantly more the site (appendix 22).
- 8.10 I have considered the rates of delivery of strategic sites both nationally and in Milton Keynes and conclude that a rate of 171dpa for each part of the WEA represents the highest realistic assessment of future delivery. This would still result in the WEA being one the fastest delivering strategic sites in England.
- 8.11 Appendix 1 (paragraphs 1.1 to 1.37) provides a detailed discussion of both Area 10 and Area 11 of the WEA.

(2) Tattenhoe Park

- 8.12 Tattenhoe Park is adjacent to H7/Hayton Way on the Western Flank of the urban area. The Council's web site states that Tattenhoe Park will comprise 1,330 homes when complete in 2025.
- 8.13 This is a site that the Council have been predicting to start within the first few years of every Annual Monitoring Report from 2005 onwards. The site has remained in the ownership of the HCA until this summer when it appears that some of the land has been released to the market, with only 7 hectares of the site remaining under the control of the HCA (paragraphs 1.46 to 1.47 of Appendix 1). It is considered that both the lead in time for completions to be delivered and the overall rate of delivery are over optimistic given the current planning status and ownership of the site.
- 8.14 Table 9 below sets out the difference between my assessment of delivery and that of the Council.

Table 19 Tattenhoe Park Difference in Forecasts MKC and SPRU

	2017/18	2018/19	2019/20	2020/21	2021/22	2017/18 to 2021/22	MKC Discount	2017/18 to 2021/22	Ave to 2021/22
Tattenhoe Park									
MKC 5 yr LS	0	6	132	264	222	624	62	562	140
SPRU	0	0	0	100	100	200		200	100
SPRU/MKC	0	-6	-132	-164	-122	-424		-362	-40

- 8.15 Table 9 of Appendix 1 shows a breakdown of delivery forecast by MKC.
- 8.16 In terms of the likelihood of delivery in the next five years it is important to note the following:
- The original outline PP expired in August 2017 and the renewal was approved in August 2017
 - HCA have sought a 10-year extension to the outline PP, and the planning statement comments that the anticipated delivery rate could be subject to change with fluctuations in housing market conditions and demand.
 - There have been two attempts to discharge condition 13 on the outline PP relating to surface water drainage, relating to the whole site, but these have been unsuccessful (see decision notice in appendix 32).
 - It has taken a long time to discharge other conditions, which is a sign of what may happen in the future. The Environmental Management Plan took nearly a year (after being submitted on August 2013). It was then withdrawn, then resubmitted and approved in June 2014.
 - The 2012 reserved application required 7 months and two separate planning committee meetings to be approved. It also resulted in a reduction from 160 to 154 dwellings.
 - There is a need for further investigation of potential contamination within the site.
 - There are objections to the current RM application, including from:
 - Anglian Water relating to discharge to adopted sewers; and
 - Natural England objected about a lack of information and proposed mitigation measures relating to Howe Park Wood SSSI.
- 8.17 As a site of below 2000 units, the completion rate would, if in accordance with the national average, be below 100 dpa. The previous rate of completion on Phase 1 would also appear to support a rate of around 100 dpa. While this is somewhat lower than the 130 dpa suggested by the HCA in their submission to the Core Strategy Examination, the 100 dpa appears more credible to me given the local and national evidence. MK's forecasts which average 140 dpa are based on achieving over 200

completions a year in years 4 and 5. The Council's forecasts for both lead in times and build out rates appear to be considerably over-optimistic given the fact that there has been a consistent under-performance of the HCA in delivering this site and there is little evidence that anything has actually changed.

8.18 The site assessment is detailed in full in Appendix 1 (paragraphs 1.38 to 1.59).

(3) Brooklands Eastern Expansion Area (EEA)

8.19 The Eastern Expansion Area (EEA) of Milton Keynes is a 400-hectare site immediately west of the M1 Motorway. It includes the residential areas of Broughton Gate with 1,500 homes, now largely complete, and Brooklands 2,500 homes.

Table 20 Brooklands EEA: Summary of difference

BROOKLANDS SUMMARY	2017/18	2018/19	2019/20	2020/21	2021/22	2017/18 to 2021/22	MK discount	total inc discount	Ave to 2022
MKC 5 yr LS	336	424	391	296	102	1549	36	1513	303
SPRU	171	171	171	171	171	855		855	171
SPRU/MKC	-165	-253	-220	-125	69	-694		-658	-132

8.20 There are five parcels with dwellings under construction out of a total of 15 parcels. These are being built out by two developers with reserved matters consents: BDW Trading Ltd (Barratt and David Wilson Homes) and Places for People Developments Ltd. This is in comparison to the 12 active parcels and 15 developers who delivered the early part of the Eastern Expansion Area.

8.21 With Broughton now complete, the delivery rate may increase in Brooklands, but with only 2 developers, albeit operating under 3 sales outlets, it is difficult to see how more than 250 dpa might be achieved, which was the last year's level of completions. At this level, MK would still have two of the highest performing national Urban Extensions within its boundaries.

8.22 Table 5 of Appendix 1 illustrates that to achieve these levels of completions, BDW trading have to deliver about 300 completions on this site this year and the following year. This would be an unprecedented rate of completions for a single developer.

8.23 The current average build-out rate for Brooklands has been 144 dpa. The Council were expecting the build out rate to average over 300 a year. I am of the opinion that as the Eastern Expansion Area is reducing in size and the number of active parcels it is likely on average to deliver at a lower rate of some 171 dwellings a year delivering total of 855 dwellings in the next five years.

8.24 The full site assessment is outlined in Appendix 1 (paragraphs 1.60 to 1.77).

(4) Strategic Reserve Sites

8.25 The 'Strategic Land Allocation' (SLA) is approximately 150 hectares, located to the north of Wavendon and south of the A421. A Development Framework SPD for the area was approved by the Council in 2013 and this sets out the masterplan for the development of about 3,000 homes, schools, open spaces and other community facilities (Appendix 23).

Table 21 Strategic Reserve Difference in forecast completions MKC and SPRU

Strategic Reserve	2017/18	2018/19	2019/20	2020/21	2021/22	2017/18 to 2021/22	Discount	2017 to 2021/22 discounted	Ave 2017/18 to 2021/22
MKC 5 yr LS	64	355	570	535	510	2034	188	1846	369
SPRU	10	64	200	200	250	724		724	145
SPRU/MKC	-54	-291	-370	-335	-260	-1310		-1122	-224

8.26 The site is split into a number of different ownerships and the Development.

8.27 I consider that while there are approved consents for individual parts of the site, it is realistic to consider these sites as parcels within one larger site. The proximity of the Strategic Reserve immediately south of the Eastern Expansion Area might encourage one to consider the whole area as a single strategic expansion area. I have not taken this approach but the proximity must be taken into account when considering likely completion rates.

8.28 There are now three reserved matters approvals on this Strategic site these being Sibley Haulage ([full] 34 dwellings), Eagle Farm (Phase 1 infrastructure, Parcel B1 259 dwellings), and Haynes Land (infrastructure only). There are presently no

reserved matters approvals for the 1,846 dwellings that MKC are forecasting to be delivered from this site in the five year period.

- 8.29 There is only 1 parcel with dwellings under construction out of a total 8 parcels. There are 3 housebuilders identified in the delivery of this area Taylor Wimpey (Glebe Farm), Barratt/ David Wilson (Eagle Farm and Haynes Land/West of Eagle Farm) and Connelly Homes at Church Farm. This is in comparison to the 12 active parcels and 15 developers who delivered the early part of the Eastern Expansion Area.
- 8.30 The Council suggest that completions rates on the Strategic Reserve will rise to 570 dwellings in the next two years (i.e. by 2019/20). This would far exceed the highest average rate of delivery seen on any site in England and be occurring at the same time as the Eastern Expansion Area to the north (Brooklands) is predicted to be achieving over 400 dpa, and the Western Expansion Area is delivering 737 dpa. There is nothing to support these levels of completions from either the local or national evidence base.
- 8.31 I conclude that this area will delivery some 724 completions in the next five years. As this is a realistic level when compared to other Quarters in terms of the rate of delivery, in my view this represents a realistic outlook for both the Strategic Reserve, and Milton Keynes in general, when compared to both national and local evidence on delivery of sites of this size.
- 8.32 A full assessment of the site can be found in Appendix 1 (paragraphs 1.78 to 1.130).

(5) Eaton Leys

- 8.33 This site gained outline planning permission (15/01533/OUTEIS) on the 17 June 2017 and the Council forecast that all of 600 dwellings will be completed by the end of March 2022 (appendix 24).

Table 22 Eaton Leys summary of delivery

	2017/18	2018/19	2019/20	2020/21	2021/22	2017/18 to 2021/22	Discount	2017/18 to 2021/22	Ave 2017/18 to 2021/22
Eaton Leys									
MKC 5 yr LS	0	0	50	295	255	600	60	540	180
SPRU	0	0	0	140	140	280		280	140
SPRU/MKC	0	0	-50	-155	-115	-320		-260	-87

- 8.34 The application extended across two local authority areas with 600 dwellings in MK and the larger number, 1,200 dwellings, in Aylesbury Vale District Council. The applicant is JJ Gallagher Ltd. The applicants withdrew the application for the part of the site that was in Aylesbury Vale. The area was promoted as an integrated development and the applicant is now pursuing that element of the site which is in Aylesbury Vale through the local plan process.
- 8.35 It is not clear how the removal of the larger part of the strategic site will impact on the delivery of the MK element of the scheme given that the area was designed as a whole. In my view, the reserved matters application will have to be delayed to allow for a redesign of the scheme (to take into account the potential of the southern part of the site not gaining consent) and is now being promoted through the review of the Aylesbury Vale Local Plan.
- 8.36 I note that as of the 26th October 2017, there has been no Reserved Matters application submitted for the residential phase. A reserved matters application for the primary infrastructure was submitted under reference 17/03212/REM by Gallagher Estates in December 2017 and is currently pending.
- 8.37 In respect of the level of completions the average level of build out rates for a site of this size (now reduced to 600) is 86 a year (Appendix 7, NLP table 3 page 19). This should be the starting point of the assessment of delivery in this case. However, I do recognise the fact that Gallagher's approach has at times led to increased levels of completions compared to the national average, but also long lead-in times, and therefore I concluded a build rate of 140 dpa as this is what was achieved in the first two years of build on the WEA (Area 11).
- 8.38 The full site assessment can be found in Appendix 1 (paragraph 1.131 to 1.150).

(6) Campbell Park Remainder

8.39 Campbell Park Northside site received outline planning consent in 2007 (04/00586/OUT), which expired in March 2017, for mixed use comprising the following:

- a. Up to 2400 residential units;
- b. Up to 140,385 sqm office/retail space;
- c. Up to 2366 sqm leisure/community uses;
- d. Up to 6640 sqm "live work" units;
- e. New marinas along the Grand Union Canal.

Table 23 Campbell Park Remainder

	2017/18	2018/19	2019/20	2020/21	2021/22	2017/18 to 2021/22	Discount	2017/18 to 2021/22 discounted	Ave 2017/18 to 2021/22
Campbell Park									
MKC 5 yr LS	0	0	0	50	100	150	15	135	27
SPRU	0	0	0	0	0	0		0	0
SPRU/MKC	0	0	0	-50	-100	-150		-135	-27

8.40 Part of this wider strategic area has now been built out or is subject to separate proposals incorporating Blocks 14a and 14b and Canalside Marina. Campbell Park Remainder comprises the remaining land pursuant to outline consent 04/00586/OUT which expired in March 2017. The Council have not identified which part of this area previously covered by the outline permission is going to deliver the 150 dwellings.

8.41 An application for 60 apartments was refused in November 2017 under reference 16/03648/REM. No further applications have yet been submitted in respect of the remaining parcels for residential development.

8.42 At present there is no extant planning consent for this site as the outline application which covered this site now having expired. While the site is currently being marketed by Knight Frank (since April 2016, Appendix 25.1), the developer selection

process has not been completed by MKDP. The fact that original outline remained unimplemented for this part of the site for over a decade and that NKDC have only just embarked on a marketing exercise to find a development partner there is no robust evidence that the site will deliver housing completions in the next five years.

8.43 The full site assessment can be found in Appendix 1 (paragraphs 1.151 to 1.166)

(7) Canalside Marina

8.44 This site was covered by the same outline planning permission (Reference 04/00586/OUT) as Campbell Park Remainder, granted in 2007. A reserved matters application(17/00850/REM) submitted by Crest Nicholson has been approved in November 2017 for the erection of 383 dwellings, retail floorspace, restaurant and café floorspace, a nursery and associated works. Of the 383 residential units, 332 are apartments in 5 blocks with the remaining 51 units being houses aligned along the canal side in the east of the site.

8.45 I consider that the creation of a marina, as well as the provision of infrastructure, will mean that in this case completions will be delivered a year later than envisaged by the Council. I further consider that the developers are only likely to complete one block of residential apartments a year, as the delivery of apartments is a higher risk: profits are only returned once all residential units are sold.

Table 24 Canalside Marina

Canalside Marina	2017/18	2018/19	2019/20	2020/21	2021/22	2017/18 to 2021/22	Discount	2017/18 to 2021/22 discounted	Ave 2017/18 to 2021/22
MKC 5 yr LS	0	0	80	100	100	280	28	252	50
SPRU	0	0	0	60	60	120		120	24
SPRU/MKC	0	0	-80	-40	-40	-160		-132	-26

8.46 The suggested 80 dwellings completed in 2019/18 look to be extremely optimistic given the scale of works entailed in delivering this mixed-use scheme. Also, the build out rate of 100 a year after the first year would appear high for this size of site. This site is to be delivered by a single developer Crest Nicholson who sell 42 dwellings a year off their outlets, plus RSL. Nationally sites of this size deliver at about 60 dpa.

This represents an uplift of almost 50% on the developer's national average but may be a reasonable assumption given that apartments in each block will complete at the same time.

8.47 The full site assessment can be found in Appendix 1 (paragraph 1.167 to 1.178).

(8) Site Allocations Plan (SAP)

8.48 A number of sites have been identified in the submission draft of the Site Allocation Plan. I accept that their inclusion is an indication that the Council consider that they are both appropriate and deliverable sites for housing.

Table 25 Impact of the SAP Examination Inspector's Conclusions on Delivery

	2017/18	2018/19	2019/20	2020/21	2021/22	2017/18 to 2021/22	Discounted	2017/18 2021/22 Discounted
SAP Allocations								
MKC 5 yr LS	11	15	77	193	151	447	29	419
SPRU / SAP inspector	11	15	77	32	0	135		135
Difference	0	0	0	-161	-151	-312		-284

8.49 The Inspector at the SAP examination expressed serious misgivings to the soundness of the. In his post hearing note (26th September 2017, CD9.7) the Inspector identified four areas of concern regarding soundness, these being 1) the role of the SAP, 2) conformity with the core strategy (SAP 18, 19 & 20), 3) sustainable development opportunities (SAP 7 and SAP2) and 4) site availability (SAP 11, 13 and 14). If the SAP Inspector is unpersuaded regarding the suitability of the release of sites SAP 18 & 19 and the availability of SAP 14, then the implications for the land supply is set out in the table below. While the Inspector also questions the suitability of SAP20, I do not discount this from the supply on the grounds that it has an adopted development brief and a planning application currently lodged and awaiting determination.

8.50 In response to the Examination Inspector's concerns (expressed in a letter dated 26th September 2017 [CD9.7]), the Council have responded to these concerns in a submission to the Inspector dated 23rd October 2017 (PC3A) (CD9.8). I have

reviewed the evidence in this response and note firstly, that all the substantive points which the Council argue demonstrate the sites availability have in fact already been placed before the Local Plan Inspector, and as such, do not amount to new or persuasive evidence.

- 8.51 On the 3rd November 2017, despite the Council's letter providing further information, the Inspector required further clarity stating *"I will be grateful, to ensure that my final understanding is correct, for a clear explanation from the Council as to how it identified sites SAP18, SAP19 and SAP20 as proposed housing allocations"*.
- 8.52 The Council responded on the 17th November 2017 (PC3C) and this response is not substantially different to their previous response in October 2017. The Inspector has yet to response, and this issue remains unresolved.
- 8.53 The full assessment of SAP14, SAP18 and SAP19 can be found in paragraphs 1.179 to 1.232 of Appendix 1.

(9) Tickford Fields

- 8.54 The site was first identified for housing in the 2005 Milton Keynes Local Plan as a Strategic Reserve Site. The site is divided into three land ownerships comprises part brownfield land, part greenfield land and consists of four different areas (Figure 13 of Appendix 1).
- 8.55 An application for a screening opinion request was submitted in February 2017 under reference 17/00340/EIASCR for approximately 1,100 homes, a two-form entry primary school, and 1-hectare local centre and associated works. The application was made by DLP Planning on behalf of Milton Keynes Development Partnership.

Table 26 Tickford Fields Summary of Delivery

	2017/18	2018/19	2019/20	2020/21	2021/22	2017/18 to 2021/22	2017/18 2021/22 Discounted
Tickford Fields							
MKC 5 yr LS	0	0	50	100	100	250	
SPRU	0	0	0	0	50	50	-200
Difference	0	0	-50	-100	-50	-200	



Strategic Planning & Research Unit

Roland Bolton's Evidence on
Five Year Land Supply
Land off Olney Road, Lavendon
Milton Keynes
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- 8.56 DLP are currently preparing the outline planning application which is anticipated to be submitted by February 2018 at the very earliest.
- 8.57 The capacity of the site is also likely to be less than the 1,100 homes previously proposed due to the master planning exercise and issues with flooding. It is more likely the capacity of the site will be 850 dwellings.
- 8.58 The implications of the above results in a reduction of 200 dwellings from the five-year supply period. It is considered that realistically completions will only be delivered in year 5, with 50 dwellings.
- 8.59 The full site assessment can be found in paragraphs 1.233 to 1.242 of Appendix 1.

(10) Other Sites

- 8.60 In addition to the large strategic sites, there are several smaller sites which have yet to gain planning permission or do not have an application lodged at the current time. These are listed in full in paragraph 1.243 of Appendix 1 and equates to a total of 236 dwellings that have been removed from the supply.
- 8.61 These sites have been individually assessed in paragraphs 1.243 to 1.260 of Appendix 1.

CHAPTER 9: CONCLUSION

- 9.1 In conclusion, I do not consider that the Council can demonstrate a five-year land supply. Below are three tables of comparison. The first lists the contested sites and highlights the difference in the total and forecast rate of completions. The second summaries the difference in the total number of completions, and the final table sets out the five-year land supply calculation based upon the identified different assumptions. It should be noted that the SPRU Delivery Adjustment (fourth row from the bottom of the table) is not additional to the Council's discount but is the impact of my own assessment of the realistic delivery from individual sites.

Future Completion Rates: Large Strategic Sites

- 9.2 The main area of difference is with respect to the future completion rates on the larger strategic sites. In securing allocations, developers and their agents can be over-optimistic with regard to both (a) the time it takes to secure all the necessary consents to deliver such sites and (b) the rates of delivery that can be achieved from such sites.

National and Local Evidence on Delivery

- 9.3 I have considered the empirical evidence on delivery rates both for large sites in general, as well as for the individual housebuilders who are identified as potential developers. I have also considered local market indicators to gain a perspective of any local factors which might suggest sites would perform substantially differently to that observed nationally.
- 9.4 I have found no market indicators that suggest sites in Milton Keynes would deliver housing at rates above those experienced nationally. There have been circumstances regarding the delivery of the sites in terms of infrastructure provision on strategic sites that have delivered higher rates of completions and I have taken these into account in my analysis. As such the most recent evidence from research undertaken by the NLP would suggest a build rate of some 171 dpa on the Western and Eastern Expansion Areas and the Strategic Reserve. While I have suggested a higher rate of delivery based upon my own analysis, I do not however consider the rates being promoted by the Council in the July 2017 Housing Land Supply Report

represent realistic or evidence based outcomes. There has been, in my view, a lack of critical review of the local or national evidence by the Council.

- 9.5 In terms of the HBF research in 2016, this suggests that the average level of completions on large sites of over 350 dwellings is some 70 dwellings a year. This is a further indicator to assist in realistic forecasting.
- 9.6 On sites being developed by a single housebuilder the evidence is that a lower rate of completions might be expected, in the region of 35 to 50 dwellings a year depending upon the level of affordable housing being delivered.
- 9.7 The levels of completions assumed by the Council will require the developers to achieve a significantly enhanced performance compared to their national average build out rates and the rates that they have achieved locally. The Council's approach also requires a greater number of housebuilders to be engaged in the delivery of the larger sites than there are at present. There is little to support the contention that the Council's enhanced rates of delivery are realistic on these sites.

SAP Examination

- 9.8 In terms of the SAP sites which the Council have identified will make a contribution I have accepted the Examination Inspector's initial concerns regarding the likely delivery of these sites and discount these from the Five-year housing land supply.

The Council's Overall Figure

- 9.9 The Council consider that there is a 5.16 years supply, this is reliant upon adopting the Liverpool Method of dealing with the shortfall, and levels future completions that have not been experienced in MK or elsewhere.

The Appellant's Overall Figure

- 9.10 My own assessment suggests that even applying the Liverpool method for the period 2016/17 to 2021/22 there is likely to be about 3.33 years' supply. If the Sedgfield approach is used as I believe it should be, then even with the Council's estimated supply there is a deficit in the five-year housing land supply. If the Sedgfield method is used with my own forecast of supply then the supply is just 2.93 years supply.

Summary Tables of Comparison

9.11 Below are three tables of comparison. The first lists the contested sites and highlights the difference in the total and forecast rate of completions. The second summaries the difference in the total number of completions, and the final table sets out the five-year land supply calculation based upon the identified different assumptions.

Table 27 Forecast Average Completion Rates on Strategic Sites (2017/18 to 2021/22)

	MKC Completions 2017 – 2022 (inc discount)	MKC Average completions 2017 – 2022	SPRU Completions 2017 – 2022	SPRU Average completions 2017 – 2022
Brooklands Summary	1,513	303	855	171
Area 10 Whitehouse	1,711	342	855	171
Area 11 Fairfields	1,363	273	855	171
WEA Summary	3,075	615	1,710	342
Tattenhoe Park Summary	562	140	200	100
Strategic Reserve	1,846	369	724	145
Eaton Leys	540	180	280	140
Tickford Fields	225	75	50	50

**Table 28 MKC and SPRU Discounts to Initial Forecasts of Completions
on Contested Sites (2017/18 to 2021/22)**

Summary of discounts from base supply	SPRU 2017/18 to 2021/22	MKC adjustment
Brooklands	-694	-36
WEA Area 10 Whitehouse	-948	-92
WEA Area 11 Fairfields	-595	-87
Tattenhoe	-424	-62
Strategic Reserve	-1,270	-188
Eaton Leys	-320	-60
Campbell park	-150	-15
Canalside Marina	-160	-28
Tickford Fields	-150	-25
Land Off Harrowden (Sap14)	-27	0
Land At Towergate, Groveway (Sap18)	-150	-15
Land At Walton Manor, Groveway/Simpson Road (Sap19)	-135	-14
Latham's Buildbase	-75	-8
Lakes Estate Neighbourhood Plan Sites; Land South of Water Hall School	-61	-6
Police Station Houses, High Street	-14	0
Site 4, Vernier Crescent	-10	0
Reserve Site 3	-22	0
Reserve Site off Hendrix Drive	-10	0
Reserve Site (off Nicholson Grove)	-19	0
Reserve Sites A & D (Hindhead Knoll)	-25	0
Delivery Adjustment	-5,299	-636

Table 29 Five-year Supply Calculation

	SPRU Supply (Sedgefield)	MKC Supply (Sedgefield)	SPRU Supply (Liverpool)	MKC position (Liverpool) 10% discount	MKC position (Liverpool)
Requirement					
Minimum requirement 2010 to 2026	28,000	28,000	28,000	28,000	28,000
Annual Minimum requirement	1,750	1,750	1,750	1,750	1,750
Total built 2010 to 2017 (net)	9,019	9,019	9,019	9,019	9,019
Requirement (1,750 x 7)	12,250	12,250	12,250	12,250	12,250
Shortfall	-3,231	-3,231	-3,231	-3,231	-3,231
Overall Minimum requirement 2017-2026	18,981	18,981	18,981	18,981	18,981
Annual Minimum requirement	2,396	2,396	2,109	2,109	2,109
Add 20%	2,875	2,875	2,531	2,531	2,531
5 yr requirement	14,377	14,377	12,654	12,654	12,654
Supply					
Overall supply including additional sites not completed as expected in 2016/17	13,727	13,727	13,727	13,727	13,727
MKC Delivery adjustment		-697			-697
SPRU Delivery adjustment	-5,299		-5,299	-1,373	
Total supply	8,428	13,030	8,428	12,354	13,0930
Overall supply compared to requirement	-5,949	-1,286	-4,226	-300	437
Overall years supply	2.93	4.53	3.33	4.88	5.15

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APPENDIX 1

**On behalf of various clients. Appendices to Representation to the
Plan:MK Examination**

Matter 3

(1) WESTERN EXPANSION AREA

Introduction

- 1.1 The 'Western Expansion Area' (WEA) is the largest of the expansion areas in Milton Keynes and covers 350ha west of V4 Watling Street, between Stony Stratford, Kiln Farm, Two Mile Ash, Crownhill and Grange Farm. The WEA consists of two major sites which are separated by Calverton Lane running through the middle. These sites are:
- Whitehouse (Area 10): 228ha site consisting of 4,400 dwellings and 6.5ha of employment land.
 - Fairfields (Area 11): 123ha site consisting of 2,200 dwellings and 9ha of employment land.

Table 1 Summary of Parcel Status of WEA

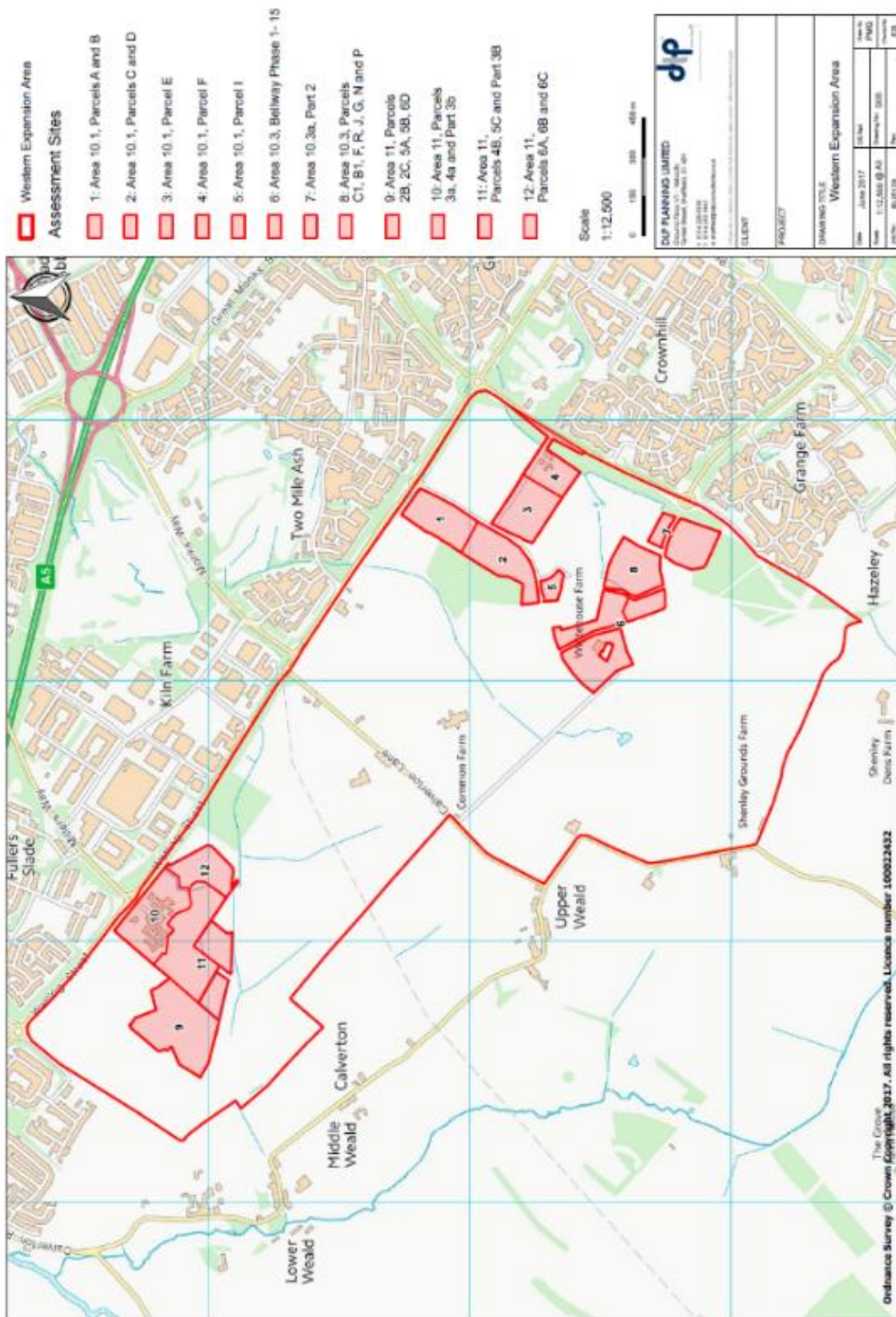
WEA	
Plots with O/L	4,709
Plots with RM	517
Plots U/C at September 2017	526
Plots Completed at September 2017	848
No. of Developers with Parcels (and who)	6 (Abbey Developments, Barratt/ David Wilson, Bovis, Bellway, CALA Homes, Taylor Wimpey)
Total	6,600

Summary of Appellant/MKC Figures

- 1.2 The table below (Table 2) summarises the differences between the MKC estimates and my own estimate. What is clear is that for the WEA to achieve the build rates suggested by MKC, it would have to become the highest performing strategic site in England and maintain unprecedented levels in excess of 600 completions a year over the next five years. It would have to outperform the completion rates achieved on the combined eastern expansion area by effectively doubling the rate of delivery.
- 1.3 The table shows that the Western Expansion Area, which is to deliver 6,600 dwellings, is forecast by MKC to deliver an average of 615 dpa. This is almost 4 times the average for a greenfield site of this size according to the NLP research (171 dpa) and is at a rate that has never been sustained over a five-year period anywhere in the country.

- 1.4 The delivery of this site remains in an early stage, and there is yet to be any compelling evidence that the Western Expansion Area (Fairfields and Whitehouse) are capable of delivering an average of 615 dwellings per annum as proposed by the Council. At 615 dpa, this would be the fastest delivering Strategic Site in England by a considerable margin. It would be delivering at twice the rate of the Eastern Expansion Area during a time when both quarters were delivering 284 dpa (RGB PoE table 10, page 65).
- 1.5 The very high delivery rates (797, 680 and 562) in the last 3 years of the calculation are increasingly dependent on the release of sites controlled by Gallagher and MK.
- 1.6 The July 2017 Housing Land Supply report (CD12.4) paragraph 3.9 states that completions on the WEA has reached three figures and that there are currently 531 classified as under construction indicating that delivery rates will pick up. I have assumed that the WEA will indeed pick up and deliver an average of 342 dpa which is higher than the average of 151 achieved in the first two years of this development (see table 13).

Fig 1: Western Expansion Area Site Location Plan



- 1.7 Even my approach of treating the two elements (Whitehouse (Area 10) 4,400 dwellings and Fairfield's (Area 11) 2,200 dwellings as separate Strategic Sites and applying the national average rate of greenfield completions of 171 dpa to both sites represents an increase in the past rates of delivery across both sites (see table 10) and results in the area delivering 342 dpa which would make WEA one of the fastest delivering sites in the country according to NLP research.

Table 2 WEA Summary of Forecasts MKC and SPRU

WEA Area	2017/18	2018/19	2019/20	2020/21	2021/22	2017/18 to 2021/22	Discount	2017/18 to 2021/22	Ave 2017/18 to 2021/22
MKC 5 yr LS	492	722	797	680	562	3253	179	3075	615
SPRU	342	342	342	342	342	1710		1710	342
SPRU/MKC	-150	-380	-455	-338	-220	-1543		-1365	-273

Detailed Discussion: Area 10 Whitehouse

- 1.8 According to the Council Housing Statistics 2017, there were 124 dwellings completed in the last year (2016/17).
- 1.9 The Council propose that this rate of delivery will more than double during this year (2017/18) to 291 dwellings and then increase to 433 the following year,
- 1.10 The Table below sets out the Council's forecasts for delivery. The Council's discount element is addressed in section 7 of the main proof.

Table 3 WEA Area 10 Whitehouse: MKC forecast completions

Site	Status	2017/18	2018/19	2019/20	2020/21	2021/22	Discounted site
WEA AREA 10.1 - 10.3 REMAINDER Gallagher/MKC	OL	0	22	221	300	300	84
Bovis - 10.1 a and b	UC	61	27	0	0	0	
Bovis - 10.1 C and D	REM	0	50	79	0	0	0
Bovis - 10.1 f	UC	8	0	0	0	0	0
Bovis PARCEL 10.1 E	UC	24	50	40	0	0	0
Bovis PARCEL 10.1 H	REM	0	34	30	0	0	0
Abbey 10.3 Parcels C1 B1 F R J G N and P	UC	61	60	57	0	0	8
Taylor Wimpey 10.3A Part 2	UC	47	17	0	0	12	0
Taylor Wimpey 10.3A Part 1	REM	0	50	0	0	0	0
Abbey 10.1 Parcel 1	REM	0	34	0	0	0	0
Bellway - 10.3 Phase 1	UC	90	89	40	0	0	0
		291	433	467	300	312	92

- 1.11 In terms of Area 10, Bovis Homes have 5 sites and the other 5 sites are shared between Bellway Homes, Abbey Developments Ltd and Taylor Wimpey (South Midlands). To achieve a build rate of 361 dpa as projected by MKC, the 4 builders would need to deliver at a rate of 90 dpa consistently throughout the next five years. This is substantially higher than the average delivery rates per outlet.
- 1.12 These build out rates are also reliant upon Genesis Land Limited (part of Gallagher's group of companies) securing the sale of additional parcels of land to housebuilders so that completions start in a years' time (2018/19). It also requires MKC to dispose of their land interests in this area. This would need to be land sales for at least 5 builders (assuming delivery of 50 dpa), if 221 dwellings are to be constructed on the part of the site subject to outline consent in 2019/20.
- 1.13 The June 2017 data forecasts some 843 dwellings being completed in the next five years on the remainder of this site which has yet to gain reserved matters approval. MKC assert that while this area is not currently being built out by developers it has outline planning permission and that division of multiple development parcels across a range of housebuilders means achievability of completions is high. MKC state that development rates in the future takes into account additional MKC land holding which is likely to be disposed in the next few years; i.e. it has not yet been scheduled for

release. In my view the process of the release of such sites and achieving the necessary reserved matters consents is likely to delay the contribution of this element of the site.

- 1.14 Bovis are likely to complete WEA Parcel 10.1E and 10.1H (103 homes in total) before trying to construct and sell a further 100 dwellings from Parcels 10.1 C and D in the same year, into the same market. If Bovis continue to invest in the site by securing additional parcels then these again are likely to follow on from their present sites rather than being brought forward in direct competition with them.
- 1.15 In response to our enquiries, Bovis have confirmed a sales rate of between 1 and 2 dwellings a week (between 52 and 104 dwellings a year) across their Whitehouse Park Phase A and B site (appendix 26).
- 1.16 Bellway have also confirmed a build out rate of 50 dwellings a year on their Whitehouse Farm site, with a sales rate of just under 1 unit per week (appendix 27.1). In a telephone conversation on 5th October 2017, they confirmed there are approximately 200 units remaining to be built on site and are currently on phase 2 of 4. Their sales rates have picked up in recent months which they put down to selling such a good product (appendix 27.2).
- 1.17 Abbey New Homes (Queen Eleanor Place Development Parcel 10.1 217) confirmed that units are selling faster than normal, averaging 1.5 units per week (78 dpa). It was explained that the reason for better than normal sales was due to a batch of detached units being released with garages, which was identified as being the two key selling points at this site (Appendix 28.1). In a telephone conversation on the 5th October 2017, the sales team confirmed that sales have slowed due to the most in demand products not being available. Most people were seeking 2 bed properties, a product which Abbey do not sell. There was however, a long waiting list for 4/5 bed dwellings. There are only 5 units for sale on the site at the current time, although 90 units have already been sold (appendix 28.2).
- 1.18 These rates of completions do not suggest that the overall level of delivery will exceed national average rates of delivery for strategic sites of this size.
- 1.19 Taylor Wimpey confirmed in May 2017 that with regards to parcel 10.3A Part 1 the number of dwellings has been reduced from 62 to 50 and that construction is expected to start on site in January 2018.

- 1.20 Mr Claye on behalf of Gallagher responded to our request regarding build out rates of the remainder land held by Gallagher in terms of Area 10 of the Western Expansion Area (see appendix 29). This states that they expect 300 units to be completed in 2017 (compared to the Council's 291) and that this is to continue. This would result in 1,500 completions in the five-year period not the higher figure of 1,803 forecast by the Council. In considering the weight to be attributed to these forecasts, it is important to note that as promoters selling serviced parcels to developers, Gallagher's are not housebuilders and they have in the past overestimated the lead-in times and build-out rates from their land holdings (see paragraph 6.9 and 7.10)
- 1.21 Mr Claye refers to build rates of 240 achieved on one year on Area 11 to support this build out rate but does not state that he would be happy for his company to be measured against this forecast rate as a measure of their delivery performance. I consider this to be an optimistic view of the performance of this site which is not supported by robust evidence of past delivery and from a promoter who has been over optimistic in the past regarding the delivery of their sites, and I refer to their evidence to the Core Strategy Examination in this respect.
- 1.22 The national build-out rate for greenfield sites of in excess of 2,000 dwellings is 171 dpa and while some sites in MK have delivered at above that rate, not all have performed at a higher rate. Furthermore, the fact that there will be very direct competition between WEA Area 10 and Area 11, plus the other strategic sites would support the use of the national average to be a more robust approach to this assessment. I note that these sites have been delivering over the last three years and that the highest level of completions occurred last year in which Area 11 was 165 completions and Area 10 achieved 124 completions. Taking this into account and the evidence of completion rates elsewhere in MK I consider an average figure of 171 per annum for both Areas for the five-year period would be realistic.
- 1.23 The Table below illustrates my assessment of the realistic delivery of this site.

Table 4 WEA Area 10 Whitehouse Difference in forecasts MKC and SPRU

Whitehouse WEA Area 10	2017/18	2018/19	2019/20	2020/21	2021/22	2017/18 to 2021/22	Discount	2017/18 to 2021/22	Ave 2017/18 to 2021/22
MKC 5 yr LS	291	433	467	300	312	1803	92	1711	342
SPRU	171	171	171	171	171	855		855	171
SPRU/MKC	-120	-262	-296	-129	-141	-948		-856	-171

Detailed Discussion: Area 11 Fairfield's

- 1.24 There were 165 dwellings completed in the last year (2016/17) on this part of the WEA.
- 1.25 The Council propose that this rate of delivery will increase this year (2017/18) to 201 dwellings.
- 1.26 At present, there is just one developer (BDW Trading Limited) delivering completions on Fairfield Area 11, from two outlets; David Wilson Homes and Barratt. Redlaw Land, the joint applicant, is a strategic land company formally Genesis Land Limited (who have shared directors with Gallagher Estates). The table below summarises the different positions.
- 1.27 An email exchange with Barratt on 2nd June 2017, suggest that they control significantly more of the site (the figure of 4000 units is mentioned subject to reserved matters planning permission, but this seems to be far in excess of the outline application) (Appendix 22).

Table 5 WEA Area 11 Fairfield's: MKC forecast completions

Site	Status	2017/18	2018/19	2019/20	2020/21	2021/22	Discount
WEA AREA 11 - REMAINDER Gallagher/MKC	O/L	0	116	200	300	250	86.6
BDW - 2b 2c 5a 5b 5d	REM	41	60	60	80	0	0
Barratt H2 to H3 (4B 5C and part of 3B)	UC	90	37	0	0	0	0
Barratt Parcels 6a, 6B and 6C	UC	70	76	70	0	0	0
		201	289	330	380	250	86.6

- 1.28 It should be noted that the 866 dwellings forecast to be completed have yet to gain reserved matters consent and yet these completions are forecast to start next year (2018/19).
- 1.29 A Reserved Matters Application was approved in September 2017 under reference 17/01669/REM for 250 dwellings on Parcels 3C, 3D, 5D, 5E, 5F and LC. The applicant is BDW Trading.
- 1.30 To secure the total of 201 completions from the single developer Barratt/David Wilson in 2017/18 is, I would suggest, unlikely.
- 1.31 In any event a rate of 240 dpa for the Area 11 would produce a total of 1,200 dwellings by 2022 compared to the 1,450 dpa forecast by MKC.
- 1.32 My view is that to achieve 116 completions in 2018/19 on the part of the site that is subject to the outline consent would require the land to be disposed of to an alternative developer other than Barratt/David Wilson and for Reserved Matters to be approved now. There is no evidence to this effect. In fact, it appears that Barratt/David Wilson might be seeking to develop the remainder of the site.
- 1.33 In any case, securing reserved matters approval and completing 116 dwellings by March 2019 appears unrealistic.
- 1.34 For completions to increase further to 315 and 370 dwellings as forecast in the subsequent years also looks very unlikely, especially when there are no other named developers at present and there are no reserved matters approvals for the majority of these dwellings. These rates would be extremely challenging for the whole of the strategic site let alone just these elements of the strategic allocation.
- 1.35 While I acknowledge that the site achieved 165 completions last year I regard this as being at the top of the range of what may be achieved on this site over the next five years and as such an average of 171 dpa would be highest realistic projection, given the proximity of WEA area 10 and past rates of delivery in MK.
- 1.36 I have taken the approach of treating Area 10 and 11 of the WEA as separate strategic sites. Together MKC forecast these two sites delivering 3,253 dwellings (or 3,075 including Council discount) of which over half (1,709 dwellings (866 +843)) have yet to secure reserved matters consent or to be formally sold to a developer.

- 1.37 I have considered the rates of delivery of strategic sites both nationally and in MK and conclude that a rate of 171 dpa for each part of the WEA represents the highest realistic assessment of future delivery. This would still result in the WEA being one of the fastest delivering strategic sites in England.

