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For and on behalf of
Hampton Brook

**Plan:MK Examination in Public
Response to Inspectors Questions – Matter 7
Infrastructure and Viability**

Prepared by
Graham Robinson BSc MA MRTPI
DLP Planning Ltd
Bedford

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Prepared by:

Graham Robinson
BSc(Hons) MA MRTPI
Associate Director

Approved by:

Neil Osborn
BA(Hons) MRTPI
Senior Director

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DLP Planning Ltd
4 Abbey Court
Fraser Road
Priory Business Park
Bedford
MK44 3WH

Tel: 01234 832740
Fax: 01234 831266

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0.0 EXECUTIVE SUMMARY

0.1 DLP Planning Limited have been instructed by Hampton Brook to respond to the inspector's questions in respect of Matter 7 and specifically in relation to their land interest in the following location;

South Caldecotte (Land Allocated within policy SD16)

0.2 Hampton Brook is a well-established local land promoter and developer; as such they have been fully engaged in both the Joint Core Strategy and Regulation 18 and 19 consultations. This response will refer to these earlier representations.

MATTER 7 – Infrastructure and Viability

Issue 1 – Whether the overall approach to transport is justified, effective and consistent with national policy

1.0 QUESTION 7.1

WHAT IS THE LIKELY EFFECT OF THE PROPOSED SCALE AND DISTRIBUTION OF DEVELOPMENT IN PLAN:MK (ABOVE THE REFERENCE CASE (EXISTING PLANNED/COMMITTED GROWTH)) ON EXISTING TRANSPORT INFRASTRUCTURE AND TRAFFIC LEVELS? HOW HAS THIS BEEN ASSESSED AND IS THE TRANSPORT EVIDENCE UP-TO-DATE AND ROBUST? ARE THE IMPACTS FROM THE PROPOSALS IN PLAN:MK ON THE STRATEGIC ROAD NETWORK UNDERSTOOD AND IS THERE SUFFICIENT DETAIL IN THE LIP ON THE LIKELY COSTS AND FUNDING SOURCES OF ANY STRATEGIC ROADNETWORK IMPROVEMENTS?

- 1.1 Our comments on this matter relate solely to policy CT8 in relation to grid roads.
- 1.2 Policy CT8 refers to the Milton Keynes Planning Manual. The manual was last published in 1992 and is no longer in print or available. It is not part of the development framework and it is queried whether this should be included
- 1.3 Policy CT8 sets out criteria for grid roads, stating that grid road corridors should be 60m wide. This is inflexible and makes no assessment for specific sites which may not be able to fulfil these requirements. It would be excessive to preclude sites from development simply because they cannot accommodate the grid road standard. This is neither justified nor effective with regard to paragraph 182 of the NPPF.
- 1.4 A plan setting out the location of grid roads would assist in understanding this policy.

Issue 3 – Policy INF1

2.0 QUESTION 7.9

IS POLICY INF1 JUSTIFIED, EFFECTIVE AND CONSISTENT WITH NATIONAL POLICY? DOES THE POLICY STRIKE AN APPROPRIATE BALANCE BETWEEN PROVIDING CERTAINTY THAT THE PLANNING OBLIGATIONS SOUGHT BY THE DEVELOPMENT PLAN MEET THE 3 TESTS AT NPPF PARAGRAPH 204 AND THE CAUTION AT PARAGRAPH 153 OF THE NPPF THAT SPD SHOULD NOT ADD UNNECESSARILY TO THE FINANCIAL BURDENS ON DEVELOPMENT?

- 2.1 Policy INF1 sets out that infrastructure works will principally be delivered through a Planning Obligations SPD, with infrastructure being delivered for individual schemes under section 106 agreements. Furthermore it gives the flexibility for developers to carry out infrastructure works themselves should this be more appropriate than delivering improvements through section 106.
- 2.2 A key consideration is the National Planning Policy Guidance on Planning Obligations which states that planning obligations must be:
- (a) necessary to make the development acceptable in planning terms;
 - (b) directly related to the development; and
 - (c) fairly and reasonably related in scale and kind to the development.
- 2.3 These tests are reinforced within part 122 of the Community Infrastructure Levy Regulations 2010.
- 2.4 Whilst we generally have no objection to policy INF1, it is somewhat unclear. Part of the fifth paragraph states that *'All infrastructure provision should ensure that it is provided to meet the needs of future growth and take into account external growth of the site'*. This appears to suggest that developments should meet unplanned growth, which goes

against the above guidance and would fail to meet the tests.

