

**Plan:MK - Examination July 2018**

**Statement of Common Ground**

**Between Gallagher Estates Ltd, Gladman Developments, O&H Properties and Milton Keynes Council**

**Relating to the South East Strategic Urban Extension (Policy SD 13)**

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## **1 Introduction**

This document sets out both the matters of common ground as well as those limited matters of dispute between the principal promoters of the allocated land to the south east of Milton Keynes under Policy SD13 and Milton Keynes Council. It has been prepared to assist the Examination Inspector in order to set out key matters and approach in understanding how the site will come forward.

### **1.1 Context, Policy, Proposed Modifications**

#### **Plan:MK**

The site was included within one of four potential directions for growth for Milton Keynes in the Council's Strategic Development Directions Consultation in January 2016 and subsequently allocated in the draft Plan:MK consulted upon in March 2017, originally with 1000 dwellings to be delivered post 2026 with additional growth potentially beyond 2031. The site is now allocated in the Proposed Submission Plan:MK October 2017 (the Plan) under Policy SD13 to support the delivery of the development strategy. The Plan allocates the site for approximately 3,000 dwellings to help meet the needs for Milton Keynes to 2031. The principal policy framework for the allocation is set out in Policy SD13, however, Policies SD1, SD11, SD12 and INF1 provide further important policy requirements as well as a number of other thematic policies within the Plan. Policy SD13 is contained at Appendix 1 to this Statement

Policy SD13 in the Plan was subject to a series of Proposed Modifications in the Schedule of Modifications published by the Council in March 2018 (MM/SUB/004). The Proposed Modifications to Policy SD13 are contained at Appendix 2 to this Statement. They include amendments which clarify the timing implications of the Oxford Cambridge Expressway to the development as well as additional policy requirements clarifying specific requirements for education provision, as well as clarifying requirements relating to landscape and strategic

green infrastructure. The Policy also now cross references to other relevant policies of the Plan including Policies SD1, SD11, SD12, NE1-6 and INF1. The specific reasons for the Modifications was to amend the timing restriction on applications, set out specific requirements for the development to meet, and to ensure consistency of wording across the strategic site policies within Plan:MK.

In addition, two small areas of land have been added to the extent of the site boundary for SD13 in the Proposed Modifications, generally consolidating the extent of the allocation to logical boundaries and to enable a more comprehensively designed scheme to come forward.

#### Development Framework

The promoters are working with the Council in the preparation of a Comprehensive Development Framework document for the site as a whole as required by Policy SD12 and referenced in Policy SD13. This will be adopted as a Supplementary Planning Document. Gallagher/Gladman are in the process of preparing an outline planning application for their part of the site south of the railway line with an appropriate Environmental Impact Assessment. O&H intends to submit an outline application for its part of the allocation once the routing of the Expressway is progressed further. As noted in Policy SD13, the Council will not determine these or other applications until the Development Framework is adopted and it is known whether or not the Expressway will affect the site.

#### Planning status

In terms of development management, there is no relevant planning history associated with the site's development.

## **2 Description of the Site and context**

### **2.1 Extent, site area and ownership**

The site (including proposed additional parcels of land) comprises some 201 hectares of land to the north and south of the East West railway line to the south east of Milton Keynes adjoining the existing urban area to the north and west at Old Farm Park and Browns Wood and extending south and east towards Woburn Sands, Wavendon and north of Bow Brickhill.

The site is almost entirely controlled (95%) by the principal promoting developers, either by freehold ownership, option or promotional agreement. O&H's land ownership is focused to

the land to the north of the railway line with additional land south of the railway at the eastern extent of the site closest to Woburn Sands. Gallagher/Gladman own and control land south of the railway line, extending from its western extent adjoining Station Road, north of Bow Brickhill and eastward to conjoin with the O&H land. Of the balance of land not under control, none is critical to the delivery of the development.