Table 6 WEA Area 11 Fairfields Difference in forecasts MKC & SPRU

Fairfields WEA Area 11	2017/18	2018/19	2019/20	2020/21	2021/22	2016/17 to 2020/21	MK discount	2017/18 to 2021/22	Ave 2017/18 to 2021/22
MKC 5 yr LS	201	289	330	380	250	1,450	87	1,363	273
SPRU	171	171	171	171	171	855		855	171
SPRU/MKC	-30	-118	-159	-209	-79	-595		-508	-102

(2) TATTENHOE PARK

Introduction

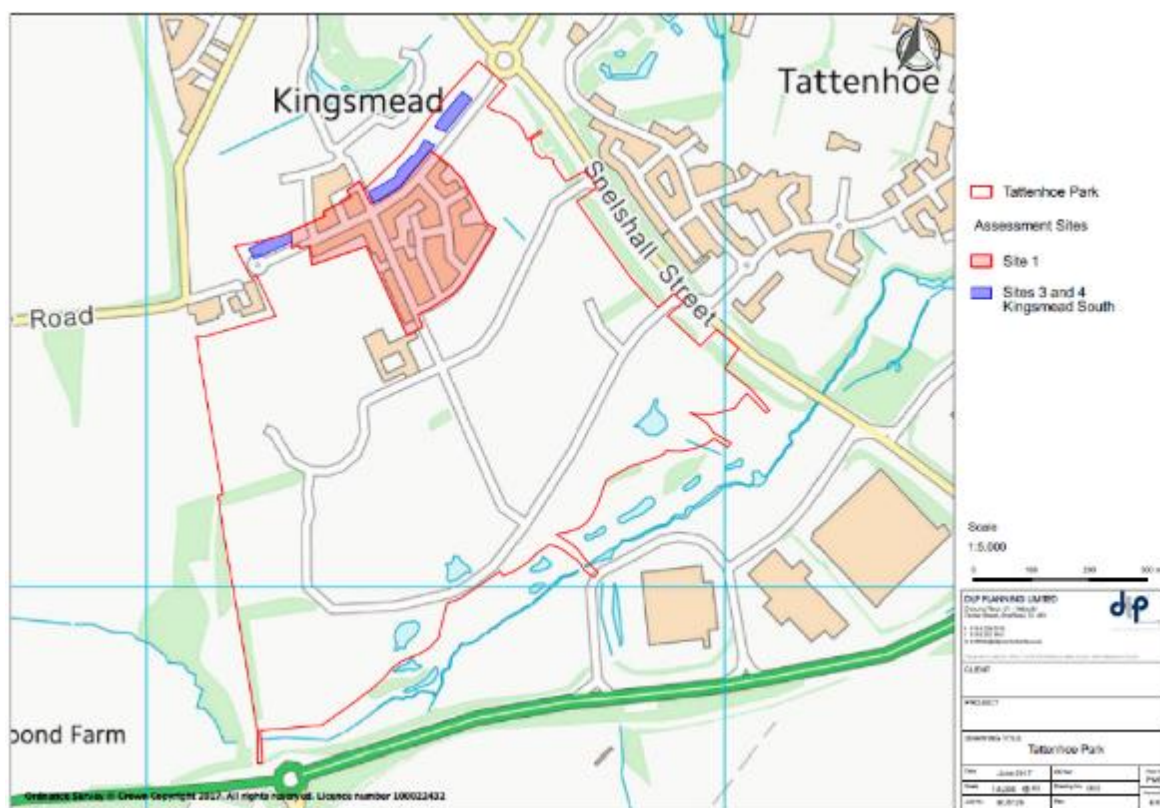
- 1.38 Tattenhoe Park is adjacent to H7/Hayton Way on the Western Flank of the urban area. The Council's web site states that Tattenhoe Park will comprise 1,330 homes when complete in 2025.

Table 7 Summary of Plots and Developers at Tattenhoe Park

Tattenhoe Park	
Plots with O/L	1,172
Plots with RM	0
Plots without Consent	0
Plots U/C at September 2017	0
Plots Completed at September 2017	138
No. of Developers (and who)	2 (Barratt/David Wilson, HCA)
Total	1,310

- 1.39 The original outline permission was granted in 2007 (06/00856/MKPCO) and the first reserved matters application for a small part of the site consisting of 138 dwellings was validated in May 2012 and a decision notice issued in July 2013 (12/00969/MKPRC). The first completions on this parcel were recorded in the first quarter of 2014 (April to June) and this part of the site was completed by October 2015, suggesting an 18 month build of approximately 90 dpa. This element of the site was delivered by Barratt/David Wilson.
- 1.40 Renewal of outline planning permission 06/00856/MKPCO was approved in August 2017 under reference 17/00918/OUT.
- 1.41 There are no reserved matters approved for the remainder of the site.
- 1.42 There were no dwellings completed in the last year (2016/17) at Tattenhoe Park.
- 1.43 The Council propose that this site will start delivering next year with just 6 dwellings forecast to be completed.

Fig 2: Tattenhoe Park Site Location Plan



Summary of Appellant/MKC Figures

- 1.44 This is a site that the Council have been predicting to start within the first few years of every Annual Monitoring Report from 2005 onwards. The site has remained in the ownership of the HCA until this summer when it appears that some of the land has been released to the market. It is considered that both the lead in time for completions to be delivered and the overall rate of delivery are over optimistic given the current planning status and ownership of the site.
- 1.45 Table 8 below sets out the difference between my assessment of delivery and that of the Council.

Table 8 Tattenhoe Park Difference in Forecasts MKC and SPRU

	2017/18	2018/19	2019/20	2020/21	2021/22	2017/18 to 2021/22	MKC Discount	2017/18 to 2021/22	Ave to 2021/22
Tattenhoe Park									
MKC 5 yr LS	0	6	132	264	222	624	62	562	140
SPRU	0	0	0	100	100	200		200	100
SPRU/MKC	0	-6	-132	-164	-122	-424		-362	-40

Detailed Discussion

- 1.46 MKC's Assessment of Five Year Housing Land Supply (June 2017) data relies upon the HCA information (April 2017) that there is to be a start on site in June 2019 and that there is the scope for this site to come forward for accelerated delivery via the HCA. The HCA therefore state that the Council's current projections could be brought forward if the site is brought forward under the accelerated delivery process. The Table below gives the detailed breakdown of the MK assumptions.

Table 9 Tattenhoe MKC breakdown of delivery forecast

Area	Site	2017/18	2018/19	2019/20	2020/21	2021/22	discount
Tattenhoe Park	Tattenhoe Park 2 & 7	0	0	24	72	72	16.8
Tattenhoe Park	Tattenhoe Park 3-6	0	6	108	192	150	45.6
Tattenhoe Park Summary		0	6	132	264	222	63.4

- 1.47 Whilst I note that the HCA state that the land will be marketed in the first quarter of 2017/18 (HCA "Land Development and Disposal Plan" December 2016, appendix 30.1), there is to date no information regarding this sale. The June 2017 Update to the "Land Development and Disposal Plan" confirms the sale of 18 hectares of land at Tattenhoe Park, although these are described differently than the previous release, and so it is unclear which parcels have been sold (appendix 30.2). Only an approximate 7 hectares of the site remains under the control of the HCA.
- 1.48 A reserved matters application has been pending since its validation in January 2017 (under Reference 17/00103/REM) for the construction of 41 dwellings and associated works. The application was submitted by Morris Homes and HCA. The delay in determination of the application seems to be related to the consultation comments received from the urban design team requesting amendments to the design of the scheme.
- 1.49 The site is reliant upon the 2007 outline consent. The HCA have applied to extend the time on the original outline permission which expired in August 2017 under reference 17/00918/OUT. The application also made amendments to the illustrative masterplan including the removal of the bus link to Steinbeck Crescent, relocation of the local centre to the eastern boundary and relocation of the sports pavilion and sites reserved for community use (appendix 31.1). The committee report (appendix 31.2) states in paragraph 5.1 that *"the site has been slower to deliver new homes than anticipated due*

to the economic slowdown shortly after the permission was granted. Nonetheless the majority of the supporting infrastructure has been constructed as well as the first phase of residential development which comprises 138 dwellings (in 2012)."

- 1.50 In respect of the timing of the delivery of the site, 17/00918/OUT decision applies a condition which requires the first reserved matters application to be submitted within two years, and the application for approval of all reserved matters before the expiration of 8 years from the decision date i.e. 17th August 2025. This is two years less than the ten years originally sought by the applicants and recommended by the Planning Officer in their committee report draft list of conditions. The minutes from Planning Committee in 29th June 2017 states that *"members of the committee expressed concern that the development had taken a considerable amount of time to deliver and that a further ten years was excessive"* (Appendix 31.3).
- 1.51 The minutes (appendix 31.3) also states:

"It was commented that there was a clause within the S106 agreement that allowed the Council to intervene where the site was not being delivered as quickly as anticipated."
- 1.52 Contrary to the HCA's assertions is the fact that as described above, Barratt/ David Wilson delivered 138 dwellings on part of the site between 2014 and 2015.
- 1.53 The phasing in the Planning Statement (appendix 31.1) is as follows:
 - a. Phase 2: This phase will comprise around 290 further homes and could commence in early 2019;
 - b. Phases 3 and 4: These two phases would comprise around a further 320 additional homes;
 - c. Phase 5: This will comprise around 230 dwellings and occupies a central location in the southern part of the development site, just south of the existing playing fields; and
 - d. Phase 6: The final phase will make up the balance of dwellings and is located towards the south east of the development site. (Appendix 30.1, section 3.6, page 14-15).
- 1.54 In respect of the timing of the delivery the Planning Statement records:

"The HCA is committed to deliver the remainder of the homes as quickly as possible. It is assumed that the next phases of development would commence on site as soon as early 2019 and that under the ACP, the development could

be complete by 2025. Although the HCA feels that this is a realistic rate of delivery, particularly given that much of the infrastructure works are already complete, this could change subject to local housing market conditions and demand. Therefore a 10 year period for the submission of all reserved matters applications is sought to provide sufficient flexibility to enable a development of this scale to be implemented.” (Appendix 31.1, page 14)

- 1.55 The Table below illustrates that the Council have been predicting completions on this site in their five-year land supply assessments since 2005 and these have continually failed to deliver against these projections. The only completions that have occurred are the 138 dwellings (referred to above) compared to the much higher rates of completions being forecast. The timing of completions and the overall number to be delivered has also fluctuated within this period.

Table 10 Past projections of completions on Tattenhoe Park by MK

	2005/06	2006/07	2007/08	2008/09	2009/10	2010/11	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20
Dec 2005	0	0	57	196	250	250									
Dec 2006	0	0	0	118	246	447	430	0	69						
Dec 2007			0	0	143	249	286	302	330						
Dec 2008				65	116	201	200	443	285						
Dec 2009					0	30	35	93	142						
Nov 2010								590							
Dec 2011									708						
Dec 2012										914					
2014									12	54	56	113	113	110	166
June 2015											0	0	37	150	206
Nov 2015											0	0	37	151	207
June 2016												0	37	151	207
April 2017												0	0	100	225

- 1.56 The continued failure of the site to deliver reduces the likelihood of the potential for delivery in the next five years.
- 1.57 In the Linford Lakes appeal, Mr Goodall identified in his appendix 31 that there are no parcels with dwellings under construction out of a total of three parcels (including the application from Morris Homes of 41 dwellings). This is in comparison to the 12 active parcels and 15 developers who delivered the early part of the Eastern Expansion Area.
- 1.58 In terms of the likelihood of delivery in the next five years it is important to note the following:
- The original outline PP expired in August 2017 and the renewal was approved in August 2017

- b. HCA have sought a 10-year extension to the outline PP, and the planning statement comments that the anticipated delivery rate could be subject to change with fluctuations in housing market conditions and demand.
- c. There have been two attempts to discharge condition 13 on the outline PP relating to surface water drainage, relating to the whole site, but these have been unsuccessful (see decision notice in appendix 32).
- d. It has taken a long time to discharge other conditions, which is a sign of what may happen in the future. The Environmental Management Plan took nearly a year (after being submitted on August 2013). It was then withdrawn, then resubmitted and approved in June 2014.
- e. The 2012 reserved application required 7 months and two separate planning committee meetings to be approved. It also resulted in a reduction from 160 to 154 dwellings.
- f. There is a need for further investigation of potential contamination within the site.
- g. There are objections to the current RM application, including from:
 - i. Anglian Water relating to discharge to adopted sewers; and
 - ii. Natural England objected about a lack of information and proposed mitigation measures relating to Howe Park Wood SSSI.

1.59 While parts of the site have now been sold to a developer/developers between December 2016 and June 2017, and a start may be made in 2019 as suggested by the HCA, there are unlikely to be any meaningful completions until 2020/21. As a site of below 2000 units, the completion rate would, if in accordance with the national average, be below 100 dpa. The previous rate of completion on Phase 1 would also appear to support a rate of around 100 dpa. While this is somewhat lower than the 130 dpa suggested by the HCA in their submission to the Core Strategy Examination, the 100 dpa appears more credible to me given the local and national evidence. MK's forecasts which average 140 dpa are based on achieving over 200 completions a year in years 4 and 5. The Council's forecasts for both lead in times and build out rates appear to be considerably over-optimistic given the fact that there has been a consistent under-performance of the HCA in delivering this site and there is little evidence that anything has actually changed.

(3) BROOKLANDS EASTERN EXPANSION AREA

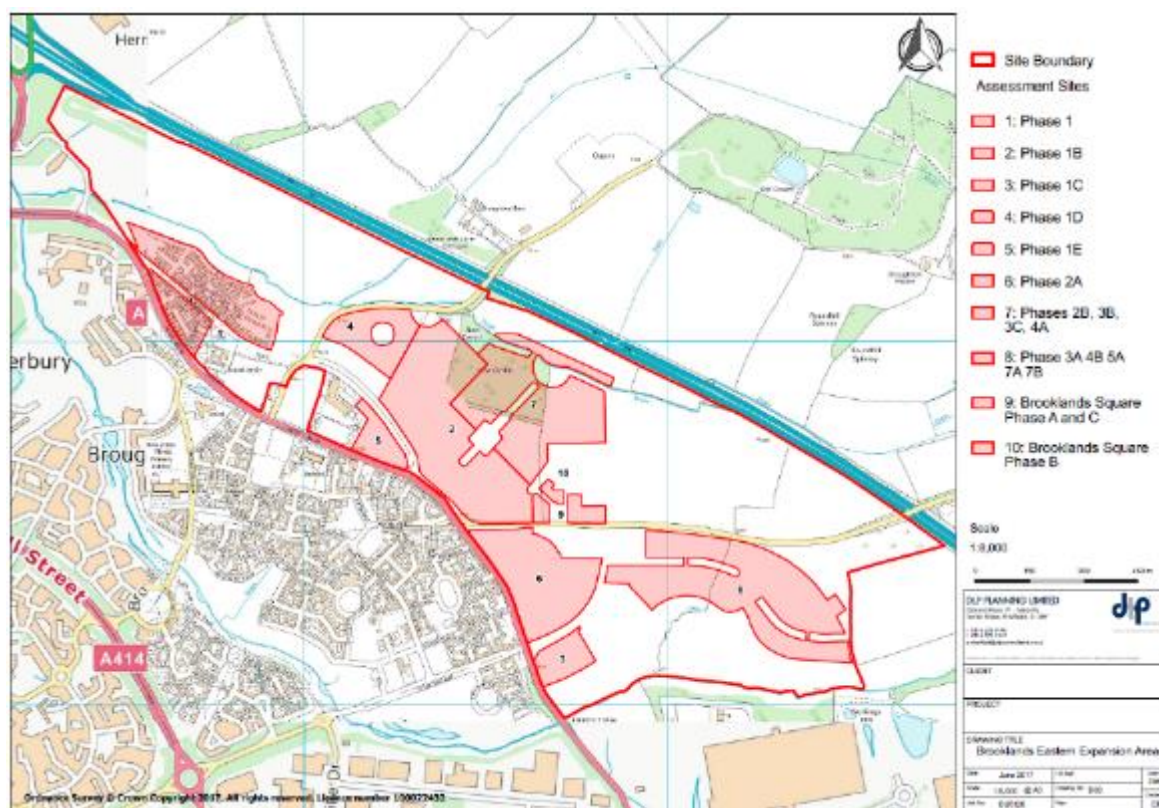
Introduction

- 1.60 The Eastern Expansion Area (EEA) of Milton Keynes is a 400-hectare site immediately west of the M1 Motorway. It includes the residential areas of Broughton Gate with 1,500 homes, now largely complete, and Brooklands 2,500 homes. There is a major employment site at Magna Park to the south. Originally allocated as a strategic reserve in the Milton Keynes Local Plan, I argued for the inclusion of this site to be included in the plan, so as to address the issue of over-reliance on the Western Expansion Area to deliver the housing requirement.

Table 11 Brooklands Summary of Plot Status

Brooklands EEA	
Plots with O/L	913
Plots with RM	54
Plots with RM Pending	260
Plots U/C at September 2017	268
Plots Completed at September 2017	1,005
No. of Developers (and who)	Barratt/David Wilson, Places for People
Total	2,500

Fig 3: Brooklands Eastern Expansion Area Site Location Plan



Summary of Appellant/MKC Figures

- 1.61 The past rate of completions for the EEA for the have been recorded under Brooklands and Broughton and Atterbury delivering over the past ten-year was an average of 284 dpa (see table 10 of my main proof). Now, with completions forecast for just one quadrant (Brooklands), the Council are forecasting that this past rate will actually be exceeded. Such a prediction is highly ambitious and limited weight should be placed upon it.

Table 12 Brooklands MKC forecast completions

Area	Status	2017/18	2018/19	2019/20	2020/21	2021/22	Discount
Land At Brooklands 2501 Units Outline BDW	A	0	45	146	100		
Brooklands BDW Phase 1b	UC	110	83				
Brooklands BDW Phase 1d	UC	56					
Brooklands BDW Phase 1e	UC	45					
Brooklands BDW Phase 2a	UC	60	100	65			
Brooklands BDW Phases 2b 3b 3c and 4a	A	20	80	80	96		
Brooklands BDW Phase 3a 4b 5a 7a 7b	A	0	60	100	100	102	36
Brooklands Gateway Site Places for People	UC		15				
Brooklands Phase 1 Places for People	UC	10					
Brooklands Square Phase B Places for People	A	10	11				
Brooklands Square Phase A & C Places for People	A	25	30				
		336	424	391	296	102	36

Detailed Discussion

- 1.62 There were 247 dwellings completed in the last year (2016/17).
- 1.63 The Council propose that this rate of delivery will increase this year (2017/18) to 336 dwellings and then to 424 dwellings (2018/19).
- 1.64 Not all of the site is covered by reserved matters approval and the MKC forecast rely on 301 dwellings being completed on the part of the site which is currently subject to outline consent.
- 1.65 A reserved matters application (17/02226/REM) was validated on 21st August 2017, submitted by BDW Trading for 260 new dwellings at Brooklands parcels 5B and 6B and is currently pending.
- 1.66 A loan of £2.1m was provided in April 2015 to Places for People to allow them to bring forward the infrastructure necessary to open up the south-eastern sector of the Brooklands site. The intention of which was to allow further sales outlets to be opened up simultaneously to accelerate the rate of completions and sales (CD12.11, JG Linford Lakes proof para 10.26, page 70). While this could theoretically allow Places for People to open additional sales outlets, effectively to compete with themselves, there is no

indication from Places for People that they are going to build these sites out simultaneously.

- 1.67 There are five parcels with dwellings under construction out of a total of 15 parcels. These are being built out by two developers with reserved matters consents: BDW Trading Ltd (Barratt and David Wilson Homes) and Places for People Developments Ltd. This is in comparison to the 12 active parcels and 15 developers who delivered the early part of the Eastern Expansion Area.
- 1.68 Our enquiries with the sales team at The Orchard (Places for People site) highlighted that the Gateway scheme had sold quickly (1.5 sales per week) as it was a more popular location and that there was just one plot left to finish. The site has completely sold out within 8 months, which equates to a sales rate of 1.5 units per week (Appendix 33).
- 1.69 In 2016/17 there were 247 completions. This is higher than the average delivery rates for the period 2008 to 2017 which have been 144 dpa at Brooklands and 203 dpa at Broughton making the whole of the EEA deliver at about 284 dpa.
- 1.70 With Broughton now complete, the delivery rate may increase in Brooklands, but with only 2 developers, albeit operating under 3 sales outlets, it is difficult to see how more than 250 dpa might be achieved, which was the last year's level of completions. At this level, MK would still have two of the highest performing national Urban Extensions within its boundaries.
- 1.71 Table 29 illustrates that to achieve these levels of completions, BDW trading have to deliver about 300 completions on this site this year and the following year. This would be an unprecedented rate of completions for a single developer.
- 1.72 The site is now in the ownership of Barratt Homes. I further note that the Council expect all reserved matters to be determined by end of 2017/2018. The Council state that the current build-out rate across Brooklands anticipates majority of completions within five-year period.
- 1.73 The current average build-out rate for Brooklands has been 144 dpa. The Council were expecting the build out rate to average over 300 a year. I am of the opinion that as the Eastern Expansion Area is reducing in size and the number of active parcels it is likely on average to deliver at a lower rate of some 171 dwellings a year delivering total of 1710 dwellings in the next five years.

- 1.74 I have not seen a single enterprise, achieve these levels of completions on such a site, even when acting under two flags. My experience is that the company is much more likely to stagger the starts of these sites, rather than go into direct competition with themselves.
- 1.75 I recognise that the Eastern Expansion Area, when it consisted of two quadrants and had additional developers, did deliver at an average of 284 dpa over a ten-year period and that this was one of the highest performing strategic sites in the country.
- 1.76 The Expansion Area is now being delivered by just two developers and there is simply no evidence that has been presented to support the proposed level of completions. Mr Goodall's approach appears to be derived from a simple totalling of assumptions on individual parcels which make up Expansion Area with no analysis of the actual realism of the result. This is exactly the process that has been undertaken in the past and has led to the consistent failure of the forecasts to predict the realistic rate at which these sites can deliver housing.
- 1.77 In reviewing the likely level of completions, I have taken into account last year's rate of completions as well as the longer-term average of completions and the comments from Places for People regarding the popularity of the area. I have concluded that as the remainder of the site is under the control of just one developer (Barratt/David Wilson) the past rates of delivery which averaged 144 dpa and included completions from Places for People is unlikely to be achieved. Reverting to the national average completion rate for this size of site of 171 dpa might appear generous but would be the highest average which could be realistically achieved over the next five years.

Table 13 Brooklands EEA: Summary of difference

BROOKLANDS SUMMARY	2017/18	2018/19	2019/20	2020/21	2021/22	2017/18 to 2021/22	MK discount	total inc discount	Ave to 2022
MKC 5 yr LS	336	424	391	296	102	1549	36	1513	303
SPRU	171	171	171	171	171	855		855	171
SPRU/MKC	-165	-253	-220	-125	69	-694		-658	-132

(4) STRATEGIC RESERVE SITES

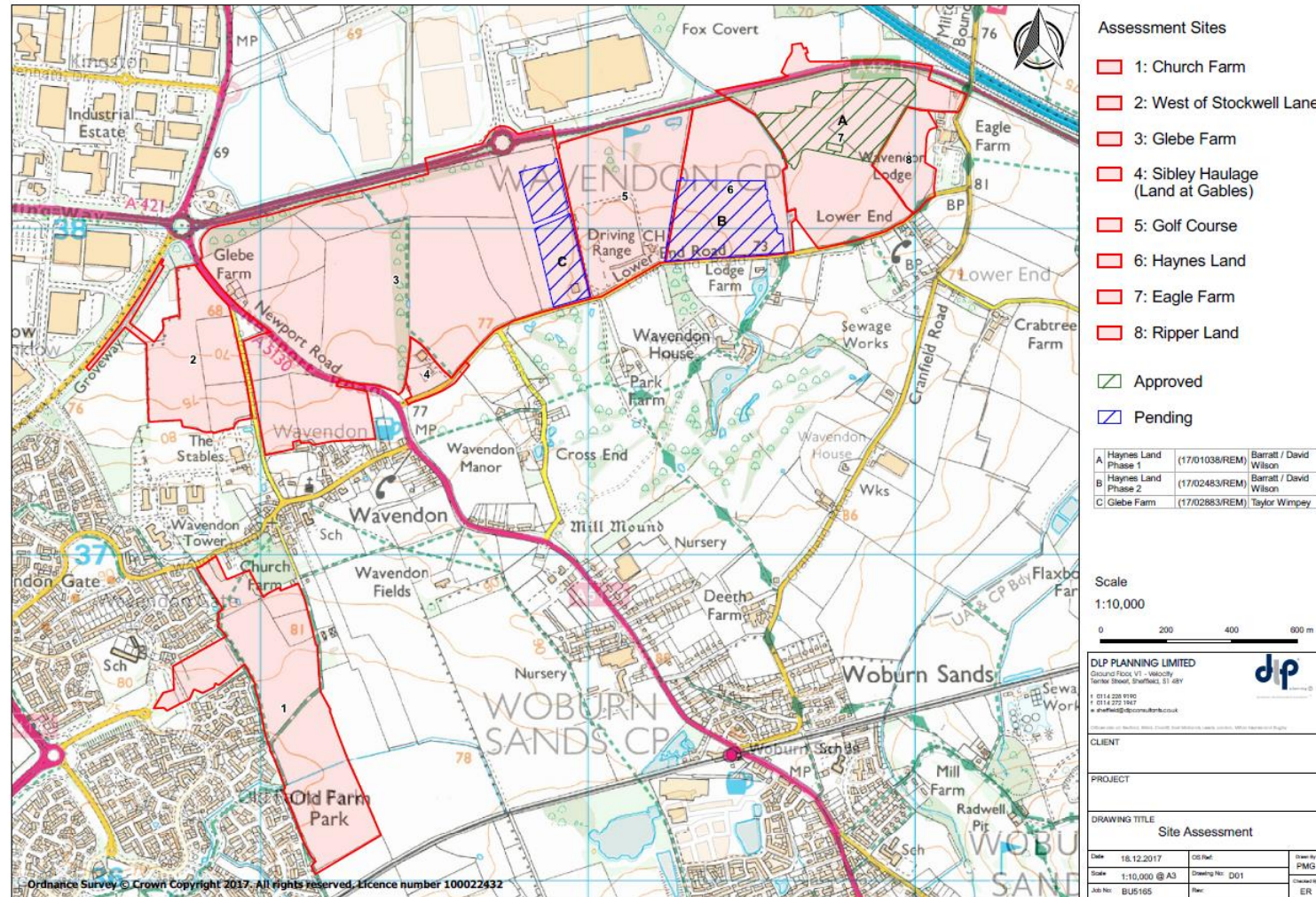
Introduction

- 1.78 The 'Strategic Land Allocation' (SLA) is approximately 150 hectares, located to the north of Wavendon and south of the A421. A Development Framework SPD for the area was approved by the Council in 2013 and this sets out the masterplan for the development of about 3,000 homes, schools, open spaces and other community facilities (Appendix 23).
- 1.79 The Development Framework SPD highlights in paragraph 4.3.1 that as the land south of the A421 and land to the north of Wavendon is in a number of different ownerships it is essential that the contributions to infrastructure requirements are based on an equitable equalisation mechanism. The SPD requires that an equalisation mechanism to permit development to proceed will need to be agreed by all landowners in the land south of the A421 and north of Wavendon, other than those private landowners whose land is shown hatched on Figures 3.4 and 3.13 which are reproduced in appendix 23.
- 1.80 This equalisation is to be achieved through Section 106 agreements on the individual sites which make up the Strategic Reserve.
- 1.81 Figure 4 highlights those areas with reserved matters pending or approved (see below).

Table 14 Summary of Plot Status on Strategic Reserve

Strategic Reserve	
Plots with O/L	2,592
Plots with RM	259
Plots with RM Pending	200
Plots with No Consent	120
Plots U/C at September 2017	28
Plots Completed at September 2017	6
No. of Developers (and who)	4 (Barratt/David Wilson, Taylor Wimpey, Connolly Homes, Lea Valley Developments/ Mears New Homes)
Total	3,205

Fig 4: Strategic Land Allocation Site Location Plan



Summary of Appellant/MK Figures

- 1.82 I consider that while there are approved consents for individual parts of the site, it is realistic to consider these sites as parcels within one larger site. The proximity of the Strategic Reserve immediately south of the Eastern Expansion Area might encourage one to consider the whole area as a single strategic expansion area. I have not taken this approach but the proximity must be taken into account when considering likely completion rates.
- 1.83 I do not consider it realistic to expect all of the individual landownerships to be released and developed concurrently, but rather, sites will be developed consecutively leading on from each other.
- 1.84 The equalisation requirement of the SPD might, in my opinion, may also cause a delay in the delivery of the development due to the potential for disputes between parties
- 1.85 The table below illustrates the assumed completions rates for this site based upon the Council's 2017 evidence and my own assessment.

Table 15 Strategic Reserve Difference in forecast completions MKC and SPRU

Strategic Reserve	2017/18	2018/19	2019/20	2020/21	2021/22	2017/18 to 2021/22	Discount	2017 to 2021/22 discounted	Ave 2017/18 to 2021/22
MKC 5 yr LS	64	355	570	535	510	2034	188	1846	369
SPRU	10	64	200	200	250	724		724	145
SPRU/MKC	-54	-291	-370	-335	-260	-1310		-1122	-224

Detailed Discussion

- 1.86 The Council's approach, as set out in the Table below, appears to treat each part of the Strategic Reserve as a separate site rather than consider how the land might actually be delivered.

Table 16 Strategic Reserve: Summary of Consents and Council's Delivery

Site	2017/18	2018/19	2019/20	2020/21	2021/22	Total	Discount	Total discounted completions
SIBLEY HAULAGE (Land At Gables) (Lea Valley Developments)	34	0	0	0	0	34	0	34
Ripper Land (Minton)	0	25	65	30	0	120	0	120
Haynes Land/ West of Eagle Farm (BDW)	0	50	75	75	50	250	25	225
Eagle Farm (BDW)	30	100	100	100	80	410	41	369
Glebe Farm (Taylor Wimpey)	0	100	230	230	230	790	79	711
Golf Course Land	0	30	50	50	50	180	18	162
Church Farm (Connelly Homes)	0	0	0	0	50	50	5	45
West of Stockwell Lane	0	50	50	50	50	200	20	180
	64	355	570	535	510	2034	188	1846

- 1.87 There are now three reserved matters approvals on this Strategic site these being Sibley Haulage (full 34 dwellings), Eagle Farm (Phase 1 infrastructure, Parcel B1 259 dwellings), and Haynes Land (infrastructure only). There are presently no reserved matters approvals for the 1,846 dwellings that MKC are forecasting to be delivered from this site.
- 1.88 There is only 1 parcel with dwellings under construction out of a total 8 parcels. In the case of Eagle Farm and Glebe Farm there are 3 reserved matters applications which subdivide these larger sites. There are 3 housebuilders identified in the delivery of this area Taylor Wimpey (Glebe Farm), Barratt/ David Wilson (Eagle Farm and Haynes Land/West of Eagle Farm) and Connelly Homes at Church Farm. This is in comparison to the 12 active parcels and 15 developers who delivered the early part of the Eastern Expansion Area.
- 1.89 Both Haynes Land/West of Eagle Farm and Eagle Farm are being developed by Barratt/David Wilson which represents two single outlets at 40dpa so this equates to 80dpa across the two parts of this site.

- 1.90 The issue of equalisation agreements (CD12.11, Mr Goodall paragraph 10.61, page 78) is a consideration in terms of the timing and rate of delivery. These are difficult to broker and then police. The fact that there is not common agreement as to who is signing up for the tariff means there will be two different approaches to the Section 106 agreements one tariff based the other negotiated individually on a site by site basis. The fact that there remains these two difference approaches is indicative that there are still issues to resolve regarding the delivery of infrastructure.
- 1.91 Gallagher Estates are in control of Haynes Land/West of Eagle Farm, Eagle Farm and Glebe Farm and this will need to be disposed of to developers to pursue their own reserved matters approval. I note that the outline application for Eagle Farm condition 3 provides 10 years for the submission of reserved matters (Appendix 34.2) and condition 2 of the reserved matters application for infrastructure on Glebe Farm requires reserved matters to be submitted by 2025 (appendix 38.2). The reserved matters for Haynes Land and Eagle Farm 2 has been made by BWD Homes (Barratt and David Wilson). The reserved matters application for Glebe Farm has been made by Taylor Wimpey.
- 1.92 In considering the reality of the levels of completions being forecast it is relevant to note that when start dates were given by Gallagher for the Western Expansion Area, at the Core Strategy Examination these were over-optimistic by 2 years (see Table 4: Core Strategy evidence compared to actual completions for WEA). They have also been over optimistic with regard to the build rates on WEA.
- 1.93 The Council's June 2017 five-year supply evidence suggest that there will be 64 completions this year on the Strategic Reserve.
- 1.94 The Council suggest that completions rates on the Strategic Reserve will rise to 570 dwellings in the next two years (i.e. by 2019/20). This would far exceed the highest rate of delivery seen on any site in England and be occurring at the same time as the Eastern Expansion Area to the north (Brooklands) is predicted to be achieving over 400 dpa, and the Western Expansion Area is delivering 737 dpa. There is nothing to support these levels of completions from either the local or national evidence base.
- 1.95 The Golf Course Land is also reliant on the delivery of Haynes Land/West of Eagle Farm and Glebe Farm for access to the site and as such, it is unlikely to come forward

until these sites are built out. Like other consents this permission requires reserved matters to be submitted within 10 years (appendix 35.2).

- 1.96 I have revised the trajectory to reflect a more realistic but aspirational timing of the delivery of completions (Table 17), including moving the start date for some sites back to 2019/20 to reflect Gallagher likely over estimation of these. While I note that there are potentially 3 housebuilders linked to this site Barratt/David Wilson, Connolly, Mears New Homes this does not suggest that the site will deliver better than might be suggested by the national average for this type of site.
- 1.97 I expect the 34 units on Sibley Haulage to be delivered in the next two years but that other parts of this site are unlikely to deliver meaningful completions until 2020/21 when the site could deliver some 160 dwellings in 2020/21 and 2021/22 years. This is just over 50 dwellings a year for each of the identified developers.

Sibley Haulage (Land at Gables)

- 1.98 Full planning permission was granted in 2015 under Application Reference 15/01492/FUL for the erection of 34 dwellings which has now started and it is agreed that these will be delivered in the next five years starting in year 2017/18.

Ripper Land

- 1.99 The site is subject to a planning application under Reference 17/00303/OUT submitted in February 2017 for up to 120 dwellings and is currently pending (Appendix 36). The application was submitted by Minton Wavendon, and there is no indication that there is a housebuilder presently engaged on this site. The site is not currently being marketed.
- 1.100 Comments from the Countryside Officer and Natural England have raised concerns about the loss of MG5 lowland meadow BAP habitat and have requested that consideration be given to a revised site layout.
- 1.101 I accept that there is time for the site to be disposed of to a developer, reserved matters approval achieved and the site to be completed within the next five years. I consider that the site will deliver 120 dwellings within the five-year period but its disposal to a developer and rate of completions will be influenced by the development and sales that are occurring on other parts of the Strategic Reserve.

Haynes Land/ West of Eagle Farm

- 1.102 Outline consent (14/02167/OUTEIS) was approved in April 2015 for up to 385 dwellings with associated works (Appendix 34.1). A reserved matters application for Phase 1

infrastructure works comprising roads, redways, attenuation ponds, foul and surface water drainage and associated earthworks was approved on 6th October 2015. Construction of these works has now begun.

- 1.103 A further reserved matters application was permitted on 9th August 2017 (Ref: 17/01038/REM) for Phase 1 Parcel B1 between Haynes Land and Eagle Farm regarding matters of access, appearance, landscaping, layout and scale for 259 dwellings.
- 1.104 A Reserved Matters application was validated on 18th September 2017 under reference 17/02483/REM for Phase 2, Parcel D1 for 200 dwellings. The application was submitted by BDW Trading.
- 1.105 The Council suggest that this site will be developed by Barratt/David Wilson and be capable of delivering some 250 dwellings in the next five years at rates of up to 75 dpa while at the same time the same developer is delivering 100 dpa on Eagle Farm.
- 1.106 Given the proximity of Eagle Farm which is also being delivered by the same developer the assumed 50 dwellings to be completed next year is unlikely. The provision of infrastructure prior to securing completions on site would suggest that completions are unlikely to occur until 2020/21 as works on site have only just begun. The rate of completions is likely to be around 40 dpa and the delivery rate on this site will be influenced by the rate of completions being achieved on other sites in the strategic reserve and in particular by rates achieved on Eagle Farm by the same developer. This is consistent with my evidence base and together with my other assumptions regarding timing result in an optimistic but achievable build out rate for the Strategic Reserve overall of about 171 dpa.

Eagle Farm

- 1.107 Planning permission was granted in April 2015 (13/02381/OUTEIS) for up to 410 dwellings, a primary school, mixed use local centre and associated works. Various discharge of condition applications has been submitted as recently as 31st March 2017 by Gallagher Estates (17/00853/DISCON) (Appendix 37).
- 1.108 A reserved matters application for Phase 1 infrastructure works was granted in November 2015 under reference 15/00990/REM. A reserved matters application for access, appearance, landscaping, layout and scale for 259 dwellings was approved under reference 17/01038/REM for Phase 1, parcel B1. The application was submitted

by Barratt/ David Wilson Homes and validated on 21st April 2017 and approved on 9th August 2017.

- 1.109 The Council forecast that there will be 30 dwellings delivered this year and that this will rise to deliver 100 dwellings each year to 2020/21 when completions will fall to 80 completions in the last year (2021/22). This would deliver some 410 dwellings in the five-year period would entail further reserve matters approvals.
- 1.110 This means that combined with the Haynes land, Barratt/David Wilson would be delivering up to 175 dwellings a year on this strategic site. This is not realistic. I would expect the company to manage its output so that it is not in competition with itself.
- 1.111 In respect of the lead in time, the reserved matters for Phase 1 has only recently been submitted and it is unlikely that the approval of the application and subsequent infrastructure provision could result in any substantial completions on site this year. I consider it more likely that completions delivered on site in the year 2018/19, which allows 15 months for determination of the reserved matters application for Phase 1, parcel B1 and to sign off the conditions when considering suitable lead-in times. While this developer has delivered over 100 dpa, it has not done this consistently and given that the other developers also forecast to be delivering on this Strategic site at the same time I do not think that the overall completions for their two sites is likely to exceed 80 dpa.

Glebe Farm

- 1.112 An outline planning application (13/02382/OUTEIS) for up to 1,140 dwellings, a primary school, a secondary school, mixed use neighbourhood centre and associated works was approved in April 2015 (Appendix 38).
- 1.113 Reserved matters (15/01025/REM) for Phase 1 infrastructure works was approved in November 2015.
- 1.114 Various discharge of condition applications have been submitted as recently as 14th August 2017 by Gallagher Estates, a reserved matters application has been submitted by Taylor Wimpey for 170 dwellings under reference 17/02883/REM and is currently pending.
- 1.115 The Council state that mitigation measures for the archaeology mean that housing development in certain areas of the site cannot start until 2018/2019, hence the reduced build-out rates in the earlier years compared to earlier forecasts.

1.116 As the reserved matters application for 170 dwellings for Taylor Wimpey is still pending, it is unlikely the site will start delivering completions in the year 2017/18 as forecast by the Council's 2017 Housing Land Supply Statement. It is likely that Gallagher will seek to release the site in parcels after they have provided the infrastructure. As we have seen with other sites, there will be some overlap of completions trailing off on some sites while others start building up.

1.117 Given these circumstances and methods of operation of Gallagher, it would be appropriate to consider that completions will commence in 2019/20, assuming that the reserved matters application is granted, then Taylor Wimpey could start delivering 40 completions a year from 2019/2020 onwards.

Golf Course Land

1.118 The Council forecast this part of the Strategic Reserve delivering 180 dwellings out of a total 400 dwellings in the five-year period. This site is currently in active use as a golf course.

1.119 Outline planning permission (14/00350/OUTEIS) for up to 400 homes was approved in April 2015. This application was submitted by Merton College, University of Oxford and Wavendon Residential Properties LLP. No further applications have been submitted (Appendix 35).

1.120 The Five-Year Housing Land Supply Assessment published in 2015 states "*the site is land locked with access needing to be provided from an adjacent site*". The Design and Access Statement submitted with 14/00350/OUTEIS states at Paragraph 9.1 that access will be provided through other parcels of land (Appendix 35.3).

1.121 At present there is no indication that the road will be supplied early by the developers of the other areas of land in terms of legal agreements by landowners or developers.

1.122 As such, I consider it highly unlikely that this site will deliver completions in the year 2018/19 when taking into account the access to this site will be taken from the adjacent Haynes Land and Glebe Farm Site, and as the site had yet to be sold to a developer. It is more realistic that completions will occur once the adjacent sites have been substantially built-out and can provide suitable access. It is therefore prudent given the likely timescale for building out on the other sites in my evidence that this site should be excluded from the five-year supply.

1.123 This results in a total reduction of 180 dwellings from the five-year supply period.

Church Farm

- 1.124 It is agreed that this site will deliver 50 dwellings in the 2021/22 period.

West of Stockwell Lane

- 1.125 An outline planning application was submitted in November 2015 under application reference 15/02768/OUT by the Fairfield Partnership has recently been granted (14 September 2017) and an application to discharge condition 7 relating to archaeology is currently pending under reference 17/01190/DISCON.
- 1.126 The site has yet to be sold to a developer, and is not currently being marketed.
- 1.127 The Council forecast the site will deliver 240 dwellings but I consider it unrealistic that 50 dwellings will be delivered on site in the year 2018/19. The Section 106 agreement has recently been signed, and only one application has been made to discharge the archaeological pre-commencement condition but no reserved matters for house types have been submitted.
- 1.128 I consider it more realistic that this site will start producing completions at 2019/20 and then at a slightly reduced rate given the other developments that are occurring on nearby parts of the Strategic Reserve. I have assumed some 40 dpa from this site over 3 years to 2021/22.

Conclusion

- 1.129 The consequence of these individual assumptions on each of the areas is that the delivery rate of the Strategic Reserve will average 188dpa from 2018/19. This is above the national average rate of annual rate of 171 dpa for a greenfield size of site.
- 1.130 It is appropriate, when compared to other Quarters in terms of the rate of delivery, In my view this represents a realistic outlook for both the Strategic Reserve, and Milton Keynes in general, when compared to both national and local evidence on delivery of sites of this size.

Table 17 Strategic Reserve Sites SPRU Forecast Completions

Strategic Reserve Sites (SPRU Revised)	Developer/	O/L, Full or RM	2017/18	2018/19	2019/20	2020/21	2021/22	2017/18 to 2021/22	difference to undiscounted 2017 5 yr. LS
Sibley Haulage (Land at Gables)	Mears New Homes/Lea Valley Developments	Full	10	24	0	0	0	34	0
Ripper Land	Minton Wavendon	O/L Pdg	0	0	40	40	40	120	0
Haynes Land/West of Eagle Farm	Gallagher Estates/ BDW	O/L, RM Pending	0	0	40	40	40	120	-130
Eagle Farm	Gallagher Estates/ BDW Homes	O/L, RM (P1 Infra), RM Phase 1 (BDW)	0	40	40	40	40	160	-250
Glebe Farm	Gallagher Estates	O/L, RM (Phase 1 Infra), RM Pending	0	0	40	40	40	120	-670
Golf Course Land	Merton College, University of Oxford and Wavendon Residential Properties LLP	O/L	0	0	0	0	0	0	-180
Church Farm	Connolly Homes	O/L	0	0	0		50	50	0
West of Stockwell Lane	The Fairfield Partnership	O/L Pdg	0	0	40	40	40	120	-80
Total			10	64	200	200	250	724	-1310

(5) EATON LEYS

Introduction

- 1.131 This site gained outline planning permission (15/01533/OUTEIS) on the 17 June 2017 and the Council forecast that all of 600 dwellings will be completed by the end of March 2022 (appendix 24).