2.5 We are therefore suggesting revised wording to policy INF1 suggested in Appendix A.

2.6 The policy also cross references policy SD12 on strategic urban extensions. This suggests that design frameworks will be used for development of strategic urban areas. A separate comment has been made regarding this policy, but for convenience comments are included here. The use of design codes, particularly in the case of outline consents, should be a condition of approval rather than part of a development framework. Furthermore, it should be clarified that not all the parties in part 2 of policy SD12 will need to comment on each framework and a suggested re-wording of policy SD12 is included in the comments on Matter 5.

2.7 In our view the approach of securing infrastructure improvements through site specific planning obligations is sound in principle, providing that any individual obligations meet the tests of the National Planning Policy Guidance on Planning Obligations.

3.0 QUESTION 7.10

IS THE COUNCIL CONTEMPLATING CIL? WHERE OFF-SITE INFRASTRUCTURE IS REQUIRED IS THERE EVIDENCE OF A DELIVERABLE APPROACH THAT WOULD NOT CONTRAVENE THE POOLING RESTRICTIONS? IS THE APPROACH IN POLICY INF1 TO VOLUNTARY AGREEMENTS FOR JOINT INFRASTRUCTURE, ACROSS SITES, ROBUST AND EFFECTIVE?

3.1 Policy INF1 suggests that contributions will be dealt with on a site-specific manner. We have no objection to this approach providing that individual planning obligations for sites meeting the tests mentioned above, providing a consistent approach is taken.

APPENDIX A

POLICY CT8 GRID ROADS

iv. Grid Road Reserves will be identified in order to safeguard further potential extension of the grid and enable future development to access the grid;

v. Grid road reservations should be 80m in width where residential is on each side and 60m where other land uses occur; unless it can be demonstrated that there is justification for a narrower reservation.

If reference to Manual for Milton Keynes remains within the policy then reference to 'grid roads' should be amended to 'city roads'.

APPENDIX B

POLICY SD12 DELIVERY OF STRATEGIC URBAN EXTENSIONS

1. To ensure that Strategic Urban Extensions are brought forward in a strategic and comprehensive manner, planning permission will only be granted for land within Strategic Urban Extensions, following the approval by the Council of a comprehensive development framework, incorporating any ~~necessary design codes~~ relevant design parameters, or phasing of development and infrastructure delivery, for the Strategic Urban Extension as a whole.
2. Development frameworks will be produced by the Council in conjunction with and with the support of the developer(s). Development frameworks will also be prepared in partnership with stakeholders that may include landowners, adjoining local planning authorities, parish or town councils, infrastructure providers, regional and local agencies and services, statutory consultees, the Parks Trust and other stakeholders. Development frameworks will be prepared in consultation with the local community. The Council will adopt development frameworks as supplementary planning documents to guide future planning applications.

BEDFORD

4 Abbey Court
Fraser Road
Priory Business Park
Bedford
MK44 3WH

Tel: 01234 832 740
Fax: 01234 831 266
bedford@dlpconsultants.co.uk

BRISTOL

Broad Quay House (5th floor)
Prince Street
Bristol
BS1 4DJ

Tel: 0117 905 8850
bristol@dlpconsultants.co.uk

CARDIFF

Sophia House
28 Cathedral Road
Cardiff
CF11 9LJ

Tel: 029 2064 6810
cardiff@dlpconsultants.co.uk

LEEDS

Princes Exchange
Princes Square
Leeds
LS1 4HY

Tel: 0113 280 5808
leeds@dlpconsultants.co.uk

LONDON

The Green House
41-42 Clerkenwell Green
London
EC1R 0DU

Tel: 020 3761 5390
london@dlpconsultants.co.uk

MILTON KEYNES

Midsummer Court
314 Midsummer Boulevard
Milton Keynes
MK9 2UB

Tel: 01908 440 015
Fax: 01908 357 750
miltonkeynes@dlpconsultants.co.uk

NOTTINGHAM

1 East Circus Street
Nottingham
NG1 5AF

Tel: 01158 966 620
nottingham@dlpconsultants.co.uk

RUGBY

18 Regent Place
Rugby
Warwickshire
CV21 2PN

Tel: 01788 562 233
rugby.enquiries@dlpconsultants.co.uk

SHEFFIELD / SPRU

Ground Floor
V1 Velocity Village
Tenter Street
Sheffield
S1 4BY

Tel: 0114 228 9190
Fax: 0114 272 1947
sheffield@dlpconsultants.co.uk