## 2.2 Principal features

The site is predominantly in agricultural use. The site is bisected by the Bedford-Bletchley railway line through the central part, dividing the site into the north and south areas. The settlements at Woburn Sands, Wavendon and Bow Brickhill are adjacent to the allocation to the east, north and south respectively. Railway stations are located at Bow Brickhill to the west and at Woburn Sands to the east. To the south beyond the allocation, the land rises to meet the Greensand Ridge. To the north beyond the railway line is the consented Strategic Land Allocation (known as 'Church Farm') lying to the immediate west of the site, beyond which are the existing residential grid squares of Browns Wood/Old Farm Park and Wavendon Gate as well as the existing employment area of Tilbrook.

## 2.3 Constraints and Opportunities

The site is subject to a number of technical considerations, opportunities and constraints typical of a greenfield development of this scale. The principal considerations and constraints associated with the site are set out below. Through the Development Framework process the parties have begun to work together in order to understand the significance of them and consider potential planning and design responses which will be expanded upon, considered and tested through a programme of stakeholder engagement to shape the Development Framework and future planning applications.

- I. **Flood Risk** – Almost all of the site is located within Flood Zone 1, with the lowest probability of flood risk. Where the Caldecotte Brook extends through the site, areas of existing flood plain will be managed and local surface water drainage mitigated through sustainable drainage solutions in order to address surface water flooding issues.
- II. **Heritage** – There are a number of designated heritage features in the vicinity of the site which are outlined below

The Danesborough Camp Scheduled Monument (SAM) is situated c 700m

south of the site on higher ground. There are also a Motte Castle c 500m north east of the allocation and the Roman settlement of Magiovinium c 1.2km south west of the allocation. Both are Scheduled Monuments.

The Grade II\* Listed Church of All Saints, Bow Brickhill and Grade II\* Listed Church of St Michael, Aspley Heath. Both are situated on higher ground c800m south and south east, respectively, of the site. The Woburn Sands Conservation Area is situated within c 300m east of the allocation at the closest point. There are a number of Grade II Listed buildings within the Wavendon, Woburn Sands and Bow Brickhill areas but none with the allocation itself.

Any potential for views towards the church tower from within the site, or any potential inter-visibility between the hillfort and the site can be built into the design rationale for the scheme and addressed through site design and landscape planting. Thus, these features are not considered to present an overriding constraint to the development of the site.

The site also contains an Archaeological Notification Site, which relates to a record of a cropmark enclosure that may be late Iron Age or Roman in date.

- III. **Landscape and Coalescence** – The separate and distinct settlements of Woburn Sands, Wavendon and Bow Brickhill are in close proximity to the allocation to the east, north and south respectively. The allocation is also adjacent to the Greensand Ridge and the Brickhills, an area of scarp and elevated land which is a landform that forms a distinctive feature of the immediate and wider landscape. However, the site itself has low landscape sensitivity and is capable of accommodating residential development without affecting key characteristics and/or values.

The Development Framework will establish the principles and guidance for the appropriate siting and layout of built development, incorporation of buffer areas, structural landscaping and strategic green infrastructure to prevent coalescence with the existing settlements, respecting and reinforcing the distinct character and identity of adjacent settlements, as well as mitigating to an acceptable degree any impact

upon the Greensand Ridge, Brickhills area and wider landscape character. This is an established approach adopted successfully elsewhere in Milton Keynes where the juxtaposition of existing hamlets, villages and towns and new planned development has been carefully designed to create a positive physical and functional relationship between the old and the new, and to create an appropriate relationship to the surrounding landscape.

**IV. Ecology** – The site includes an area of designated Wildlife Corridor which runs along each side of the railway and extends to cover an area of open water and deciduous woodland (priority habitat) south of the railway. The SE SUE is also in close proximity to the extensive woodlands associated with the Greensand Ridge, some of which is ancient woodland, which is designated as a Local Wildlife Site and priority habitat. Further assessments are being undertaken by Gallagher, Gladman and O&H to identify any further specific habitats within the site. Notwithstanding this, the ecological constraints noted above are capable of being accommodated in line with the mitigation hierarchy set out in Policy NE3 and its supporting text in such a way that it would not affect delivery of the allocation. The principles and guidance for achieving this will be embodied within the overarching layout and design that will be set out in Development Framework.