Table 18 Summary of Plot Status at Eaton Leys

Eaton Leys	
Plots with O/L	600
Plots with RM	0
Plots with RM Pending	0
Plots with No Consent	0
Plots U/C at September 2017	0
Plots Completed at September 2017	0
No. of Developers (and who)	0
Total	600

- 1.132 It is pertinent to note that the grant of this permission was partly influenced by the lack of a five-year land supply.
- 1.133 The application extended across two local authority areas with 600 dwellings in MK and the larger number, 1,200 dwellings, in Aylesbury Vale District Council. The applicant is JJ Gallagher Ltd.
- 1.134 The application identified the different elements of the infrastructure that were to be delivered in each Council's area as follows:

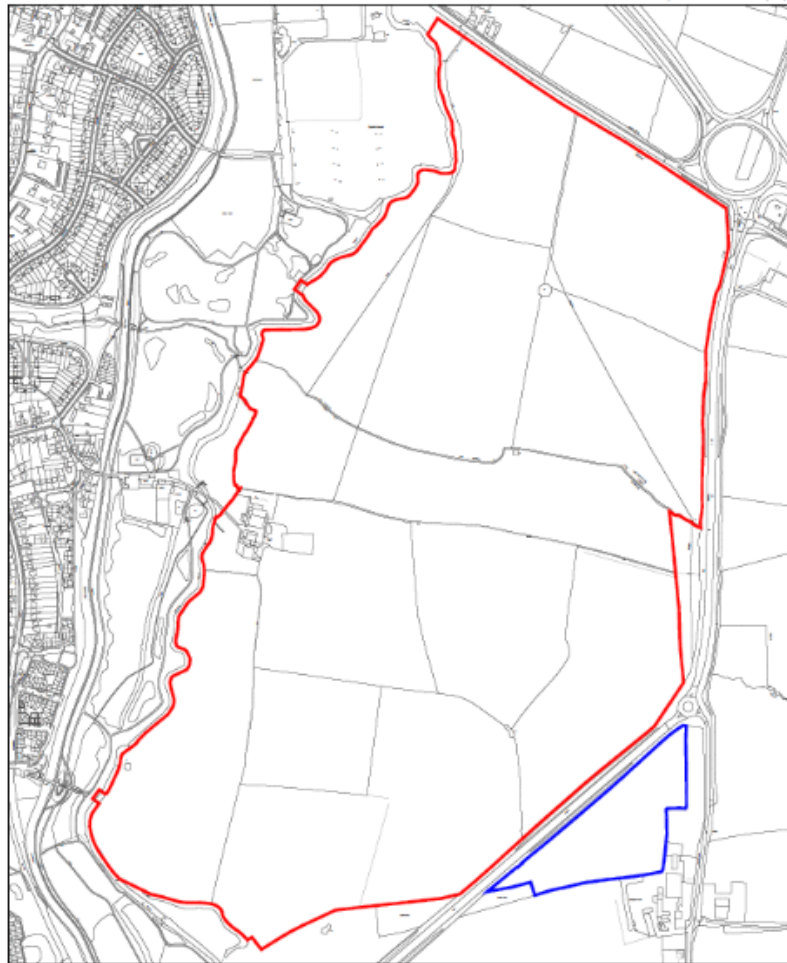
"Milton Keynes; the development of up to 600 dwellings, a local centre to include retail and a community centre, a health centre, land reserved for a one 1 form of entry primary school, associated highway infrastructure including one proposed vehicular accesses with the A4146, one proposed pedestrian and cycle bridge crossing the river Ouzel, multi-functional public open space, informal amenity space, children's play space, open space incorporating the scheduled monument, surface water attenuation and strategic landscaping, and associated services and utilities infrastructure.

Aylesbury Vale; the demolition of all existing farm buildings (except farmhouse) and the development of up to 1,200 dwellings, one 2 forms of entry primary school, associated highway infrastructure including one proposed vehicular accesses with the A4146, one proposed pedestrian and cycle bridge crossing the river Ouzel, multi-functional public open space, informal amenity space, children's play space, playing fields, allotments,

surface water attenuation and strategic landscaping, and associated services and utilities infrastructure.”

- 1.135 The applicants withdrew the application for the part of the site that was in Aylesbury Vale. The area was promoted as an integrated development and the applicant is now pursuing that element of the site which is in Aylesbury Vale though the local plan process.

Fig 5: Eaton Leys Site Location Plan



Summary of Appellant/MKC Figures

- 1.136 The Council suggest that this site will deliver completions by 2019/20 at an average rate of 200 dpa. In the previous Woburn Sands appeal in July 2017 Mr Goodall on behalf of MKC suggested that the delivery of dwellings will occur in 2019/20 but that the average rate will be lower than that set out in the MKC June 2017 data, at 150 dwellings (CD12.7).

- 1.137 My forecast is that the first dwellings will be delivered a year later in 2020/21 but at a rate similar to that which occurred in the first two years of build at WEA (Area 11).

Table 19 Eaton Leys summary of delivery

	2017/18	2018/19	2019/20	2020/21	2021/22	2017/18 to 2021/22	Discount	2017/18 to 2021/22	Ave 2017/18 to 2021/22
Eaton Leys									
MKC 5 yr LS	0	0	50	295	255	600	60	540	180
SPRU	0	0	0	140	140	280		280	140
SPRU/MKC	0	0	-50	-155	-115	-320		-260	-87

Detailed Discussion

- 1.138 It is not clear how the removal of the larger part of the strategic site will impact on the delivery of the MK element of the scheme given that the area was designed as a whole. Indeed, reference to the plan (Appendix 24.3) shows that the boundary runs through the northern part of the site. The plan in the committee report suggests that the district boundary runs along middle of the southern spine road of the site that lies in MK.
- 1.139 In my view, the reserved matters application will have to be delayed to allow for a redesign of the scheme (to take into account the potential of the southern part of the site not gaining consent) and is now being promoted though the review of the Aylesbury Vale Local Plan.
- 1.140 I note that details for four of the pre-commencement conditions have been submitted. But a number are still outstanding including:
- a. (7) phasing plan.
 - b. (11) storm water drainage design.
 - c. (12) a foul water strategy.
 - d. (17) updated protected species survey report.
 - e. (26) scheme to construct foot bridges across the River Ouzel
- 1.141 There is additional technical and design work required in order to bring this site forward which will include the need for the protected species reports to be reviewed (these were done in 03/07/2015).
- 1.142 In relation to the footbridges I note appendix 24.4 that the EIA states:

“11.113 Two new pedestrian crossings are proposed over the River Ouzel to provide pedestrian access and connections across to Bletchley and Milton Keynes. The location and construction of these footbridges will be reliant on third party land and co-operation.”

1.143 The EIA (appendix 24.5) further states:

“5.4 The indicative construction programme for the Development is anticipated to span approximately eight years.

5.5 The construction of the Development is anticipated to commence in 2016, subject to gaining planning permission, with a completion year of 2024. It is anticipated that approximately 200 to 300 dwellings will be completed per year of construction in a phased manner across the Site, with first occupation 2019.”

1.144 As with the approach to all of the Gallagher’s sites, housing completions will need to be preceded by reserved matters applications and the disposal of parcels to house builders.

1.145 I consider that the Council’s forecast of both lead in times and delivery rates to be over optimistic. I note that the evidence of the Council’s witness (CD12.11) in the appeal earlier this year suggested there would be at least 30 to 32 months from completion of section 106 agreement to build out of first dwelling. (10 + 4 + 6 + 10 to 12).

1.146 Gallagher Estates submitted at the Core Strategy examination, in respect of the WEA, that start dates would take place within two years of the examination i.e. in 2011/13/14. But these actually occurred in 2015/16 which was 4 years from the examination.

1.147 Given the range of outstanding matters that are required prior to commencement on site I consider it to be unrealistic to expect completions on this site in 2019/20 but that these will occur one year later in 2020/21. This is just 3 years after the grant of an outline application in a situation where as yet no housebuilder is engaged.

1.148 These longer lead in times for Gallagher’s are also supported by reference to progress on the Strategic Reserve. Glebe Farm and Eagle Farm gained reserved matters approvals (15/01025/REM and 15/00990/REM) in November 2015 this was 7 months after the approval of the outline (13/02382/OUTEIS and 13/02381/OUTEIS) and to date 2 years later there are still no dwelling completions.

1.149 I note that as of the 26th October 2017, there has been no Reserved Matters application submitted for the residential phase. A reserved matters application for the primary infrastructure was submitted under reference 17/03212/REM by Gallagher Estates in December 2017 and is currently pending.

1.150 In respect of the level of completions the average level of build out rates for a site of this size (now reduced to 600) is 86 a year (Appendix 7, NLP table 3 page 19). This should be the starting point of the assessment of delivery in this case. However, I do recognise the fact that Gallagher's approach has at times led to increased levels of completions compared to the national average and therefore I concluded a build rate of 140 dpa as this is what was achieved in the first two years of build on the WEA (Area 11).

(6) CAMPBELL PARK REMAINDER

Introduction

1.151 Campbell Park Northside site received outline planning consent in 2007 (04/00586/OUT) for mixed use comprising the following:

- a. Up to 2400 residential units;
- b. Up to 140,385 sqm office/retail space;
- c. Up to 2366 sqm leisure/community uses;
- d. Up to 6640 sqm “live work” units;
- e. New marinas along the Grand Union Canal.

Table 20 Summary of Plot Delivery at Campbell Park Remainder

Campbell Park Remainder	
Plots with O/L	0
Plots with RM	0
Plots with RM Pending	0
Plots with No Consent	1,500
Plots U/C at September 2017	0
Plots Completed at September 2017	0
No. of Developers (and who)	0
Total	1,500

1.152 Part of this wider strategic area has now been built out or is subject to separate proposals incorporating Blocks 14a and 14b and Canalside Marina. There is no particular site within this larger area covered by the earlier outline application which the Council have identified that will delivery the 150 dwellings.

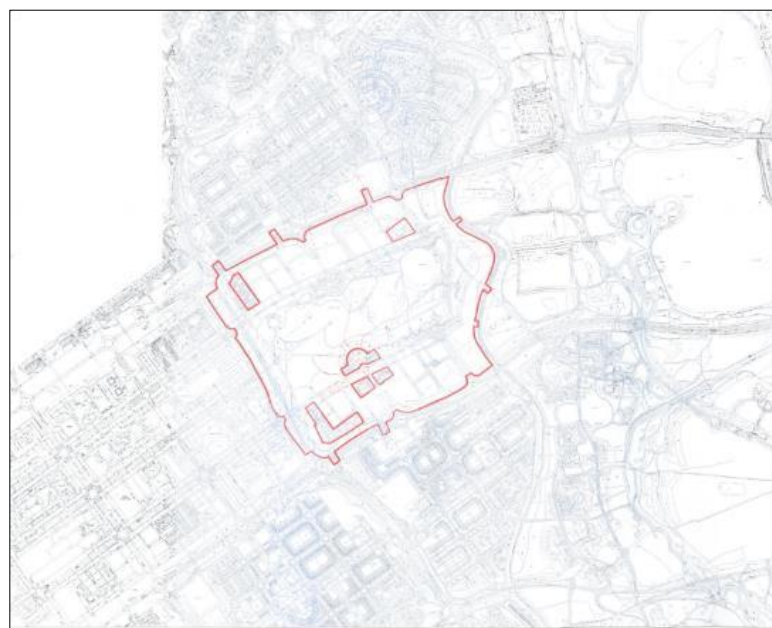
1.153 Campbell Park Remainder comprises the remaining land pursuant to outline consent 04/00586/OUT which expired in March 2017.

1.154 A reserved matters application was submitted in December 2016 under application reference 16/03648/REM for the erection of 60 apartments and relates to Parcel 21a within Campbell Park. This application was submitted by The Parks Trust and is currently pending (Appendix 25.1). It was deferred by the Committee on 12th October 2017 as the Committee expressed concern in respect of the lack of access

arrangements for disabled persons and concluded that despite the acceptable principle and design concepts of the proposal, this made the overall design and layout unacceptable (Appendix 25.3). This application was refused on 22nd November 2017 due to unsatisfactory arrangements in terms of accessibility of the proposed units for those with impaired mobility by reason of the positioning and levels of the units in relation to their associated car parking spaces (appendix 25.4). At the recent time, the history of inactivity, recent refusal of planning permission and the lack of an identified developer, means that there is not in my opinion realistic to consider that the site will deliver dwellings in the next 5 years.

- 1.155 An Environmental Impact Assessment Screening opinion for temporary engineering operation to stockpile material (general fill and clay) associated with the construction of a marina was submitted in May 2017 under reference 17/01170/EIASC. The application was submitted by Crest Nicholson.
- 1.156 A reserved matters application was approved in July 2017 under Reference 17/00429/REM for a Café, Community Centre, Play Area, Car Parking, Cycle Racks, Footpaths, Landscaping and ancillary works. The application was submitted by CMK Town Council.
- 1.157 No further applications have yet been submitted in respect of the remaining parcels for residential development.

Fig 6: Campbell Park Site Location Plan (04/00586/OUT)



Summary of Appellant/MKC Figures

- 1.158 At present there is no extant planning consent for this site as the outline application which covered this site now having expired. While the site is currently being marketed by Knight Frank the developer selection process has not been completed by MKDP.
- 1.159 The Council have reduced the level of completions forecast for this site in their most recent forecast.
- 1.160 The fact that original outline remained unimplemented for this part of the site for over a decade and that NKDC have only just embarked on a marketing exercise to find a development partner there is no robust evidence that the site will deliver housing completions in the next five years.
- 1.161 The difference between the forecasts are as follows:

Table 21 Campbell Park Remainder

Campbell park	2017/18	2018/19	2019/20	2020/21	2021/22	2017/18 to 2021/22	Discount	2017/18 to 2021/22 discounted	Ave 2017/18 to 2021/22
MKC 5 yr LS	0	0	0	50	100	150	15	135	27
SPRU	0	0	0	0	0	0		0	0
SPRU/MKC	0	0	0	-50	-100	-150		-135	-27

Detailed Discussion

- 1.162 The Council are relying on the projected completions provided by Milton Keynes Development Partnership MKDP (April 2017) who (according to the Five Year Housing Land Supply Assessment) report that, while they are still intended to bring forward residential development on this site, the expiration of an existing outline application in March 2017 has impacted upon the delivery of development and the potential number of dwellings to be delivered.
- 1.163 The Council are relying upon MKDP forecasts of 150 dwellings to be delivered in the last two years of the five-year period.
- 1.164 MKDP have been seeking expressions of interest for mixed-use development on the north side of Campbell Park since April 2016 (Appendix 25.2).

- 1.165 No further applications have yet been submitted in respect of the remaining parcels. Given the period during which the outline application has been extant and the lack of progress and lack of identifiable schemes, the 150 completions included in the housing land supply of this site are unrealistic.
- 1.166 Given the lapse of the earlier outline consent after 10 years and the lack of a developer, I do not consider it reasonable to expect any delivery from this element of Campbell Park.

(7) CANALSIDE MARINA

Introduction

- 1.167 This site was covered by the same outline planning permission (Reference 04/00586/OUT) as Campbell Park Remainder, granted in 2007. It expired in March 2017.

Table 22 Summary of Plots at Canalside Marina

Canalside Marina	
Plots with O/L	0
Plots with RM	383
Plots with RM Pending	0
Plots with No Consent	0
Plots U/C at September 2017	0
Plots Completed at September 2017	0
No. of Developers (and who)	1 (Crest Nicholson)
Total	383

- 1.168 A reserved matters application (17/00850/REM) submitted by Crest Nicholson has been approved in November 2017 for the erection of 383 dwellings, retail floorspace, restaurant and café floorspace, a nursery and associated works. Of the 383 residential units, 332 are apartments in 5 blocks with the remaining 51 units being houses aligned along the canal side in the east of the site.
- 1.169 A Hybrid application comprising full application for the construction of a marina to provide 100 berths for boats is pending under reference 17/00967/OUTEIS for the remainder of the site. The application was submitted by Crest Nicholson.

Fig 7: Canalside Marina 17/00967/OUTEIS Site Location Plan

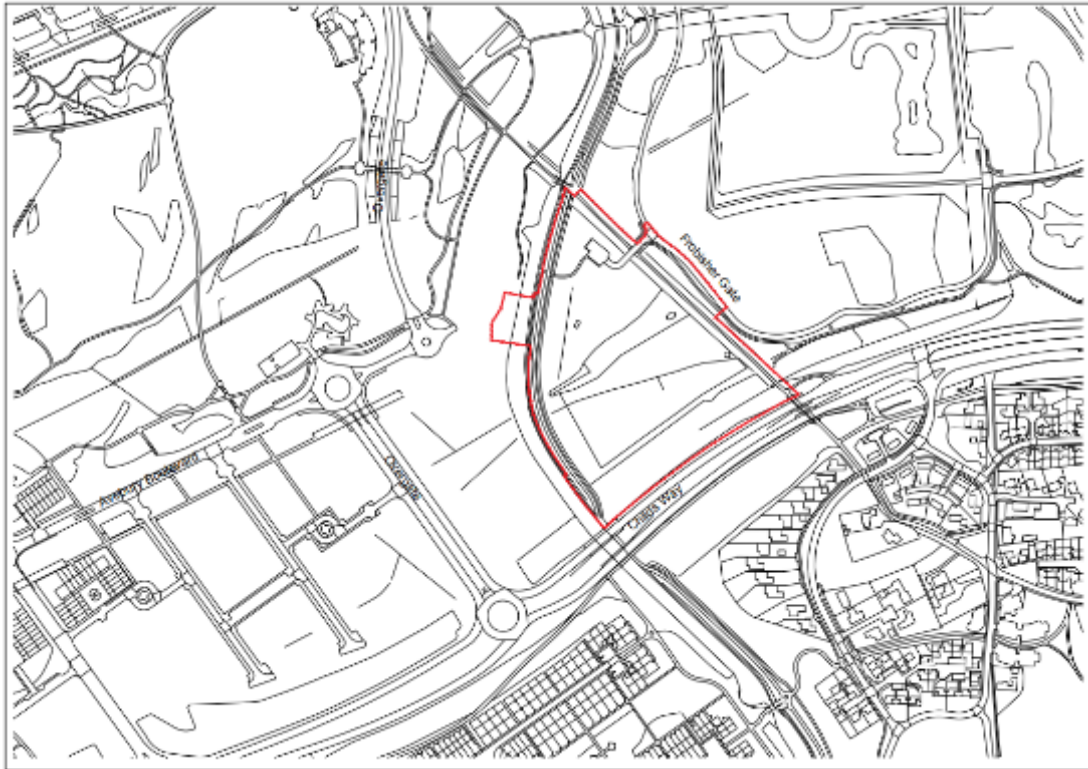
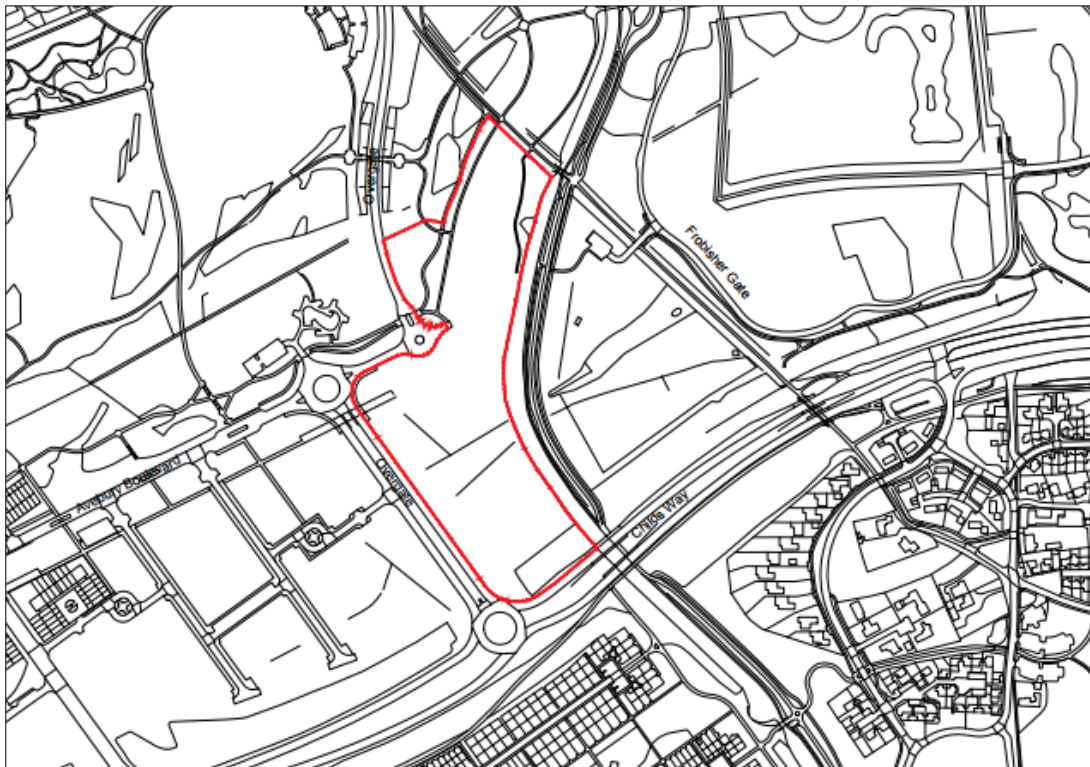


Fig 8: Canalside Marina 17/00850/REM Location Plan



Summary of Appellant/MKC Figures

- 1.170 MKC considered this site capable of delivering 280 dwellings in the last 3 years of the five-year period.
- 1.171 I consider that the creation of a marina, as well as the provision of infrastructure, will mean that in this case completions will be delivered a year later than envisaged by the Council. I further consider that the developers are only likely to complete one block of residential apartments a year, as the delivery of apartments is a higher risk: profits are only returned once all residential units are sold.
- 1.172 The difference between the Council's forecasts and my own are set out below:

Table 23 Canalside Marina

Canalside Marina	2017/18	2018/19	2019/20	2020/21	2021/22	2017/18 to 2021/22	Discount	2017/18 to 2021/22 discounted	Ave 2017/18 to 2021/22
MKC 5 yr LS	0	0	80	100	100	280	28	252	50
SPRU	0	0	0	60	60	120		120	24
SPRU/MKC	0	0	-80	-40	-40	-160		-132	-26

Detailed Discussion

- 1.173 The planning statement confirms (appendix 39, paragraph 2.19 and paragraph 6.19) that the residential elements of the scheme will be phased and that the affordable housing element might change within each phase. The majority of the units will be delivered in 5 blocks of apartments.
- 1.174 The Reserved Matter application (17/00850/REM) will include the provision of a 9 berth layby marina.
- 1.175 A Hybrid application comprising full application for the construction of a marina to provide 117 berths for boats is pending under reference 17/00967/OUTEIS. The application was submitted by Crest Nicholson. Figure 9 shows the location of the apartments in relation to the marina (figure 8).

Fig 9: Relationship between two halves of Canalside Marina- taken from Marina Application



- 1.176 The suggested 80 dwellings completed in 2019/18 look to be extremely optimistic given the scale of works entailed in delivering this mixed-use scheme. Also, the build out rate of 100 a year after the first year would appear high for this size of site. This site is to be delivered by a single developer Crest Nicholson who sell 42 dwellings a year off their outlets, plus RSL.
- 1.177 Nationally sites of this size deliver at about 60 dpa. This represents an uplift of almost 50% on the developer's national average but may be a reasonable assumption given that apartments in each block will complete at the same time.
- 1.178 The Council's forecast of 80 dwellings in the first year, rising to 100 in the next two years, is over-ambitious given the nature of the proposal and the track record of the developer.

(8) SITE ALLOCATIONS PLAN (SAP)

Introduction

- 1.179 A number of sites have been identified in the submission draft of the Site Allocation Plan. I accept that their inclusion is an indication that *the Council* consider that they are both appropriate and deliverable sites for housing. Such sites are in principle capable of being imported into the five-year housing land supply calculation. However, each site must be examined carefully, especially in the light of the ongoing SAP examination.
- 1.180 As highlighted in section 2, I attended the SAP examination, and the Inspector's subsequent letter has raised serious concerns regarding the soundness of 8 sites which had the potential to deliver up to 570 dwellings (CD9.7).
- 1.181 Of these sites, the Five Year Land Availability Assessment (CD12.4) includes SAP 14 (27 dwgs), SAP 18 (150 dwgs), and SAP 19 (135 dwgs) and SAP 20 (Former Employment Allocation at Broughton Atterbury) as contributing to the five year supply. As SAP 20 has an adopted development brief and an application lodged and awaiting determination, I have concluded that it may realistically delivery housing in the next five years. The capacity of SAP14, 18 and 19 totals 312 dwellings but because the Council apply a 'discount' of 10% to sites SAP 18 and SAP 19 then the impact on the Council's estimated supply is a reduction of 283 dwellings (i.e. 312-15-14) from the Council's figure.
- 1.182 All three sites have been identified as potential housing sites in the Plan MK Submission Plan.

Summary of Appellant/MKC Figures

- 1.183 In evidence for the July 2017, Woburn Sands inquiry, I argued that the contribution from the SAP sites should be reduced by 217 dwellings. Together with other objectors, I presented my evidence on delivery of the SAP sites to the Examination.
- 1.184 The Inspector at the SAP examination expressed serious misgivings to the soundness of the Plan.
- 1.185 In his post hearing note (26th September 2017, CD9.7) the Inspector identified four areas of concern regarding soundness, these being 1) the role of the SAP, 2) conformity with the core strategy (SAP 18, 19 & 20), 3) sustainable development opportunities (SAP 7 and SAP2) and 4) site availability (SAP 11, 13 and 14). If the SAP Inspector is unpersuaded regarding the suitability of the release of sites SAP 18 & 19 and the

availability of SAP 14, then the implications for the land supply is set out in the table below.

Table 24 Impact of the SAP examination Inspector's conclusions on delivery

SAP Allocations	2017/18	2018/19	2019/20	2020/21	2021/22	2017/18 to 2021/22	Discounted	2017/18 2021/22 Discounted
MKC 5 yr LS	11	15	77	193	151	447	29	419
SPRU / SAP inspector	11	15	77	32	0	135		135
Difference	0	0	0	-161	-151	-312		-284

1.186 The Table below lists the sites which have been left unchallenged by the Inspector and myself.

Table 25 Impact of Inspector's Conclusion on Delivery of SAP Sites

	2017/18	2018/19	2019/20	2020/21	2021/22
Land at Our Lady of Lourdes Church (SAP 1)	11	0	0	0	0
Land Off Singleton Drive (SAP3)	0	0	22	0	0
Land North of Vernier Crescent (SAP5)	0	0	14	0	0
Gurnards Avenue (SAP6)	0	0	0	14	0
Land at Bergamont Gardens (SAP8)	0	0	15	0	0
Land Off Hampstead Gate (SAP12)	0	0	16	0	0
Manifold Lane (SAP16)	0	0	0	18	0
Land Off Ladbroke Grove (SAP21)	0	15	10	0	0
Land at Broughton Atterbury, Oakworth Avenue, Broughton (SAP 20)	0	50	50	30	0
Total	11	65	127	62	0

Detailed Discussion

1.187 In response to the Examination Inspector's concerns (expressed in a letter dated 26th September 2017 [CD9.7]), the Council have responded to these concerns in a submission to the Inspector dated 23rd October 2017 (PC3A) (CD9.8). I have reviewed the evidence in this response and note firstly, that all the substantive points which the

Council argue demonstrate the sites availability have in fact already been placed before the Local Plan Inspector, and as such, do not amount to new or persuasive evidence.

- 1.188 I note that the comments on page 2 of the Council's Response of October 2017 (PC3A) (CD9.8) identify SAP 18 & 19 sites as "*vacant employment land*" which has already been outlined in the SAP Submission Version of October 2016. The following paragraph refers to employment land evidence published post adoption of the Core Strategy (i.e. The Employment Land Review of November 2015) as providing the justification for permitting residential uses on these sites. This document was submitted as part of the evidence base of the SAP under document ID ECO1a and ECO1b in April 2017.
- 1.189 This evidence has already been before the Inspector and so his concerns (letter dated 26th September 2017 (CD9.7)) are made in full knowledge of this evidence. The Inspector also had the opportunity to hear the officer's express their professional judgement at the Examination.
- 1.190 The analysis of the Core Strategy offered in the Council's response dated October 2017 (CD9.8), attempts to find 'hooks' on which to justify the release of these sites. This again represents no new evidence on this matter for the Examination Inspector. These are set out in Table 1 (CD9.8). For example, in terms of the analysis of Paragraph 4.4 and 5.25 of the Core Strategy where officers identify the risk of a reliance on large sites as a justification for this, this hook has already been brought to the attention of the Inspector in Section 3 of the SAP Submission Version dated October 2016, which sets the context for requiring the SAP in the first place. It states at paragraph 3.5 of the SAP:
- "Secondly, national policy also requires land to be 'deliverable' and at the hearing sessions of the Public Examination of the Core Strategy in July 2012 the Inspector highlighted concerns regarding the need for the short-term supply of housing land to be supplemented to ensure rural housing targets can continue to be achieved and to provide some flexibility and contingency to existing urban land supply. The expectation of the Inspector was that this would be in the form of non-strategic sites that could come forward quickly (i.e. inside five years), the type of site which was not considered through the Core Strategy process, which focused on strategic allocations (upwards of 2,000 homes)."*
- 1.191 The risk of a reliance on large sites is not justification specifically relating to SAP18 and 19 for their inclusion as potential housing allocations and removal as strategic employment allocations in Policy CS3.
- 1.192 Table 1 of the Council's response dated October 2017 does not amount to a replication of the Core Strategy, but an interpretation of the paragraph. My reading of this analysis

as a whole does not lead me to conclude that it explicitly or indeed implicitly supports the deallocation of strategic employment sites identified in the Core Strategy and their reallocation for housing sites in the SAP. My reading is that it suggests that if there were significant underperformance, then this triggers a review, as well as the work in the SAP.

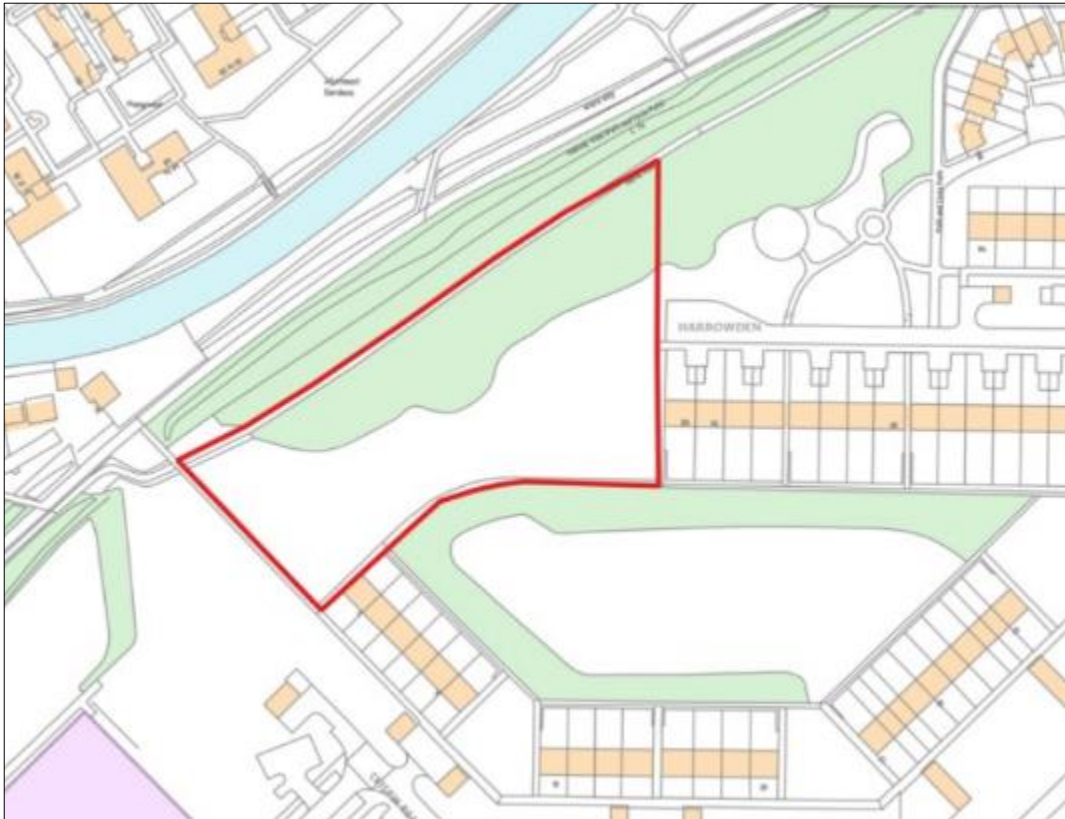
- 1.193 I take the Council's analysis to mean they accept that the Plan is significantly underperforming and, secondly, that the proposed approach to address this is a whole plan review (Plan:MK).
- 1.194 My reading of Paragraph 5.29 of the Core Strategy, which starts by saying "the proposed review of the Core Strategy (Plan:MK) will reassess the adequacy (both quantitative and qualitative) of the existing portfolio of employment land" is that the review of employment land, and hence its reallocation, is clear the remit of Plan: MK, not the SAP.
- 1.195 In terms of paragraph 5.32, table 1 referred to is an introductory paragraph to Policy CS3 of the Core Strategy which is the policy the Examination Inspector considered the reallocation of the sites would be contrary to, so this is clearly not new evidence for the Inspector to consider.
- 1.196 In terms of the reference to Policy CS8, this suggests that policy change will be delivered through the development plan. This is the issue that the Inspector was wishing the Council to address on sites SAP 18 & 19 i.e. that alterations to a policy designation in the Core Strategy should be undertaken through a review of the development plan, not a plan which is subservient to the Core Strategy.
- 1.197 My reading of Paragraph 8.12 highlights a similar point in that the options could include revising the Core Strategy (including of course the allocations in Policy CS3), revising other planning policies (like those relating to non-strategic employment land), or bringing forward new sites (i.e. not sites already allocated) through the SAP. This paragraph, in my opinion, does not allow for the SAP to remove strategic employment allocations. Such action would require a Core Strategy Review, an option also identified in this paragraph.
- 1.198 Table 17.1 of the Core Strategy sets out various courses of action including the review of the Core Strategy and/ or the Site Allocations Plan, there is nothing in Table 17.1 to suggest that the SAP can be used to reallocate strategic employment sites.

- 1.199 It is perhaps appropriate at this stage to consider the remit of the SAP as set out in the Core Strategy. Under footnote 14 for Table 4.1 (Core Strategy Objectives) one of its purposes is to identify 600 dwellings in the rural area.
- 1.200 The commentary in Paragraph 5.3 suggests that the SAP will identify land in addition to the Strategic Land Allocation which strongly suggests a role sitting alongside the Core Strategy, rather than one of revising it.
- 1.201 The relative scoring of the sites was already before the Examination Inspector in the Employment Land Review of November 2015 (Document ID: ECO1a and ECO1b), as was the success of Milton Keynes as an area of economic growth, including the argument that the loss of these sites would not undermine the Council's development strategy in the Council's original submission to the Inspector dated May 2017 (PC1A) (CD9.3).
- 1.202 On the 3rd November 2017, despite the Council's letter providing further information, the Inspector required further clarity stating *"I will be grateful, to ensure that my final understanding is correct, for a clear explanation from the Council as to how it identified sites SAP18, SAP19 and SAP20 as proposed housing allocations"* (CD10.2, PC3B).
- 1.203 The Council responded on the 17th November 2017 (CD10.3, PC3C) and this response is not substantially different to their previous response in October 2017. The Inspector has yet to respond, and this issue remains unresolved.
- 1.204 In summary, none of the Council's general justification in this submission provides any substantial new evidence which affects my conclusions on these three SAP sites. The Council have not provided any evidence which the Inspector has not already seen, and I am of the opinion these sites should be excluded from the five year supply.
- 1.205 In the next section, I deal with the assessment of the individual sites within the SAP which the Inspector expressed doubts over their delivery.

SAP14 – Land off Harrowden - remove 27 dwellings

1.206 The proposed allocation describes the previous use of this site as an “unused residential allocation”. It is clear that it is not the first time this site has been considered for residential use and that it has not previously been brought forward.

Fig 10: SAP14 – Land off Harrowden Site Location Plan



1.207 The key principles for the development of the site are;

- a. Proposals should reflect the wider regeneration work being undertaken by Your:MK in Bradville.
- b. Development should not commence until the wider regeneration plan is formalised and the site is confirmed as not being required for other purposes.

1.208 In their response to the Inspector's questions regarding the SAP examination, the Council has confirmed that SAP14 is located in North Bradville which is within one of seven priority estates across Mk which Your:MK are leading on the regeneration. North Bradville has been selected as the third priority estate to come forward (CD9.4).

1.209 Your:MK are programmed to start working with the local community in North Bradville in January 2018 so as to develop a plan for the area. It is the intention that detailed

plans, agreed by the community, will then go through the formal planning system 18 months later, therefore around July 2019.

- 1.210 The Council confirm that there has been no definite time set for the final physical completion of any works.
- 1.211 In response to the “other purposes” principle, the Council explain that this has been included within SAP14 so as to not prejudice any potential proposals that may come forward as part of the North Bradville regeneration programme.
- 1.212 While the Council state that they still expect that the site will come forward for residential use (and not be required for alternative purposes)- the policy is nevertheless directed to ensure that any regeneration plans for the estate are not restricted or adversely affected by any proposed use of this site.
- 1.213 It is my opinion that until the work has been completed on the regeneration plans for the estate, then the policy test in part (b) of the emerging policy has not been passed, i.e. that development should not commence until the wider regeneration plan is formalised and the site is confirmed as not being required for other purposes. As such, the site cannot be considered available and should be excluded from the five-year land supply.
- 1.214 The concerns expressed above regarding the likely delivery of the site were discussed at the SAP examination and the Inspector expressed the view that at the very minimum this site would not become available until at least 2020/21 and could not at present time be described as available or deliverable.
- 1.215 The Council’s response to the Inspector (23rd October 2017, PC3A [CD9.8]) includes no substantive points which the Council have not argued previously to demonstrate the sites availability before the Inspector, and as such, do not amount to new or persuasive evidence.
- 1.216 The claim that this site is available and will help regenerate North Bradville and forms part of a wider regeneration area in North Bradville was previously highlighted in the Council’s Response to the Inspector’s Preliminary Questions (PCB1) (CD9.4) dated May 2017 (pages 7-8). The assertion that work to develop a plan for the area would be starting in January 2018 (CD9.4) is also included in the same document.

1.217 I note the Council are now requesting the removal of clause (ii) of Policy SAP14 (page 8 of PC3A [CD9.8]) which states:

“ii. Development should not commence until the wider regeneration plan is formalised and the site is confirmed as not being required for other purposes.”

1.218 I have assumed that this is to make the site appear less constrained. However no justification for this new position is provided other than it now being considered unnecessary. Further, with no new evidence available to demonstrate that the site is not needed for other uses, I consider the Inspector’s expressed concerns should be given considerable weight, and the site should be removed from the five year supply.

1.219 I remain of the view that this site should be excluded from the five-year land supply.

SAP18 – Land at Towergate, Groveway - remove 147 dwellings

1.220 This site is an employment allocation identified in the Core Strategy.

Fig 11: SAP18 - Land at Towergate, Groveway Site Location Plan



1.221 This site is also identified in the Policy WNP2 of the Walton Neighbourhood Plan. The Council, in their submission to the SAP examination, explain that the access for the site is still undecided. The primary access point for this site is to be taken from H9 Groveway, and not Ortensia Drive, although Ortensia Drive will however most likely be required to provide secondary additional access (CD9.4).

1.222 The Council highlight that the Parks Trust comment that they would not grant consent for access to be taken across the land within their ownership. The Parks Trust request

that the key principles of the allocation should reflect the need for their agreement for access to be taken from Ortensia Drive, to which the Council response notes that the key principles can be changed to reflect this (CD9.4).

- 1.223 While the Council consider this does not result in the site being undevelopable, in my opinion it highlights that there remain access and ownership issues that need to be resolved prior to the site being considered available for development.
- 1.224 At the SAP examination the outstanding objection to the allocation of this site from David Lock Associates on behalf of Baytree/AXA was expanded upon which related to the loss of this large employment site located directly opposite an established and thriving employment site, and as such it is one of the most important and best available employment sites within Milton Keynes due to the proximity to the strategic road network (A421 & M1), and the inherent benefits of clustering and undeveloped form (Appendix 40). It was explained that it would be better to retain its status as a designated employment site which continues to provide logical space into which this established cluster can expand.
- 1.225 According to the MKC July 2017 update, an outline application is being worked up alongside SAP, the site will then be marketed under the Homes and Communities Agency's accelerated construction programme, with outline approval expected to be achieved by the start of 2018. The Council state that development on site is expected to begin Jun 2019 with it wholly developed by February 2022.
- 1.226 An Environment Screening Opinion Request was submitted in July 2017 by Amec Foster Wheeler on behalf of the HCA for approximately 170 dwellings.
- 1.227 At the SAP examination the Inspector correctly stated that the site was identified as an employment site in the Core Strategy (Table 5.4). He went on to state that as the SAP is a "daughter" document of the Core Strategy, it cannot reallocate this site for residential use. This was one of the sites which the inspector at the SAP examination suggested would need to be removed from the SAP. In these circumstances the SAP inspector's initial conclusions was that the site cannot be considered to be suitable or deliverable. He indeed requested the Council submit further evidence to support the allocation to address his concerns that as current employment allocations in the Core Strategy, their reallocation for housing in the SAP would be contrary to, rather than in

conformity with, the Core Strategy (CD9.7 [Inspector's letter dated 26th September 2017]).

- 1.228 I note that in relation to SAP18, the Council in their response to the Inspector dated 23rd October 2017 (CD9.8) provided evidence already in the possession of the Inspector. This relates to the location of the site with regard to the surrounding outline residential permissions was previously identified in Policy SAP 18 in the SAP Submission Version (October 2016) and states:

“A residential led development is provided which takes account of proposals on the adjacent sites in the ‘Wavendon Triangle’ that includes the land at Hewlett Packard (WNP 3) and the Fairfields development to the east”

- 1.229 In light of the above I have excluded the site from the five-year land supply.

SAP 19 – Land at Walton Manor, Groveway/Simpson Road - remove 135 dwellings

- 1.230 This is also identified in the Walton Neighbourhood plan which was made in January 2017, and it is presently an employment allocation, in the Core Strategy but is allocated as a mixed-use employment, housing and open space in the SAP.

Fig 12: Land at Walton Manor, Groveway/Simpson Road Location Plan



- 1.231 There is an outstanding objection from Natural England to this allocation on the following grounds:

“SAP 19 significantly impacts the central wildlife corridor of Milton Keynes. This is an area Natural England would expect to remain as green space under section 40 of the Natural Environment and Rural Communities Act 2006. If this area were to be developed, any development should carry a conditional requirement that at least 30% of the area be allocated as green open space and that contributions are made towards the improvement and management of the remaining wildlife corridor by the developer to compensate for impacts to rest of the site.” (appendix 40, page 16)

- 1.232 The Council's response is that some 0.95 hectares are allocated for open space which equates to 10% of the area and that as many of the SAP sites are previous Local Plan allocation or the Core Strategy, the impact has already been considered (Appendix 40, page 16).
- 1.233 At the SAP examination the Inspector correctly stated that the site was identified as an employment site in the Core Strategy (Table 5.4). He went on to state that as the SAP is a “daughter” document of the Core Strategy it cannot reallocate this site for residential use.
- 1.234 In the Council's response to the Inspector's concerns dated 23rd October 2017 (CD9.8), reference is made to the Walton Neighbourhood Plan. This was emerging at the time of the SAP Publication Draft (October 2016) and the Submission Version was published for consultation in June 2016, outlining the intentions for the site as residential led mixed-use development. The 2016 SAP Submission also refers to the Development Brief adopted in November 2015.
- 1.235 The only new evidence put forward by the Council in their October 2017 note is the suggestion of a main modification to the plan to include Figure 4 of Land adjoining Walton Manor Development Brief to include the approximately locations for residential and employment uses. This is clearly a new consideration, but not new evidence.

(9) TICKFORD FIELDS

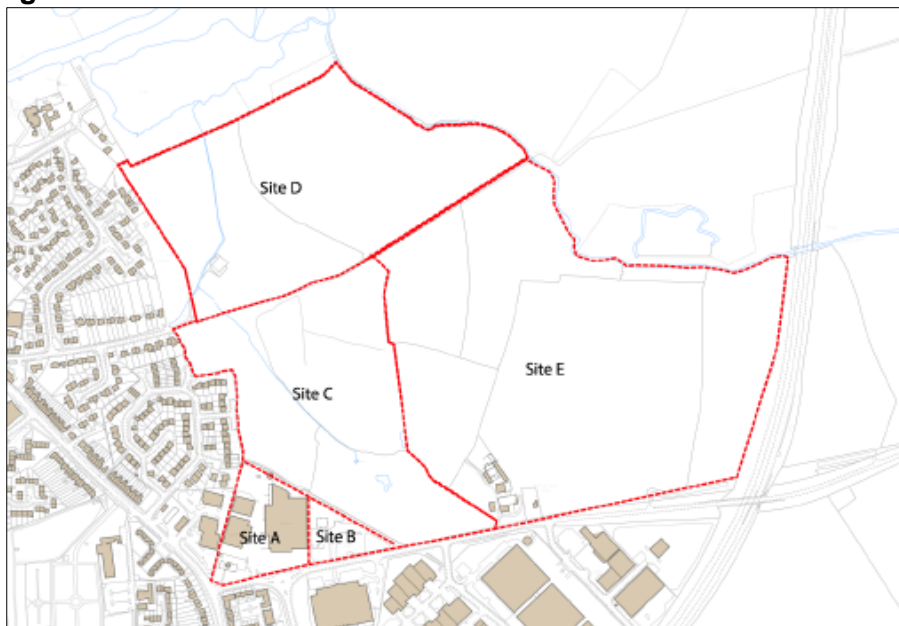
1.236 The site was first identified for housing in the 2005 Milton Keynes Local Plan as a Strategic Reserve Site. The site is divided into three land ownerships comprises part brownfield land, part greenfield land and consists of four different areas (Figure 13). Site A is owned by the Coal Board Pension Fund, Site B, C and E are owned by Milton Keynes Council and Site D is privately owned (Appendix 41).

