



Proposed Submission Plan:MK October 2017: PLAN:MK RESPONSE FORM

The best way to comment on the Proposed Submission Plan:MK October 2017 is online at:

<http://miltonkeynes.objective.co.uk/portal/>

Alternatively, this form is provided to enable you to submit representations on the proposals set out within the Proposed Submission Plan:MK October 2017 either by email or by post.

HOW TO REPLY

This form has two parts. Both parts should be completed:

PART A – Your contact details

PART B – Your response

Forms should be returned to Milton Keynes Council (MKC) **no later than 5pm on 20 December 2017** by:

Email: planmk@milton-keynes.gov.uk

Post: Development Plans Team, Growth, Economy and Culture, Milton Keynes Council, Civic Offices, 1 Saxon Gate East, Central Milton Keynes, MK9 3EJ.

Further guidance on making representations to the Proposed Submission Plan:MK October 2017 consultation is provided in the following two documents, which are available via MKC's online consultation portal (<http://miltonkeynes.objective.co.uk/portal/>), at the Civic Offices and at public libraries.

- Statement of Representations Procedure
- Guidance Notes for Respondents

If you have any queries about this process please contact the Development Plans team at the address above, via email at planmk@milton-keynes.gov.uk, or by telephone on 01908 252358.

PART A - CONTACT DETAILS

Please note that only your name and organisation name will be published on our online consultation portal. However, we require a full postal address in order to register your comment. We will not accept anonymous responses. If you are an Agent responding on behalf of a third party, please provide full contact details for the third party within Box 1.

BOX 1 RESPONDENT's details

Name:
Organisation (if applicable): Hampton Brook Ltd
Position (if applicable):
Address: c/o AGENT
Postcode: c/o AGENT
Telephone: c/o AGENT
Email: mark.harris@dlpconsultants.co.uk

BOX 2 AGENT's details

Name: Mark Harris
Organisation (if applicable): DLP Planning Limited
Position (if applicable): Associate Director
On behalf of: Hampton Brook Ltd
Address: 4, Abbey Court Fraser Road Priory Business Par Bedford
Postcode: MK44 3WH
Telephone: 01234 832740
Email: mark.harris@dlpconsultants.co.uk

PART B – REPRESENTATIONS:

- Whole plan;
- DS5;
- DS6;
- SD12;
- SD13;
- SD16;
- CT8;
- SC1;
- INF1.

PART B – REPRESENTATION

1. Please state which part of the Proposed Submission Plan:MK October 2017 document this representation relates to. (If you wish to make representations on more than one part please fill in a separate 'Part B' sheet for each representation)

Paragraph	Whole Plan
Policy	
Policies Map Schedule – Section or Map Table	
Figure	
Appendix	

2. Do you consider the Proposed Submission Plan:MK October 2017 to be legally compliant?

Yes

No

If NO, is this because it is NOT:

(Please tick all that you think apply)

- Prepared in accordance with the Local Development Scheme
- Prepared in accordance with the Statement of Community Involvement
- Consistent with the regulatory requirements for consultation
- Compliant with the Duty to Co-operate
- Accompanied by a compliant Sustainability Appraisal

Please give details of why you consider the Proposed Submission Plan:MK October 2017 is not legally compliant. Please be as precise as possible.

3. Do you consider the Proposed Submission Plan:MK October 2017 to be sound?

Yes

No

If NO, is this because it is NOT:

(Please tick all that you think apply)

- Positively prepared
- Justified
- Effective
- Consistent with national policy

Please give details of why you consider the Proposed Submission Plan:MK October 2017 is not sound. Please be as precise as possible.

On behalf of Hampton Brook Ltd we have provided a series of comments on various aspects and policies of the Proposed Submission Local Plan. These comments all seek amendments to policies of the draft Local Plan which do not go to the heart of the Plan's soundness.

Overall, subject to the suggested amendments, it is considered that the draft Plan, in particular DS3 and SD16, provide a sound strategy for meeting future employment needs within the Borough, as established in the Employment Land Review prepared to support the Plan's preparation.

There continues to be significant demand for large footprint employment buildings in the area, with a number of existing businesses in Milton Keynes and potential new employers struggling to find suitable sites to satisfy their growth and investment requirements. The allocation of South Caldecotte, to provide a logical planned extension to the south of Milton Keynes, will provide an opportunity to attract and retain businesses in Milton Keynes who otherwise would take their investment elsewhere.