**V. Transport** – Access will be achieved from the existing highway network with the structure of connections into and through the site being designed to avoid or minimise traffic routing through existing settlements and to avoid creating unacceptable congestion and delay on the network and road safety issues. The development will be designed to be well-connected and integrated with adjacent Milton Keynes grid squares, public transport networks and the strategic and local highway network. Connectivity within and beyond the allocation, will promote and achieve positive sustainable transport links in line with the policies within the Plan and the aims of the Council's Mobility Strategy. Long term opportunities are being explored with stakeholders to potentially safeguard land for an expanded/relocated Woburn Sands railway station within the site to the immediate west of the existing station.

Draft proposals for the upgrade of the railway line as part of the East West Rail (EWR) scheme are not considered to adversely impact on the allocation. The railway line is

being retained along its current alignment through the site; Woburn Sands and Bow Brickhill stations are being retained as stations on the EWR line but no further physical improvements beyond platform extensions within Network Rail land ownership are planned as part of the draft proposals. The draft proposals include the provision of an accommodation bridge for farm vehicles to be constructed by Network Rail along the line of the current at-grade Woodley's Farm Crossing, which would be capable of maintaining pedestrian/cycle links across the railway. The final Transport and Works Act Order is expected to be submitted in July 2018.

### **3 Proposed Development**

#### **3.1 General site layout and distribution of uses north and south of railway**

The masterplanning of the site will evolve through the preparation of a Development Framework in order to appropriately provide for a distribution of uses and site layout which fulfils policy requirements and addresses site constraints and opportunities, including the views and feedback received from stakeholders during the process.

The expectation is that parcels north and south of the railway line will be delivered following the pattern of development established in the planning of Milton Keynes, where local facilities and services are provided in local centres within each neighbourhood with appropriate connectivity between neighbourhoods to provide access to shared and/or complementary facilities. It is anticipated that primary school provision will be provided in each neighbourhood (north and south), with secondary school provision made on-site in a location which takes into account the demand for and provision of secondary education in the wider area.

#### **3.2 Road layout and hierarchy, connectivity and public transport**

Proposed Modification 36 (para 5.24 of the Plan) states that *"a comprehensive transport strategy shall be established through the Development Framework process to ensure that appropriate access to and from the site, and connectivity of the southern areas of the site to the city, is achieved in line with other policies within the plan and the aims and objectives of the Council's Mobility Strategy. This will set out what other strategic and local highway*

*connections should be provided and how these will be delivered, including between the A421, H10, A5, V10 and V11"*

Work has been undertaken between the parties to consider different connectivity strategies and solutions for the site and wider area:

- Modelling work has been undertaken and to understand at a strategic level the traffic impacts and potential extent of local improvements to junctions and crossings that are needed to accommodate the predicted traffic flows from the development. Further work is continuing in this regard to test the effect of a range of strategic highway solutions in order to identify an optimum solution in terms of strategic traffic flows.
- O&H has prepared a full planning application for an extension of the H10 grid road eastwards from H10, through Church Farm to connect with the northern part of the allocation site.

### **3.3 Buffers and Green Infrastructure Requirements**

Criteria 3 of SD13 is considered to be an appropriate response to build into the masterplanning of the site and that the prevention of coalescence with existing settlements is an appropriate design response.

This is a masterplanning approach that is embedded in the original design rationale for Milton Keynes and has been proven to have served to protect and enhance the distinct character of existing hamlets, villages and towns well over the years since MK's inception. The functionality, character and visual appeal of individual villages and towns has been maintained and enhanced by the sensitive creation of landscape, green buffers, parks and waterways into a green framework for new development, whilst maintaining connectivity and accessibility between established and new communities. Buffers and green infrastructure are being explored as primary structuring elements of the site as part of the initial conceptual work, and will be explored in more detail via the Development Framework and through engagement with local stakeholders and communities. Specific design approaches to appropriate buffers and relationship between new housing and features on site (such as the railway line, landscape and ecological features) will be carefully considered through the masterplanning process.