Table 26 Summary of Plots at Tickford Fields

Tickford Fields	
Plots with O/L	0
Plots with RM	0
Plots with RM Pending	0
Plots with No Consent	600
Plots U/C at September 2017	0
Plots Completed at September 2017	0
No. of Developers (and who)	0
Total	600

1.237 An application for a screening opinion request was submitted in February 2017 under reference 17/00340/EIASCRC for approximately 1,100 homes, a two-form entry primary school, and 1-hectare local centre and associated works. The application was made by DLP Planning on behalf of Milton Keynes Development Partnership.

Fig 13: Location Plan of Tickford Fields



1.238 DLP intend to submit an outline planning application in January 2018.

Summary of Appellant/ MKC Figures

1.239 The Council suggest that the site will deliver completions from the year 2019/20 with 50 dwellings in year 1 and 100 dwellings per annum a year thereafter.

1.240 My forecast is that the first dwellings will be delivered two years later in the year 2021/22, but at a rate of 50 dwellings per annum in the first year.

Table 27 Tickford Fields Summary of Delivery

	2017/18	2018/19	2019/20	2020/21	2021/22	2017/18 to 2021/22	2017/18 2021/22 Discounted
Tickford Fields							
MKC 5 yr LS	0	0	50	100	100	250	
SPRU	0	0	0	0	50	50	-200
Difference	0	0	-50	-100	-50	-200	

Detailed Discussion

1.241 DLP are currently preparing the outline planning application which is anticipated to be submitted by February 2018 at the very earliest. In the previous Linford Lakes appeal, Mr Goodall on behalf of MKC suggested in table 10.2 that for sites of 500+ dwellings, the lead-in period to build out of the first dwelling on site is approximately 4 years (CD12.11). On this basis, you would expect completions to be first delivered in the year 2021/22 at the same level of completions anticipated by the Council.

1.242 I further note that our proposed lead-in time would be supported by the evidence of Gallagher's approach as set in Mr Goodall's appendix 34, paragraph 5.5 for Eaton Leys which suggests a start date on site in 2016, would be followed by first occupation by 2019. This does not take into account the need to gain reserved matters approvals on much of this site. Experience at the Strategic Reserve illustrates that the outline planning application for Eagle Farm was first submitted in 2013 with no completions yet to be delivered at January 2018 which is a period of 5 years from submission with no completions to date.

1.243 In terms of the timing of the delivery of the site, it is subject to the preparation of an Environment Statement and has yet to be sold to developer(s). A copy of the Screening Opinion is included at Appendix 44.

- 1.244 The capacity of the site is also likely to be less than the 1,100 homes previously proposed due to the master planning exercise and issues with flooding. It is more likely the capacity of the site will be 850 dwellings.
- 1.245 The implications of the above results in a reduction of 200 dwellings from the five-year supply period. It is considered that realistically completions will only be delivered in year 5, with 50 dwellings.

(10) OTHER SITES

1.246 In addition to the large strategic sites, there are several smaller sites which have yet to gain planning permission or do not have an application lodged at the current time. These are:

- Latham's Buildbase (75 dwellings);
- Lakes Estates Neighbourhood Plan Sites; Land South of Water Hall School (61 dwellings);
- Police Station Houses, High Street (14 dwellings);
- Site 4, Vernier Crescent (10 dwellings);
- Reserve Site 3 (22 dwellings);
- Reserve Site off Hendrix Drive (10 dwellings);
- Reserve Site (off Nicholson Grove) (19 dwellings);
- Reserve Sites A & D Hindhead Knoll (25 dwellings).

1.247 These sites equate to a total of 236 dwellings that have been removed from the supply.

Latham's Buildbase

1.248 The Council consider the site is capable of delivering 75 dwellings. The site has been a housing allocation since the adoption of the Local Plan in 2005 and is a brownfield site comprising of a building and timber merchant which is still in operation.

1.249 Given the length of time the site has been allocated, with no interest in the form of planning applications, it is considered highly unlikely completions will be delivered on site in the year 2019/20. As the site is also still operating as a company selling building and timber supplies, it is unlikely that the site will be delivered within the five-year supply period.

Lakes Estate Neighbourhood Plan Sites; Water Hall School

1.250 Land to the south of Water Hall School obtained planning permission under application reference 07/00075/MKCOD3 in March 2007 for the erection of up to 61 dwellings with associated works. An extension of time application was later permitted under application reference 10/00550/MKCOD3 in May 2010, which has since expired. This application was submitted by Milton Keynes Council.

1.251 The site has been in the Council's trajectory since 2014.

- 1.252 It is unlikely that any completions will be delivered in 2021/22. Given there are no planning applications, realistically any completions will be delivered outside the five-year supply period.

Police Station Houses, High Street, Newport Pagnell

- 1.253 The site was allocated for housing in the Local Plan 2001-2011 (adopted 2005) under Policy NP1. There are several vacant former police houses currently on the site that would require demolition prior to development.
- 1.254 Given the length of time the site has been allocated, with no interest in the form of planning applications, it is considered highly unrealistic completions will be delivered in the five year supply period.

Site 4, Vernier Crescent, Medbourne

- 1.255 With no planning history or other realistic evidence, it is considered unrealistic that completions will be delivered in the five year supply period. The site has been in the Council's trajectory since 2014.

Reserve Site 3, Westcroft

- 1.256 The site is under the control of MK Community Foundation according to the 2017 SHLAA and is listed on MKDP's Land Portfolio and a development brief was approved in October 2014. The site has been in the Council's trajectory since 2014.
- 1.257 It is, therefore, considered unrealistic that completions will be delivered in the five year supply period.

Reserve Site off Hendrix Drive, Crownhill

- 1.258 The site is still under the ownership of MKDP. The site has been in the Council's trajectory since 2014.
- 1.259 It is considered unrealistic that completions will be delivered in the five year supply period.

Reserve Site (off Nicholson Grove), Grange Farm

- 1.260 The site is still under the ownership of MKDP. It is considered unrealistic that completions will be delivered in the five year supply period.

Reserve Sites A & D Hindhead Knoll (Walnut Tree)

- 1.261 The site is still under the ownership of MKDP and is allocated under policy WNP5 of the Walton Neighbourhood Plan. The site is formed of two parts either side of Hindhead Knoll. The MKDP Portfolio states that deadline for submission of informal tenders for

the southern portion of the site was 15th September 2017. Two previous applications have been refused in 2004 and 2005 under references 03/02050/FUL and 04/02277/FUL for residential apartment scheme by Orbit Housing Association. A third application made by English Partnerships was approved in 2007 for 42 dwellings under reference 05/01386/OUT but was never implemented.

- 1.262 The site has been identified in the five year housing land supply trajectory since November 2010.
- 1.263 In light of the previous unimplemented consent and the long history of unsuccessful promotion of this site, I consider it unrealistic that completions will be delivered in the five year supply period.

APPENDIX 2

**On behalf of various clients. Appendices to Representation to the
Plan:MK Examination**

Matter 3

Appeal Decision

Inquiry Held on 14-17 November 2017 and 19 December 2017

Accompanied site visit made on 19 December 2017

by I Jenkins BSc CEng MICE MCIWEM

an Inspector appointed by the Secretary of State

Decision date: 05 March 2018

Appeal Ref: APP/Y0435/W/17/3177851

Land at Long Street Road, Hanslope

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr & Mrs John Wakefield Adams against the decision of Milton Keynes Council.
 - The application Ref 16/02937/OUT, dated 12 October 2016, was refused by notice dated 13 April 2017.
 - The development proposed is the erection of up to 141 dwellings (use Class C3) with associated access, earthworks and other ancillary and enabling works. All other matters (appearance, landscaping, layout and scale) reserved.
-

Decision

1. The appeal is allowed and outline planning permission is granted for development described as the *erection of up to 141 dwellings (use Class C3) with associated access, earthworks and other ancillary and enabling works. All other matters (appearance, landscaping, layout and scale) reserved* on land at Long Street Road, Hanslope in accordance with the terms of the application, Ref 16/02937/OUT, dated 12 October 2016, subject to the conditions set out in the attached Schedule of Conditions.

Procedural matters

2. The planning application subject of this appeal is in outline, with all detailed matters, except access, reserved for future consideration.
3. In support of the appeal the appellants have submitted a formally completed 'section 106 agreement' (s106), pursuant to section 106 of the *Town and Country Planning Act, 1990*. I have taken it into account.

Main Issues

4. I consider that the main issues in this case are:
 - 1) The effect of the proposal on the Council's spatial development strategy for the area;
 - 2) The effect of the scheme on the character of the area, with particular reference to the countryside, the setting of Hanslope and the gap between settlements;
 - 3) The effect on the significance of designated heritage assets;
 - 4) Whether the Council is able to demonstrate a 5-year supply of deliverable housing sites;
-

- 5) Whether the proposal makes adequate provision for infrastructure;
- 6) Accessibility of jobs, shops and services from the site; and,
- 7) Whether the scheme would amount to sustainable development under the terms of national policy.

Reasons

1) Spatial development strategy

5. The Development Plan comprises saved policies of the *Milton Keynes Local Plan, 2001-2011, December 2005* (LP) and the *Milton Keynes Core Strategy, 2013* (CS). Emerging Development Plan Documents include draft *Plan: MK, Milton Keynes Site Allocations Plan: October 2016* (SAP) and the *Hanslope Neighbourhood Plan*. The Council and appellants agree that as *Plan: MK* is at a relatively early stage towards adoption, little weight can be attributed to its policies. Whilst the SAP is more advanced, having reached examination, it only addresses allocations within the urban area, as the Council considers that rural areas are to be managed through Neighbourhood Plans. Although a number of interested parties have made reference to the *Hanslope Parish Plan 2009*, the Council has confirmed that that document has not been adopted by Milton Keynes Council and it does not constitute a Neighbourhood Plan. Therefore, I give it little weight. The emerging *Hanslope Neighbourhood Plan* has not progressed beyond approval of the Neighbourhood Plan area and so the Council and appellants agree that no weight can be attributed to it.
6. The appeal site comprises a roughly square shaped area of arable land. Its northeastern boundary fronts onto Long Street Road, to the southwest the site adjoins a larger parcel of arable land, and the curtilage of Folly Farmhouse adjoins the northwestern site boundary along the majority of its length. The northwestern edge of the development boundary of Hanslope, as defined by the LP Policies Map, adjoins the southeastern boundary of the site. The Council and appellants agree that the appeal site is located outside of the Hanslope development boundary in the open countryside. The reasoned justification for CS Policy CS1 indicates that development boundaries defined by the LP remain unchanged by the CS. Although it indicates that there may be minor changes introduced through the emerging Development Plan Documents, the Council confirmed, at the Inquiry, that it has no plans at present to extend the development boundary of Hanslope.
7. CS Policy CS1-*Milton Keynes Development Strategy* indicates that new homes will take account of the tiered CS Settlement Hierarchy, which confirms that the majority will be focused on, and adjacent to, the existing urban area of Milton Keynes, the first tier. In the remainder of the Borough, development will be concentrated on the Key Settlements, the second tier. The third tier is Selected Villages, which comprise Sherington, Hanslope and Bow Brickhill. Whilst the Policy indicates that a limited amount of new housing will be allocated in Sherington, it makes no similar reference to Hanslope and the footnote to the Policy confirms that no new allocations will be sought in Hanslope. This position is reinforced by CS Policy CS9-*Strategy for the Rural Area*, the reasoned justification for which confirms that, in relation to Hanslope and Bow Brickhill, 'we will not be looking to identify more new housing sites outside the current development boundaries of these villages'. I consider it is clear that the proposed housing development on land outside the development boundary of Hanslope would conflict with CS Policies CS1 and CS9.

8. LP Policy S10 indicates that in the open countryside, planning permission will only be given for development that is essential to agriculture, forestry, countryside recreation or other development which is wholly appropriate to the rural area and cannot be located within a settlement. The reasoned justification for the Policy identifies that its objective is to protect the countryside. There is no dispute that the proposal, involving the erection of up to 141 dwellings, would conflict with this Policy.
9. I conclude that the appeal scheme, which would conflict with CS Policies CS1 and CS9 as well as LP Policy S10, would undermine the Council's spatial development strategy for the area.

2) Character of the area

10. The Council and appellants agree that the appeal site does not form part of a 'valued landscape', which the *National Planning Policy Framework* (the Framework) indicates should be protected and enhanced. Nonetheless, the Framework identifies that it is necessary to recognise the intrinsic character and beauty of the countryside.
11. The *Landscape and Visual Impact Assessment, October 2016* (LVIA), submitted in support of the appeal planning application, identified that whilst the site forms part of 2 of *The Milton Keynes 2016 Landscape Character Assessment* areas, it is most consistent with area *1b: Hanslope Clay Plateau Farmland*. In addition, it found that as the portion of the character area within the site is relatively small compared to the scale of the wider character area, the sensitivity of the landscape area to the proposed change would be low and need not be considered further. This finding was not disputed by the Council and it is common ground between the Council and appellants that the scheme would not conflict with CS Policy CS19 or LP Policy NE4, which seek to safeguard the different landscapes of the Borough.
12. However, the LVIA identifies that the proposed development would have a moderate/minor adverse impact on the landscape character of the site itself and, having regard to public vantage points around the site and within it, which include a number of public footpaths, the visual impact would also be moderate/minor adverse. The *Statement of Common Ground*, dated 13 October 2017 (SoCG), agreed between the Council and appellants, confirms that the Council has not criticised those findings directly. Nonetheless, the Council, together with others, has raised the concern that the loss of countryside resulting from the proposal would harm the setting of Hanslope and erode the separation between the settlements of Hanslope and Long Street.
13. Long Street Road runs in a northwesterly direction from Hanslope leading to Hartwell Road and the small settlement of Long Street. Part way along that section of highway, opposite the northwestern section of the roadside boundary of the appeal site, there is a small group of residential properties, known as Halfway Houses, on the northeastern side of the road. Following a grant of planning permission at appeal, 12 dwellings are under construction in the gap between Halfway Houses and the development boundary of Hanslope. However, the visual impact of Halfway Houses is limited, not least by mature planting which screens parts of those buildings from the highway as well as from more distant vantage points. As a result of that and the open, undeveloped nature of the appeal site, I consider that people travelling to or

from Hanslope along Long Street Road are likely to regard the edge of the settlement as the ongoing development on one side of the road and Williams Close, which adjoins the southeastern boundary of the site, on the other. Due to the mass of development there, Williams Close is also likely to appear as the edge of the settlement when using the local footpaths to the northwest, including those within the appeal site. In this context, the appeal site makes a significant contribution to the sense of a gap between Hanslope and Long Street as well as the countryside setting of Hanslope.

14. The illustrative details submitted in support of the appeal planning application indicate that the proposed residential development could be set back from the Long Street Road boundary of the site as well as from its northwestern and southwestern boundaries beyond landscaped green space. Nonetheless, the massing of development within the appeal site would be likely to be clearly visible from the surroundings. It would appear to significantly reduce the sense of a gap between Hanslope and Long Street, although in my judgement, the remaining gap, albeit limited, would be sufficient to enable the 2 settlements to be distinguished from one another and to retain individual identities. Notwithstanding that landscaping the edges of the site could soften its appearance to a greater extent than the existing narrow strip of landscaping along the edge of Williams Close, the replacement of a field with, for the most part, built development would harm the countryside setting of Hanslope.
15. I conclude that the proposal would cause moderate harm to the character of the local area, with particular reference to the setting of Hanslope and the gap between settlements. In this respect it would conflict with the objective of LP Policy S10 to protect the countryside.

3) Heritage assets

16. Folly Farmhouse is a Grade II Listed Building and *the Bidwells Heritage Statement* (BHS), submitted in support of the appeal planning application, indicates that it provides evidence of a 17th-century agricultural group. It appears to me that the agricultural land to the northwest and southwest, which is directly accessible from the Farmhouse group, has a closer relationship to it than the appeal site, which is enclosed along the shared boundary by a mature hedgerow. Nonetheless, the BHS identifies that the open appeal site forms part of the understanding and appreciation of the historic and functional purpose of the Listed Building. It forms part of the farmhouse's extended setting, which conveys its separation and isolation from the village and the relationship that the asset holds with the surrounding landscape. The BHS identifies that the extended setting of the building makes a good contribution to the significance of the designated heritage asset. These are views broadly echoed by Asset Heritage Consulting Limited's assessment, submitted on behalf of the owners of Folly Farmhouse.
17. Section 66(1) of the *Planning (Listed Buildings and Conservation Areas) Act 1990, (as amended)* requires that in considering whether to grant planning permission for development which affects the setting of a Listed Building, special regard shall be had to the desirability of preserving its setting. Having regard to the indicative masterplan for the scheme, the BHS indicates that although the proposed buffer zone would maintain a clear sense of separation between the Farmhouse and the proposed buildings, there would be a reduction in the sense of isolation and a change within the existing field as it

passes from agricultural to residential use. The reduction in the ability to appreciate the existing character of the land and its contribution to the significance of the Listed Building would result in medium adverse harm to that significance. I agree with this assessment. However, the BHS suggests that that level of harm may be mitigated by detailed proposals to provide a rural character to the buffer space. Whilst not disputing that view, the Council's Conservation Officer indicated that there is no evidence to show that the impact would be so minimal as to be neutral. Having had regard to the illustrative details provided in support of the scheme, I consider it is likely that the identified harm could be partially mitigated, through careful landscaping of the buffer space, controlled by condition. In my judgement, subject to condition, the proposal would be likely to cause limited harm to the significance of the designated heritage asset.

18. When approaching the site from the northwest along Long Street Road and along footpaths from the west, the spire of the Church of St James the Great, a Grade I Listed Building, is visible in the distance beyond built development within the village. The illustrative plans submitted in support of the planning application indicate that the proposed built development could be set back from both Long Street Road and the southwestern boundary of the site. Under those circumstances, it is unlikely that the proposal would have a material effect on the views of the spire from the approaches I have identified. Views from the site and Folly Farmhouse towards the spire, which are already limited by intervening development, would be restricted to a greater degree. Nonetheless, I consider overall that the adverse effect on the setting of the church and its significance as a designated heritage asset would be negligible.
19. Furthermore, due to the visual and significant physical separation of the proposed development from the Hanslope Conservation Area, the proposal would have no material impact on the significance of that designated heritage asset, including its setting.
20. Nonetheless, I conclude that the proposal would be likely to cause negligible harm to the significance of the Church of St James the Great and limited harm to the significance of Folly Farmhouse. In these respects it would conflict with CS Policy CS19 and LP Policy HE5.

4) Housing land supply

Requirement-Liverpool v Sedgfield

21. There is no dispute that the CS provides the appropriate basis for the calculation of the 5-year housing land requirement. CS Policy CS2 indicates a requirement of 1,750 dwellings per annum in the period April 2010 to March 2026. Furthermore, it is agreed that in this case the relevant period for the assessment is 1 April 2017 to 31 March 2022. The Council's most recent formal assessment of its housing land supply position is its *Assessment of Five Year Land Supply 2017-2022, July 2017* (ALS). The ALS indicates that in the 7 years since the start of the CS period there have been 9,065 completions, which equates to a shortfall of 3,185 units relative to the average annual requirement figure set out in the CS of 1,750 units. In the *Statement of Common Ground on Five Year Land Supply, October 2017* (SoCGH), the Council and the appellants have agreed corrected figures of 9,019 completions and a shortfall of 3,231 units. I have had regard to those figures and note that the correction is small.

22. There is a dispute between the main parties concerning the timescale over which the shortfall should be addressed. The appellants favour the 'Sedgefield' method of dealing with undersupply within 5 years and the Council favours the 'Liverpool' method of making up the unmet requirement over the remainder of the plan period. I acknowledge that as the number of years until the end of the plan period reduces towards 5 remaining years, so the difference between the outcomes of the 2 methods reduces. However, to my mind, at present the difference is significant. Assuming the level of supply claimed by the Council, which is also disputed by the appellants, the SoCGH indicates that based on the Liverpool method the Council is able to demonstrate a supply of 5.15 years. However, using the Sedgefield method the level of supply falls to 4.53 years.
23. I acknowledge that the pattern and pace of housing provision planned for in the CS could be a relevant factor when determining which approach is more appropriate. The Council suggests that the examining Inspector was plainly satisfied, with reference to an examination document MKC/4, that the Liverpool approach was justified. I am not convinced that that was the case.
24. The Inspector's report does not refer explicitly to either the Liverpool or Sedgefield methods. MKC/4 shows a housing completions trajectory alongside a requirement based on the 1,750 dwellings per annum set out in the CS. The trajectory shows early year shortfalls and footnote 1 to the MKC/4 table indicates that the annually calculated 5 year requirement figure looking forward had been calculated on the assumption that the remaining requirement in the plan period would be delivered over the remaining period.
25. However, importantly in my view, the pace and pattern of projected completions indicated that there would be no need to spread recovery of the early years shortfall over the remaining plan period. At the time that this evidence was under consideration by the examining Inspector, in July 2012, MKC/4 indicated that the early years shortfall would be made up within 5 years, with a surplus relative to the annual requirement of 1,750 units by the end of year 6. A similar outcome is shown to result from the Figure 18.1-Housing Trajectory subsequently included in the CS. It appears to me that in terms of the proposed pattern and pace of housing provision, a Sedgefield style recovery of the early-years shortfalls, was proposed and accepted. The circumstances then, differ from those subject of the 2014 case of 'Bloor Homes'¹, where the Inspector had found that the Liverpool method was congruent with the approach in the *Hinckley and Bosworth Core Strategy, 2009*. The circumstances also differ from those associated with appeal decisions APP/K3415/A/14/2224354 and 2225799. Those cases fell within the scope of the *Lichfield District Local Plan Strategy 2008-2029 (2015)*, which I understand adopted a Liverpool approach to addressing shortfall.
26. I have also had regard to appeal decision Refs. APP/L1765/W/16/3141664 & 3141667 (Colden Common appeals), which were dismissed and involved proposed residential development on land within the scope of *Winchester District Local Plan Part 1 (2013)* and *Part 2 (2017)*. In that case the Inspector observed that the housing delivery strategy relied on 3 large strategic sites to deliver around two thirds of the housing requirement, such sites tend to take longer to commence and deliver later in the plan period, providing some justification for the curved delivery trajectory anticipated by the Council in that

¹ Bloor Homes East Midlands Limited and Secretary of State for Communities and Local Government and Hinckley and Bosworth Borough Council [2014] EWHC 754 (Admin).

case. In light of those circumstances, he determined that the Liverpool method was the appropriate means of accounting for shortfalls. Those circumstances are not directly comparable to those in the case before me. I understand that the CS relies on 4 sites to deliver around 50% of the 5 year housing supply. However, the CS housing trajectory is not weighted towards the end of the period and it anticipated that the highest levels of delivery would occur in years 5 to 8.

27. In the circumstances of the case before me, I consider that it is appropriate to adopt the Sedgefield approach, which is consistent with the aim of the Framework to boost significantly the supply of housing and also the national *Planning Practice Guidance*, which encourages local planning authorities to deal with any undersupply within the first 5 years of the plan period where possible. It follows that, based on the level of supply claimed by the Council, it is unable to demonstrate a 5-year supply of deliverable housing sites, contrary to the requirements of the Framework.

Supply

28. There is a dispute between the Council and the appellants concerning the deliverable supply, with particular reference to 9 locations included in the ALS. The Framework indicates that *'to be considered deliverable, sites should be...achievable with a realistic prospect that housing will be delivered on the site within 5 years...Sites with planning permission should be considered deliverable until the permission expires, unless there is clear evidence that schemes will not be implemented within 5 years, for example they will not be viable, there is no longer a demand for the type of units or sites have long term phasing plans'*. However, in relation to all but one location, which involves only a relatively small number of dwellings (SAP 14/18/19), there is agreement that there is a realistic prospect of housing being delivered within the 5-year period. Furthermore, regarding the sites with planning permission, which the Council estimates accounts for over 80% of the projections relied upon, there is no clear evidence that: development of the sites would not be viable; there is no longer a demand for the type of units proposed; or, the sites have phasing plans which would preclude some units coming forward in the 5-year period. The dispute between the Council and the appellants relates to appropriate start dates and delivery rates for the 9 locations, matters which, in my view, are heavily reliant on judgement.
29. Overall the appellants' estimate that the deliverable 5-year supply is 8,754 units, that is 4,276 units less than the 13,030 units accounted for by the Council, which, based on the Sedgefield method for undersupply, would be equivalent to a supply level of 3.04 years, rather than 4.53 years. In support of its position, the appellants cite factors such as: lead in times for development have been longer than evidence to the CS examination suggested; past delivery rates to date have been lower than expected; and, in some cases the future delivery rates used by the Council are significantly higher than have been achieved elsewhere.
30. In relation to delayed delivery, the ALS acknowledges the past shortfall of completions against the trajectory in the CS, which it calculates as a delivery rate around 29% below the trajectory. Whilst it indicates that the main cause of the shortfall appears to be delays bringing forward the major sites around the city, which is now being addressed, it has applied a 10% discount to sites

which are profiled to still be delivering in the last year of the 5 year period, in order to make some allowance for the risk of slippage. For the purposes of this appeal, the Council appointed Troy Planning + Design (TP) to test the robustness of the ALS, presenting an analysis on a site by site basis. Although there are some differences between the two at a site level, TP was in broad agreement with the overall level of supply cited by the Council.

31. Furthermore, in relation to the delivery rates, some support for the Council's approach is provided by the findings of the Nathaniel Lichfield & Partners paper entitled '*Start to Finish-How Quickly do large-Scale Housing Sites Deliver?, November 2016*' (NLP). Although it identifies a national average annual delivery rate of 171 units on greenfield sites of 2,000+ units, it indicates that whilst such rules of thumb can be useful, particularly in situations where there is limited evidence, it is not definitive, as its analysis shows that some sites deliver more quickly. The only Milton Keynes site within the sample range was the Eastern Expansion Area, where an average of 268 units per annum was recorded in the period 2008/9-2013/14. The report comments '*as widely recognised, the planning and delivery of housing in Milton Keynes is distinct from almost all the sites considered in this research. Serviced parcels with roads already provided were delivered as part of the Milton Keynes model and house builders are able to proceed straight onto site and commence delivery*'.
32. Turning to the sites themselves, three sites account for the majority of the difference between the projections of the Council and the appellants: the Western Expansion Area 10 & 11(WEA); Brooklands-Eastern Expansion Area (EEA); and, Strategic reserve sites (SRS).
33. At the WEA outline planning permissions are in place, some parcels have reserved matters approval and construction is underway. The Council's expectations regarding average annual completions are reasonably consistent with the projections of the lead developer, Gallagher Homes, and appear to me to be supported by data recording new starts, units under construction and completions.
34. At the EEA outline planning permissions are in place, a large proportion of the parcels have reserved matters approval and the Council's expected average annual completion rate has been achieved in the recent past.
35. At the SRS outline planning permissions are in place and some parcels have reserved matters approval. Unit completions are not forecast to be achieved in significant numbers until 2018/19, not least as a number of challenges remain to be met, including agreement with landowners concerning a mechanism for financial equalisation of costs associated with infrastructure. However, the Council has indicated that it is actively working to facilitate agreement. In my view, the appellants' doubts in relation to the SRS and the other areas referred to above do not amount to clear evidence that the schemes will not be implemented within the period. That being the case, it appears to me that the level of supply would be likely to fall somewhere between the Council's estimate of 4.53 years and approximately 4 years. For the reasons set out below, I consider it likely that the Council's position is the more realistic of the two.
36. As regards the other sites, at Eaton Leys outline planning permission is in place. I accept that in light of delivery rates achieved elsewhere, around 250 units per annum, in keeping with the estimates of TP and Gallagher Homes,

may be achievable. However, it appears unlikely that dwellings would be completed until year 3, given Gallagher Homes estimate of a 3 year lead time after site commencement. To my mind, this indicates that the Council's estimate for this site is unduly optimistic and a reduction of around 140 units would represent a realistic prospect of delivery. At Tattonhoe Park outline planning permission is in place along with some infrastructure and the site promoter has indicated that it is committed to delivering the remaining units as quickly as possible, with the next phase potentially beginning in early 2019 and the development could be complete by 2025. The delivery rates promoted by the Council and broadly supported by TP, appear to be consistent with those aims.

37. I understand that the land identified as 'Campbell Park remainder', forms part of a larger site which has been identified for development for a significant period of time and has otherwise been developed in part. In my view, a lack of progress in the past, does not amount to clear evidence that development will not be implemented in the 5 year period. As observed by the appellants, the allowances made by the Council towards the end of the period are modest and, in my view, realistic. I consider the same can be said in relation to 'Canalside-Marina', in the absence of evidence from the developer to support the appellants' concerns regarding the rate and timing of delivery.
38. Preparation of the *Milton Keynes Site Allocations Plan (SAP)* and *Plan: MK*, which are intended to provide, amongst other things, for flexibility and contingency to the existing supply of housing land, are progressing albeit at a slower pace than expected when the CS was being examined. The ALS includes a number of SAP sites, including SAP18 and 19. Whilst I understand that SAP18 (147 units) and SAP19 (135 units) are employment allocations in the CS, they are now being promoted for residential development by the Council as part of the SAP. Having had regard to the questions raised by the examining Inspector and the justification provided by the Council in response, I consider that until a decision is made to reject those sites, there remains a realistic prospect of housing delivery towards the end of the 5-year period, as set out by the Council and supported by TP.
39. The Council's approach to the assessment of supply levels has evolved over time, taking account of changing circumstances. Having regard to the uncertainties associated with the sites, commented on by both main parties, I consider that overall the realistic level of supply is likely to equate to slightly less than 4.5 years.

Conclusion

40. I conclude, with particular reference to the necessary application of the Sedgefield method in this case, that the Council is unable to demonstrate a 5-year supply of deliverable housing sites, contrary to the requirements of the Framework.

5) Infrastructure

41. A significant number of interested parties have raised the concern that local infrastructure does not have the capacity to cater for the cumulative needs of the proposal and other recently approved schemes, which together would result in a substantial increase in the population of the village, relative to the 2011 census figures.

42. However, the Council has identified the levels of contribution towards infrastructure that would be necessary in order to ensure that the needs of future residents of the scheme could be met, with reference to: relevant Development Plan policy and associated Supplementary Planning Documents and Guidance; as well as supporting calculations and information. They comprise contributions towards: education; social infrastructure; as well as leisure, recreation and sport. Furthermore, provision has been made for those sums by the s106.
43. Having had regard to the supporting information, I consider that, with the exception of the 'Village Amenities Contribution', the identified contributions are justified. I consider that they are necessary to make the development acceptable in planning terms; directly related to the development; and, fairly and reasonably related in scale and kind to the development. There would be no conflict with Regulation 123 of the *Community Infrastructure Levy Regulations 2010 (as amended)* (CIL Regs). However, I have not been provided with any compelling evidence to show that the Village Amenities Contribution is necessary to make the development acceptable in planning terms, with particular reference to Development Plan policy and so I give it no weight.
44. The Council has indicated that the Hanslope Waste Water Recycling Centre (WWRC) is located some 200 metres to the west of the site and a number of interested parties have raised the concern that future residents of the proposed dwellings may be adversely affected by odours arising from the works. However, I understand that neither the Council's Environmental Health team nor Anglian Water, who operates the WWRC, has objected to the scheme. Furthermore, based on the odour survey/modelling reports submitted by the appellants, it appears unlikely to me that odours arising from the WWRC would have an unacceptable impact on the living conditions of future residents.
45. I conclude that the appeal scheme makes adequate provision for infrastructure and in this respect it would accord with the aims of CS Policy CS21 and LP Policies D4 and PO4, which in keeping with the Framework, seek to ensure that housing development is adequately served by infrastructure, including amongst other things local services.

6) Accessibility

46. Information submitted in support of the appeal planning application included Enzygo's *Transport Assessment* (ETA), which was taken into account by the Council when determining the planning application, along with objections raised by others, which in the case of Hanslope Parish Council was supported by a critique of the ETA by Sanderson Associates (Consulting Engineers) Ltd. Consistent with the analysis set out in the Planning Officer's Report to Committee, the SoCG confirms the Council is satisfied that, subject to conditions and proposed planning obligations, the proposed site access from Long Street Road would be acceptable in highway terms and, with reference to paragraph 32 of the Framework, any highways impact arising from the development would be less than severe.
47. The s106 would secure the provision of a range of off-site 'Highway Works', including junction modifications, to improve the flow of traffic; traffic calming measures; and, improved footway links between the site and the village. I consider that the planning obligation is necessary to make the development

acceptable in planning terms, with particular reference to the safety and convenience of highway users; directly related to the development; and, fairly and reasonably related in scale and kind to the development. There would be no conflict with the CIL Regs.

48. Furthermore, at the Inquiry, the appellants provided a revised site access plan and a response to the 'Sanderson critique' by Badingham Transport & Infrastructure Consultants, which together provide a satisfactory response to the concerns raised on behalf of the Parish Council, in my view. Whilst I have also had regard to the views of other interested parties, set out in written and oral submissions to the Inquiry, they do not provide any compelling evidence to support a conclusion contrary to the position of the Council. Those submissions included, amongst other things, reference to other traffic surveys, such as that reported in the *Hanslope Parish Plan, 2009*, to which I attribute less weight than the more up to date assessment of a professional Transport Engineer set out the ETA. Furthermore, I give little weight to the assertions made regarding data derived from other informal surveys, such as a speed indicator device in use in the village, which were unsupported by any substantial evidence.
49. Based on the evidence presented, I have no compelling reason to depart from the Council's conclusion that, subject to conditions and proposed planning obligations, the impact of the scheme on highway safety would be acceptable and the impact on the highway network would be unlikely to be severe. The local Highway Authority has confirmed that it does not object to the scheme and this adds further weight to my finding. Furthermore, no objection was raised by Highways England in relation to any impact on major roads/motorways, in light of which I give little weight to the associated concerns raised by local residents, which are also not supported by any compelling evidence.
50. At Hanslope there are a range of services and facilities within walking distance of the site, such as a primary school, health care facilities, recreation facilities and a number of local shops, which would be likely to limit car journeys to and from the site, to some extent. Furthermore, the village is on a bus route between Milton Keynes and Northampton, with a reasonably frequent service from Monday to Saturday. I consider that jobs, shops and services are likely to be reasonably accessible from the site by means other than private car.
51. At the Inquiry, the Council confirmed that it does not object to the scheme on the basis of accessibility. I conclude that as regards accessibility of jobs, shops and services from the site, the proposal would be acceptable and it would not conflict with LP Policy T10, which is consistent with the aims of the Framework insofar as it seeks to ensure that proposals provide safe access and do not have an unacceptable impact on the wider highway network.

7) Sustainable development

52. The Framework identifies that there are 3 dimensions to sustainable development: social; economic; and, environmental.

Public benefits

53. The social benefits of the scheme would include a significant contribution towards making up the shortfall I have identified in the deliverable supply of housing sites relative to the requirements of the CS and the Framework.

Thereby it would facilitate the Government's aim of boosting significantly the supply of housing. I give it substantial weight.

54. In addition, under the terms of the s106, 30% of the proposed units would contribute towards meeting the need for Affordable Housing in the Council's area, in accordance with LP Policy H4 and the aims of the Framework. I consider that this planning obligation is necessary to make the development acceptable in planning terms; directly related to the development; and, fairly and reasonably related in scale and kind to the development. There would be no conflict with the CIL Regs. I give substantial weight to the provision made for Affordable Housing.
55. The economic benefits of the scheme would include the creation of construction jobs and associated expenditure, albeit over the relatively limited period likely to be associated with the build out of the site. Whilst expenditure of future residents of the site would also be likely to boost the local economy, I have not been provided with any compelling evidence to show that it is necessary to secure the viability of local services. Under the circumstances, I give the economic benefits claimed by the appellants limited weight.
56. The appellants have indicated that the scheme would include features such as new planting, a wildflower meadow and ponds associated with surface water drainage, which would be likely to result in a net gain to biodiversity, in keeping with the aims of the Framework. These matters could be secured through the imposition of conditions related to landscaping and biodiversity. I give this limited weight.
57. I consider overall, that the public benefits of the scheme weigh heavily in its favour.

Harm

58. I have found that the proposal would be likely to cause less than substantial harm to the significance of a number of designated heritage assets. The Framework indicates that where a development will lead to less than substantial harm to the significance of a designated heritage asset, that harm should be weighed against the public benefits of the proposal. Notwithstanding that great weight is attributed to the assets' conservation, I consider that the harm would be significantly and demonstrably outweighed by the public benefits of this scheme, which, having considered the availability of sites, is needed to help boost the supply of housing.
59. Whilst the scheme would result in the loss of an area of agricultural land, the Council accepts that it does not comprise the best and most versatile agricultural land, which the Framework seeks to safeguard. I give this matter limited weight.
60. In addition to the harm to the significance of designated heritage assets and harm associated with the loss of agricultural land, I have found that the scheme would harm the character of the local area and would conflict with the Council's spatial development strategy. With particular reference to these matters, I consider that the proposal would conflict with the Development Plan taken as a whole.
61. However, it is common ground between the Council and the appellants that, whilst LP Policy S10 is not, CS Policies CS1 and CS9 are relevant policies for

the supply of housing, as is CS Policy CS2-*Housing Land Supply*, and, in the absence of a demonstrable 5-year supply of deliverable housing sites, it follows under the terms of the Framework that they should not be considered up-to-date.

62. In relation to the identified conflicts with LP Policy S10, I do not accept the arguments that it should be afforded little weight on the basis that the LP is dated and when 'saved' there was an expectation of rapid adoption of further Development Plan policies. The Framework confirms that the policies in the Local Plan should not be considered out-of-date simply because they were adopted prior to the publication of the Framework and due weight should be given to relevant policies in existing plans according to their degree of consistency with the Framework. LP Policy S10 implicitly recognises the character and beauty of the countryside, in accordance with the aims of the Framework, by seeking to protect it. Whilst it relies on development boundaries which were originally drafted to meet housing need over the LP plan period, which ended in 2011, those development boundaries have been carried forward in the CS, the plan period for which has not ended. Therefore, the circumstances are not directly comparable to those relating to the Cheshire East Borough Council Development Plan context in the '*Suffolk Coastal*' case². Nonetheless, I consider that strict adherence to the defined development boundaries would be likely to greatly limit the extent to which shortfalls in housing land supply could be addressed, contrary to the aims of the Framework.
63. Under the circumstances, I give only moderate weight to the identified conflicts with CS policies CS1 and CS9, LP Policy S10 and the associated conflict with the Council's spatial development strategy.
64. Furthermore, I give little weight to the identified conflict with LP Policy HE5, as it is far more onerous than the Framework, prohibiting any development that would adversely affect the setting of a Listed Building, irrespective of the degree of harm.

Other matters

65. Based on the illustrative details submitted in support of the application, it is likely that residential development of the appeal site would increase the perception amongst existing residents, particularly occupants of Folly Farmhouse, of being overlooked. However, I agree with the Council that it would be possible, through the control of reserved matters, to ensure that the requirements of the Council's *New Residential Development Design Guide-Supplementary Planning Document* would be met, thereby satisfactorily safeguarding the privacy of existing residents. In the same way, any impact with respect to the light and noise environments enjoyed by existing residents could be controlled. In my judgement, the proposal would be unlikely to have an unacceptable impact on the living conditions of local residents and in this respect it would accord with the aims of LP Policy D1, which is consistent with the aim of the Framework to secure a good standard of amenity for occupants of land and buildings.

² Suffolk Coastal District Council (Appellant) v Hopkins Homes Ltd and another (Respondents) Richborough Estates Partnership LLP and another (Respondents) v Cheshire East Borough Council (Appellant) [2017] UKSC 17.

66. The s106 also makes provision for a contribution towards carbon-offsetting, in accordance with the requirements of LP Policy D4. Having had regard to the supporting information provided by the Council, I consider that this planning obligation is necessary to make the development acceptable in planning terms; directly related to the development; and, fairly and reasonably related in scale and kind to the development. There would be no conflict with the CIL Regs.
67. Whilst my attention has also been drawn to a number of other previous appeal decisions, I have found them to be of little assistance, as the circumstances in those cases are not directly comparable to those in the case before me, which I have determined on its own merits.
68. I acknowledge the significant level of public opposition to the scheme.

Conclusions

69. Nonetheless, the Framework indicates that where relevant policies of the Development Plan are out of date, planning permission should be granted unless: any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or, specific policies in the Framework indicate that development should be restricted. In my judgement, the latter does not apply. Furthermore, the adverse impacts of the proposal would not significantly and demonstrably outweigh the benefits. I conclude on balance, having regard to likely economic, social and environmental impacts, the scheme would amount to sustainable development under the terms of national policy. This weighs heavily in favour of a grant of planning permission.

Conditions

70. The SoCG sets out 24 conditions which the Council and appellants consider should be imposed in the event of the appeal being allowed and planning permission granted. I have considered them in light of the advice set out in the national *Planning Practice Guidance* and where necessary I have amended them.
71. Conditions would be required to control the details of reserved matters and the shorter than normal timescale for the submission of associated applications, as suggested by the appellants, would increase the likelihood of housing delivery within the current 5-year period. In addition, conditions would be necessary in the interests of certainty to ensure that the scheme would be carried out in accordance with the approved details and the number of dwellings would be limited in accordance with the planning application. A condition would also be necessary to ensure that the approved access to the site is laid out in a timely manner, in the interests of the safety and convenience of highway users.
72. Conditions would be necessary, in the interests of residential and visual amenity as well as biodiversity to ensure that: an appropriate level of hard and soft landscaping would be provided and maintained; to safeguard existing planting that is to be retained; and, to control details of lighting and the materials used in the external surfaces of buildings. Control over landscaping is also necessary to ensure that the impact of development on the settings of designated heritage assets would be mitigated. A condition would also be necessary to secure biodiversity enhancements, in keeping with the aims of the Framework. The conditions identified would satisfactorily safeguard the

interests of protected species. Also in the interests of residential and/or visual amenity, conditions would be necessary to control: finished floor and ground levels; the details of boundary treatments; the provision of parking and adequate manoeuvring areas within the site; and, to secure measures to minimise crime.

73. Conditions would be necessary: to ensure sustainable construction practices would be adopted, with reference to LP Policy D4; and, to secure the implementation of an approved Travel Plan promoting sustainable transport. A condition would be required to control the distribution of Affordable Housing across the site, in the interests of achieving an appropriately mixed development.
74. In the interests of safeguarding the living conditions of future occupants of the site and neighbouring residents, conditions would be necessary to control the risk of land contamination and the manner in which the site would be drained, which is also necessary to control flood risk. The living conditions of local residents could be satisfactorily safeguarded from the potential impacts of construction activity through the imposition of a condition to ensure that an approved Construction Environmental Management Plan would be adhered to. A condition would be necessary to ensure that a record is made of any archaeological remains affected by the proposals, pursuant to the aims of the Framework.

