



Plan:MK Examination Matter 3: Issue 6 Delineation of Settlement Boundaries

Statement on Behalf of Bovis Homes Limited

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?

1. The delineation of settlement boundaries demonstrates a lack of positive planning. The sole purpose of a settlement boundary is to restrict development to within what are inevitably the existing confines of the built-up area rather than providing the potential scope, ability or flexibility to accommodate some growth during a plan period. This is a particularly important matter for Plan:MK and any future proposals which might come forward via neighbourhood planning.
2. The constraint on growth is evidenced by Policy DS1 which explicitly refers to development at villages and rural settlements being in accordance with Neighbourhood Plans and *'Within defined settlement boundaries'* (emphasis added). This matter is reinforced by Policy DS2 which states the Council will permit *'development proposals within the defined settlement boundaries where they comply with all other relevant policies of Plan:MK and neighbourhood plans'* (emphasis added). Growth is, therefore, no envisaged outside a delineated settlement boundary and the land outwith the built-up area would be part of the open countryside subject to the constraints of Policy DS5.
3. The negative approach to delineating settlement boundaries is as direct consequence of the Council's unjustified decision not to have any housing allocations in the rural area (e.g. see the Sustainability Appraisal paragraphs 6.5.9 and 10.2.2 bullet 7 (MK/SUB/005). This is not a positive approach to planning for the needs of those people living in the villages and other rural settlements.
4. It is claimed in the Settlement Boundary Study (Ref MK/HOU/003) that *'The review of settlement boundaries across Milton Keynes will act as an important tool in identifying the interface between 'settlements' and 'countryside' for development management purposes.....directing inappropriate development away from rural areas (in line with paragraph 55 of the National Planning Policy Framework)'*. This is repeated at paragraph 4.65 of Plan:MK where *'Whilst other policies in Plan:MK cover specific types of development that may be acceptable in the open countryside, as exceptions, the objective of Policy DS5*



is to inform and provide a vision for development proposals on land outside of the defined settlement development boundaries, aligning with the NPPF (e.g. paragraph 55) whilst ensuring the safeguarding of open countryside from inappropriate development.'

5. However, paragraph 55 of the Framework (March 2012) does not refer to the concept of settlement boundaries and nor does it say that development should be precluded on the edge of settlements which possess services. Further, the term '*inappropriate development*' is not used in paragraph 55.
6. Instead, paragraph 55 directs development to locations where it will enhance or maintain the vitality of rural communities and avoid isolated new homes in the countryside. What an isolated dwelling might be has been considered by the Court of Appeal and does not include housing abutting a settlement (*Braintree DC v SSCLG* [2018] EWCA Civ. 610 refers to '*a dwelling that is physically separate or remote from a settlement*').
7. All the ineffective Settlement Boundary Study does is to perpetuate the 1995 settlement boundaries with only minor adjustments to reflect what development has occurred, allocations in Site Allocations Development Plan Document and the achievement of some degree of consistency in approach at each settlement. By reason of the decision taken to not identify allocations in the rural area, the Study is not 'joined-up' because it fails to consider the potential of the settlements to accommodate growth, especially those with the retail, community and social facilities, together with access by public transport. In the absence of an effective joined-up study, the unjustified preclusion of considering allocations within the rural area and the delineation of restrictive settlement boundaries, Plan:MK does not provide positive planning or adequate guidance for potential development at rural settlements (i.e. below Milton Keynes and the 3 named Key Settlements).
8. The implications of inadequate and ineffective guidance are exemplified by the Framework's reference to Neighbourhood Plans supporting the strategic development needs set out in Local Plans, including policies for housing and economic development that reflect the needs and priorities of communities providing they are planned in a positive manner. This implies that there should be a guidance in Plan:MK to identify the development needs of villages and rural settlements where a Neighbourhood Plan is to be prepared or reviewed. There is little merit in having an objective in Plan:MK to protect key services and facilities at sustainable rural settlement if the number of people using those



facilities is likely to decline because no new housing is proposed to off-set diminishing household size and overall population, and an aging population who would not have children attending local schools. Healthcare would be supported albeit the service would be under greater pressure because of a higher than average geriatric case load.

9. Accordingly, utilising a joined-up and effective study, together with a positive planning approach, Plan:MK should give clear guidance about the scale of growth to be delivered at each settlement through the Neighbourhood Plan process. In the absence of any allocations or scale of growth guidance, there a need for Plan:MK to explicitly enable Neighbourhood Plans to amend the settlement boundaries to accommodate the level of growth. Currently, Plan:MK is silent on whether such amendments would be permitted.

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?

10. Notwithstanding the concerns about the adequacy of the Study, Bovis Homes supports the proposed change at Castlethorpe whereby the group of dwellings to the south east of the railway are proposed to be included within the settlement boundary (Area C3). However, this change to the settlement boundary is merely rectifying an error in the Neighbourhood Plan rather than being a positive approach to planning for growth at Castlethorpe.

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

11. Plan:MK is abdicating the determination of if there will be growth at a particular villages and rural settlements and, if so, how much to Neighbourhood Plans. However, Policy DS1 explicitly refers to development at villages and rural settlements being in accordance with Neighbourhood Plans and '*Within defined settlement boundaries*' (emphasis added). This matter is reinforced by Policy DS2 which states the Council will permit '*development proposals within the defined settlement boundaries where they comply with all other relevant policies of Plan:MK and neighbourhood plans*' (emphasis added).
12. The settlement boundaries being delineated in Plan:MK will act as constraint to growth at these villages and will limit the scope for growth. Further, there is no indication in the submitted Plan:MK or the Main Modifications (MK/SUB/004 or MK/SUB/004a) published to date that Neighbourhood Plans will be able to amend the delineated settlement boundaries to accommodate growth. The Framework allows Neighbourhood Plans the ability to deliver



more housing than might be identified in a Local Plan but this ability would appear to be stifled once settlement boundaries are delineated in Plan:MK.

13. These matters again reinforce the need for an effective and joined-up study to be undertaken to fully understand the potential to accommodate housing and employment development at villages and rural settlements, in a sustainable manner, and to enable settlement boundaries to respond positively to enable the growth to be accommodated through Neighbourhood Plans process.
14. Solely for illustrative purposes, attached to this Statement is a concept plan which demonstrates how, at Castlethorpe, development could be accommodated if a joined-up study was undertaken to recognise that the settlement boundary should be capable of being amended to enable some growth to be delivered at a sustainable location.

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Date: 10 August 2018



 Red Line Boundary (5ha)

client			
Bovis Homes Ltd			
project title			
Prospect Road, Castlethorpe			
drawing title			
Concept Plan			
date			
05 DECEMBER 2017			
drawing number			
EDP4308/04b			
scale			
1:2,000 @ A3			
drawn by			
LP			
checked			
TJ			
QA			
ER			