### **3.4 Infrastructure requirements**

The site infrastructure requirements are set out in the policy in respect of education specifically. Other general infrastructure requirements for the development have been set out in the Council's draft Infrastructure Delivery Plan and will be refined via the Development Framework process so that development proposals comply with the requirements of Plan:MK.

In terms of health, development will be provided in accordance with the requirements of Policy EH5 and requirements for Health Impact Assessments which will measure the wider impact on healthy living and the demands that are placed upon the capacity of health services and facilities arising from the development.

In respect of green infrastructure and public open space provision, the proposed development will meet the requirements set out within Plan:MK including its requirements for the delivery of adequate provision of playing pitches, parks and open space, as well as sports and active recreation provision.

### **3.5 Flood Risk and Drainage**

The proposals will take a strategic, integrated approach to managing flood risk and incorporate SuDS in line with FR2, national policy and guidance, the requirements set out in national standards and the Council's relevant local guidance. SuDS will be provided at a strategic scale and in an integrated manner and will be designed as multi-purpose green infrastructure and open space, to provide additional environmental, biological, social and amenity value, wherever possible.

### **3.6 Implications of the Expressway on the capacity of the allocation**

It is not yet known whether or to what extent the Expressway will directly affect this site and the wider area. A preferred 'corridor' for the Oxford to Cambridge Expressway (as defined in the plans within the MKC response to the Inspector dated 3 June 2018) will be announced in either July or August 2018. However, in respect of SEMK, this announcement will not result in any further clarification as all three HE broad 'corridors' encompass land within the allocation.

Consultation will not move from 'corridors' to 'routes' until the consultation on route options is to take place during 2019/20 with a preferred route to be decided in 2020.



The Council has attempted an analysis of how the Expressway might route through the site and the impact on land take that such a route would have. Based on an assumption that a 100m wide corridor would be required to accommodate the highway infrastructure, drainage and buffers to adjacent land uses, this analysis indicates that an area of approximately 30 hectares within the site would be needed to accommodate this infrastructure, leaving c. 170 hectares for development. On this basis, the Council's assumptions are that the site could accommodate around 3,000 homes with the assumed Expressway running through it, and potentially around 3,500 homes without the assumed Expressway.

### 3.7 Trajectory for delivery

The Council's proposed trajectory for the delivery of the SE SUE shows how c. 3,000 units can be delivered within the plan period as follows (document ref MK/SUB/004a2, reproduced as table (i) below): This trajectory has regard to wider decisions being made in respect of the Expressway and also assumes a phased delivery of the development, with a number of housebuilders providing outlets simultaneously later in the plan period. The rates of delivery are consistent with delivery rates achieved by other developments of a similar nature in Milton Keynes and are considered realistic by JIG who currently have other sites under implementation in the Milton Keynes market. –

Table (i):

2018 /19	2019 /20	2020 /21	2021 /22	2022 /23	2023 /24	2024 /25	2025 /26	2026 /27	2027 /28	2028 /29	2029 /30	2030 /31
0	0	0	0	75	200	300	400	400	400	400	400	425

### 3.8 Viability

There are inevitably some significant development costs associated with the delivery of a sustainable urban extension of this scale, but nothing in the overall assessment of the development suggests at this stage that there is any impediment to delivery due to 'abnormal' development costs which would adversely impact viability.

## 4 Other Relevant Development Plan Policy

Other relevant Policies in Development Plan; SD1, SD11, SD12, NE1-6 and INF 1. These are cross referenced in Policy SD13 and their specific requirements will be addressed through the Development Framework and planning applications.

## **5 Matters in Dispute (Gladman/Gallagher)**

Gallagher/Gladman and O&H made a range of specific representations at the Submission Stage consultation. In addition, the Proposed Modifications make a number of further changes to policy SD13.