Conclusions

75. Whilst I consider that the proposal would conflict with the Development Plan taken as a whole, I conclude on balance that other material considerations indicate that planning permission should nevertheless be granted. For the reasons given above, I conclude that the appeal should be allowed.

I Jenkins

INSPECTOR

APPEARANCES

FOR THE LOCAL PLANNING AUTHORITY:

Mr E Grant Of Counsel	Instructed by the solicitor to Milton Keynes Council.
He called	
Mr A Griffiths BA(Hons) MA MRTPI	Associate Director, Troy Hayes Planning Ltd.
Mr J Goodall MA MSc MRTPI	Associate Director, Troy Hayes Planning Ltd.
Mr P Van Geete	Milton Keynes Council.

FOR THE APPELLANTS:

Mr J Corbet Burcher Of Counsel	Instructed by Mr K Fenwick, Director of White Young Group.
He called	
Mr K Fenwick BA(Hons) MRTPI	Director, White Young Group.
Mr S Ryder BA(Hons) CMLI	Director, Ryder Landscape Consultants Ltd.
Mr R Bolton BA(Hons) MRTPI	Senior Director, DLP Planning Ltd.

INTERESTED PERSONS:

Mr J Hammond	Local Resident
Councillor A Geary	Local Ward and Parish Councillor
Mr D Cook	Local Resident
Mr M Palmer	Hanslope Parish Council

DOCUMENTS

- 1 Letters from the Council notifying interested parties of the appeal and the Inquiry arrangements.
- 2 Letters in response to the notifications.
- 3 Appellants' appearances list and time estimates.
- 4 Addendum Statement of Common Ground on Five Year Land Supply, November 2017.
- 5 MKC response to Inspector's further questions arising from Milton Keynes SAP hearings (23 October 2017).
- 6 Milton Keynes Site Allocations Plan (SAP) Examination-Inspector's letter, dated 3 November 2017.
- 7 Statement of Mr J Hammond.
- 8 Opening submissions of the appellants.
- 9 Opening submissions of the Council.
- 10 Re-printed pages 38, 41, 49 and 74 of Mr Goodall's proof.
- 11 Homes and Communities Agency Tattenhoe Park, Renewal Planning Application Planning Statement, March 2017-Appendix 49.1 of Mr Bolton's proof.
- 12 Circulation list for the Council's Inquiry arrangements letter.
- 13 Statement of Common Ground on Five Year Land Supply, October 2017,

- signed.
- 14 Addendum Statement of Common Ground on Five Year Land Supply, November 2017-signed.
 - 15 Section 106 agreement-draft.
 - 16 Section 106 requirements note.
 - 17 Statement Mr D Cook.
 - 18 Note on Regulation 5A of the Planning (Listed Buildings and Conservation Areas) Regulations 1990.
 - 19 CD2.11 complete copy (Design & Access Statement).
 - 20 Revised Preliminary proposed site access arrangement-drawing no. 600.
 - 21 Suggested site visit walking route.
 - 22 Reserved matters/planning permissions progress table.
 - 23 Inquiry venue details.
 - 24 Section 106 requirements note with supporting information.
 - 25 Section 106 contributions calculations and supporting documents.
 - 26 Milton Keynes Council Core Strategy, July 2013.
 - 27 Definition of starts on site/under construction.
 - 28 Note on Strategic Reserve Access.
 - 29 Agreed wording for proposed condition nos. 17 and 23.
 - 30 Email from the Council to the Planning Inspectorate, dated 1 December 2017 (Section 106 agreement-updated draft and Addendum to section 106 justification).
 - 31 Email from the Council to the Planning Inspectorate, dated 1 December 2017 (section 106 notes).
 - 32 Section 106 contribution calculation tables (ref. variations in ANPDD).
 - 33 Closing submissions on behalf of Milton Keynes Council.
 - 34 Closing submissions of the appellants.
 - 35 Section 106 agreement-completed.

Schedule of conditions

- 1) Details of the appearance, landscaping, layout and scale (hereinafter called "the reserved matters") of the development hereby permitted shall be submitted to and approved in writing by the local planning authority before any development takes place and the development shall be carried out as approved.
- 2) Applications for approval of the reserved matters shall be made to the local planning authority not later than 1 year from the date of this permission. The development hereby permitted shall take place not later than 2 years from the date of approval of the last of the reserved matters to be approved.
- 3) The development hereby permitted shall be carried out in accordance with the following approved plans, insofar as they detail matters not reserved for future determination: Site location plan no. (02)001; and, Site access general arrangement drawing no. 600, dated November 2017.
- 4) The development hereby permitted shall not exceed 141 dwellings (use Class C3). The use classes are those set out in the *Town and Country Planning (Use Classes) Order 2010* or in any provision equivalent to that class in any statutory instrument revoking or re-enacting that order with or without modification.
- 5) Reserved matters applications for the development hereby permitted shall include a lighting scheme for all public and private areas, footpaths and parking areas. The lighting scheme shall include details of what lights are being proposed, a lux plan showing maximum, minimum, average and uniformity levels, details of means of electricity supply to each light and how the lights will be managed and maintained in the future. If any lighting is required within the vicinity of current or built-in bat features, it shall be low level with baffles to direct the light away from the boxes and units, thus preventing severance of bat commuting and foraging routes. The approved scheme for each phase or part shall be implemented prior to the first use of that phase or part.
- 6) Reserved matters applications for each phase or part of the development hereby permitted shall include details of the proposed finished floor levels of all buildings and the finished ground levels in relation to existing surrounding ground levels for that phase or part. Development for that phase or part shall be undertaken in accordance with the approved details.
- 7) Reserved matters applications for each phase or part of the development hereby permitted shall include a scheme to provide car parking and cycle parking and manoeuvring of vehicles within the development in accordance with the Milton Keynes Council *Parking Standards SPG* (2016) or any subsequent parking standards adopted at the time any reserved matters application is submitted and in accordance with the Council's *New Residential Development Design Guide* (2012) or any further guidance on parking that may be adopted at the time any reserved matters application is submitted. The approved scheme shall be implemented and made available for use for each dwelling prior to the first occupation of that dwelling and shall not thereafter be used for any other purpose.

- 8) Reserved matters applications for each phase or part of the development hereby permitted shall include a landscaping scheme with detailed drawings showing which trees and hedgerows are to be retained and which trees and hedgerows are proposed to be felled or lopped. The landscaping scheme shall also show numbers, types and sizes of trees and shrubs to be planted including their locations in relation to associated infrastructure and a species list to include native species and species beneficial to wildlife. Any trees and shrubs removed, dying, severely damaged or diseased within 2 years of planting shall be replaced in the next planting season with trees or shrubs of such size and species to be agreed with the local planning authority in writing.
- 9) Reserved matters applications for each phase or part of the development hereby permitted shall include details of the proposed boundary treatments for that phase or part. The approved boundary treatments shall be carried out in accordance with the approved details for that phase or part and shall be completed prior to the first occupation of each dwelling or first use of such phase or part of the development.
- 10) Reserved matters applications for each phase or part of the development hereby permitted shall incorporate measures to minimise the risk of crime in accordance with Secured By Design principles. A written statement identifying how the principles have been incorporated shall be submitted to and approved in writing by the local planning authority prior to the first occupation of each phase or part of the development to which the statement relates.
- 11) Reserved matters applications for each phase or part of the development hereby permitted shall be accompanied by a Sustainability Statement for that phase or part including, as a minimum, details required by Policy D4 of the *Milton Keynes Local Plan 2001-2011* and accompanying *Supplementary Planning Document Sustainable Construction Guide*. The approved details shall be implemented for each dwelling prior to the first occupation of that dwelling.
- 12) Reserved matters applications for each phase or part of the development hereby approved shall include details of the location and type of Affordable Housing pursuant to the development phase or part for which the approval is sought. Each phase or part of the development shall be carried out in accordance with the approved details.
- 13) Details of the external materials to be used in the development hereby permitted shall accompany the reserved matters application(s). The development shall be carried out in accordance with the approved details.
- 14) Prior to the commencement of any works on site all existing trees and hedgerows to be retained in the site shall be protected according to the provisions of BS 5837:2012 'Trees in relation to design, demolition and construction-recommendations'.
- 15) No development shall commence until an assessment of the risks posed by any contamination, carried out in accordance with British Standard *BS 10175: Investigation of potentially contaminated sites - Code of Practice and the Environment Agency's Model Procedures for the Management of Land Contamination* (CLR 11) (or equivalent British Standard and Model Procedures if replaced), shall have been submitted to and approved in

writing by the local planning authority. If any contamination is found, a report specifying the measures to be taken, including the timescale, to remediate the site to render it suitable for the approved development shall be submitted to and approved in writing by the local planning authority. The site shall be remediated in accordance with the approved measures and timescale and a verification report shall be submitted to and approved in writing by the local planning authority. If, during the course of development, any contamination is found which has not been previously identified, work shall be suspended and additional measures for its remediation shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures and a verification report for all the remediation works shall be submitted to the local planning authority within 28 days of the report being completed and approved in writing by the local planning authority.

- 16) Prior to the commencement of any phase or part of the development hereby permitted a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the local planning authority. The CEMP shall include Noise Action Levels (based on a noise survey) and site procedures to be adopted during the course of construction including working hours, intended routes for construction traffic, details of vehicle wheel washing facilities, location of site compound, lighting and security and how dust and other emissions will be controlled. The development shall be carried out in accordance with the approved CEMP.
- 17) Prior to the commencement of any phase or part of the development hereby permitted a Biodiversity Enhancement and Management Scheme detailing specification and locations of biodiversity enhancements and their long term management including bird and bat boxes incorporated into the development shall be submitted to and approved in writing by the local planning authority. The submitted scheme shall be in accordance with the Recommendations proposed at Section 5 of the *Peak Ecology: Preliminary Ecological Appraisal Report* (Ref: ProCS01, Issue 3 Final, dated 29 June 2017). The approved scheme shall be implemented prior to the first occupation of the development and retained thereafter.
- 18) Prior to the commencement of each phase or part of the development hereby permitted a programme of archaeological field evaluation comprising trial trenching shall be completed. The programme of archaeological evaluation shall be detailed in a Written Scheme of Investigation submitted to and approved in writing by the local planning authority. On completion of the agreed archaeological field evaluation for each phase or part a further Written Scheme of Investigation for a programme of archaeological mitigation in respect of any identified areas of significant buried archaeological remains shall be submitted to and approved in writing by the local planning authority. The scheme shall include an assessment of significance and research questions – and:
 - i) the programme and methodology of site investigation and recording;
 - ii) the programme for post investigation assessment;
 - iii) the provision to be made for analysis of the site investigation and recording;

- iv) the provision to be made for publication and dissemination of the analysis and records of the site investigation;
- v) the provision to be made for archive deposition of the analysis and records of the site investigation;
- vi) the nomination of a competent person or persons/organization to undertake the works set out within the Written Scheme of Investigation.

No development in any phase or part shall take place other than in accordance with the approved Written Scheme of Investigation.

The development hereby permitted shall not be first occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the approved Written Scheme of Investigation and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

- 19) Prior to the commencement of the development hereby permitted vehicle tracking drawings for the development shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.
- 20) Prior to the commencement of the construction of any of the dwellings hereby permitted, the new means of access shown on the plan prepared by Enzygo Environmental Consulting (Ref: Project No. CRM.1317.001 Drawing no. 600, dated November 2017) shall be sited and laid out in accordance with the approved drawing and constructed in accordance with Milton Keynes Council's guide note 'Residential Vehicle Crossing Details'. The access so laid out shall be retained thereafter.
- 21) Prior to the first occupation of the development hereby permitted the ground surface areas around the buildings, including roads, drives, parking areas, kerbs, footways, patios, terraces and other amenity surfaces, including areas for earth moulding and contouring, shall be constructed in accordance with details submitted to and approved in writing by the local planning authority.
- 22) No building hereby permitted shall be occupied until surface water drainage works shall have been implemented in accordance with details that shall first have been submitted to and approved in writing by the local planning authority. Before any details are submitted to the local planning authority an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system, having regard to Defra's non-statutory technical standards for sustainable drainage systems (or any subsequent version), and the results of the assessment shall have been provided to the local planning authority. Where a sustainable drainage scheme is to be provided, the submitted details shall:
 - i) provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
 - ii) include a timetable for its implementation; and,
 - iii) provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by

any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

- 23) None of the dwellings hereby permitted shall be occupied until works for the disposal of sewage shall have been provided on the site to serve the development hereby permitted, in accordance with details that have first been submitted to and approved in writing by the local planning authority.
- 24) None of the dwellings hereby permitted shall be occupied prior to the implementation of the approved Travel Plan, dated October 2016. Those parts of the approved Travel Plan that are identified therein of being capable of implementation after occupation shall be actioned in accordance with the timetable contained therein and shall continue to be implemented as long as any or part of the development is occupied with a minimum of annual reporting for the first 5 years, biennially thereafter.

APPENDIX 3

**On behalf of various clients. Appendices to Representation to the
Plan:MK Examination**

Matter 3



Appeal Decision

Inquiry held on 5-8, 12 and 13 December 2017, 26 January and 2 February 2018
Accompanied site visit made on 5 December 2017

by John Felgate BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 March 2018

Appeal Ref: APP/Y0435/W/17/3175391

Land at Linford Lakes, off Wolverton Road, Milton Keynes, Bucks

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Templeview Developments Limited against the decision of Milton Keynes Council.
 - The application Ref 16/02270/OUTEIS, dated 10 August 2016, was refused by notice dated 6 April 2017.
 - The development proposed is described as residential development (up to 250 units), with access and provision for drainage, open space and amenity areas; and the creation of an area for car parking (25 spaces) off Little Linford Lane, for use in association with the use of land for an extension to the River Valley Park.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appeal site is defined by the red line on Plan No D16, and is in two parts: the main site, of around 15 ha, lying immediately to the north of Wolverton Road; and a much smaller area, of 0.2 ha, fronting onto Little Linford Lane. The area proposed for residential development is the larger of these two parcels. The smaller site is proposed to become a public car park.
3. The permission sought is in outline, with all matters reserved except for access. Access to the residential development would be from two points on Wolverton Road, as shown on Drawings numbered BU404-10M-002 and 003. The access to the car park would be from Little Linford Lane, in accordance with details yet to be defined. In so far as the submitted plans also include details of matters other than access, it is agreed that these are all illustrative.
4. The land outlined in blue on Plan D16 ('the blue land') is adjoining land in the same ownership, amounting to nearly 60 ha. No permission is sought for any operational development or material change of use on this land. Under the terms of a Section 106 agreement (S.106) entered into by the appellants and the Council, this area would be dedicated as an extension to the existing Ouse Valley Linear Park (OVLP), and within this area provision is made for landscaping, ecological management, and public access, in accordance with details yet to be agreed.
5. In addition to the OVLP extension, the S. 106 agreement also includes provisions relating to the proposed affordable housing, off-site highway works, and financial contributions to health, education and community facilities.

Planning Policy Background

The Milton Keynes Local Plan (MKLP), adopted December 2005

6. In the adopted MKLP, the two appeal sites and the 'blue land' all lie within the open countryside, and within an Area of Attractive Landscape (AAL), a Wildlife Corridor, the OVLP, and the Linford Lakes Area.
7. In the open countryside, saved Policy S10 restricts development to that which is essential for agriculture, forestry, countryside recreation, or other development appropriate to a rural area. There is no dispute that the proposed housing development in the appeal scheme is contrary to this policy.
8. In the AALs, saved Policy S11 requires that development should protect and enhance the Areas' special character, landscape features, and nature conservation interests. Development should also provide opportunities for public access and countryside recreation.
9. Wildlife Corridors are described in the MKLP as linear pathways containing habitats that encourage the movement of plants and animals between important wildlife sites. Under saved Policy NE1, development in these Corridors is only permitted where its importance outweighs the site's wildlife value.
10. The OVLP is one of the city's Linear Parks, which are intended to provide formal and informal recreation, diverse habitats, and flood storage capacity. Saved Policy S12 requires that development within the Linear Parks contributes to protecting and enhancing the landscape and nature conservation, and improving public access.
11. The Linford Lakes Area forms part of the OVLP. Saved Policy KS3 requires, amongst other things, that leisure and recreation development should provide for increased public access, including a footpath route along the Ouse Valley.

The Milton Keynes Core Strategy (MKCS), adopted July 2013

12. In the MKCS, Policy CS1 sets out the overall development strategy for the Borough. Most development is to be focussed on, and adjacent to, the city's existing main urban area, including a strategic allocation for a major urban extension area to the south-east of the city. Pending a full review of the MKCS, Policy CS1 states that other, non-strategic sites will be brought forward through a Site Allocations Plan, to provide short-term flexibility and contingency.
13. Policy CS2 requires land to be allocated as set out in table 5.2, for a total of 28,000 dwellings over the period 2010-26, at a rate of 1,750 units per annum. This is referred to as an interim target, pending a review of the plan.
14. In the Borough's rural area, Policy CS9 provides that development will be focussed on the Key Settlements which form the next tier in the hierarchy.
15. Policy CSA incorporates a presumption in favour of sustainable development. Where relevant policies are out of date, decisions are to take into account whether the adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework (NPPF).

Emerging plans

16. The draft Milton Keynes Site Allocations Plan (MKSAP) was submitted for examination in April 2017, and the examination is on-going. The draft plan does not propose any allocations or other policies directly relevant to the appeal site.
17. The submission draft 'Plan MK' was published in October 2017, and addresses the Borough's development needs up to 2031. The plan is to be submitted for examination in spring 2018.
18. In view of their relatively early stage of preparation, I have given both of these emerging plans limited weight.

Main Issues

19. The main issues in the appeal are as follows:
 - whether the Borough has an adequate supply of land for housing;
 - the proposed development's effects on the character and appearance of the landscape;
 - the effects on the ecology and biodiversity; and
 - the effects on the MKLP's policy aims for the Ouse Valley Linear Park.

Reasons for Decision

The supply of land for housing

Agreed matters

20. A number of matters relating to the housing land supply are agreed between the Council and the appellants, and it is therefore not necessary for me to set these out in detail. In summary, it is agreed that the relevant 5-year period is 2017-22, and that the starting point is the MKCS requirement of 1,750 dwellings per annum. Applying that figure back to the start of the plan period in 2010, and taking account of completions since then, there was a backlog at 1 April 2017, of 3,231 dwellings. It is agreed that this amounts to persistent under-delivery, triggering the need for a 20% buffer, and also that the buffer should be applied to both the basic requirement and the backlog. These agreed matters are based on the Council's published Housing Land Supply statement¹, dated July 2017, and the Statement of Common Ground agreed between the parties in November 2017.

Liverpool or Sedgefield method

21. Based on these agreed elements, the Council argues that the requirement figure for the 5-year period is 12,654 units, using the 'Liverpool method', whereby the past shortfall is split evenly over the remaining years of the plan period.
22. I appreciate that Milton Keynes is heavily reliant on very large sites, and in some cases this has been held to justify this method. I also accept that the disadvantages of the Liverpool method are to some extent offset by the front-loading inherent in the 20% buffer. However, the Planning Practice Guidance

¹ 'Assessment of 5-Year Land Supply': MKDC, July 2017

(PPG) expresses a clear preference for dealing with any undersupply within the first five years where possible, and in this case there is no clear evidence as to why that approach could not be adopted here. It might well be true that merely increasing the requirement during these five years, and by implication, forcing the release of further sites, would not necessarily increase the rate of delivery. But in the absence of conclusive evidence either way, it seems to me that it is this alternative approach, the 'Sedgefield method', that should be applied. On this basis, it is common ground that the 5-year requirement would increase to 14,377 units

23. In the Council's evidence, the maximum deliverable supply within the relevant 5-year period is 13,727 units. The published Land Supply statement then applies what it refers to as an 'optimism bias adjustment', which is an across-the-board deduction of 697 units, to allow for slippage on the larger identified sites; alternatively, the Council's witness Mr Goodall argued at the inquiry for site-specific adjustments totalling about 670 units, to reflect his assessment of the slippage risk on individual sites. But on either basis, the maximum deliverable supply that can be counted on would fall to just over 13,000 units. Consequently, if the Sedgefield method is used, there is not a 5-year supply.

Draft allocations without planning permission

24. The sites at Harrowden (SAP14), Townergate (SAP 18) and Walton Manor (SAP 20) are identified as proposed housing allocations in the draft MKSAP. However, the Public Examination of that plan is still on-going. At least one of the sites, Townergate, is subject to formal objections which are as yet unresolved. All three sites have been the subject of specific questions raised by the examining inspector, including issues relating to the possible needs for other uses. Until the Inspector publishes his recommendations, there is no basis for speculation as to the outcome of the Examination process.
25. The Townergate and Walton Manor sites are identified as 'potential' housing sites in the Walton Neighbourhood Plan (WNP), which was 'made' in January 2017. But the WNP also states that it does not seek to formally alter their status as employment allocations in the adopted MKLP, in advance of the outcome of the MKSAP. None of the three MKSAP sites has planning permission.
26. The lack of a planning permission need not prevent a site being included in the 5-year supply, provided that there is a realistic prospect of development within the relevant period. But to be considered deliverable, the sites must be suitable for housing. In the absence of either an outline permission, or an unambiguous allocation in a development plan that has reached an advanced stage, the suitability of these three sites remains to be seen. As such, none can currently be counted as deliverable. These three sites should therefore be deleted from the Council's land supply, resulting in the loss of 312 units.

Lead times

27. A number of the sites in the Council's supply are challenged by the appellants on the basis of unrealistically short lead-times for the start of development. I agree that large sites often take a long time to come through the planning process, and for all the practicalities of building contracts, detailed design, discharge of conditions, site preparation and infrastructure works, to take their course. Whilst most of these activities are outside the Council's control, it is important to ensure that the assumptions made are realistic.

28. One of the sites that are challenged is the Wavendon Golf Course, which forms part of the Eastern Strategic Reserve area. In this case the Council's supply assumes that the first 30 dwelling completions will come in 2018/19, and will continue at 50 p.a. thereafter, to produce 180 completions within the 5-year period. But at the inquiry it was accepted that the site is dependent on access being provided through two other developments (Glebe Farm and Haynes Land), and that the developers of those other sites are under no obligation to provide such access until their respective sites reach 150 dwellings. Although the Glebe Farm site has recently started infrastructure works, no other reserved matters have yet been submitted; and the Haynes site is even less far advanced. This dependency on other developments seems to me a significant obstacle to any early progress on the Golf Course site. To my mind it is questionable whether the site can properly be regarded as deliverable at the present time. But in any event it seems unrealistic to expect any dwelling completions on this site before 2021/22 at the earliest. On this basis, I consider that the projected delivery within the 5-year period should be reduced by 150 units, from 180 to 30, to reflect the likely slippage of three years.
29. Another of the sites challenged on this basis is the Land West of Stockwell Lane. Here the Council relies on achieving 50 dwellings p.a. in 2018/19, and continuing at the same rate throughout the remainder of the 5-year period. But some infrastructure works are required, and no reserved matters applications of any kind have yet been received. In my view it seems unlikely that any significant numbers of completions can now be delivered in 2018/19. There is no evidence to suggest that the numbers lost due to a delayed start would be likely to be made up in subsequent years; indeed it is clear that the build rates on all sites are already set at the highest levels that are regarded as reasonable. I therefore conclude that the overall number expected from the Stockwell Lane site should be reduced by 50, to 150 dwellings, to reflect one year's slippage.
30. In the case of the Tickford Fields site, the Council anticipates 250 completions in the 5-year period, with the first 50 of these coming in 2019/20. However, the site does not yet have planning permission, and the Council has determined that any application must be accompanied by an environmental statement. To my mind, this requirement is bound to mean that the timescale for submission and determination of any such application will be more protracted than previously expected. The land is owned by the Council, and a development partner has yet to be selected. Even on the most optimistic assumptions, it seems unlikely that the first dwelling completions will be achieved much before 2021/22. From the information available, I consider it more realistic to assume two years' slippage from the Council's current assumptions. This would mean a reduction of 200 dwellings, to just 50 within the 5-year period.
31. With regard to the other sites that are challenged, I agree that the Council's assumptions are generally geared towards the more optimistic end of the scale, but to my mind this is acceptable provided that they are not unrealistic. I see no strong case for any other adjustments in respect of lead times. But nevertheless, the adjustments that I have set out above require a combined reduction totalling 400 units from the Council's claimed land supply.

Build rates

32. In the light of the above findings, it is not necessary for me to reach detailed conclusions on the projected build rates of each individual site. However, it is notable that there are a number of cases where the build rates suggested by the Council, in the evidence of Mr Goodall, depart markedly from those in the Council's own published Land Supply statement. For example, in the case of Tattenhoe Park, Mr Goodall anticipates 624 dwellings in the 5-year period, whereas the published statement claims only 562, a difference of 62 units. Similarly on the Brooklands site, his forecast exceeds the Council's published figure by 36, and at Eagle Farm by 41. At the Haynes Land, Campbell Park and Canalside sites, Mr Goodall seeks to exceed the published figures by 25, 15 and 28 respectively. In total, these differences amount to 207 units.
33. I appreciate that, for the purposes of this appeal, Mr Goodall's evidence is given on behalf of the Council, and implicitly with their approval. But the Council has not indicated any intention to withdraw the Land Supply statement, and as far as I can tell, that published document remains their formal position outside of the present inquiry. In any event, the Land Supply statement forms part of the evidence before this inquiry, and was clearly relied on by both the Council and the appellants in drawing up the agreed Statement of Common Ground in November 2017. At the very least therefore, there is an apparent conflict between the evidence on build rates that the Council now puts forward, through Mr Goodall, and the other evidence which is also endorsed by them in the Land Supply statement.
34. Although Mr Goodall's evidence is supported by extensive and detailed statistical analysis, none of this explains how the Council can hold two different views on the same subject at the same time. No matter how well researched Mr Goodall's build rate figures might be, they are undermined by the fact that, as far as the above sites are concerned, the Council's official view is less optimistic.
35. I appreciate that, on some of the other sites that have been referred to, Mr Goodall's build rates produce lower figures than those in the Land Supply statement. But to my mind the greater risk is in the likelihood of over-estimating the housing delivery rather than under-estimation. Hence it seems to me prudent, where there is a difference between the Council's own forecasts, to attach greater weight to the more cautious figure, whatever its source.
36. For these reasons I conclude that a further deduction of 207 units should be made from the Council's overall supply figure in response to the discrepancies in the evidence regarding build rates.

Conclusion on housing land supply

37. For the reasons explained above, I conclude that deductions should be made from the Council's claimed 5-year supply, in respect of lead times, build rates, and sites with uncertain suitability for housing. These deductions total just under 920 units. Subtracting this figure from the Council's supply of around 13,000, leaves an adjusted supply total of around 12,100. This falls well below the 5-year requirement, on either the Liverpool or Sedgefield methods.
38. It follows that there is an unmet need for more housing land in Milton Keynes Borough. The appeal scheme, if approved, would be capable of making up part

of that unmet need. In this context it is also relevant that 30 per cent of the dwellings would be affordable. These are significant benefits, weighing in favour of the proposal.

39. The lack of a 5-year supply also brings into play the advice in NPPF paragraph 49, that in these circumstances policies for the supply of housing should not be considered up to date. This in turn potentially triggers the 'tilted balance' provisions in NPPF paragraph 14 and MKCS Policy CSA.

The effects on the landscape

Landscape value of the Ouse Valley

40. The Great Ouse valley to the north of Milton Keynes comprises a broad, shallow plain, containing the meandering river itself, and numerous flooded gravel pits. This section of the valley, between the M1 motorway at Newport Pagnell and the main line railway at Wolverton, defines the extent of the main urban area, and separates the new city from the undulating clay farmland to the north. For the most part, this portion of the valley comprises a patchwork of pasture, meadows, established and emerging woodland, scrub and water bodies. From the valley slopes, at various points, there are extensive views across and along the valley.
41. In the most recent Landscape Character Assessment (LCA) report², this part of the valley is identified as part of '*LCA 2c: the Ouse Urban River Valley*'. The report describes this as a restored landscape that has been established over the last 25 years, with lakes, semi-natural vegetation and "*a complex mosaic of mixed land uses, providing important wildlife and recreational uses*". Its key characteristics include the "*slow-flowing, meandering river in a sinuous valley floor*", with extensive areas of open water, and wide accessibility. An earlier Landscape Character Study (LCS)³, described the Linford Lakes area as a man-made wetland landscape of "*high scenic quality*". Despite being unmanaged and poorly maintained in parts, the overall effect was of "*an attractive and diverse wetland landscape*".
42. To my mind, these assessments accurately describe this part of the Ouse valley. The valley and its floodplain are among the most significant and influential landscape features of the Milton Keynes area. The interplay of the land form, the winding river course, and the mosaic of different land cover types, with water bodies, woodlands, tree groups, and open spaces, all combine to create a landscape that is both distinctive and attractive. Furthermore, despite the area's proximity to the built-up area, it retains a sense of relative solitude and tranquillity; indeed this juxtaposition, and the contrast with the busyness of the urban area, seems to add something further to the valley's other qualities.
43. In my view these are demonstrable physical attributes that more than justify the area's designation as an AAL and OVLP, and the protection given to it by Policies S11 and S12. It follows, in my view, that this section of the Ouse Valley may justifiably be regarded as a 'valued landscape', falling within the terms of the advice in NPPF paragraph 109.

² Milton Keynes Landscape Character Assessment – Gillespies, June 2016

³ Milton Keynes Landscape Character Study – Landscape Design Associates, October 1999

Landscape contribution of the appeal site

44. The appeal site itself is fairly typical of the Ouse Valley's worked-out and flooded gravel pit areas, and has many characteristic features of the valley as a whole. It lies on the lower slopes, where the valley landform is clearly evident. It contains a mixture of semi-improved pasture, natural woodland, plantation, dense scrub, the Arboretum Lake, and the margins of Blackhorse, Heron and Rocla Lakes. This mix of land cover and vegetation types is essentially a microcosm of the larger mosaic found elsewhere throughout this section of the valley. The appeal site is thus an integral part of the valued landscape of this broader valley area.
45. Internally, the appeal site is divided by the superimposed patterns of trees, lakes, ditches and rough tracks, into a series of discrete compartments, each with its own different qualities of shape, aspect, vegetation type, and degree of enclosure. Some are highly attractive spaces in their own right. The main central space (the northern part of Areas B5/B6 ⁴), has a parkland character, with small groups of trees and changes of levels. The grassland areas to the east of Heron Lake (Areas C1/C2), and to the south of Blackhorse Lake (Area B3/B4), have similar attractive qualities, with wooded lake margins and filtered views across open water. The semi-natural and emergent woodlands in the site's south-east and south-west corners, and around Arboretum Lake, are attractive and dominant landscape features. The planted woodland further along the fringes of Blackhorse Lake (Area A3) creates a series of semi-concealed small spaces and changing views around the water's edge. Seen from within, the individual qualities of these various interconnected but distinct spaces, makes for an internal landscape of considerable visual interest and subtlety, whilst also adding to the site's sense of intimacy and isolation. These qualities reinforce my view as to the site's role as part of a valued landscape.
46. The appeal site is not open to the public, and there are no public rights of way through it. However, it is used by a good many people for various leisure purposes, including members of the angling and shooting clubs based at the site, patrons of the bar and restaurant facilities at The Viewpoint⁵, and those using the tackle shop and clubhouse there. Moreover, visitors to the Linford Lakes Nature Reserve and Study Centre⁶ must pass through the appeal site to reach these facilities. Persons using or accessing the site for these types of purposes are likely to be particularly conscious of its visual and other sensory qualities as part of the Ouse Valley landscape.
47. In addition, parts of the site are potentially visible, depending on the season, from a number of adjacent or nearby leisure routes. These include the bridleway BW47, which forms part of the Hanslope Circular Ride, the Grand Union Canal and its towpath walk (FP47), and the Millennium Circular Route, which forms part of the national cycle route system. Although the views into the site from these routes are limited, users of designated routes of this type are likely to be particularly aware of their countryside surroundings, and thus sensitive to change. Seen from Wolverton Road, although inward views are filtered, there is nevertheless an appreciation that the appeal site forms part of the Ouse Valley, and that it marks a transition from the urban area to the countryside beyond. Consequently, the limitations on public access and

⁴ As numbered on Mr Berry's 'Overlay' plan (Doc. AP/6)

⁵ Formerly known as the Marle Inn

⁶ Formerly the Hanson Environmental Study Centre

visibility do not alter my overall view as to the site's value as part of the wider landscape.

48. I acknowledge that the appeal site is not entirely undeveloped, and not all parts of it are equally attractive. The Viewpoint and its car park are substantial features. But the building is nevertheless a single-storey, wooden structure, whose appearance and function are in keeping with the rural surroundings. In a few areas of the site, there are also some small disused buildings, hardstandings and occasional mounds of deposited material. But because of the site's compartmentalised nature, the visual impact of these industrial artefacts is limited. None of these therefore alters my view as to the landscape value of the site or the valley as a whole.
49. I note the appellants' view that the 'Box 5.1' criteria⁷ for valued landscapes are not met. However, the appeal site lies within the designated AAL and, OVLP and thus in planning policy terms, its value is already established. The GLVIA, although a respected source of advice, has no policy status, and does not outweigh development plan policy. Moreover, the GLVIA itself acknowledges that the Box 5.1 criteria are not exhaustive, and indeed that no single approach is likely to be suitable in all cases. But in any event, the Great Ouse is one of Britain's largest and most important river systems, and for the reasons that I have identified, I consider that this part of the valley has a high landscape and scenic quality. These considerations alone are enough to elevate the value of this landscape above ordinary countryside.
50. To conclude on this point, I have formed the view that the appeal site should be treated as valued landscape. This opinion is based firstly on its location as an integral part of the wider landscape of the Ouse Valley, and secondly on the site's own intrinsic qualities and its contribution to that wider landscape. I have judged the impact of the proposed development in this context.

Landscape impact of the development

51. The appellants' Framework Plan and Landscape Masterplan, although both illustrative, make it clear that the proposed development of up to 250 dwellings would be likely to fill most of the site, from the frontage tree belts through to the lake edges. Built development on this scale would thus represent a major incursion into the Ouse Valley. To my mind, such a development by its very nature and presence would be fundamentally at odds with the valley's open character, and with the prevailing settlement pattern which leaves the valley floor largely clear of built development.
52. I appreciate that there are some other pockets of development to the north of Wolverton Road, such as Oakridge Park and Redhouse Park, but those are on higher ground and further from the river channel. In contrast, the development now proposed would intrude onto the lower and flatter land, adjacent to the valley bottom. And in any event, I must judge the present proposal on its own merits. Irrespective of these other developments, it seems to me that the appeal proposal would undermine the integrity and legibility of the landscape of this part of the Ouse Valley.
53. In addition, whilst the illustrative plans seek to show how some of the site's important landscape features could be retained, neither is wholly convincing as

⁷ In the Guidelines for Landscape and Visual Assessment, 3rd edition ('the GLVIA'), published by the Landscape Institute and the Institute of Environmental Management and Assessment

to how far this would actually be possible. Whilst both plans seek to retain the main areas of existing natural woodland, it is not clear whether the scale of development proposed would also allow the retention of the smaller planted woodlands in Areas A3 and B4, or the other important trees and tree groups in those areas and in B3 and B5/6. The loss of these trees and woodlands would significantly detract from the site's existing landscape character.

54. Although the Landscape Masterplan suggests rather more tree retention than the Framework Plan, this is at the expense of the water margin areas around the lakes, and alongside the linear channel linking Blackhorse and Heron Lakes. Even on the Framework Plan, these water margins are proposed to be reduced to 5m in several areas, which would entail the loss of some of the existing banks and aquatic vegetation. But the Landscape Masterplan goes further, and would effectively eliminate these areas altogether, by incorporating them into the built development, and in oral evidence, it was suggested that they would become 'managed habitat' within private gardens⁸. In addition, the Framework Plan also seeks to utilise the lake margins to meet part of the scheme's open space requirement, and to accommodate 'SUDS' basins and swales, whereas the Landscape Masterplan is silent on where these would go. Neither of these plans satisfactorily shows that the development could accommodate 250 dwellings, plus all of the necessary requirements, whilst also preserving the existing naturalistic appearance and contours of the lake margin areas. This would detract significantly from the lakes' landscape value and their contribution to the landscape and visual character of the valley.
55. I appreciate that the Framework and Landscape plans, like any other illustrative plans, are not determinative of the details that might eventually be submitted or approved. But the role of such plans is to show how the development's potential adverse effects could be overcome, and in the present case, a good deal of effort has clearly been taken to attempt to demonstrate that very point. But if the scheme were carried out as currently shown, it seems to me that the likely result would be a largely unrelieved expanse of roads and buildings, in which most of the site's existing landscape character would be lost. This therefore reinforces my concerns as to the development's effects on the surrounding landscape.
56. I have no doubt that the proposed scheme would be able to incorporate some new planting within the development itself, and some small areas of open greenspace, as indicated. And in addition, the S.106 provisions would potentially be able to secure further landscape enhancements within the 'blue line' land to the north. However, none of these measures would be likely to change the fact that the appeal site would become largely urbanised, and would represent an intrusion of intensive built form into the mainly open valley. None of the evidence before me suggests that this type of harm to the landscape, on the scale now proposed, could be adequately mitigated by new planting either within the appeal site or in the extended area.
57. Overall therefore, I conclude that the proposed development would fail to protect or enhance the special landscape character of the AAL and OVLP, or that of the appeal site itself, or their respective landscape features. In this respect the scheme would conflict with the aims of MKLP Policy S11, and the relevant landscape provisions of Policy S12.

⁸ Mr Berry's oral evidence on behalf of the appellants

Policy considerations relating to landscape impact

58. The appellants contend that Policy S11 should carry reduced weight. I accept that methods of assessment may have changed since the AAL was first designated, and I note that the Local Plan Inspector in 2004 recommended that Policy S11 be deleted. But since then, the policy has been saved by the SoS's Direction, made in October 2008. The emerging Plan MK does not propose to carry forward Policy S11 or any equivalent, but as yet that draft plan carries little weight, for the reasons that I have already stated. Until the MKLP is superseded, Policy S11 remains part of the statutory development plan.
59. As far as the NPPF is concerned, paragraph 113 advocates criteria-based landscape policies that distinguish between designations made at different levels and give commensurate protection. But the NPPF does not preclude local landscape designations, and indeed the same paragraph expressly acknowledges the scope for such policies. Paragraph 109 also seeks to ensure that valued landscapes are properly protected. I see no inconsistency between Policy S11 and any of this advice. Furthermore, although there is a housing land shortfall, S11 is not concerned with housing supply. Nothing in the NPPF therefore justifies giving Policy S11 reduced weight.
60. I agree that Policy S11 does not completely rule out development in the AAL, but nonetheless, it does seek to avoid development that causes harm to the area's special character. It is difficult to see how a development of 250 dwellings on the appeal site could avoid conflict with that element of the policy. And in any event, for the reasons already set out, in the present case the conflict that I have identified in terms of landscape policy is not only with Policy S11, but also with the relevant provisions of Policy S12.
61. None of these submissions alters my view that the proposed development conflicts with the relevant development plan policies relating to the protection of the Ouse Valley landscape, nor do they change my view that those policies carry full weight.

Other matters relating to landscape impact

62. I fully accept that the position adopted by the Council with regard to landscape matters has been inconsistent and contradictory, especially in the light of the Statement of Common Ground. As such, the Council's arguments on these matters are unconvincing. But the Council is not the only objector to raise landscape issues. In any event, landscape impact was included amongst the main issues that I identified to the participants at the opening of the inquiry, and I am satisfied that all parties have had the opportunity to address the relevant landscape issues in their evidence.
63. Although no other party has presented expert or detailed evidence on landscape issues, apart from the appellants, I am satisfied that I have sufficient information on these matters from which to form my own judgement. In coming to that judgement, I have taken account of the evidence of the appellants' landscape witness Mr Berry⁹, and the Landscape and Visual Impact Assessment (LVIA)⁹, and also the submitted Design and Access Statement (DAS)¹⁰, together with my own observations from my site visits, both accompanied and unaccompanied.

⁹ LVIA prepared for Templeview Developments Ltd, by the Landmark Practice, dated July 2016

¹⁰ DAS prepared by DLP Planning, dated July 2016

64. I have also had regard to the October 2016 Landscape Sensitivity Study¹¹, in which the part of the Ouse Valley which includes the appeal site is classed as having medium sensitivity to development. But that report makes it clear that the potential that is identified relates to land on the north side of the valley, around Haversham. Nothing in this report supports development in the vicinity of the appeal site.

Conclusion on landscape issues

65. For the above reasons, I conclude that the proposed development would cause serious harm to the character and appearance of the landscape of the Ouse Valley, and to the landscape character and landscape features of the site itself. Having regard to the scheme's scale and intensity, this harm could not be adequately mitigated within the context of the development now proposed, or its associated proposals for the adjoining land. In all these respects, the appeal proposal conflicts with the aims of Policy S11 and the landscape provisions of Policy S12.

The effects on ecology and biodiversity

The site's ecological value

66. As well as lying within the Wildlife Corridor designated under MKLP Policy NE1, the appeal site also falls within a Biological Notification Site (BNS)¹², and a Biodiversity Opportunity Area (BOA)¹³, and close to the Linford Lakes Nature Reserve, all of county-wide importance in Buckinghamshire. Within the appeal site there are substantial areas of semi-improved neutral grassland (including Lowland Meadow) and semi-natural broadleaved woodland, which are identified as habitats of principal importance. The grassland is said to have a significant diversity of floral species, due to its relatively non-intensive management regime. The lake shore areas, with their reed beds and marginal aquatic vegetation, also have some habitat value.
67. Together these habitats support a wide range of wildlife. This range includes 66 species of wintering birds, and 57 species of breeding birds, of which 43 are known or considered likely to be breeding on the site itself. The breeding species also include two Schedule 1 listed species¹⁴, in the Cetti's Warbler and the Kingfisher, which are both of county-level importance, as well as being protected by national legislation. The Cetti's Warbler in particular is noted as being a scarce breeder in Buckinghamshire, and the appeal site is known to contain a high proportion of the county's breeding pairs. The site and its immediate surrounds also support populations of otter, grass snake, slow worm, great crested newt, bats, badgers and invertebrates. The majority of these species are legally protected, and the site is of either county or local importance for each.
68. These factual matters are undisputed, and indeed are acknowledged in the appellants' single-issue Environmental Statement (ES)¹⁵. From this it seems to me that in terms of ecology and biodiversity, the appeal site in its existing condition has considerable value and significance.

¹¹ Landscape Sensitivity Study to Residential Development in the Borough of Milton Keynes and Adjoining Areas: Gillespies, October 2016

¹² The Great Linford Gravel Pits BNS

¹³ The Ouse Valley BOA

¹⁴ Under the Wildlife and Countryside Act 1981

¹⁵ Environmental Statement for Templeview Developments Ltd, by the Landmark Practice, November 2016

Ecological impact of the development

69. The proposed development would require the permanent loss of some 8.5% of the Wildlife Corridor area, and a similar proportion of the BNS area. The semi-improved neutral grassland within the site would be largely lost, as would most of the other habitat types except for the semi-natural broadleaved woodland. In the light of the evidence discussed above, there is also doubt as to whether any of the aquatic margin areas could be retained. The loss of these existing habitats would be irreversible.
70. As a result, the development would also have adverse impacts on the majority of the protected and priority species present at the site. The ES identifies that the loss of habitat alone would have significant negative effects on wintering birds, breeding birds (including Cetti's Warbler), otter, reptiles, and bats. In most of these cases, there would also be impacts during construction, due to disturbance. In addition, water birds and otter would suffer on-going disturbance after completion; breeding birds and reptiles would be subject to predation by domestic cats and dogs; slow worm in the south-eastern woodland would become isolated from other suitable habitat areas; and bats would suffer from disruption to commuting routes.
71. Furthermore, the ES is based on an assumption that a minimum 5m waterside margin would be retained around all of the lake areas. If this margin were not provided, as now suggested by Mr Berry's evidence, this would further reduce the nesting habitat for water birds, and further increase the disturbance, pet predation, and people pressure on those areas. In this respect, it seems to me that, in the light of the evidence now given, the ES potentially under-estimates the development's likely impact.
72. In addition, development at the appeal site would be little more than 200m from the Linford Lakes Nature Reserve, which is acknowledged to be an ecological resource of countywide importance. Although measures could be taken to limit unauthorised access to the Reserve by people and domestic animals, it is by no means certain that these would be fully effective. Indeed such measures might well be difficult to reconcile with the desirability of facilitating access to the countryside for occupiers of the new development. In addition, construction activities and residential occupation would bring noise, vehicles, and emissions much closer to the Reserve, and it seems to me that impacts of this kind would be difficult to control. In any event it is clear that the Nature Reserve is a highly sensitive use, and one which is potentially vulnerable to the effects of nearby development. Based on the evidence presently before me, I am not convinced that the proposed development's effects on it have been fully evaluated.
73. In all these respects, the proposed development would cause harm, or likely harm, to wildlife, and to the ecology and biodiversity of the site and the Ouse Valley Wildlife Corridor.

