



# **MILTON KEYNES COUNCIL RESPONSE TO INSPECTOR'S QUESTIONS FOR EXAMINATION HEARINGS – STAGE TWO**

## **MATTER THREE: INFRASTRUCTURE AND VIABILITY**

**QUESTIONS: Q3.42 – Q3.44**

***Q3.42 Is the approach to the review of settlement boundaries justified and effective? Are the methodology and key assumptions in the 2017 Settlement Boundary Study reasonable and appropriate to the circumstances in MK?***

3.42.1. Yes, the approach to the review of settlement boundaries was justified and effective. The NPPF definition of 'justified' is 'the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence'.

3.42.2. The approach taken to the settlement boundary review is considered appropriate because it is simple, clear, and consistent, and has the end result of a clear set of development boundaries for the Policies Map, which is required for the implementation of Policy DS5: Open Countryside.

3.42.3. A number of alternative approaches exist, some more reasonable than others. For example, there was a 'do-nothing' option of relying instead on the previous settlement boundaries, which were last drafted in 1995. However, this would (a) not have permitted clear definition of the greenfield site allocations necessary for Plan:MK to meet the Objectively Assessed Need for housing, and (b) would have had the undesired effect of Policy DS5 applying to significant areas of new or existing urban development which lies, for a variety of reasons, outside the previous settlement boundaries. Rather, to build on the cases where the 1995 boundaries were and are still valid, they were used as a starting point, and changes were made only where evidence exists to support that change.

3.42.4. Another alternative approach would have been to assess settlement boundaries for each settlement on a 'case-by-case' or 'fact and degree' basis, but it was considered that a consistent approach across all settlements, with transparent criteria being set out in Chapter 2 of the settlement boundary study, was significantly preferable as it would ensure greater certainty, fairness and equity for the local community and for Plan users. The upfront criteria are designed to be transparent and logical enough to permit replicability, i.e. any reasonable party, in applying these criteria, should be able to come up with exactly the same final set of boundary maps, having regard to the available history of local planning consents.

3.42.5. A further potential alternative approach would have been not to take account of development consents outside but adjacent to settlement boundaries, rather taking account only of implemented development. This was considered but rejected because it would not have taken account of the principle of development having been accepted on those sites. It would have had the undesirable effect of any party subsequently

applying for permission on a site where development had previously been accepted in principle having to expend unnecessary resources to re-establish that principle.

- 3.42.6. A final alternative approach would have been to be more rigid and less pragmatic, continuing to exclude existing development outside the 1995 boundaries; such development either was consented post-1995 but pre-dates the Milton Keynes online planning application database, or was not included within the 1995 boundary for reasons that are no longer clear. However, it was considered that continuing to exclude such development from settlement boundaries would have been unfair and inconsistent; it would have placed policy restrictions on some development based only on its time of consent or on the approach taken by a study now twenty-three years out-of-date.
- 3.42.7. The study is also considered to be justified because it took into account proportionate evidence. As mentioned above, this included the online planning consents mapping; it also included the boundaries of proposed Plan:MK site allocations; high-quality Ordnance Survey digital mapping, online satellite and aerial mapping, both current and historic; and other information and evidence from the parish and town councils affected by proposed settlement boundary changes, which were invited to input into the study as it developed, and verify its emerging conclusions. Additional evidence-based advice was provided by Milton Keynes Council with respect to the settlement boundary for Milton Keynes City itself.
- 3.42.8. The NPPF definition of 'effective' is: 'deliverable over its period, and based on effective joint working on cross-boundary strategic priorities'. The approach taken by the settlement boundary study is considered effective on this basis. The approach it took, outlined above, was designed to maximise its deliverability over the plan period, for example its consistency and transparency, and the resulting certainty it offers for local residents and Plan users. Although the second half of the NPPF definition is less directly relevant to the settlement boundary study, as it deals exclusively with land within Milton Keynes Borough, the extent and number of the strategic planning allocations whose boundaries it takes account of will have been based on joint working on cross-boundary housing need, and in that sense, the study is at least indirectly based on cross-boundary strategic priorities.

***Q3.43 Does Plan:MK incorporate the proposed amendments to settlement boundaries in the Settlement Boundary Study? Have any circumstances changed since November 2017 which would trigger the need for further amendments?***

- 3.43.1. Yes, Plan:MK and its associated Policies Map incorporate all the proposed amendments to settlement boundaries as outlined in the Settlement Boundary Study (MK/HOU/003).
- 3.43.2. There are potential further updates that could be made to the settlement boundaries of some settlements to account for updated circumstances since the completion of the review in November 2017. These amendments would predominantly relate to new sites (some of a substantial size, in terms of the number of dwellings permitted) outside the settlement boundaries of some rural settlements which have received planning permission on appeal since November 2017.
- 3.43.3. Two key examples of this are the development of 95 homes at “Land off Olney Road, Lavendon” and the development of 141 homes at “Land off Long Street, Hanslope”. Both of these sites are incorporated within the most up-to-date housing schedule, submitted with the Council’s Matter 3 statement, but neither is incorporated within the settlement boundaries of the respective settlements.
- 3.43.4. It is proposed that the Council provides a further update of the settlement boundaries to incorporate changes that have occurred since November 2017. It is proposed that the most suitable base date for this update is 1 April 2018, to align with the up-to-date housing trajectory which is proposed to be included within Plan:MK.
- 3.43.5. Furthermore, a number of rural settlements have progressed further in the preparation of their neighbourhood plans since November 2017 and have begun to identify sites for potential allocation outside of the boundaries currently proposed in the Settlement Boundary Review. However, at this stage, none of these plans has reached submission stage and as such it is proposed that these are not taken into account in updating the Settlement Boundary Review.

***Q3.44 How does the delineation of settlement boundaries in Plan:MK align with the ongoing processes of preparing and reviewing neighbourhood plans?***

- 3.44.1. As outlined within paragraph 2.11 of the Settlement Boundary Review, in cases where neighbourhood plans have been adopted, or were very close to adoption at the time of the review taking place, the settlement boundaries as outlined within the neighbourhood plans were used to form the basis of the boundary to be proposed for Plan:MK, subject to the agreement of the parish council concerned.
- 3.44.2. Where new development had occurred outside of the settlement boundaries set out within made neighbourhood plans post-adoption these sites were also incorporated in

the new proposed boundaries, again, subject to the agreement of the parish council concerned.

- 3.44.3. For rural settlements with neighbourhood plans, but where those plans were not at an advanced stage, the process for determining the updated settlement boundary was carried out as per the methodology outlined in the report. This reflects the fact that there was not yet enough certainty to incorporate forthcoming changes to the boundaries that will appear within the future neighbourhood plan, as well as ensuring consistency of approach across all settlements. Again, this was subject to the agreement of the parish council concerned.