The following matters remain in dispute:

- (i) The extent to which the site allocation should specifically provide for the delivery of 7 pitches for Gypsies and Travellers (on the grounds that no evidence or context provided to justify the inclusion of this policy requirement or the suitability of this location);
- (ii) The specificity of the education provision now set out in primary policy SD13 as proposed in Proposed Modification PM38 (on the grounds that no evidence has been provided to justify the precise nature of these requirements, the extent to which these will remain valid, up to date and take account of adjacent growth proposals at the time an application is granted and s106 obligations agreed);
- (iii) The acceptability of the inclusion of additional land to the east of the allocation (the Raven Russia land, PM 40) in the absence of a strengthening of the policy SD13 wording requiring third party agreement/involvement in the CDF and introduction of a tariff based approach to s106 obligations to cover the provision of site wide facilities/mitigation measures.

## **Appendices**

- A. Submission Stage Policy**
- B. Main Modifications Policy**
- C. Allocation Plan**

**Confirmed as a Statement of Agreement and Common Ground;**

**Signed for MKC** *Schmidt*

**Date** 06/07/18

**Signed for O&H Properties** *PW Cheemann*

**Date** 06/07/18

**Signed for Gallagher/Gladman** *Clutz* (AGENT)

**Date** 06/07/18

## Appendix A Submission Stage Policy SD13

### **Policy SD13**

#### **SOUTH EAST MILTON KEYNES STRATEGIC URBAN EXTENSION**

Land is allocated at South East Milton Keynes - as shown on the Key Diagram and Policies Map - for a comprehensive residential-led mixed use development of approximately 3,000 dwellings to meet the needs of Milton Keynes up to 2031 and beyond. Planning permission for housing and associated uses will not be permitted until 2019/20, once the detailed alignment of the Cambridge-Milton Keynes-Oxford Expressway is known. A site to accommodate 7 pitches for Gypsies and Travellers shall be provided as part of this development.

Development will be well connected and integrated with the established MK grid squares to its north and west. The urban extension will respect and reinforce the distinct character of the surrounding settlements of Wavendon, Woburn Sands and Bow Brickhill through providing new or reinforced green buffers, thereby protecting existing settlement character.

A comprehensive development framework for the site will be prepared in accordance with policies SD1, SD11, SD12 and INF1 and approved by the Council prior to planning applications being submitted.

## Appendix B: Proposed Main Modifications Policy SD13

**A.** Land is allocated at South East Milton Keynes – as shown on the Key Diagram and Policies Map – for a comprehensive residential-led mixed use development of approximately 3,000 dwellings to meet the needs of Milton Keynes up to 2031 and beyond. If the chosen corridor for the Oxford Cambridge Expressway (OCE) maintains the possibility that the OCE could be routed through the site, then planning permission for housing and associated uses will not be permitted until 2019/20, once the detailed alignment of the Cambridge-Milton Keynes-Oxford Expressway-OCE is known.

**B.** In addition to the requirements set out in other policies within this plan, including policies INF1, SD1, SD11 and SD12, development of the site will be required to:

- 1.** Provide schools to accommodate seven forms of entry for secondary education and 6 forms of entry for primary education, as well as necessary nursery and early years provision. Schools should be capable of dual use as community facilities.
- 2.** Ensure development will be well connected and integrated with the established MK grid squares to its north and west adjacent grid squares, public transport services and the strategic and local highway network in line with the Council's Mobility Strategy.
- 3.** The urban extension will incorporate buffer areas, structural landscaping and strategic green infrastructure to prevent coalescence with Woburn Sands and Bow Brickhill, respect and reinforce the distinct character of the surrounding settlements of Wavendon, Woburn Sands and Bow Brickhill through providing new or reinforced green buffers, thereby protecting existing settlement character, and mitigate any harm caused to the Brickhills area and wider landscape character.
- 4.** A site to accommodate 7 pitches for Gypsies and Travellers shall be provided as part of this development.

**C.** The development will be brought forward in line with all relevant policies in Plan:MK, particularly Policy SD1, SD11, SD12, NE1-6 and INF1. A comprehensive development framework for the site will be prepared in accordance with policies SD1, SD11, SD12 and INF1 and approved by the Council prior to planning applications being submitted permissions being granted.

**Appendix C Site Plan (Submission Plan and two Proposed Modifications)**