Mitigation and compensatory works

74. Within the confines of the appeal site itself, some minor mitigation would be possible, by improving the management of the retained semi-natural woodlands, and the Arboretum Lake. But these retained areas would be much smaller than the grasslands, water margins, and other habitat areas that would be lost to the development. Any other new open space areas that might be

created within the site itself would be likely to have to be managed for public access and amenity purposes. On their own, it seems unlikely that any such measures within the development would be able to fully mitigate or compensate, to any meaningful extent, for the much larger areas of valuable habitats that would be lost.

75. To attempt to make up for this deficit, the S. 106 agreement provides for the 'blue' land to the north of the appeal site to be re-sown, planted and managed as replacement habitat. In terms of its physical extent, this new area would be much larger than the appeal site, and thus the area of new or improved habitat that could potentially result would be significantly greater than the habitats that would be lost. On this basis, the appellants' biodiversity gain/loss calculations show a net benefit. Based on Dr Wray's evidence, a planting and management scheme on this scale appears to be technically feasible, and in the Milton Keynes Parks Trust, the appellants have identified a body with the capability to carry out and manage the works. There is no question that considerable care and expertise has gone into this mitigation strategy, and I do not doubt the appellants' commitment to seeing it through if permission were granted.
76. But nevertheless, the fact remains that the proposed development would mean the loss of an existing habitat mosaic of significant ecological and biodiversity value, and would substitute for it land of lesser value. The appeal site is enclosed and contained by the landscape, it is secluded, varied and well-vegetated. As such, it is relatively rich in wildlife and ecological complexity. The proposed scheme would involve the permanent and irreversible destruction of this existing resource. In contrast, the replacement site is mostly open grazing land, far less vegetated, and comparatively homogenous. Consequently, it seems to me that the net biodiversity gain claimed by the appellants, would in reality mean a net loss of quality, at least well into the medium term, which is masked in the calculations by a gain in quantity.
77. Moreover, to replicate the habitats that would be lost, on such different terrain, would take a considerable investment, and concerted effort, over several decades. The success of this mitigation would be dependent on a chain of actions: the present draft mitigation plan being translated into fully detailed proposals; that plan being implemented and being followed through to completion; and thereafter, the continuing and consistent application of the necessary management regime over many years. Consequently, even though the mitigation plan may be deliverable in theory, it seems to me that in reality the outcome is far from guaranteed.
78. Overall therefore, I am not persuaded that the proposed mitigation scheme would compensate for the harm that the development would cause to ecology and biodiversity at the appeal site itself.

Policy considerations relating to ecology and biodiversity

79. Although NE1 does not preclude development in Wildlife Corridors altogether, nevertheless, the policy's main purpose is to protect biodiversity within these and various other types of designated areas. Policy NE1 is also supported by the nature conservation element of Policy S12, which applies within the OVLP. In the light of the above considerations, the appeal proposal conflicts with the relevant aims and provisions of these development plan policies.

80. I note the appellants' argument that Policy NE1 conflicts with NPPF paragraph 113. But Policy NE1 distinguishes between the levels of protection given to the different levels of designation, as required by that paragraph. The protection that NE1 gives to the Wildlife Corridors also seems to me to be proportionate to their status as locally-important sites. I therefore consider the policy to be consistent with paragraph 113. I note that no similar criticism is made in relation to Policy S12.
81. Having regard also to other relevant NPPF advice, including paragraphs 17, 109, 117 and 118, it is clear that national policy puts a high priority on conserving and enhancing the natural environment, minimising impacts on biodiversity, preserving priority habitats and ecological networks. To my mind the approach to these matters in Policies NE1 and S12 is consistent with these NPPF aims, and the appeal proposal therefore conflicts with these policies.
82. NPPF Paragraph 118 in particular makes it clear that harm to biodiversity is to be avoided, or adequately mitigated, and only as a last resort compensated for; and that where these are not possible, permission should be refused. In the present case, the proposed off-site works within the 'blue land' would be more properly described as compensatory measures rather than mitigation. The proposed works on that land are therefore to be seen as a last resort. But in any event, for the reasons that I have given, I do not consider that they would adequately compensate for the loss of the appeal site. The appeal proposals therefore conflict with this approach.

Conclusion on ecological impact

83. I therefore conclude that the appeal proposals would cause significant harm to the ecology and biodiversity of the Ouse Valley area, by virtue of the loss of existing habitats within the appeal site, and the potential effects on wildlife both within the site and at the Linford Lakes Nature Reserve. This harm could not be adequately mitigated by any on-site measures, and would not be outweighed by the potential benefits of the proposed off-site works. The scheme would conflict with MKLP Policy NE1 and the relevant provisions of Policy S12.

The effects on MKLP policy aims for the Ouse Valley Linear Park

84. As well as the landscape and nature conservation objectives discussed above, Policy S12 and its supporting text¹⁶ make it clear that the purposes of the OVLP are also concerned with providing for public access and recreation. However, this appears to be a secondary purpose, since the policy's main objective is stated to be simply to protect and enhance the city's valleys. The text also goes on to say that the Linear Parks are intended to include a mix of public and private land ownerships, and that designation does not imply a right of public access to all the land within them.
85. The appeal scheme's proposals for the 'blue land' would potentially provide for public access to a very large tract of land within the OVLP, where no such access exists at present. Even though access to some parts of this area might need to be restricted to protect the Nature Reserve, and to allow continued grazing, nevertheless, there would be the potential for a network of informal

¹⁶ MKLP paragraphs 3.62 – 3.64

paths, with access to the river bank and lake shores, for walking, fishing and other countryside pursuits. There would also be the opportunity to complete a further section of the Ouse Valley riverside walk, which is a specific aim for the Linford Lakes area, under Policy KS3. The provision of the proposed car park at Little Linford Lane would also support these proposals. Visually, the 'blue land' area is highly attractive, and the opportunity for members of the public to enjoy it at close quarters would be a significant benefit.

86. There is no evidence to suggest that public access to this land could be achieved in any other way than through the development now proposed, and the Council appears to have no alternative proposals in this regard. I also note that there are said to have been some other precedents for using housing as enabling development to bring forward proposals for sections of the OVLP, such as the Stanton Low Country Park, which was linked to the Oakridge Park housing development.
87. On the other hand, the development now proposed would take up around 15 hectares of land from within the OVLP. Although there are currently no public access rights within the appeal site, the site does provide for some forms of countryside recreation. It also contributes to the Linear Park's purposes in other ways, including its landscape and biodiversity. In the future, opportunities could yet arise for increased access, or new recreational uses, in line with the Policy S12; whereas, if the site were developed now for housing, any such opportunities would be lost for ever.
88. To my mind, this issue is finely-balanced. Judged in isolation, the benefit of providing access to a large and attractive area of countryside would be significant. But there is no clear evidence that the development now proposed is the only way of achieving this end. In the present scheme, the price of taking the benefit now would be to close off other possible, but as yet unknown, opportunities in the future. The OVLP is a finite resource, and as the city continues to grow, the demands on it may well increase. To deplete its land area, and thus its potential to meet those demands in future years, might prove to be a short-sighted step when viewed in the long-term context. In the context of the development as a whole therefore, the benefit of increased access to the blue land is at least partly offset by the loss of any future potential within the appeal site itself.
89. Furthermore, returning to Policy S12, although increasing public access and recreation is one of the policy's key aims for the OVLP, this is only one aim amongst others. Nothing in the policy or supporting text suggests that this should have priority over the other aims including landscape and nature conservation.
90. Overall therefore, I conclude that the appeal proposal would further the aims of Policy S12 with regard to providing for public access to the OVLP. However, having regard to the aims of the policy as a whole, this benefit carries only moderate weight.

Other matters

91. The development would give rise to both direct, indirect and induced construction-related employment, with an estimated gross value to the economy of almost £50m. After completion, the new occupiers would generate further employment, with a gross value of over £9m, and household expenditure amounting to around £3.5m per year. These figures are largely unchallenged, and I have no reason to disagree with them. These would be net benefits arising from the development. The Section 106 contributions would mitigate the development's own impacts, and thus would not count as benefits.
92. I agree that developing the appeal site would not be inconsistent with MKCS Policy CS1's aim to focus development at the main urban area. The site is also reasonably well-placed for access to local facilities and public transport. But policy CS1 does not indicate that all land adjacent to the urban area will be acceptable for development. Neither do these considerations overcome the conflicts that I have found with other policies.
93. I accept that MKCS Policy CSAD1 anticipated an early review, to be adopted by 2015, and clearly this has not yet happened. However, this does not make all of the MKCS's other policies out of date, as suggested. In the light of the matters discussed elsewhere in this decision, the most relevant policies in this case are MKLP Policies S10, S11, S12 and NE1. None of these relate to housing, and despite the lack of a 5-year land supply, there is no cogent evidence to suggest that any of these policies are inconsistent with the NPPF, or that any should have less than full weight.
94. I note that the Council's planning officers are said to have supported the appeal proposal at one stage, prior to a change in the land supply figures. And in the light of my findings on that issue, I can appreciate the appellants' frustration. But nonetheless, I must judge the appeal on its planning merits, including the relevant policies, and in the light of the evidence presented to this inquiry.

Inspector's Conclusions

Compliance with the development plan

95. The appeal proposal would conflict with MKLP Policy S10 by being located in the countryside. It would also conflict with Policy S11 by failing to protect or enhance the Area of Attractive Landscape, and with Policy NE1 by adversely affecting the Wildlife Corridor's biodiversity.
96. In relation to Policies S12 and KS3, the scheme would to some extent advance the aims of those policies in respect of public access to the Ouse Valley Linear Park and Linford Lakes areas. But it would conflict with S12's requirements as to landscape and nature conservation matters.
97. Looking at all of these relevant policies together, I find that the appeal proposal is in clear conflict with the development plan as a whole.

Other material considerations

98. The Council has been unable to demonstrate a 5-year supply of land for housing, and the development plan is silent as to how this shortfall is to be made up. Consequently, even though none of the policies directly affecting

the appeal site are concerned with housing, the 'tilted balance' in NPPF paragraph 14 is engaged.

99. On the positive side, the appeal proposal would provide 250 dwellings towards the Borough's housing shortfall, and 30 per cent of these would be for affordable housing. In the light of the evidence, these dwellings are required to meet housing needs that would otherwise be unmet, and this carries significant weight. The economic benefits carry moderate weight. For the reasons already explained, the provision of public access to the 'blue' land also carries moderate weight; but any proposed landscaping or new habitat creation, either on- or off-site, would be essentially mitigatory or compensatory, and these therefore carry no more than neutral weight.
100. But on the other hand, the development would intrude into the countryside, and into a designated AAL and Wildlife Corridor. It would cause substantial and irreversible harm to the Ouse Valley's valued landscape. It would permanently destroy priority habitats, threaten important wildlife, and weaken ecological networks. It would also take 15 ha of land from the Linear Park, reducing the scope for informal and passive recreation uses in the future.
101. Cumulatively, it seems to me that these adverse impacts would significantly and demonstrably outweigh the benefits that have been identified. The scheme therefore does not benefit from the NPPF's presumption in favour of sustainable development.

Overall conclusion

102. Having regard to the requirements of section 38(6) of the 1990 Act, these other material considerations do not indicate a decision contrary to the development plan. I have taken account of all the other matters raised, but none changes this conclusion. The appeal therefore fails.

John Felgate

INSPECTOR

APPEARANCES

FOR THE LOCAL PLANNING AUTHORITY:

Mr Daniel Stedman Jones	Of Counsel (instructed by the Borough Solicitor)
Assisted by Ms Stephanie David	Of Counsel

They called:

Mr Paul Keen	Senior Planning Officer
BA(Hons) MA MRTPI	
Mr Jonathan Goodall	Troy Hayes Planning
MA MSc MRTPI	

FOR THE APPELLANT:

Mr Peter Goatley	Of Counsel (instructed by DLP Planning)
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He called:

Mr Roland Bolton	DLP Planning
BSc(Hons) MRTPI	
Dr Stephanie Wray	Tyler Grange Consultants
BSc(Hons) PhD MBA CEnv	
Mr Jonathan Berry	Tyler Grange Consultants
BA(Hons) DipLA CMLI AIEMA MArborA	
Mr Simon James	DLP Planning
MRTPI MIEMA	

OTHER INTERESTED PERSONS:

Mr Paul Sedgwick	Local resident
Mr Richard Bridgen	Local resident
Mr Tony Bedford	Local resident and Chairman of the Friends of Linford Lakes Nature Reserve
Mr Martin Rushton	Local resident
Mr Andy Harding	Local resident and Licensed Bird Recorder
Mr Andrew Floyd	Local resident
Ms Janet Grisdale	Local resident
Cllr David Stabler	Parish Councillor, Gt Linford PC
Mr Leonard Lean	Local resident
Cllr Andrew Geary	Ward Councillor, Milton Keynes BC

DOCUMENTS TABLED DURING AND AFTER THE INQUIRY:

FOR THE APPELLANTS

AP/1	List of appearances
AP/2	Opening submissions
AP/3	Draft S.106 agreement (Day2, tabled at inspector's request)
AP/4	Appeal decision re land at Lavendon (APP/Y0435/W/17/3178790)
AP/5	'MKFM Snow Watch' item re homelessness
AP/6	Overlay plan: Landscape Masterplan/Development Framework (Plan 1105/P07)
AP/7	Note on S.106 leisure, recreation and community contribution
AP/8	Executed Section 106 agreement, dated 2 February 2018
AP/9	Closing submissions
AP/10	Letter dated 21 February 2018 – in response to Mr Bedford's representations

FOR THE COUNCIL

CO/1	Update to Mr Goodall's Appendix 19: housing starts/completions to Sept 2017
CO/2	Table : 'Applications activity on main sites'
CO/3	<i>St Modwen Developments v SoS and Others</i> : [2017]EWCA Civ 1643
CO/4	'Partnering for Prosperity': National Infrastructure Commission
CO/5	'Delivering Change': Centre for Cities, 2014
CO/6	Justification for Section 106 contributions
CO/7	Draft conditions list (tracked changes version), received 1 February 2018
CO/8	<i>Cawrey Ltd v SoS and Hinckley & Bosworth</i> : [2016] EWHC 1198 (Admin)
CO/9	Closing submissions

FOR OTHER PARTICIPANTS

OP/1	Speaking notes of Mr Tony Bedford, with attachments, as below:
OP/1a	Written statement by Mr Kenneth Cramer, licensed Bird Ringer; with list of birds ringed since 2014
OP/1b	Email from Mt D Foster, Chief Executive of MK Parks Trust, dated 21 Aug 2017
OP/1c	Letter from Berks, Bucks and Oxon Wildlife Trust, dated 7 Aug 2017
OP/2	Speaking notes of Mr Andy Harding, with attachment:
OP/2a	Mr Harding's list of bird species recorded at Linford Complex
OP/3	Speaking notes of Mr Martin Rushton
OP/4	Speaking notes of Cllr David Stabler, with attached notes and extracts on local bus services
OP/5	Consultation response from M Baker, dated 18 Dec 2017 (received 15 Jan 2018)
OP/6	Letter from The Parks Trust, 9 January 2018
OP/7	Representation from Mr Bedford, received on 1 February 2018
OP/8	LLFA response to application 17/01937/OUT (submitted by Mr Bedford)

GENERAL AND OTHER DOCUMENTS RECEIVED DURING THE INQUIRY

GE/1	List of disputed housing supply sites, with parties' estimated delivery figures
GE/2	Plan of disputed sites' locations
GE/3	SAP Examination – letter from Inspector, dated 3 November 2017
GE/4	SAP Examination – Council's response dated 17 November 2017
GE/5	Tickford Fields – Screening Opinion dated 4 May 2017
GE/6	Tickford Fields – Development Brief
GE/7	Walton Neighbourhood Plan, November 2016
GE/8	Walton Manor – Development Brief, November 2015
GE/9	Newport Pagnell Neighbourhood Plan (undated)
GE/10	Lakes Estate Neighbourhood Plan, 2015
GE/11	SAP Emerging Preferred Options Consultation, Oct 2015



Strategic Planning & Research Unit

APPENDIX 4

**On behalf of various clients. Appendices to Representation to the
Plan:MK Examination**

Matter 3

(1) WESTERN EXPANSION AREA

Introduction

- 1.1 The 'Western Expansion Area' (WEA) is the largest of the expansion areas in Milton Keynes and covers 350ha west of V4 Watling Street, between Stony Stratford, Kiln Farm, Two Mile Ash, Crownhill and Grange Farm. The WEA consists of two major sites which are separated by Calverton Lane running through the middle. These sites are:
- Whitehouse (Area 10): 228ha site consisting of 4,400 dwellings and 6.5ha of employment land.
 - Fairfields (Area 11): 123ha site consisting of 2,200 dwellings and 9ha of employment land.

Table 1 Summary of Parcel Status of WEA

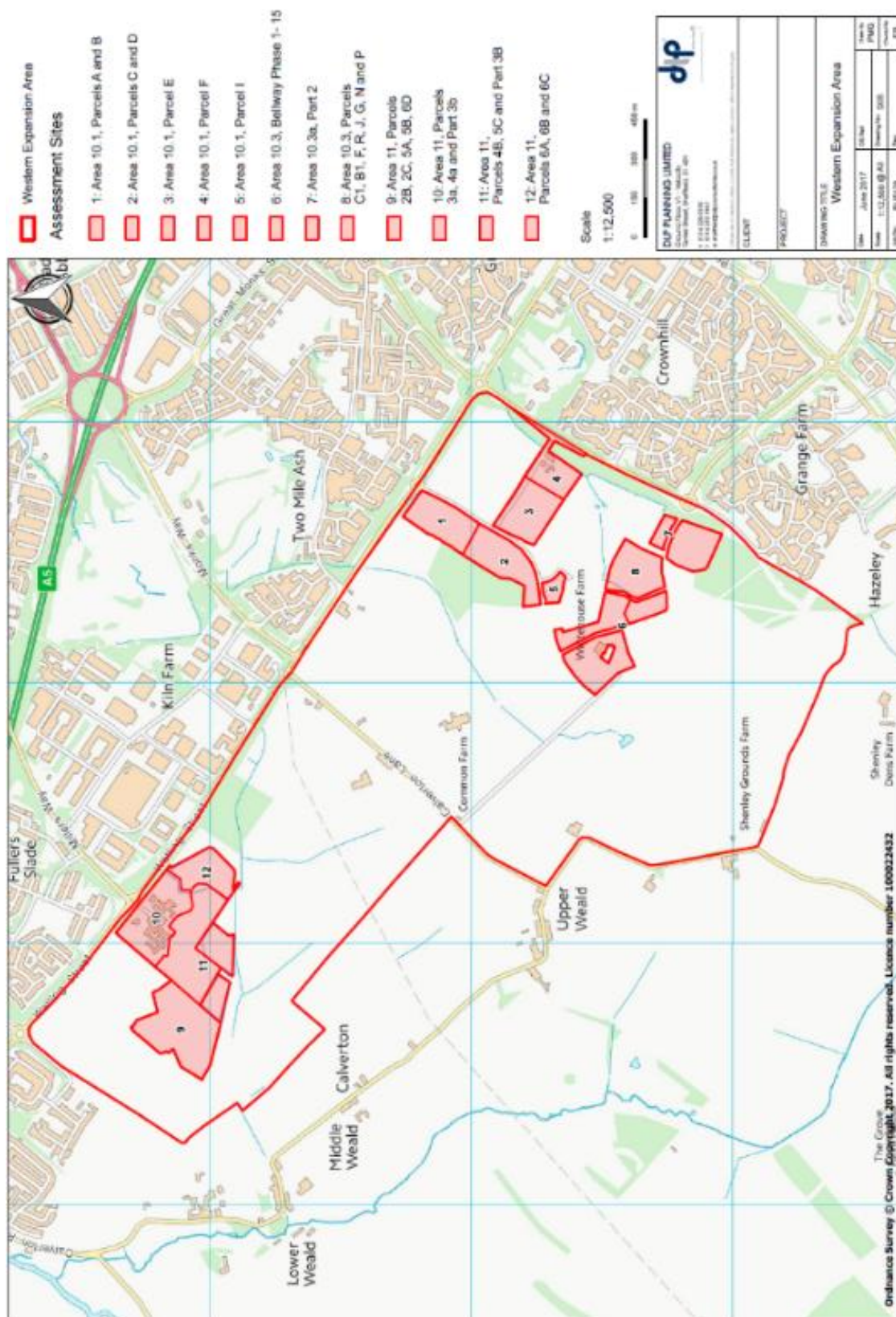
WEA	
Plots with O/L	4,709
Plots with RM	517
Plots U/C at September 2017	526
Plots Completed at September 2017	848
No. of Developers with Parcels (and who)	6 (Abbey Developments, Barratt/ David Wilson, Bovis, Bellway, CALA Homes, Taylor Wimpey)
Total	6,600

Summary of Appellant/MKC Figures

- 1.2 The table below (Table 2) summarises the differences between the MKC estimates and my own estimate. What is clear is that for the WEA to achieve the build rates suggested by MKC, it would have to become the highest performing strategic site in England and maintain unprecedented levels in excess of 600 completions a year over the next five years. It would have to outperform the completion rates achieved on the combined eastern expansion area by effectively doubling the rate of delivery.
- 1.3 The table shows that the Western Expansion Area, which is to deliver 6,600 dwellings, is forecast by MKC to deliver an average of 615 dpa. This is almost 4 times the average for a greenfield site of this size according to the NLP research (171 dpa) and is at a rate that has never been sustained over a five-year period anywhere in the country.

- 1.4 The delivery of this site remains in an early stage, and there is yet to be any compelling evidence that the Western Expansion Area (Fairfields and Whitehouse) are capable of delivering an average of 615 dwellings per annum as proposed by the Council. At 615 dpa, this would be the fastest delivering Strategic Site in England by a considerable margin. It would be delivering at twice the rate of the Eastern Expansion Area during a time when both quarters were delivering 284 dpa (RGB PoE table 10, page 65).
- 1.5 The very high delivery rates (797, 680 and 562) in the last 3 years of the calculation are increasingly dependent on the release of sites controlled by Gallagher and MK.
- 1.6 The July 2017 Housing Land Supply report (CD12.4) paragraph 3.9 states that completions on the WEA has reached three figures and that there are currently 531 classified as under construction indicating that delivery rates will pick up. I have assumed that the WEA will indeed pick up and deliver an average of 342 dpa which is higher than the average of 151 achieved in the first two years of this development (see table 13).

Fig 1: Western Expansion Area Site Location Plan



- 1.7 Even my approach of treating the two elements (Whitehouse (Area 10) 4,400 dwellings and Fairfield's (Area 11) 2,200 dwellings as separate Strategic Sites and applying the national average rate of greenfield completions of 171 dpa to both sites represents an increase in the past rates of delivery across both sites (see table 10) and results in the area delivering 342 dpa which would make WEA one of the fastest delivering sites in the country according to NLP research.

Table 2 WEA Summary of Forecasts MKC and SPRU

WEA Area	2017/18	2018/19	2019/20	2020/21	2021/22	2017/18 to 2021/22	Discount	2017/18 to 2021/22	Ave 2017/18 to 2021/22
MKC 5 yr LS	492	722	797	680	562	3253	179	3075	615
SPRU	342	342	342	342	342	1710		1710	342
SPRU/MKC	-150	-380	-455	-338	-220	-1543		-1365	-273

Detailed Discussion: Area 10 Whitehouse

- 1.8 According to the Council Housing Statistics 2017, there were 124 dwellings completed in the last year (2016/17).
- 1.9 The Council propose that this rate of delivery will more than double during this year (2017/18) to 291 dwellings and then increase to 433 the following year,
- 1.10 The Table below sets out the Council's forecasts for delivery. The Council's discount element is addressed in section 7 of the main proof.

Table 3 WEA Area 10 Whitehouse: MKC forecast completions

Site	Status	2017/18	2018/19	2019/20	2020/21	2021/22	Discounted site
WEA AREA 10.1 - 10.3 REMAINDER Gallagher/MKC	OL	0	22	221	300	300	84
Bovis - 10.1 a and b	UC	61	27	0	0	0	
Bovis - 10.1 C and D	REM	0	50	79	0	0	0
Bovis - 10.1 f	UC	8	0	0	0	0	0
Bovis PARCEL 10.1 E	UC	24	50	40	0	0	0
Bovis PARCEL 10.1 H	REM	0	34	30	0	0	0
Abbey 10.3 Parcels C1 B1 F R J G N and P	UC	61	60	57	0	0	8
Taylor Wimpey 10.3A Part 2	UC	47	17	0	0	12	0
Taylor Wimpey 10.3A Part 1	REM	0	50	0	0	0	0
Abbey 10.1 Parcel 1	REM	0	34	0	0	0	0
Bellway - 10.3 Phase 1	UC	90	89	40	0	0	0
		291	433	467	300	312	92

- 1.11 In terms of Area 10, Bovis Homes have 5 sites and the other 5 sites are shared between Bellway Homes, Abbey Developments Ltd and Taylor Wimpey (South Midlands). To achieve a build rate of 361 dpa as projected by MKC, the 4 builders would need to deliver at a rate of 90 dpa consistently throughout the next five years. This is substantially higher than the average delivery rates per outlet.
- 1.12 These build out rates are also reliant upon Genesis Land Limited (part of Gallagher's group of companies) securing the sale of additional parcels of land to housebuilders so that completions start in a years' time (2018/19). It also requires MKC to dispose of their land interests in this area. This would need to be land sales for at least 5 builders (assuming delivery of 50 dpa), if 221 dwellings are to be constructed on the part of the site subject to outline consent in 2019/20.
- 1.13 The June 2017 data forecasts some 843 dwellings being completed in the next five years on the remainder of this site which has yet to gain reserved matters approval. MKC assert that while this area is not currently being built out by developers it has outline planning permission and that division of multiple development parcels across a range of housebuilders means achievability of completions is high. MKC state that development rates in the future takes into account additional MKC land holding which is likely to be disposed in the next few years; i.e. it has not yet been scheduled for

release. In my view the process of the release of such sites and achieving the necessary reserved matters consents is likely to delay the contribution of this element of the site.

- 1.14 Bovis are likely to complete WEA Parcel 10.1E and 10.1H (103 homes in total) before trying to construct and sell a further 100 dwellings from Parcels 10.1 C and D in the same year, into the same market. If Bovis continue to invest in the site by securing additional parcels then these again are likely to follow on from their present sites rather than being brought forward in direct competition with them.
- 1.15 In response to our enquiries, Bovis have confirmed a sales rate of between 1 and 2 dwellings a week (between 52 and 104 dwellings a year) across their Whitehouse Park Phase A and B site (appendix 26).
- 1.16 Bellway have also confirmed a build out rate of 50 dwellings a year on their Whitehouse Farm site, with a sales rate of just under 1 unit per week (appendix 27.1). In a telephone conversation on 5th October 2017, they confirmed there are approximately 200 units remaining to be built on site and are currently on phase 2 of 4. Their sales rates have picked up in recent months which they put down to selling such a good product (appendix 27.2).
- 1.17 Abbey New Homes (Queen Eleanor Place Development Parcel 10.1 217) confirmed that units are selling faster than normal, averaging 1.5 units per week (78 dpa). It was explained that the reason for better than normal sales was due to a batch of detached units being released with garages, which was identified as being the two key selling points at this site (Appendix 28.1). In a telephone conversation on the 5th October 2017, the sales team confirmed that sales have slowed due to the most in demand products not being available. Most people were seeking 2 bed properties, a product which Abbey do not sell. There was however, a long waiting list for 4/5 bed dwellings. There are only 5 units for sale on the site at the current time, although 90 units have already been sold (appendix 28.2).
- 1.18 These rates of completions do not suggest that the overall level of delivery will exceed national average rates of delivery for strategic sites of this size.
- 1.19 Taylor Wimpey confirmed in May 2017 that with regards to parcel 10.3A Part 1 the number of dwellings has been reduced from 62 to 50 and that construction is expected to start on site in January 2018.

- 1.20 Mr Claye on behalf of Gallagher responded to our request regarding build out rates of the remainder land held by Gallagher in terms of Area 10 of the Western Expansion Area (see appendix 29). This states that they expect 300 units to be completed in 2017 (compared to the Council's 291) and that this is to continue. This would result in 1,500 completions in the five-year period not the higher figure of 1,803 forecast by the Council. In considering the weight to be attributed to these forecasts, it is important to note that as promoters selling serviced parcels to developers, Gallagher's are not housebuilders and they have in the past overestimated the lead-in times and build-out rates from their land holdings (see paragraph 6.9 and 7.10)
- 1.21 Mr Claye refers to build rates of 240 achieved on one year on Area 11 to support this build out rate but does not state that he would be happy for his company to be measured against this forecast rate as a measure of their delivery performance. I consider this to be an optimistic view of the performance of this site which is not supported by robust evidence of past delivery and from a promoter who has been over optimistic in the past regarding the delivery of their sites, and I refer to their evidence to the Core Strategy Examination in this respect.
- 1.22 The national build-out rate for greenfield sites of in excess of 2,000 dwellings is 171 dpa and while some sites in MK have delivered at above that rate, not all have performed at a higher rate. Furthermore, the fact that there will be very direct competition between WEA Area 10 and Area 11, plus the other strategic sites would support the use of the national average to be a more robust approach to this assessment. I note that these sites have been delivering over the last three years and that the highest level of completions occurred last year in which Area 11 was 165 completions and Area 10 achieved 124 completions. Taking this into account and the evidence of completion rates elsewhere in MK I consider an average figure of 171 per annum for both Areas for the five-year period would be realistic.
- 1.23 The Table below illustrates my assessment of the realistic delivery of this site.

Table 4 WEA Area 10 Whitehouse Difference in forecasts MKC and SPRU

Whitehouse WEA Area 10	2017/18	2018/19	2019/20	2020/21	2021/22	2017/18 to 2021/22	Discount	2017/18 to 2021/22	Ave 2017/18 to 2021/22
MKC 5 yr LS	291	433	467	300	312	1803	92	1711	342
SPRU	171	171	171	171	171	855		855	171
SPRU/MKC	-120	-262	-296	-129	-141	-948		-856	-171

Detailed Discussion: Area 11 Fairfield's

- 1.24 There were 165 dwellings completed in the last year (2016/17) on this part of the WEA.
- 1.25 The Council propose that this rate of delivery will increase this year (2017/18) to 201 dwellings.
- 1.26 At present, there is just one developer (BDW Trading Limited) delivering completions on Fairfield Area 11, from two outlets; David Wilson Homes and Barratt. Redlaw Land, the joint applicant, is a strategic land company formally Genesis Land Limited (who have shared directors with Gallagher Estates). The table below summarises the different positions.
- 1.27 An email exchange with Barratt on 2nd June 2017, suggest that they control significantly more of the site (the figure of 4000 units is mentioned subject to reserved matters planning permission, but this seems to be far in excess of the outline application) (Appendix 22).

Table 5 WEA Area 11 Fairfield's: MKC forecast completions

Site	Status	2017/18	2018/19	2019/20	2020/21	2021/22	Discount
WEA AREA 11 - REMAINDER Gallagher/MKC	O/L	0	116	200	300	250	86.6
BDW - 2b 2c 5a 5b 5d	REM	41	60	60	80	0	0
Barratt H2 to H3 (4B 5C and part of 3B)	UC	90	37	0	0	0	0
Barratt Parcels 6a, 6B and 6C	UC	70	76	70	0	0	0
		201	289	330	380	250	86.6

- 1.28 It should be noted that the 866 dwellings forecast to be completed have yet to gain reserved matters consent and yet these completions are forecast to start next year (2018/19).
- 1.29 A Reserved Matters Application was approved in September 2017 under reference 17/01669/REM for 250 dwellings on Parcels 3C, 3D, 5D, 5E, 5F and LC. The applicant is BDW Trading.
- 1.30 To secure the total of 201 completions from the single developer Barratt/David Wilson in 2017/18 is, I would suggest, unlikely.
- 1.31 In any event a rate of 240 dpa for the Area 11 would produce a total of 1,200 dwellings by 2022 compared to the 1,450 dpa forecast by MKC.
- 1.32 My view is that to achieve 116 completions in 2018/19 on the part of the site that is subject to the outline consent would require the land to be disposed of to an alternative developer other than Barratt/David Wilson and for Reserved Matters to be approved now. There is no evidence to this effect. In fact, it appears that Barratt/David Wilson might be seeking to develop the remainder of the site.
- 1.33 In any case, securing reserved matters approval and completing 116 dwellings by March 2019 appears unrealistic.
- 1.34 For completions to increase further to 315 and 370 dwellings as forecast in the subsequent years also looks very unlikely, especially when there are no other named developers at present and there are no reserved matters approvals for the majority of these dwellings. These rates would be extremely challenging for the whole of the strategic site let alone just these elements of the strategic allocation.
- 1.35 While I acknowledge that the site achieved 165 completions last year I regard this as being at the top of the range of what may be achieved on this site over the next five years and as such an average of 171 dpa would be highest realistic projection, given the proximity of WEA area 10 and past rates of delivery in MK.
- 1.36 I have taken the approach of treating Area 10 and 11 of the WEA as separate strategic sites. Together MKC forecast these two sites delivering 3,253 dwellings (or 3,075 including Council discount) of which over half (1,709 dwellings (866 +843)) have yet to secure reserved matters consent or to be formally sold to a developer.

1.37 I have considered the rates of delivery of strategic sites both nationally and in MK and conclude that a rate of 171 dpa for each part of the WEA represents the highest realistic assessment of future delivery. This would still result in the WEA being one of the fastest delivering strategic sites in England.

Table 6 WEA Area 11 Fairfields Difference in forecasts MKC & SPRU

Fairfields WEA Area 11	2017/18	2018/19	2019/20	2020/21	2021/22	2016/17 to 2020/21	MK discount	2017/18 to 2021/22	Ave 2017/18 to 2021/22
MKC 5 yr LS	201	289	330	380	250	1,450	87	1,363	273
SPRU	171	171	171	171	171	855		855	171
SPRU/MKC	-30	-118	-159	-209	-79	-595		-508	-102

(2) TATTENHOE PARK

Introduction

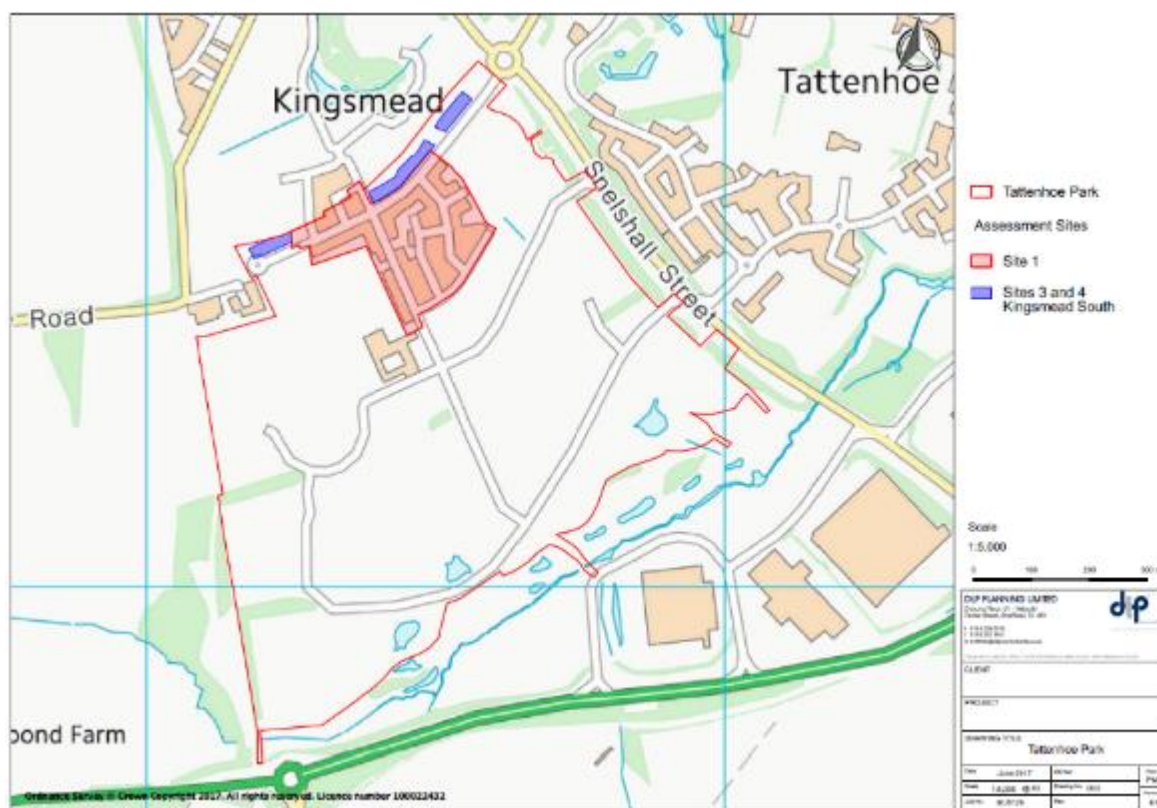
- 1.38 Tattenhoe Park is adjacent to H7/Hayton Way on the Western Flank of the urban area. The Council's web site states that Tattenhoe Park will comprise 1,330 homes when complete in 2025.

Table 7 Summary of Plots and Developers at Tattenhoe Park

Tattenhoe Park	
Plots with O/L	1,172
Plots with RM	0
Plots without Consent	0
Plots U/C at September 2017	0
Plots Completed at September 2017	138
No. of Developers (and who)	2 (Barratt/David Wilson, HCA)
Total	1,310

- 1.39 The original outline permission was granted in 2007 (06/00856/MKPCO) and the first reserved matters application for a small part of the site consisting of 138 dwellings was validated in May 2012 and a decision notice issued in July 2013 (12/00969/MKPRC). The first completions on this parcel were recorded in the first quarter of 2014 (April to June) and this part of the site was completed by October 2015, suggesting an 18 month build of approximately 90 dpa. This element of the site was delivered by Barratt/David Wilson.
- 1.40 Renewal of outline planning permission 06/00856/MKPCO was approved in August 2017 under reference 17/00918/OUT.
- 1.41 There are no reserved matters approved for the remainder of the site.
- 1.42 There were no dwellings completed in the last year (2016/17) at Tattenhoe Park.
- 1.43 The Council propose that this site will start delivering next year with just 6 dwellings forecast to be completed.

Fig 2: Tattenhoe Park Site Location Plan



Summary of Appellant/MKC Figures

- 1.44 This is a site that the Council have been predicting to start within the first few years of every Annual Monitoring Report from 2005 onwards. The site has remained in the ownership of the HCA until this summer when it appears that some of the land has been released to the market. It is considered that both the lead in time for completions to be delivered and the overall rate of delivery are over optimistic given the current planning status and ownership of the site.
- 1.45 Table 8 below sets out the difference between my assessment of delivery and that of the Council.

Table 8 Tattenhoe Park Difference in Forecasts MKC and SPRU

	2017/18	2018/19	2019/20	2020/21	2021/22	2017/18 to 2021/22	MKC Discount	2017/18 to 2021/22	Ave to 2021/22
Tattenhoe Park									
MKC 5 yr LS	0	6	132	264	222	624	62	562	140
SPRU	0	0	0	100	100	200		200	100
SPRU/MKC	0	-6	-132	-164	-122	-424		-362	-40

Detailed Discussion

- 1.46 MKC's Assessment of Five Year Housing Land Supply (June 2017) data relies upon the HCA information (April 2017) that there is to be a start on site in June 2019 and that there is the scope for this site to come forward for accelerated delivery via the HCA. The HCA therefore state that the Council's current projections could be brought forward if the site is brought forward under the accelerated delivery process. The Table below gives the detailed breakdown of the MK assumptions.

Table 9 Tattenhoe MKC breakdown of delivery forecast

Area	Site	2017/18	2018/19	2019/20	2020/21	2021/22	discount
Tattenhoe Park	Tattenhoe Park 2 & 7	0	0	24	72	72	16.8
Tattenhoe Park	Tattenhoe Park 3-6	0	6	108	192	150	45.6
Tattenhoe Park Summary		0	6	132	264	222	63.4

- 1.47 Whilst I note that the HCA state that the land will be marketed in the first quarter of 2017/18 (HCA "Land Development and Disposal Plan" December 2016, appendix 30.1), there is to date no information regarding this sale. The June 2017 Update to the "Land Development and Disposal Plan" confirms the sale of 18 hectares of land at Tattenhoe Park, although these are described differently than the previous release, and so it is unclear which parcels have been sold (appendix 30.2). Only an approximate 7 hectares of the site remains under the control of the HCA.
- 1.48 A reserved matters application has been pending since its validation in January 2017 (under Reference 17/00103/REM) for the construction of 41 dwellings and associated works. The application was submitted by Morris Homes and HCA. The delay in determination of the application seems to be related to the consultation comments received from the urban design team requesting amendments to the design of the scheme.
- 1.49 The site is reliant upon the 2007 outline consent. The HCA have applied to extend the time on the original outline permission which expired in August 2017 under reference 17/00918/OUT. The application also made amendments to the illustrative masterplan including the removal of the bus link to Steinbeck Crescent, relocation of the local centre to the eastern boundary and relocation of the sports pavilion and sites reserved for community use (appendix 31.1). The committee report (appendix 31.2) states in paragraph 5.1 that *"the site has been slower to deliver new homes than anticipated due*

to the economic slowdown shortly after the permission was granted. Nonetheless the majority of the supporting infrastructure has been constructed as well as the first phase of residential development which comprises 138 dwellings (in 2012)."

- 1.50 In respect of the timing of the delivery of the site, 17/00918/OUT decision applies a condition which requires the first reserved matters application to be submitted within two years, and the application for approval of all reserved matters before the expiration of 8 years from the decision date i.e. 17th August 2025. This is two years less than the ten years originally sought by the applicants and recommended by the Planning Officer in their committee report draft list of conditions. The minutes from Planning Committee in 29th June 2017 states that *"members of the committee expressed concern that the development had taken a considerable amount of time to deliver and that a further ten years was excessive"* (Appendix 31.3).
- 1.51 The minutes (appendix 31.3) also states:

"It was commented that there was a clause within the S106 agreement that allowed the Council to intervene where the site was not being delivered as quickly as anticipated."
- 1.52 Contrary to the HCA's assertions is the fact that as described above, Barratt/ David Wilson delivered 138 dwellings on part of the site between 2014 and 2015.
- 1.53 The phasing in the Planning Statement (appendix 31.1) is as follows:
 - a. Phase 2: This phase will comprise around 290 further homes and could commence in early 2019;
 - b. Phases 3 and 4: These two phases would comprise around a further 320 additional homes;
 - c. Phase 5: This will comprise around 230 dwellings and occupies a central location in the southern part of the development site, just south of the existing playing fields; and
 - d. Phase 6: The final phase will make up the balance of dwellings and is located towards the south east of the development site. (Appendix 30.1, section 3.6, page 14-15).
- 1.54 In respect of the timing of the delivery the Planning Statement records:

"The HCA is committed to deliver the remainder of the homes as quickly as possible. It is assumed that the next phases of development would commence on site as soon as early 2019 and that under the ACP, the development could

be complete by 2025. Although the HCA feels that this is a realistic rate of delivery, particularly given that much of the infrastructure works are already complete, this could change subject to local housing market conditions and demand. Therefore a 10 year period for the submission of all reserved matters applications is sought to provide sufficient flexibility to enable a development of this scale to be implemented.” (Appendix 31.1, page 14)

- 1.55 The Table below illustrates that the Council have been predicting completions on this site in their five-year land supply assessments since 2005 and these have continually failed to deliver against these projections. The only completions that have occurred are the 138 dwellings (referred to above) compared to the much higher rates of completions being forecast. The timing of completions and the overall number to be delivered has also fluctuated within this period.

Table 10 Past projections of completions on Tattenhoe Park by MK

	2005/06	2006/07	2007/08	2008/09	2009/10	2010/11	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20
Dec 2005	0	0	57	196	250	250									
Dec 2006	0	0	0	118	246	447	430	0	69						
Dec 2007			0	0	143	249	286	302	330						
Dec 2008				65	116	201	200	443	285						
Dec 2009					0	30	35	93	142						
Nov 2010								590							
Dec 2011									708						
Dec 2012										914					
2014									12	54	56	113	113	110	166
June 2015											0	0	37	150	206
Nov 2015											0	0	37	151	207
June 2016												0	37	151	207
April 2017												0	0	100	225

- 1.56 The continued failure of the site to deliver reduces the likelihood of the potential for delivery in the next five years.
- 1.57 In the Linford Lakes appeal, Mr Goodall identified in his appendix 31 that there are no parcels with dwellings under construction out of a total of three parcels (including the application from Morris Homes of 41 dwellings). This is in comparison to the 12 active parcels and 15 developers who delivered the early part of the Eastern Expansion Area.
- 1.58 In terms of the likelihood of delivery in the next five years it is important to note the following:
- The original outline PP expired in August 2017 and the renewal was approved in August 2017

- b. HCA have sought a 10-year extension to the outline PP, and the planning statement comments that the anticipated delivery rate could be subject to change with fluctuations in housing market conditions and demand.
- c. There have been two attempts to discharge condition 13 on the outline PP relating to surface water drainage, relating to the whole site, but these have been unsuccessful (see decision notice in appendix 32).
- d. It has taken a long time to discharge other conditions, which is a sign of what may happen in the future. The Environmental Management Plan took nearly a year (after being submitted on August 2013). It was then withdrawn, then resubmitted and approved in June 2014.
- e. The 2012 reserved application required 7 months and two separate planning committee meetings to be approved. It also resulted in a reduction from 160 to 154 dwellings.
- f. There is a need for further investigation of potential contamination within the site.
- g. There are objections to the current RM application, including from:
 - i. Anglian Water relating to discharge to adopted sewers; and
 - ii. Natural England objected about a lack of information and proposed mitigation measures relating to Howe Park Wood SSSI.

1.59 While parts of the site have now been sold to a developer/developers between December 2016 and June 2017, and a start may be made in 2019 as suggested by the HCA, there are unlikely to be any meaningful completions until 2020/21. As a site of below 2000 units, the completion rate would, if in accordance with the national average, be below 100 dpa. The previous rate of completion on Phase 1 would also appear to support a rate of around 100 dpa. While this is somewhat lower than the 130 dpa suggested by the HCA in their submission to the Core Strategy Examination, the 100 dpa appears more credible to me given the local and national evidence. MK's forecasts which average 140 dpa are based on achieving over 200 completions a year in years 4 and 5. The Council's forecasts for both lead in times and build out rates appear to be considerably over-optimistic given the fact that there has been a consistent under-performance of the HCA in delivering this site and there is little evidence that anything has actually changed.

(3) BROOKLANDS EASTERN EXPANSION AREA

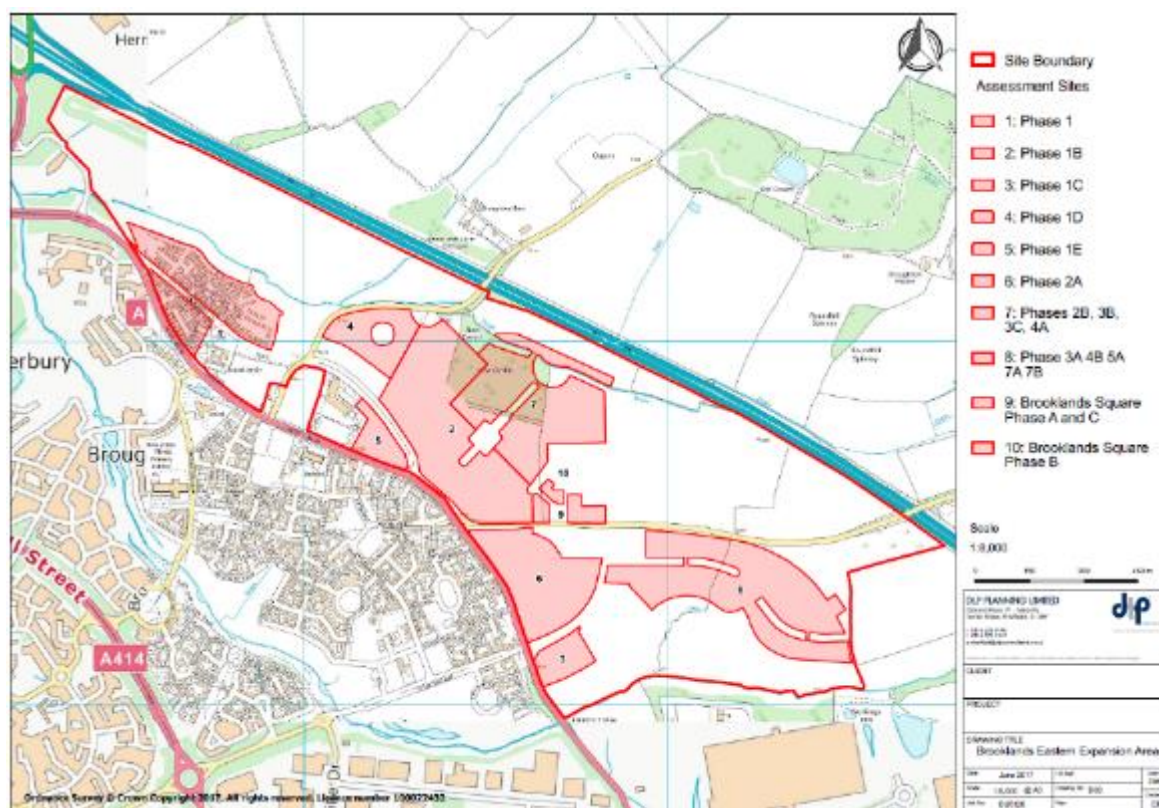
Introduction

- 1.60 The Eastern Expansion Area (EEA) of Milton Keynes is a 400-hectare site immediately west of the M1 Motorway. It includes the residential areas of Broughton Gate with 1,500 homes, now largely complete, and Brooklands 2,500 homes. There is a major employment site at Magna Park to the south. Originally allocated as a strategic reserve in the Milton Keynes Local Plan, I argued for the inclusion of this site to be included in the plan, so as to address the issue of over-reliance on the Western Expansion Area to deliver the housing requirement.

Table 11 Brooklands Summary of Plot Status

Brooklands EEA	
Plots with O/L	913
Plots with RM	54
Plots with RM Pending	260
Plots U/C at September 2017	268
Plots Completed at September 2017	1,005
No. of Developers (and who)	Barratt/David Wilson, Places for People
Total	2,500

Fig 3: Brooklands Eastern Expansion Area Site Location Plan



Summary of Appellant/MKC Figures

- 1.61 The past rate of completions for the EEA for the have been recorded under Brooklands and Broughton and Atterbury delivering over the past ten-year was an average of 284 dpa (see table 10 of my main proof). Now, with completions forecast for just one quadrant (Brooklands), the Council are forecasting that this past rate will actually be exceeded. Such a prediction is highly ambitious and limited weight should be placed upon it.

Table 12 Brooklands MKC forecast completions

Area	Status	2017/18	2018/19	2019/20	2020/21	2021/22	Discount
Land At Brooklands 2501 Units Outline BDW	A	0	45	146	100		
Brooklands BDW Phase 1b	UC	110	83				
Brooklands BDW Phase 1d	UC	56					
Brooklands BDW Phase 1e	UC	45					
Brooklands BDW Phase 2a	UC	60	100	65			
Brooklands BDW Phases 2b 3b 3c and 4a	A	20	80	80	96		
Brooklands BDW Phase 3a 4b 5a 7a 7b	A	0	60	100	100	102	36
Brooklands Gateway Site Places for People	UC		15				
Brooklands Phase 1 Places for People	UC	10					
Brooklands Square Phase B Places for People	A	10	11				
Brooklands Square Phase A & C Places for People	A	25	30				
		336	424	391	296	102	36

Detailed Discussion

- 1.62 There were 247 dwellings completed in the last year (2016/17).
- 1.63 The Council propose that this rate of delivery will increase this year (2017/18) to 336 dwellings and then to 424 dwellings (2018/19).
- 1.64 Not all of the site is covered by reserved matters approval and the MKC forecast rely on 301 dwellings being completed on the part of the site which is currently subject to outline consent.
- 1.65 A reserved matters application (17/02226/REM) was validated on 21st August 2017, submitted by BDW Trading for 260 new dwellings at Brooklands parcels 5B and 6B and is currently pending.
- 1.66 A loan of £2.1m was provided in April 2015 to Places for People to allow them to bring forward the infrastructure necessary to open up the south-eastern sector of the Brooklands site. The intention of which was to allow further sales outlets to be opened up simultaneously to accelerate the rate of completions and sales (CD12.11, JG Linford Lakes proof para 10.26, page 70). While this could theoretically allow Places for People to open additional sales outlets, effectively to compete with themselves, there is no

indication from Places for People that they are going to build these sites out simultaneously.

- 1.67 There are five parcels with dwellings under construction out of a total of 15 parcels. These are being built out by two developers with reserved matters consents: BDW Trading Ltd (Barratt and David Wilson Homes) and Places for People Developments Ltd. This is in comparison to the 12 active parcels and 15 developers who delivered the early part of the Eastern Expansion Area.
- 1.68 Our enquiries with the sales team at The Orchard (Places for People site) highlighted that the Gateway scheme had sold quickly (1.5 sales per week) as it was a more popular location and that there was just one plot left to finish. The site has completely sold out within 8 months, which equates to a sales rate of 1.5 units per week (Appendix 33).
- 1.69 In 2016/17 there were 247 completions. This is higher than the average delivery rates for the period 2008 to 2017 which have been 144 dpa at Brooklands and 203 dpa at Broughton making the whole of the EEA deliver at about 284 dpa.
- 1.70 With Broughton now complete, the delivery rate may increase in Brooklands, but with only 2 developers, albeit operating under 3 sales outlets, it is difficult to see how more than 250 dpa might be achieved, which was the last year's level of completions. At this level, MK would still have two of the highest performing national Urban Extensions within its boundaries.
- 1.71 Table 29 illustrates that to achieve these levels of completions, BDW trading have to deliver about 300 completions on this site this year and the following year. This would be an unprecedented rate of completions for a single developer.
- 1.72 The site is now in the ownership of Barratt Homes. I further note that the Council expect all reserved matters to be determined by end of 2017/2018. The Council state that the current build-out rate across Brooklands anticipates majority of completions within five-year period.
- 1.73 The current average build-out rate for Brooklands has been 144 dpa. The Council were expecting the build out rate to average over 300 a year. I am of the opinion that as the Eastern Expansion Area is reducing in size and the number of active parcels it is likely on average to deliver at a lower rate of some 171 dwellings a year delivering total of 1710 dwellings in the next five years.

- 1.74 I have not seen a single enterprise, achieve these levels of completions on such a site, even when acting under two flags. My experience is that the company is much more likely to stagger the starts of these sites, rather than go into direct competition with themselves.
- 1.75 I recognise that the Eastern Expansion Area, when it consisted of two quadrants and had additional developers, did deliver at an average of 284 dpa over a ten-year period and that this was one of the highest performing strategic sites in the country.
- 1.76 The Expansion Area is now being delivered by just two developers and there is simply no evidence that has been presented to support the proposed level of completions. Mr Goodall's approach appears to be derived from a simple totalling of assumptions on individual parcels which make up Expansion Area with no analysis of the actual realism of the result. This is exactly the process that has been undertaken in the past and has led to the consistent failure of the forecasts to predict the realistic rate at which these sites can deliver housing.
- 1.77 In reviewing the likely level of completions, I have taken into account last year's rate of completions as well as the longer-term average of completions and the comments from Places for People regarding the popularity of the area. I have concluded that as the remainder of the site is under the control of just one developer (Barratt/David Wilson) the past rates of delivery which averaged 144 dpa and included completions from Places for People is unlikely to be achieved. Reverting to the national average completion rate for this size of site of 171 dpa might appear generous but would be the highest average which could be realistically achieved over the next five years.

Table 13 Brooklands EEA: Summary of difference

BROOKLANDS SUMMARY	2017/18	2018/19	2019/20	2020/21	2021/22	2017/18 to 2021/22	MK discount	total inc discount	Ave to 2022
MKC 5 yr LS	336	424	391	296	102	1549	36	1513	303
SPRU	171	171	171	171	171	855		855	171
SPRU/MKC	-165	-253	-220	-125	69	-694		-658	-132

(4) STRATEGIC RESERVE SITES

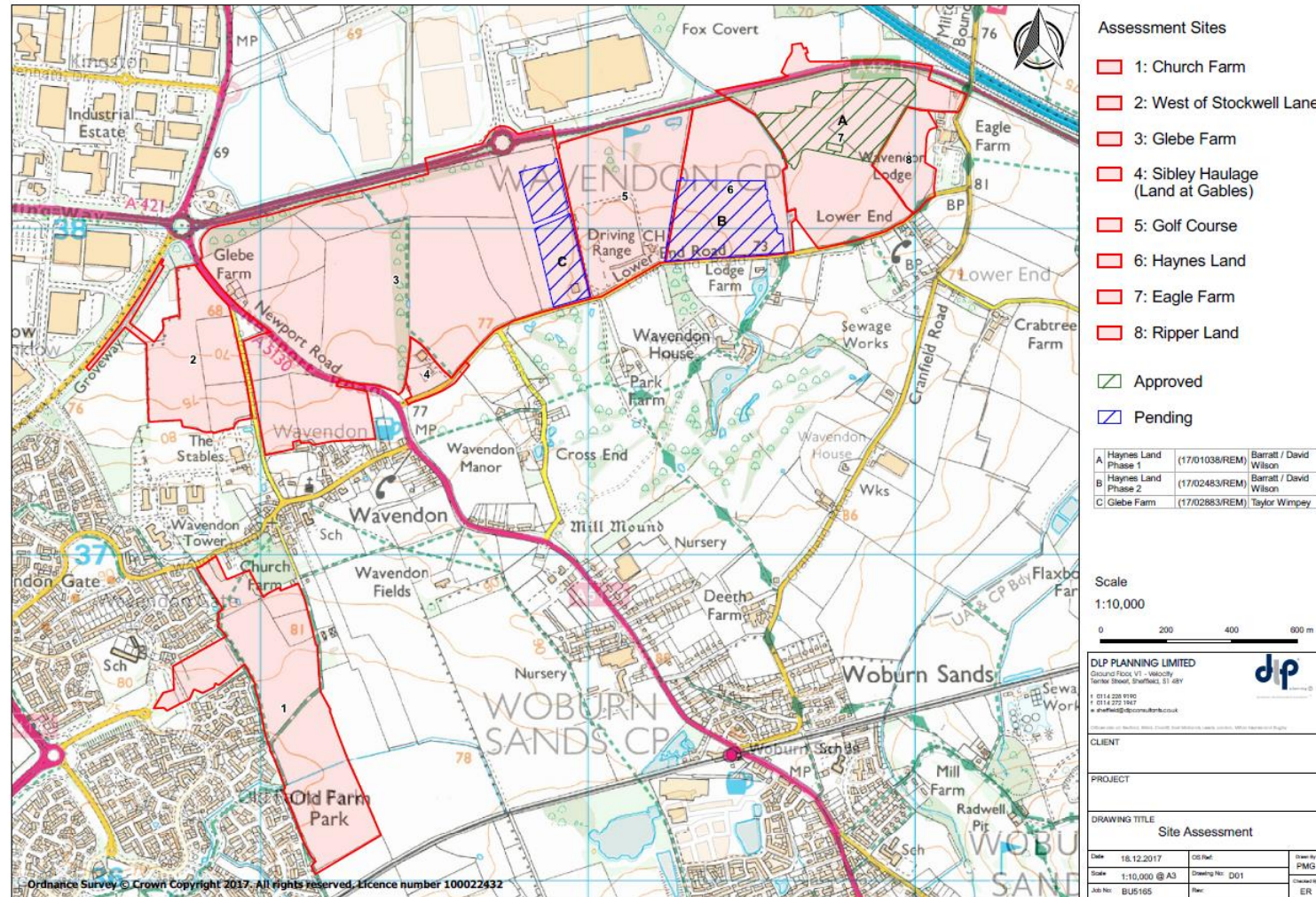
Introduction

- 1.78 The 'Strategic Land Allocation' (SLA) is approximately 150 hectares, located to the north of Wavendon and south of the A421. A Development Framework SPD for the area was approved by the Council in 2013 and this sets out the masterplan for the development of about 3,000 homes, schools, open spaces and other community facilities (Appendix 23).
- 1.79 The Development Framework SPD highlights in paragraph 4.3.1 that as the land south of the A421 and land to the north of Wavendon is in a number of different ownerships it is essential that the contributions to infrastructure requirements are based on an equitable equalisation mechanism. The SPD requires that an equalisation mechanism to permit development to proceed will need to be agreed by all landowners in the land south of the A421 and north of Wavendon, other than those private landowners whose land is shown hatched on Figures 3.4 and 3.13 which are reproduced in appendix 23.
- 1.80 This equalisation is to be achieved through Section 106 agreements on the individual sites which make up the Strategic Reserve.
- 1.81 Figure 4 highlights those areas with reserved matters pending or approved (see below).

Table 14 Summary of Plot Status on Strategic Reserve

Strategic Reserve	
Plots with O/L	2,592
Plots with RM	259
Plots with RM Pending	200
Plots with No Consent	120
Plots U/C at September 2017	28
Plots Completed at September 2017	6
No. of Developers (and who)	4 (Barratt/David Wilson, Taylor Wimpey, Connolly Homes, Lea Valley Developments/ Mears New Homes)
Total	3,205

Fig 4: Strategic Land Allocation Site Location Plan



Summary of Appellant/MK Figures

- 1.82 I consider that while there are approved consents for individual parts of the site, it is realistic to consider these sites as parcels within one larger site. The proximity of the Strategic Reserve immediately south of the Eastern Expansion Area might encourage one to consider the whole area as a single strategic expansion area. I have not taken this approach but the proximity must be taken into account when considering likely completion rates.
- 1.83 I do not consider it realistic to expect all of the individual landownerships to be released and developed concurrently, but rather, sites will be developed consecutively leading on from each other.
- 1.84 The equalisation requirement of the SPD might, in my opinion, may also cause a delay in the delivery of the development due to the potential for disputes between parties
- 1.85 The table below illustrates the assumed completions rates for this site based upon the Council's 2017 evidence and my own assessment.

Table 15 Strategic Reserve Difference in forecast completions MKC and SPRU

Strategic Reserve	2017/18	2018/19	2019/20	2020/21	2021/22	2017/18 to 2021/22	Discount	2017 to 2021/22 discounted	Ave 2017/18 to 2021/22
MKC 5 yr LS	64	355	570	535	510	2034	188	1846	369
SPRU	10	64	200	200	250	724		724	145
SPRU/MKC	-54	-291	-370	-335	-260	-1310		-1122	-224

Detailed Discussion

- 1.86 The Council's approach, as set out in the Table below, appears to treat each part of the Strategic Reserve as a separate site rather than consider how the land might actually be delivered.

Table 16 Strategic Reserve: Summary of Consents and Council's Delivery

Site	2017/18	2018/19	2019/20	2020/21	2021/22	Total	Discount	Total discounted completions
SIBLEY HAULAGE (Land At Gables) (Lea Valley Developments)	34	0	0	0	0	34	0	34
Ripper Land (Minton)	0	25	65	30	0	120	0	120
Haynes Land/ West of Eagle Farm (BDW)	0	50	75	75	50	250	25	225
Eagle Farm (BDW)	30	100	100	100	80	410	41	369
Glebe Farm (Taylor Wimpey)	0	100	230	230	230	790	79	711
Golf Course Land	0	30	50	50	50	180	18	162
Church Farm (Connelly Homes)	0	0	0	0	50	50	5	45
West of Stockwell Lane	0	50	50	50	50	200	20	180
	64	355	570	535	510	2034	188	1846

- 1.87 There are now three reserved matters approvals on this Strategic site these being Sibley Haulage (full 34 dwellings), Eagle Farm (Phase 1 infrastructure, Parcel B1 259 dwellings), and Haynes Land (infrastructure only). There are presently no reserved matters approvals for the 1,846 dwellings that MKC are forecasting to be delivered from this site.
- 1.88 There is only 1 parcel with dwellings under construction out of a total 8 parcels. In the case of Eagle Farm and Glebe Farm there are 3 reserved matters applications which subdivide these larger sites. There are 3 housebuilders identified in the delivery of this area Taylor Wimpey (Glebe Farm), Barratt/ David Wilson (Eagle Farm and Haynes Land/West of Eagle Farm) and Connelly Homes at Church Farm. This is in comparison to the 12 active parcels and 15 developers who delivered the early part of the Eastern Expansion Area.
- 1.89 Both Haynes Land/West of Eagle Farm and Eagle Farm are being developed by Barratt/David Wilson which represents two single outlets at 40dpa so this equates to 80dpa across the two parts of this site.

- 1.90 The issue of equalisation agreements (CD12.11, Mr Goodall paragraph 10.61, page 78) is a consideration in terms of the timing and rate of delivery. These are difficult to broker and then police. The fact that there is not common agreement as to who is signing up for the tariff means there will be two different approaches to the Section 106 agreements one tariff based the other negotiated individually on a site by site basis. The fact that there remains these two difference approaches is indicative that there are still issues to resolve regarding the delivery of infrastructure.
- 1.91 Gallagher Estates are in control of Haynes Land/West of Eagle Farm, Eagle Farm and Glebe Farm and this will need to be disposed of to developers to pursue their own reserved matters approval. I note that the outline application for Eagle Farm condition 3 provides 10 years for the submission of reserved matters (Appendix 34.2) and condition 2 of the reserved matters application for infrastructure on Glebe Farm requires reserved matters to be submitted by 2025 (appendix 38.2). The reserved matters for Haynes Land and Eagle Farm 2 has been made by BWD Homes (Barratt and David Wilson). The reserved matters application for Glebe Farm has been made by Taylor Wimpey.
- 1.92 In considering the reality of the levels of completions being forecast it is relevant to note that when start dates were given by Gallagher for the Western Expansion Area, at the Core Strategy Examination these were over-optimistic by 2 years (see Table 4: Core Strategy evidence compared to actual completions for WEA). They have also been over optimistic with regard to the build rates on WEA.
- 1.93 The Council's June 2017 five-year supply evidence suggest that there will be 64 completions this year on the Strategic Reserve.
- 1.94 The Council suggest that completions rates on the Strategic Reserve will rise to 570 dwellings in the next two years (i.e. by 2019/20). This would far exceed the highest rate of delivery seen on any site in England and be occurring at the same time as the Eastern Expansion Area to the north (Brooklands) is predicted to be achieving over 400 dpa, and the Western Expansion Area is delivering 737 dpa. There is nothing to support these levels of completions from either the local or national evidence base.
- 1.95 The Golf Course Land is also reliant on the delivery of Haynes Land/West of Eagle Farm and Glebe Farm for access to the site and as such, it is unlikely to come forward

until these sites are built out. Like other consents this permission requires reserved matters to be submitted within 10 years (appendix 35.2).

- 1.96 I have revised the trajectory to reflect a more realistic but aspirational timing of the delivery of completions (Table 17), including moving the start date for some sites back to 2019/20 to reflect Gallagher likely over estimation of these. While I note that there are potentially 3 housebuilders linked to this site Barratt/David Wilson, Connolly, Mears New Homes this does not suggest that the site will deliver better than might be suggested by the national average for this type of site.
- 1.97 I expect the 34 units on Sibley Haulage to be delivered in the next two years but that other parts of this site are unlikely to deliver meaningful completions until 2020/21 when the site could deliver some 160 dwellings in 2020/21 and 2021/22 years. This is just over 50 dwellings a year for each of the identified developers.

Sibley Haulage (Land at Gables)

- 1.98 Full planning permission was granted in 2015 under Application Reference 15/01492/FUL for the erection of 34 dwellings which has now started and it is agreed that these will be delivered in the next five years starting in year 2017/18.

Ripper Land

- 1.99 The site is subject to a planning application under Reference 17/00303/OUT submitted in February 2017 for up to 120 dwellings and is currently pending (Appendix 36). The application was submitted by Minton Wavendon, and there is no indication that there is a housebuilder presently engaged on this site. The site is not currently being marketed.
- 1.100 Comments from the Countryside Officer and Natural England have raised concerns about the loss of MG5 lowland meadow BAP habitat and have requested that consideration be given to a revised site layout.
- 1.101 I accept that there is time for the site to be disposed of to a developer, reserved matters approval achieved and the site to be completed within the next five years. I consider that the site will deliver 120 dwellings within the five-year period but its disposal to a developer and rate of completions will be influenced by the development and sales that are occurring on other parts of the Strategic Reserve.

Haynes Land/ West of Eagle Farm

- 1.102 Outline consent (14/02167/OUTEIS) was approved in April 2015 for up to 385 dwellings with associated works (Appendix 34.1). A reserved matters application for Phase 1

infrastructure works comprising roads, redways, attenuation ponds, foul and surface water drainage and associated earthworks was approved on 6th October 2015. Construction of these works has now begun.

- 1.103 A further reserved matters application was permitted on 9th August 2017 (Ref: 17/01038/REM) for Phase 1 Parcel B1 between Haynes Land and Eagle Farm regarding matters of access, appearance, landscaping, layout and scale for 259 dwellings.
- 1.104 A Reserved Matters application was validated on 18th September 2017 under reference 17/02483/REM for Phase 2, Parcel D1 for 200 dwellings. The application was submitted by BDW Trading.
- 1.105 The Council suggest that this site will be developed by Barratt/David Wilson and be capable of delivering some 250 dwellings in the next five years at rates of up to 75 dpa while at the same time the same developer is delivering 100 dpa on Eagle Farm.
- 1.106 Given the proximity of Eagle Farm which is also being delivered by the same developer the assumed 50 dwellings to be completed next year is unlikely. The provision of infrastructure prior to securing completions on site would suggest that completions are unlikely to occur until 2020/21 as works on site have only just begun. The rate of completions is likely to be around 40 dpa and the delivery rate on this site will be influenced by the rate of completions being achieved on other sites in the strategic reserve and in particular by rates achieved on Eagle Farm by the same developer. This is consistent with my evidence base and together with my other assumptions regarding timing result in an optimistic but achievable build out rate for the Strategic Reserve overall of about 171 dpa.

Eagle Farm

- 1.107 Planning permission was granted in April 2015 (13/02381/OUTEIS) for up to 410 dwellings, a primary school, mixed use local centre and associated works. Various discharge of condition applications has been submitted as recently as 31st March 2017 by Gallagher Estates (17/00853/DISCON) (Appendix 37).
- 1.108 A reserved matters application for Phase 1 infrastructure works was granted in November 2015 under reference 15/00990/REM. A reserved matters application for access, appearance, landscaping, layout and scale for 259 dwellings was approved under reference 17/01038/REM for Phase 1, parcel B1. The application was submitted

by Barratt/ David Wilson Homes and validated on 21st April 2017 and approved on 9th August 2017.

- 1.109 The Council forecast that there will be 30 dwellings delivered this year and that this will rise to deliver 100 dwellings each year to 2020/21 when completions will fall to 80 completions in the last year (2021/22). This would deliver some 410 dwellings in the five-year period would entail further reserve matters approvals.
- 1.110 This means that combined with the Haynes land, Barratt/David Wilson would be delivering up to 175 dwellings a year on this strategic site. This is not realistic. I would expect the company to manage its output so that it is not in competition with itself.
- 1.111 In respect of the lead in time, the reserved matters for Phase 1 has only recently been submitted and it is unlikely that the approval of the application and subsequent infrastructure provision could result in any substantial completions on site this year. I consider it more likely that completions delivered on site in the year 2018/19, which allows 15 months for determination of the reserved matters application for Phase 1, parcel B1 and to sign off the conditions when considering suitable lead-in times. While this developer has delivered over 100 dpa, it has not done this consistently and given that the other developers also forecast to be delivering on this Strategic site at the same time I do not think that the overall completions for their two sites is likely to exceed 80 dpa.

Glebe Farm

- 1.112 An outline planning application (13/02382/OUTEIS) for up to 1,140 dwellings, a primary school, a secondary school, mixed use neighbourhood centre and associated works was approved in April 2015 (Appendix 38).
- 1.113 Reserved matters (15/01025/REM) for Phase 1 infrastructure works was approved in November 2015.
- 1.114 Various discharge of condition applications have been submitted as recently as 14th August 2017 by Gallagher Estates, a reserved matters application has been submitted by Taylor Wimpey for 170 dwellings under reference 17/02883/REM and is currently pending.
- 1.115 The Council state that mitigation measures for the archaeology mean that housing development in certain areas of the site cannot start until 2018/2019, hence the reduced build-out rates in the earlier years compared to earlier forecasts.

1.116 As the reserved matters application for 170 dwellings for Taylor Wimpey is still pending, it is unlikely the site will start delivering completions in the year 2017/18 as forecast by the Council's 2017 Housing Land Supply Statement. It is likely that Gallagher will seek to release the site in parcels after they have provided the infrastructure. As we have seen with other sites, there will be some overlap of completions trailing off on some sites while others start building up.

1.117 Given these circumstances and methods of operation of Gallagher, it would be appropriate to consider that completions will commence in 2019/20, assuming that the reserved matters application is granted, then Taylor Wimpey could start delivering 40 completions a year from 2019/2020 onwards.

Golf Course Land

1.118 The Council forecast this part of the Strategic Reserve delivering 180 dwellings out of a total 400 dwellings in the five-year period. This site is currently in active use as a golf course.

1.119 Outline planning permission (14/00350/OUTEIS) for up to 400 homes was approved in April 2015. This application was submitted by Merton College, University of Oxford and Wavendon Residential Properties LLP. No further applications have been submitted (Appendix 35).

1.120 The Five-Year Housing Land Supply Assessment published in 2015 states *"the site is land locked with access needing to be provided from an adjacent site"*. The Design and Access Statement submitted with 14/00350/OUTEIS states at Paragraph 9.1 that access will be provided through other parcels of land (Appendix 35.3).

1.121 At present there is no indication that the road will be supplied early by the developers of the other areas of land in terms of legal agreements by landowners or developers.

1.122 As such, I consider it highly unlikely that this site will deliver completions in the year 2018/19 when taking into account the access to this site will be taken from the adjacent Haynes Land and Glebe Farm Site, and as the site had yet to be sold to a developer. It is more realistic that completions will occur once the adjacent sites have been substantially built-out and can provide suitable access. It is therefore prudent given the likely timescale for building out on the other sites in my evidence that this site should be excluded from the five-year supply.

1.123 This results in a total reduction of 180 dwellings from the five-year supply period.

Church Farm

- 1.124 It is agreed that this site will deliver 50 dwellings in the 2021/22 period.

West of Stockwell Lane

- 1.125 An outline planning application was submitted in November 2015 under application reference 15/02768/OUT by the Fairfield Partnership has recently been granted (14 September 2017) and an application to discharge condition 7 relating to archaeology is currently pending under reference 17/01190/DISCON.
- 1.126 The site has yet to be sold to a developer, and is not currently being marketed.
- 1.127 The Council forecast the site will deliver 240 dwellings but I consider it unrealistic that 50 dwellings will be delivered on site in the year 2018/19. The Section 106 agreement has recently been signed, and only one application has been made to discharge the archaeological pre-commencement condition but no reserved matters for house types have been submitted.
- 1.128 I consider it more realistic that this site will start producing completions at 2019/20 and then at a slightly reduced rate given the other developments that are occurring on nearby parts of the Strategic Reserve. I have assumed some 40 dpa from this site over 3 years to 2021/22.

Conclusion

- 1.129 The consequence of these individual assumptions on each of the areas is that the delivery rate of the Strategic Reserve will average 188dpa from 2018/19. This is above the national average rate of annual rate of 171 dpa for a greenfield size of site.
- 1.130 It is appropriate, when compared to other Quarters in terms of the rate of delivery, In my view this represents a realistic outlook for both the Strategic Reserve, and Milton Keynes in general, when compared to both national and local evidence on delivery of sites of this size.

Table 17 Strategic Reserve Sites SPRU Forecast Completions

Strategic Reserve Sites (SPRU Revised)	Developer/	O/L, Full or RM	2017/18	2018/19	2019/20	2020/21	2021/22	2017/18 to 2021/22	difference to undiscounted 2017 5 yr. LS
Sibley Haulage (Land at Gables)	Mears New Homes/Lea Valley Developments	Full	10	24	0	0	0	34	0
Ripper Land	Minton Wavendon	O/L Pdg	0	0	40	40	40	120	0
Haynes Land/West of Eagle Farm	Gallagher Estates/ BDW	O/L, RM Pending	0	0	40	40	40	120	-130
Eagle Farm	Gallagher Estates/ BDW Homes	O/L, RM (P1 Infra), RM Phase 1 (BDW)	0	40	40	40	40	160	-250
Glebe Farm	Gallagher Estates	O/L, RM (Phase 1 Infra), RM Pending	0	0	40	40	40	120	-670
Golf Course Land	Merton College, University of Oxford and Wavendon Residential Properties LLP	O/L	0	0	0	0	0	0	-180
Church Farm	Connolly Homes	O/L	0	0	0		50	50	0
West of Stockwell Lane	The Fairfield Partnership	O/L Pdg	0	0	40	40	40	120	-80
Total			10	64	200	200	250	724	-1310

(5) EATON LEYS

Introduction

- 1.131 This site gained outline planning permission (15/01533/OUTEIS) on the 17 June 2017 and the Council forecast that all of 600 dwellings will be completed by the end of March 2022 (appendix 24).

Table 18 Summary of Plot Status at Eaton Leys

Eaton Leys	
Plots with O/L	600
Plots with RM	0
Plots with RM Pending	0
Plots with No Consent	0
Plots U/C at September 2017	0
Plots Completed at September 2017	0
No. of Developers (and who)	0
Total	600

- 1.132 It is pertinent to note that the grant of this permission was partly influenced by the lack of a five-year land supply.
- 1.133 The application extended across two local authority areas with 600 dwellings in MK and the larger number, 1,200 dwellings, in Aylesbury Vale District Council. The applicant is JJ Gallagher Ltd.
- 1.134 The application identified the different elements of the infrastructure that were to be delivered in each Council's area as follows:

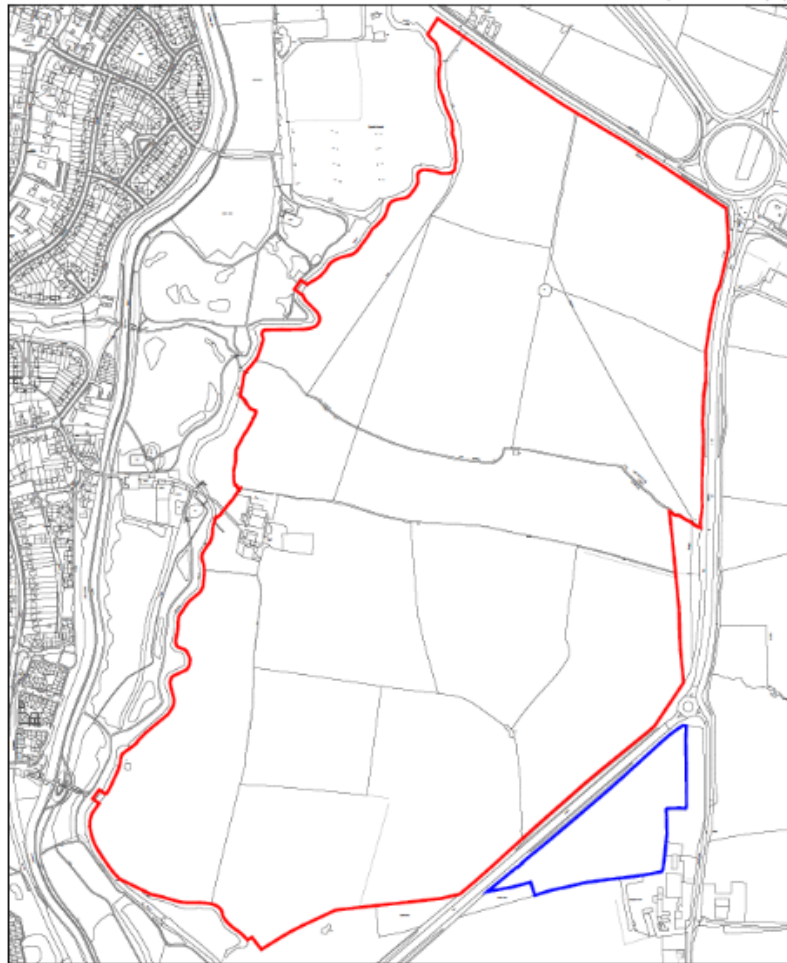
"Milton Keynes; the development of up to 600 dwellings, a local centre to include retail and a community centre, a health centre, land reserved for a one 1 form of entry primary school, associated highway infrastructure including one proposed vehicular accesses with the A4146, one proposed pedestrian and cycle bridge crossing the river Ouzel, multi-functional public open space, informal amenity space, children's play space, open space incorporating the scheduled monument, surface water attenuation and strategic landscaping, and associated services and utilities infrastructure.

Aylesbury Vale; the demolition of all existing farm buildings (except farmhouse) and the development of up to 1,200 dwellings, one 2 forms of entry primary school, associated highway infrastructure including one proposed vehicular accesses with the A4146, one proposed pedestrian and cycle bridge crossing the river Ouzel, multi-functional public open space, informal amenity space, children's play space, playing fields, allotments,

surface water attenuation and strategic landscaping, and associated services and utilities infrastructure.”

- 1.135 The applicants withdrew the application for the part of the site that was in Aylesbury Vale. The area was promoted as an integrated development and the applicant is now pursuing that element of the site which is in Aylesbury Vale though the local plan process.

Fig 5: Eaton Leys Site Location Plan



Summary of Appellant/MKC Figures

- 1.136 The Council suggest that this site will deliver completions by 2019/20 at an average rate of 200 dpa. In the previous Woburn Sands appeal in July 2017 Mr Goodall on behalf of MKC suggested that the delivery of dwellings will occur in 2019/20 but that the average rate will be lower than that set out in the MKC June 2017 data, at 150 dwellings (CD12.7).

- 1.137 My forecast is that the first dwellings will be delivered a year later in 2020/21 but at a rate similar to that which occurred in the first two years of build at WEA (Area 11).

Table 19 Eaton Leys summary of delivery

	2017/18	2018/19	2019/20	2020/21	2021/22	2017/18 to 2021/22	Discount	2017/18 to 2021/22	Ave 2017/18 to 2021/22
Eaton Leys									
MKC 5 yr LS	0	0	50	295	255	600	60	540	180
SPRU	0	0	0	140	140	280		280	140
SPRU/MKC	0	0	-50	-155	-115	-320		-260	-87

Detailed Discussion

- 1.138 It is not clear how the removal of the larger part of the strategic site will impact on the delivery of the MK element of the scheme given that the area was designed as a whole. Indeed, reference to the plan (Appendix 24.3) shows that the boundary runs through the northern part of the site. The plan in the committee report suggests that the district boundary runs along middle of the southern spine road of the site that lies in MK.
- 1.139 In my view, the reserved matters application will have to be delayed to allow for a redesign of the scheme (to take into account the potential of the southern part of the site not gaining consent) and is now being promoted though the review of the Aylesbury Vale Local Plan.
- 1.140 I note that details for four of the pre-commencement conditions have been submitted. But a number are still outstanding including:
- a. (7) phasing plan.
 - b. (11) storm water drainage design.
 - c. (12) a foul water strategy.
 - d. (17) updated protected species survey report.
 - e. (26) scheme to construct foot bridges across the River Ouzel
- 1.141 There is additional technical and design work required in order to bring this site forward which will include the need for the protected species reports to be reviewed (these were done in 03/07/2015).
- 1.142 In relation to the footbridges I note appendix 24.4 that the EIA states:

“11.113 Two new pedestrian crossings are proposed over the River Ouzel to provide pedestrian access and connections across to Bletchley and Milton Keynes. The location and construction of these footbridges will be reliant on third party land and co-operation.”

1.143 The EIA (appendix 24.5) further states:

“5.4 The indicative construction programme for the Development is anticipated to span approximately eight years.

5.5 The construction of the Development is anticipated to commence in 2016, subject to gaining planning permission, with a completion year of 2024. It is anticipated that approximately 200 to 300 dwellings will be completed per year of construction in a phased manner across the Site, with first occupation 2019.”

1.144 As with the approach to all of the Gallagher's sites, housing completions will need to be preceded by reserved matters applications and the disposal of parcels to house builders.

1.145 I consider that the Council's forecast of both lead in times and delivery rates to be over optimistic. I note that the evidence of the Council's witness (CD12.11) in the appeal earlier this year suggested there would be at least 30 to 32 months from completion of section 106 agreement to build out of first dwelling. (10 + 4 + 6 + 10 to 12).

1.146 Gallagher Estates submitted at the Core Strategy examination, in respect of the WEA, that start dates would take place within two years of the examination i.e. in 2011/13/14. But these actually occurred in 2015/16 which was 4 years from the examination.

1.147 Given the range of outstanding matters that are required prior to commencement on site I consider it to be unrealistic to expect completions on this site in 2019/20 but that these will occur one year later in 2020/21. This is just 3 years after the grant of an outline application in a situation where as yet no housebuilder is engaged.

1.148 These longer lead in times for Gallagher's are also supported by reference to progress on the Strategic Reserve. Glebe Farm and Eagle Farm gained reserved matters approvals (15/01025/REM and 15/00990/REM) in November 2015 this was 7 months after the approval of the outline (13/02382/OUTEIS and 13/02381/OUTEIS) and to date 2 years later there are still no dwelling completions.

1.149 I note that as of the 26th October 2017, there has been no Reserved Matters application submitted for the residential phase. A reserved matters application for the primary infrastructure was submitted under reference 17/03212/REM by Gallagher Estates in December 2017 and is currently pending.

1.150 In respect of the level of completions the average level of build out rates for a site of this size (now reduced to 600) is 86 a year (Appendix 7, NLP table 3 page 19). This should be the starting point of the assessment of delivery in this case. However, I do recognise the fact that Gallagher's approach has at times led to increased levels of completions compared to the national average and therefore I concluded a build rate of 140 dpa as this is what was achieved in the first two years of build on the WEA (Area 11).

(6) CAMPBELL PARK REMAINDER

Introduction

1.151 Campbell Park Northside site received outline planning consent in 2007 (04/00586/OUT) for mixed use comprising the following:

- a. Up to 2400 residential units;
- b. Up to 140,385 sqm office/retail space;
- c. Up to 2366 sqm leisure/community uses;
- d. Up to 6640 sqm “live work” units;
- e. New marinas along the Grand Union Canal.

Table 20 Summary of Plot Delivery at Campbell Park Remainder

Campbell Park Remainder	
Plots with O/L	0
Plots with RM	0
Plots with RM Pending	0
Plots with No Consent	1,500
Plots U/C at September 2017	0
Plots Completed at September 2017	0
No. of Developers (and who)	0
Total	1,500

1.152 Part of this wider strategic area has now been built out or is subject to separate proposals incorporating Blocks 14a and 14b and Canalside Marina. There is no particular site within this larger area covered by the earlier outline application which the Council have identified that will delivery the 150 dwellings.

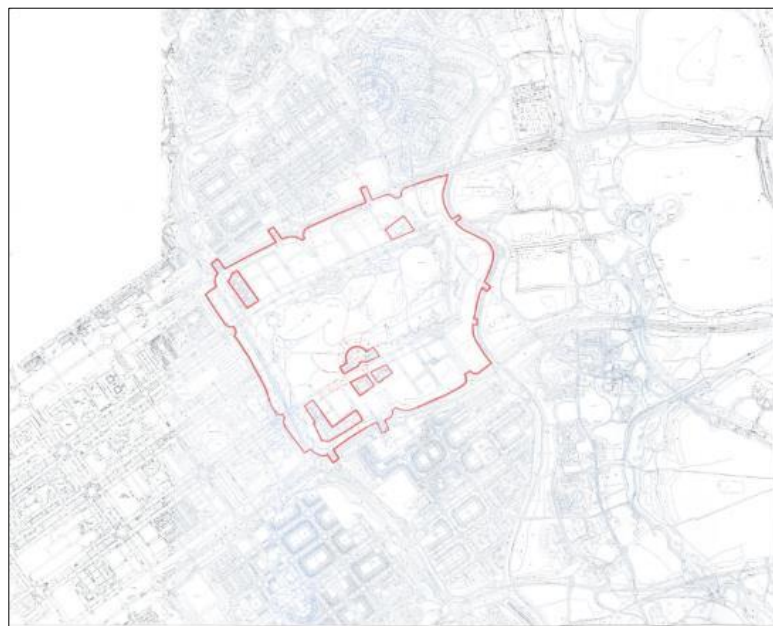
1.153 Campbell Park Remainder comprises the remaining land pursuant to outline consent 04/00586/OUT which expired in March 2017.

1.154 A reserved matters application was submitted in December 2016 under application reference 16/03648/REM for the erection of 60 apartments and relates to Parcel 21a within Campbell Park. This application was submitted by The Parks Trust and is currently pending (Appendix 25.1). It was deferred by the Committee on 12th October 2017 as the Committee expressed concern in respect of the lack of access

arrangements for disabled persons and concluded that despite the acceptable principle and design concepts of the proposal, this made the overall design and layout unacceptable (Appendix 25.3). This application was refused on 22nd November 2017 due to unsatisfactory arrangements in terms of accessibility of the proposed units for those with impaired mobility by reason of the positioning and levels of the units in relation to their associated car parking spaces (appendix 25.4). At the recent time, the history of inactivity, recent refusal of planning permission and the lack of an identified developer, means that there is not in my opinion realistic to consider that the site will deliver dwellings in the next 5 years.

- 1.155 An Environmental Impact Assessment Screening opinion for temporary engineering operation to stockpile material (general fill and clay) associated with the construction of a marina was submitted in May 2017 under reference 17/01170/EIASC. The application was submitted by Crest Nicholson.
- 1.156 A reserved matters application was approved in July 2017 under Reference 17/00429/REM for a Café, Community Centre, Play Area, Car Parking, Cycle Racks, Footpaths, Landscaping and ancillary works. The application was submitted by CMK Town Council.
- 1.157 No further applications have yet been submitted in respect of the remaining parcels for residential development.

Fig 6: Campbell Park Site Location Plan (04/00586/OUT)



Summary of Appellant/MKC Figures

- 1.158 At present there is no extant planning consent for this site as the outline application which covered this site now having expired. While the site is currently being marketed by Knight Frank the developer selection process has not been completed by MKDP.
- 1.159 The Council have reduced the level of completions forecast for this site in their most recent forecast.
- 1.160 The fact that original outline remained unimplemented for this part of the site for over a decade and that NKDC have only just embarked on a marketing exercise to find a development partner there is no robust evidence that the site will deliver housing completions in the next five years.
- 1.161 The difference between the forecasts are as follows:

Table 21 Campbell Park Remainder

Campbell park	2017/18	2018/19	2019/20	2020/21	2021/22	2017/18 to 2021/22	Discount	2017/18 to 2021/22 discounted	Ave 2017/18 to 2021/22
MKC 5 yr LS	0	0	0	50	100	150	15	135	27
SPRU	0	0	0	0	0	0		0	0
SPRU/MKC	0	0	0	-50	-100	-150		-135	-27

Detailed Discussion

- 1.162 The Council are relying on the projected completions provided by Milton Keynes Development Partnership MKDP (April 2017) who (according to the Five Year Housing Land Supply Assessment) report that, while they are still intended to bring forward residential development on this site, the expiration of an existing outline application in March 2017 has impacted upon the delivery of development and the potential number of dwellings to be delivered.
- 1.163 The Council are relying upon MKDP forecasts of 150 dwellings to be delivered in the last two years of the five-year period.
- 1.164 MKDP have been seeking expressions of interest for mixed-use development on the north side of Campbell Park since April 2016 (Appendix 25.2).

- 1.165 No further applications have yet been submitted in respect of the remaining parcels. Given the period during which the outline application has been extant and the lack of progress and lack of identifiable schemes, the 150 completions included in the housing land supply of this site are unrealistic.
- 1.166 Given the lapse of the earlier outline consent after 10 years and the lack of a developer, I do not consider it reasonable to expect any delivery from this element of Campbell Park.

(7) CANALSIDE MARINA

Introduction

- 1.167 This site was covered by the same outline planning permission (Reference 04/00586/OUT) as Campbell Park Remainder, granted in 2007. It expired in March 2017.

Table 22 Summary of Plots at Canalside Marina

Canalside Marina	
Plots with O/L	0
Plots with RM	383
Plots with RM Pending	0
Plots with No Consent	0
Plots U/C at September 2017	0
Plots Completed at September 2017	0
No. of Developers (and who)	1 (Crest Nicholson)
Total	383

- 1.168 A reserved matters application (17/00850/REM) submitted by Crest Nicholson has been approved in November 2017 for the erection of 383 dwellings, retail floorspace, restaurant and café floorspace, a nursery and associated works. Of the 383 residential units, 332 are apartments in 5 blocks with the remaining 51 units being houses aligned along the canal side in the east of the site.
- 1.169 A Hybrid application comprising full application for the construction of a marina to provide 100 berths for boats is pending under reference 17/00967/OUTEIS for the remainder of the site. The application was submitted by Crest Nicholson.

Fig 7: Canalside Marina 17/00967/OUTEIS Site Location Plan

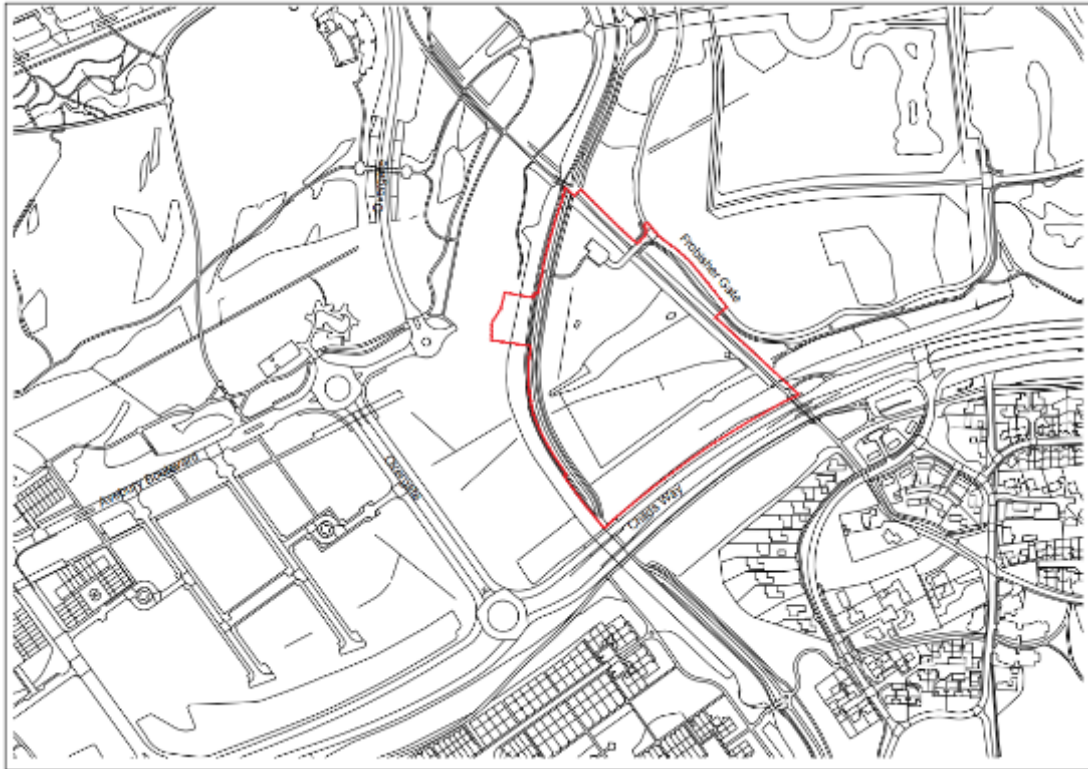
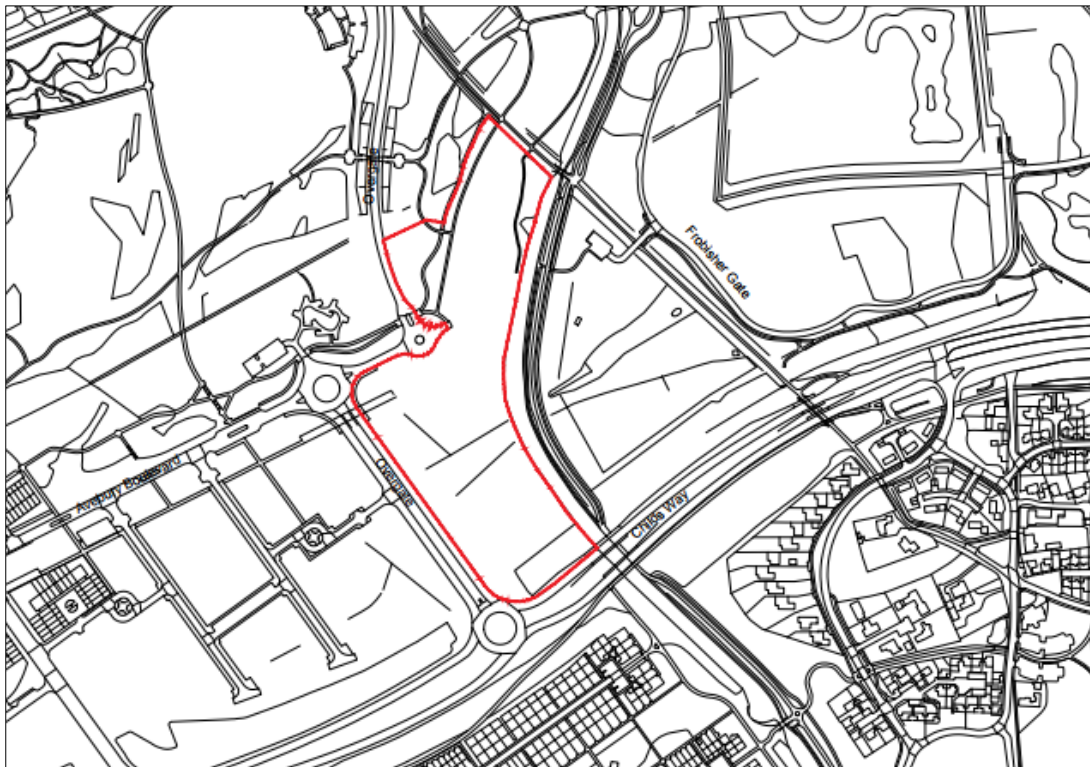


Fig 8: Canalside Marina 17/00850/REM Location Plan



Summary of Appellant/MKC Figures

- 1.170 MKC considered this site capable of delivering 280 dwellings in the last 3 years of the five-year period.
- 1.171 I consider that the creation of a marina, as well as the provision of infrastructure, will mean that in this case completions will be delivered a year later than envisaged by the Council. I further consider that the developers are only likely to complete one block of residential apartments a year, as the delivery of apartments is a higher risk: profits are only returned once all residential units are sold.
- 1.172 The difference between the Council's forecasts and my own are set out below:

Table 23 Canalside Marina

Canalside Marina	2017/18	2018/19	2019/20	2020/21	2021/22	2017/18 to 2021/22	Discount	2017/18 to 2021/22 discounted	Ave 2017/18 to 2021/22
MKC 5 yr LS	0	0	80	100	100	280	28	252	50
SPRU	0	0	0	60	60	120		120	24
SPRU/MKC	0	0	-80	-40	-40	-160		-132	-26

Detailed Discussion

- 1.173 The planning statement confirms (appendix 39, paragraph 2.19 and paragraph 6.19) that the residential elements of the scheme will be phased and that the affordable housing element might change within each phase. The majority of the units will be delivered in 5 blocks of apartments.
- 1.174 The Reserved Matter application (17/00850/REM) will include the provision of a 9 berth layby marina.
- 1.175 A Hybrid application comprising full application for the construction of a marina to provide 117 berths for boats is pending under reference 17/00967/OUTEIS. The application was submitted by Crest Nicholson. Figure 9 shows the location of the apartments in relation to the marina (figure 8).

Fig 9: Relationship between two halves of Canalside Marina- taken from Marina Application



- 1.176 The suggested 80 dwellings completed in 2019/18 look to be extremely optimistic given the scale of works entailed in delivering this mixed-use scheme. Also, the build out rate of 100 a year after the first year would appear high for this size of site. This site is to be delivered by a single developer Crest Nicholson who sell 42 dwellings a year off their outlets, plus RSL.
- 1.177 Nationally sites of this size deliver at about 60 dpa. This represents an uplift of almost 50% on the developer's national average but may be a reasonable assumption given that apartments in each block will complete at the same time.
- 1.178 The Council's forecast of 80 dwellings in the first year, rising to 100 in the next two years, is over-ambitious given the nature of the proposal and the track record of the developer.

(8) SITE ALLOCATIONS PLAN (SAP)

Introduction

- 1.179 A number of sites have been identified in the submission draft of the Site Allocation Plan. I accept that their inclusion is an indication that *the Council* consider that they are both appropriate and deliverable sites for housing. Such sites are in principle capable of being imported into the five-year housing land supply calculation. However, each site must be examined carefully, especially in the light of the ongoing SAP examination.
- 1.180 As highlighted in section 2, I attended the SAP examination, and the Inspector's subsequent letter has raised serious concerns regarding the soundness of 8 sites which had the potential to deliver up to 570 dwellings (CD9.7).
- 1.181 Of these sites, the Five Year Land Availability Assessment (CD12.4) includes SAP 14 (27 dwgs), SAP 18 (150 dwgs), and SAP 19 (135 dwgs) and SAP 20 (Former Employment Allocation at Broughton Atterbury) as contributing to the five year supply. As SAP 20 has an adopted development brief and an application lodged and awaiting determination, I have concluded that it may realistically delivery housing in the next five years. The capacity of SAP14, 18 and 19 totals 312 dwellings but because the Council apply a 'discount' of 10% to sites SAP 18 and SAP 19 then the impact on the Council's estimated supply is a reduction of 283 dwellings (i.e. 312-15-14) from the Council's figure.
- 1.182 All three sites have been identified as potential housing sites in the Plan MK Submission Plan.

Summary of Appellant/MKC Figures

- 1.183 In evidence for the July 2017, Woburn Sands inquiry, I argued that the contribution from the SAP sites should be reduced by 217 dwellings. Together with other objectors, I presented my evidence on delivery of the SAP sites to the Examination.
- 1.184 The Inspector at the SAP examination expressed serious misgivings to the soundness of the Plan.
- 1.185 In his post hearing note (26th September 2017, CD9.7) the Inspector identified four areas of concern regarding soundness, these being 1) the role of the SAP, 2) conformity with the core strategy (SAP 18, 19 & 20), 3) sustainable development opportunities (SAP 7 and SAP2) and 4) site availability (SAP 11, 13 and 14). If the SAP Inspector is unpersuaded regarding the suitability of the release of sites SAP 18 & 19 and the

availability of SAP 14, then the implications for the land supply is set out in the table below.

Table 24 Impact of the SAP examination Inspector's conclusions on delivery

SAP Allocations	2017/18	2018/19	2019/20	2020/21	2021/22	2017/18 to 2021/22	Discounted	2017/18 2021/22 Discounted
MKC 5 yr LS	11	15	77	193	151	447	29	419
SPRU / SAP inspector	11	15	77	32	0	135		135
Difference	0	0	0	-161	-151	-312		-284

1.186 The Table below lists the sites which have been left unchallenged by the Inspector and myself.

Table 25 Impact of Inspector's Conclusion on Delivery of SAP Sites

	2017/18	2018/19	2019/20	2020/21	2021/22
Land at Our Lady of Lourdes Church (SAP 1)	11	0	0	0	0
Land Off Singleton Drive (SAP3)	0	0	22	0	0
Land North of Vernier Crescent (SAP5)	0	0	14	0	0
Gurnards Avenue (SAP6)	0	0	0	14	0
Land at Bergamont Gardens (SAP8)	0	0	15	0	0
Land Off Hampstead Gate (SAP12)	0	0	16	0	0
Manifold Lane (SAP16)	0	0	0	18	0
Land Off Ladbroke Grove (SAP21)	0	15	10	0	0
Land at Broughton Atterbury, Oakworth Avenue, Broughton (SAP 20)	0	50	50	30	0
Total	11	65	127	62	0

Detailed Discussion

1.187 In response to the Examination Inspector's concerns (expressed in a letter dated 26th September 2017 [CD9.7]), the Council have responded to these concerns in a submission to the Inspector dated 23rd October 2017 (PC3A) (CD9.8). I have reviewed the evidence in this response and note firstly, that all the substantive points which the

Council argue demonstrate the sites availability have in fact already been placed before the Local Plan Inspector, and as such, do not amount to new or persuasive evidence.

- 1.188 I note that the comments on page 2 of the Council's Response of October 2017 (PC3A) (CD9.8) identify SAP 18 & 19 sites as "*vacant employment land*" which has already been outlined in the SAP Submission Version of October 2016. The following paragraph refers to employment land evidence published post adoption of the Core Strategy (i.e. The Employment Land Review of November 2015) as providing the justification for permitting residential uses on these sites. This document was submitted as part of the evidence base of the SAP under document ID ECO1a and ECO1b in April 2017.
- 1.189 This evidence has already been before the Inspector and so his concerns (letter dated 26th September 2017 (CD9.7)) are made in full knowledge of this evidence. The Inspector also had the opportunity to hear the officer's express their professional judgement at the Examination.
- 1.190 The analysis of the Core Strategy offered in the Council's response dated October 2017 (CD9.8), attempts to find 'hooks' on which to justify the release of these sites. This again represents no new evidence on this matter for the Examination Inspector. These are set out in Table 1 (CD9.8). For example, in terms of the analysis of Paragraph 4.4 and 5.25 of the Core Strategy where officers identify the risk of a reliance on large sites as a justification for this, this hook has already been brought to the attention of the Inspector in Section 3 of the SAP Submission Version dated October 2016, which sets the context for requiring the SAP in the first place. It states at paragraph 3.5 of the SAP:
- "Secondly, national policy also requires land to be 'deliverable' and at the hearing sessions of the Public Examination of the Core Strategy in July 2012 the Inspector highlighted concerns regarding the need for the short-term supply of housing land to be supplemented to ensure rural housing targets can continue to be achieved and to provide some flexibility and contingency to existing urban land supply. The expectation of the Inspector was that this would be in the form of non-strategic sites that could come forward quickly (i.e. inside five years), the type of site which was not considered through the Core Strategy process, which focused on strategic allocations (upwards of 2,000 homes)."*
- 1.191 The risk of a reliance on large sites is not justification specifically relating to SAP18 and 19 for their inclusion as potential housing allocations and removal as strategic employment allocations in Policy CS3.
- 1.192 Table 1 of the Council's response dated October 2017 does not amount to a replication of the Core Strategy, but an interpretation of the paragraph. My reading of this analysis

as a whole does not lead me to conclude that it explicitly or indeed implicitly supports the deallocation of strategic employment sites identified in the Core Strategy and their reallocation for housing sites in the SAP. My reading is that it suggests that if there were significant underperformance, then this triggers a review, as well as the work in the SAP.

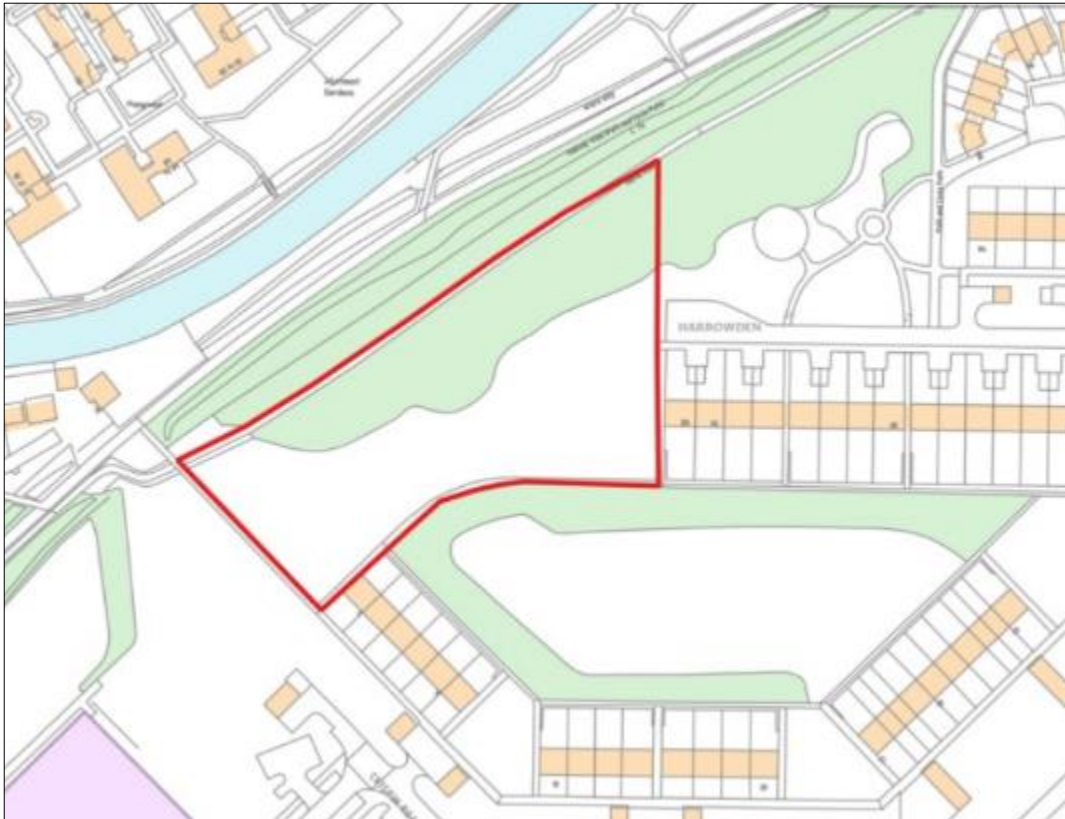
- 1.193 I take the Council's analysis to mean they accept that the Plan is significantly underperforming and, secondly, that the proposed approach to address this is a whole plan review (Plan:MK).
- 1.194 My reading of Paragraph 5.29 of the Core Strategy, which starts by saying "the proposed review of the Core Strategy (Plan:MK) will reassess the adequacy (both quantitative and qualitative) of the existing portfolio of employment land" is that the review of employment land, and hence its reallocation, is clear the remit of Plan: MK, not the SAP.
- 1.195 In terms of paragraph 5.32, table 1 referred to is an introductory paragraph to Policy CS3 of the Core Strategy which is the policy the Examination Inspector considered the reallocation of the sites would be contrary to, so this is clearly not new evidence for the Inspector to consider.
- 1.196 In terms of the reference to Policy CS8, this suggests that policy change will be delivered through the development plan. This is the issue that the Inspector was wishing the Council to address on sites SAP 18 & 19 i.e. that alterations to a policy designation in the Core Strategy should be undertaken through a review of the development plan, not a plan which is subservient to the Core Strategy.
- 1.197 My reading of Paragraph 8.12 highlights a similar point in that the options could include revising the Core Strategy (including of course the allocations in Policy CS3), revising other planning policies (like those relating to non-strategic employment land), or bringing forward new sites (i.e. not sites already allocated) through the SAP. This paragraph, in my opinion, does not allow for the SAP to remove strategic employment allocations. Such action would require a Core Strategy Review, an option also identified in this paragraph.
- 1.198 Table 17.1 of the Core Strategy sets out various courses of action including the review of the Core Strategy and/ or the Site Allocations Plan, there is nothing in Table 17.1 to suggest that the SAP can be used to reallocate strategic employment sites.

- 1.199 It is perhaps appropriate at this stage to consider the remit of the SAP as set out in the Core Strategy. Under footnote 14 for Table 4.1 (Core Strategy Objectives) one of its purposes is to identify 600 dwellings in the rural area.
- 1.200 The commentary in Paragraph 5.3 suggests that the SAP will identify land in addition to the Strategic Land Allocation which strongly suggests a role sitting alongside the Core Strategy, rather than one of revising it.
- 1.201 The relative scoring of the sites was already before the Examination Inspector in the Employment Land Review of November 2015 (Document ID: ECO1a and ECO1b), as was the success of Milton Keynes as an area of economic growth, including the argument that the loss of these sites would not undermine the Council's development strategy in the Council's original submission to the Inspector dated May 2017 (PC1A) (CD9.3).
- 1.202 On the 3rd November 2017, despite the Council's letter providing further information, the Inspector required further clarity stating *"I will be grateful, to ensure that my final understanding is correct, for a clear explanation from the Council as to how it identified sites SAP18, SAP19 and SAP20 as proposed housing allocations"* (CD10.2, PC3B).
- 1.203 The Council responded on the 17th November 2017 (CD10.3, PC3C) and this response is not substantially different to their previous response in October 2017. The Inspector has yet to respond, and this issue remains unresolved.
- 1.204 In summary, none of the Council's general justification in this submission provides any substantial new evidence which affects my conclusions on these three SAP sites. The Council have not provided any evidence which the Inspector has not already seen, and I am of the opinion these sites should be excluded from the five year supply.
- 1.205 In the next section, I deal with the assessment of the individual sites within the SAP which the Inspector expressed doubts over their delivery.

SAP14 – Land off Harrowden - remove 27 dwellings

1.206 The proposed allocation describes the previous use of this site as an “unused residential allocation”. It is clear that it is not the first time this site has been considered for residential use and that it has not previously been brought forward.

Fig 10: SAP14 – Land off Harrowden Site Location Plan



1.207 The key principles for the development of the site are;

- a. Proposals should reflect the wider regeneration work being undertaken by Your:MK in Bradville.
- b. Development should not commence until the wider regeneration plan is formalised and the site is confirmed as not being required for other purposes.

1.208 In their response to the Inspector's questions regarding the SAP examination, the Council has confirmed that SAP14 is located in North Bradville which is within one of seven priority estates across Mk which Your:MK are leading on the regeneration. North Bradville has been selected as the third priority estate to come forward (CD9.4).

1.209 Your:MK are programmed to start working with the local community in North Bradville in January 2018 so as to develop a plan for the area. It is the intention that detailed

plans, agreed by the community, will then go through the formal planning system 18 months later, therefore around July 2019.

- 1.210 The Council confirm that there has been no definite time set for the final physical completion of any works.
- 1.211 In response to the “other purposes” principle, the Council explain that this has been included within SAP14 so as to not prejudice any potential proposals that may come forward as part of the North Bradville regeneration programme.
- 1.212 While the Council state that they still expect that the site will come forward for residential use (and not be required for alternative purposes)- the policy is nevertheless directed to ensure that any regeneration plans for the estate are not restricted or adversely affected by any proposed use of this site.
- 1.213 It is my opinion that until the work has been completed on the regeneration plans for the estate, then the policy test in part (b) of the emerging policy has not been passed, i.e. that development should not commence until the wider regeneration plan is formalised and the site is confirmed as not being required for other purposes. As such, the site cannot be considered available and should be excluded from the five-year land supply.
- 1.214 The concerns expressed above regarding the likely delivery of the site were discussed at the SAP examination and the Inspector expressed the view that at the very minimum this site would not become available until at least 2020/21 and could not at present time be described as available or deliverable.
- 1.215 The Council’s response to the Inspector (23rd October 2017, PC3A [CD9.8]) includes no substantive points which the Council have not argued previously to demonstrate the sites availability before the Inspector, and as such, do not amount to new or persuasive evidence.
- 1.216 The claim that this site is available and will help regenerate North Bradville and forms part of a wider regeneration area in North Bradville was previously highlighted in the Council’s Response to the Inspector’s Preliminary Questions (PCB1) (CD9.4) dated May 2017 (pages 7-8). The assertion that work to develop a plan for the area would be starting in January 2018 (CD9.4) is also included in the same document.

1.217 I note the Council are now requesting the removal of clause (ii) of Policy SAP14 (page 8 of PC3A [CD9.8]) which states:

“ii. Development should not commence until the wider regeneration plan is formalised and the site is confirmed as not being required for other purposes.”

1.218 I have assumed that this is to make the site appear less constrained. However no justification for this new position is provided other than it now being considered unnecessary. Further, with no new evidence available to demonstrate that the site is not needed for other uses, I consider the Inspector’s expressed concerns should be given considerable weight, and the site should be removed from the five year supply.

1.219 I remain of the view that this site should be excluded from the five-year land supply.

SAP18 – Land at Towergate, Groveway - remove 147 dwellings

1.220 This site is an employment allocation identified in the Core Strategy.

Fig 11: SAP18 - Land at Towergate, Groveway Site Location Plan



1.221 This site is also identified in the Policy WNP2 of the Walton Neighbourhood Plan. The Council, in their submission to the SAP examination, explain that the access for the site is still undecided. The primary access point for this site is to be taken from H9 Groveway, and not Ortensia Drive, although Ortensia Drive will however most likely be required to provide secondary additional access (CD9.4).

1.222 The Council highlight that the Parks Trust comment that they would not grant consent for access to be taken across the land within their ownership. The Parks Trust request

that the key principles of the allocation should reflect the need for their agreement for access to be taken from Ortensia Drive, to which the Council response notes that the key principles can be changed to reflect this (CD9.4).

- 1.223 While the Council consider this does not result in the site being undevelopable, in my opinion it highlights that there remain access and ownership issues that need to be resolved prior to the site being considered available for development.
- 1.224 At the SAP examination the outstanding objection to the allocation of this site from David Lock Associates on behalf of Baytree/AXA was expanded upon which related to the loss of this large employment site located directly opposite an established and thriving employment site, and as such it is one of the most important and best available employment sites within Milton Keynes due to the proximity to the strategic road network (A421 & M1), and the inherent benefits of clustering and undeveloped form (Appendix 40). It was explained that it would be better to retain its status as a designated employment site which continues to provide logical space into which this established cluster can expand.
- 1.225 According to the MKC July 2017 update, an outline application is being worked up alongside SAP, the site will then be marketed under the Homes and Communities Agency's accelerated construction programme, with outline approval expected to be achieved by the start of 2018. The Council state that development on site is expected to begin Jun 2019 with it wholly developed by February 2022.
- 1.226 An Environment Screening Opinion Request was submitted in July 2017 by Amec Foster Wheeler on behalf of the HCA for approximately 170 dwellings.
- 1.227 At the SAP examination the Inspector correctly stated that the site was identified as an employment site in the Core Strategy (Table 5.4). He went on to state that as the SAP is a "daughter" document of the Core Strategy, it cannot reallocate this site for residential use. This was one of the sites which the inspector at the SAP examination suggested would need to be removed from the SAP. In these circumstances the SAP inspector's initial conclusions was that the site cannot be considered to be suitable or deliverable. He indeed requested the Council submit further evidence to support the allocation to address his concerns that as current employment allocations in the Core Strategy, their reallocation for housing in the SAP would be contrary to, rather than in

conformity with, the Core Strategy (CD9.7 [Inspector's letter dated 26th September 2017]).

1.228 I note that in relation to SAP18, the Council in their response to the Inspector dated 23rd October 2017 (CD9.8) provided evidence already in the possession of the Inspector. This relates to the location of the site with regard to the surrounding outline residential permissions was previously identified in Policy SAP 18 in the SAP Submission Version (October 2016) and states:

“A residential led development is provided which takes account of proposals on the adjacent sites in the ‘Wavendon Triangle’ that includes the land at Hewlett Packard (WNP 3) and the Fairfields development to the east”

1.229 In light of the above I have excluded the site from the five-year land supply.

SAP 19 – Land at Walton Manor, Groveway/Simpson Road - remove 135 dwellings

1.230 This is also identified in the Walton Neighbourhood plan which was made in January 2017, and it is presently an employment allocation, in the Core Strategy but is allocated as a mixed-use employment, housing and open space in the SAP.

Fig 12: Land at Walton Manor, Groveway/Simpson Road Location Plan



1.231 There is an outstanding objection from Natural England to this allocation on the following grounds:

“SAP 19 significantly impacts the central wildlife corridor of Milton Keynes. This is an area Natural England would expect to remain as green space under section 40 of the Natural Environment and Rural Communities Act 2006. If this area were to be developed, any development should carry a conditional requirement that at least 30% of the area be allocated as green open space and that contributions are made towards the improvement and management of the remaining wildlife corridor by the developer to compensate for impacts to rest of the site.” (appendix 40, page 16)

- 1.232 The Council's response is that some 0.95 hectares are allocated for open space which equates to 10% of the area and that as many of the SAP sites are previous Local Plan allocation or the Core Strategy, the impact has already been considered (Appendix 40, page 16).
- 1.233 At the SAP examination the Inspector correctly stated that the site was identified as an employment site in the Core Strategy (Table 5.4). He went on to state that as the SAP is a “daughter” document of the Core Strategy it cannot reallocate this site for residential use.
- 1.234 In the Council's response to the Inspector's concerns dated 23rd October 2017 (CD9.8), reference is made to the Walton Neighbourhood Plan. This was emerging at the time of the SAP Publication Draft (October 2016) and the Submission Version was published for consultation in June 2016, outlining the intentions for the site as residential led mixed-use development. The 2016 SAP Submission also refers to the Development Brief adopted in November 2015.
- 1.235 The only new evidence put forward by the Council in their October 2017 note is the suggestion of a main modification to the plan to include Figure 4 of Land adjoining Walton Manor Development Brief to include the approximately locations for residential and employment uses. This is clearly a new consideration, but not new evidence.

(9) TICKFORD FIELDS

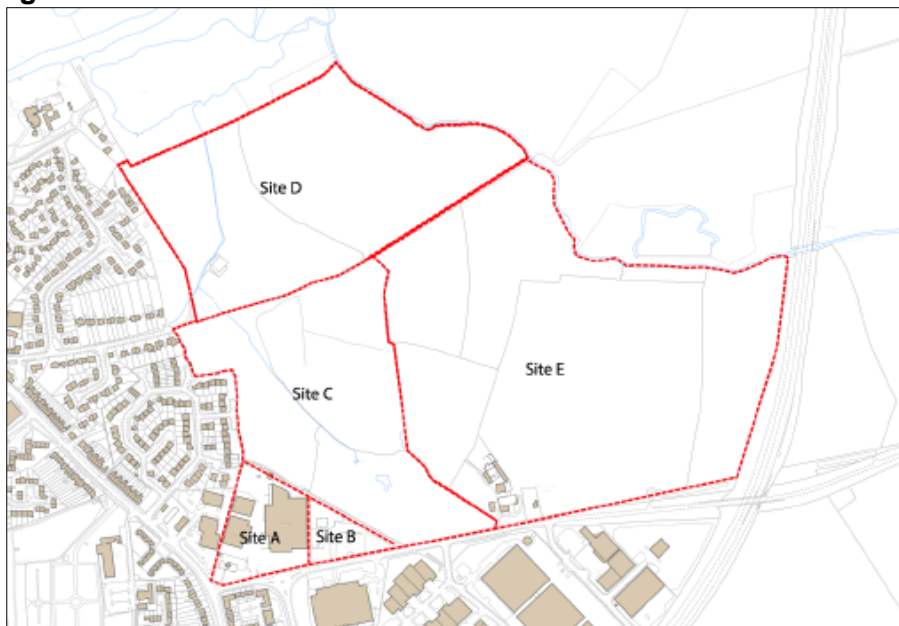
1.236 The site was first identified for housing in the 2005 Milton Keynes Local Plan as a Strategic Reserve Site. The site is divided into three land ownerships comprises part brownfield land, part greenfield land and consists of four different areas (Figure 13). Site A is owned by the Coal Board Pension Fund, Site B, C and E are owned by Milton Keynes Council and Site D is privately owned (Appendix 41).

Table 26 Summary of Plots at Tickford Fields

Tickford Fields	
Plots with O/L	0
Plots with RM	0
Plots with RM Pending	0
Plots with No Consent	600
Plots U/C at September 2017	0
Plots Completed at September 2017	0
No. of Developers (and who)	0
Total	600

1.237 An application for a screening opinion request was submitted in February 2017 under reference 17/00340/EIASCRC for approximately 1,100 homes, a two-form entry primary school, and 1-hectare local centre and associated works. The application was made by DLP Planning on behalf of Milton Keynes Development Partnership.

Fig 13: Location Plan of Tickford Fields



1.238 DLP intend to submit an outline planning application in January 2018.

Summary of Appellant/ MKC Figures

1.239 The Council suggest that the site will deliver completions from the year 2019/20 with 50 dwellings in year 1 and 100 dwellings per annum a year thereafter.

1.240 My forecast is that the first dwellings will be delivered two years later in the year 2021/22, but at a rate of 50 dwellings per annum in the first year.

Table 27 Tickford Fields Summary of Delivery

	2017/18	2018/19	2019/20	2020/21	2021/22	2017/18 to 2021/22	2017/18 2021/22 Discounted
Tickford Fields							
MKC 5 yr LS	0	0	50	100	100	250	
SPRU	0	0	0	0	50	50	-200
Difference	0	0	-50	-100	-50	-200	

Detailed Discussion

1.241 DLP are currently preparing the outline planning application which is anticipated to be submitted by February 2018 at the very earliest. In the previous Linford Lakes appeal, Mr Goodall on behalf of MKC suggested in table 10.2 that for sites of 500+ dwellings, the lead-in period to build out of the first dwelling on site is approximately 4 years (CD12.11). On this basis, you would expect completions to be first delivered in the year 2021/22 at the same level of completions anticipated by the Council.

1.242 I further note that our proposed lead-in time would be supported by the evidence of Gallagher's approach as set in Mr Goodall's appendix 34, paragraph 5.5 for Eaton Leys which suggests a start date on site in 2016, would be followed by first occupation by 2019. This does not take into account the need to gain reserved matters approvals on much of this site. Experience at the Strategic Reserve illustrates that the outline planning application for Eagle Farm was first submitted in 2013 with no completions yet to be delivered at January 2018 which is a period of 5 years from submission with no completions to date.

1.243 In terms of the timing of the delivery of the site, it is subject to the preparation of an Environment Statement and has yet to be sold to developer(s). A copy of the Screening Opinion is included at Appendix 44.

- 1.244 The capacity of the site is also likely to be less than the 1,100 homes previously proposed due to the master planning exercise and issues with flooding. It is more likely the capacity of the site will be 850 dwellings.
- 1.245 The implications of the above results in a reduction of 200 dwellings from the five-year supply period. It is considered that realistically completions will only be delivered in year 5, with 50 dwellings.

(10) OTHER SITES

1.246 In addition to the large strategic sites, there are several smaller sites which have yet to gain planning permission or do not have an application lodged at the current time. These are:

- Latham's Buildbase (75 dwellings);
- Lakes Estates Neighbourhood Plan Sites; Land South of Water Hall School (61 dwellings);
- Police Station Houses, High Street (14 dwellings);
- Site 4, Vernier Crescent (10 dwellings);
- Reserve Site 3 (22 dwellings);
- Reserve Site off Hendrix Drive (10 dwellings);
- Reserve Site (off Nicholson Grove) (19 dwellings);
- Reserve Sites A & D Hindhead Knoll (25 dwellings).

1.247 These sites equate to a total of 236 dwellings that have been removed from the supply.

Latham's Buildbase

1.248 The Council consider the site is capable of delivering 75 dwellings. The site has been a housing allocation since the adoption of the Local Plan in 2005 and is a brownfield site comprising of a building and timber merchant which is still in operation.

1.249 Given the length of time the site has been allocated, with no interest in the form of planning applications, it is considered highly unlikely completions will be delivered on site in the year 2019/20. As the site is also still operating as a company selling building and timber supplies, it is unlikely that the site will be delivered within the five-year supply period.

Lakes Estate Neighbourhood Plan Sites; Water Hall School

1.250 Land to the south of Water Hall School obtained planning permission under application reference 07/00075/MKCOD3 in March 2007 for the erection of up to 61 dwellings with associated works. An extension of time application was later permitted under application reference 10/00550/MKCOD3 in May 2010, which has since expired. This application was submitted by Milton Keynes Council.

1.251 The site has been in the Council's trajectory since 2014.

- 1.252 It is unlikely that any completions will be delivered in 2021/22. Given there are no planning applications, realistically any completions will be delivered outside the five-year supply period.

Police Station Houses, High Street, Newport Pagnell

- 1.253 The site was allocated for housing in the Local Plan 2001-2011 (adopted 2005) under Policy NP1. There are several vacant former police houses currently on the site that would require demolition prior to development.
- 1.254 Given the length of time the site has been allocated, with no interest in the form of planning applications, it is considered highly unrealistic completions will be delivered in the five year supply period.

Site 4, Vernier Crescent, Medbourne

- 1.255 With no planning history or other realistic evidence, it is considered unrealistic that completions will be delivered in the five year supply period. The site has been in the Council's trajectory since 2014.

Reserve Site 3, Westcroft

- 1.256 The site is under the control of MK Community Foundation according to the 2017 SHLAA and is listed on MKDP's Land Portfolio and a development brief was approved in October 2014. The site has been in the Council's trajectory since 2014.
- 1.257 It is, therefore, considered unrealistic that completions will be delivered in the five year supply period.

Reserve Site off Hendrix Drive, Crownhill

- 1.258 The site is still under the ownership of MKDP. The site has been in the Council's trajectory since 2014.
- 1.259 It is considered unrealistic that completions will be delivered in the five year supply period.

Reserve Site (off Nicholson Grove), Grange Farm

- 1.260 The site is still under the ownership of MKDP. It is considered unrealistic that completions will be delivered in the five year supply period.

Reserve Sites A & D Hindhead Knoll (Walnut Tree)

- 1.261 The site is still under the ownership of MKDP and is allocated under policy WNP5 of the Walton Neighbourhood Plan. The site is formed of two parts either side of Hindhead Knoll. The MKDP Portfolio states that deadline for submission of informal tenders for

the southern portion of the site was 15th September 2017. Two previous applications have been refused in 2004 and 2005 under references 03/02050/FUL and 04/02277/FUL for residential apartment scheme by Orbit Housing Association. A third application made by English Partnerships was approved in 2007 for 42 dwellings under reference 05/01386/OUT but was never implemented.

- 1.262 The site has been identified in the five year housing land supply trajectory since November 2010.
- 1.263 In light of the previous unimplemented consent and the long history of unsuccessful promotion of this site, I consider it unrealistic that completions will be delivered in the five year supply period.