The site is in an accessible location, on the A5 truck road and accessible to the M1 within 10-15 minutes via the new A5-M1 link road, and will complement the supply of land already allocated for development to the east of Milton Keynes near junction 13, and smaller sites within the original new town. Importantly, South Caldecotte is close to a good supply of labour and will be easily accessible via public transport, particularly from Bletchley, which is currently relatively isolated from many of the new employment areas in Milton Keynes, such as at Magna Park.

The provision of land for large footprint employment floorspace will clearly necessitate expansion beyond the existing urban boundary of Milton Keynes. There are limited suitable opportunities for new employment areas, particularly given the pressure for housing growth, which will also necessitate greenfield expansion. These options have been assessed through the Sustainability Appraisal process, which has correctly concluded that the land at South Caldecotte, which can be developed as a sustainable employment area in line with the general characteristics of Milton Keynes, should be allocated for development.

Alongside this assessment, we would reiterate that the site is deliverable, being in the

control of Hampton Brook, with no abnormal infrastructure costs to development, as could be the case with other options around Milton Keynes. There is significant end user interest in the site demonstrating its suitability as a location for future employment growth.

Detailed technical assessment work to underpin the appropriate development of the site is underway and should be available to inform any discussion around the development strategy and the allocation of the land at South Caldecotte at the hearing sessions, if deemed necessary by the Inspector.

As set out above, issues raised on the particular parts of the plan do not go to the heart of the plan's overall soundness and can all be dealt with via amendments, if the Inspector agrees with the representations made.

PART B – REPRESENTATION

2. Please state which part of the Proposed Submission Plan:MK October 2017 document this representation relates to. (If you wish to make representations on more than one part please fill in a separate 'Part B' sheet for each representation)

Paragraph	
Policy	DS5 – Open Countryside
Policies Map Schedule – Section or Map	
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2. Do you consider the Proposed Submission Plan:MK October 2017 to be legally compliant?

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X

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We have made separate comments on the policy wording of SD16 (South Caldecotte). This includes suggested amendments to include wording that makes it clear that highway infrastructure to facilitate appropriate access to the site would be acceptable outside of the defined site boundary.

For consistency, it is suggested that an amendment is made to policy DS5 that makes it clear highway infrastructure is appropriate development in the open countryside.

4. Please set out the changes that you consider are necessary to make the Proposed Submission Plan:MK October 2017 legally compliant and/or sound, including revised wording of any policy or text, and reasons why the proposed change would make it legally compliant and/or sound. Please be as precise as possible. (Please note that any non-compliance with the Duty to Co-operate cannot be rectified at the examination.)

Suggested amended wording:

- i) The Council defines Open Countryside as all land outside the development boundaries defined on the Policies Map. Planning permission within the open countryside will only be granted for development which is essential for agriculture, forestry, countryside recreation, **highway infrastructure** or other development, which is wholly appropriate to a rural area and cannot be located within a settlement

PART B – REPRESENTATION

1. Please state which part of the Proposed Submission Plan:MK October 2017 document this representation relates to. (If you wish to make representations on more than one part please fill in a separate 'Part B' sheet for each representation)

Paragraph	
Policy	DS6 – Linear Parks
Policies Map Schedule – Section or Map	
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Yes

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Updating the boundary of Water Eaton Linear Park does not appear to be included in the Schedule of Proposed Changes to the proposal map.

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The site at South Caldecotte, to be allocated for employment use, contains an area currently defined as linear park. The deletion of the linear park designation needs to be added as a consequential change to the Proposals Map.

PART B – REPRESENTATION

1. Please state which part of the Proposed Submission Plan:MK October 2017 document this representation relates to. (If you wish to make representations on more than one part please fill in a separate 'Part B' sheet for each representation)

Paragraph	
Policy	SD12 – Delivery of Strategic Urban Extensions
Policies Map Schedule – Section or Map	
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Please give details of why you consider the Proposed Submission Plan:MK October 2017 is not sound. Please be as precise as possible.

Criteria 1: Design Codes should be a condition of an outline planning consent, not a requirement of the Development Framework, which will cover high level, strategic development principles, not the detail covered in a subsequent Design Code.

Criteria 2: The list of those involved in the preparation of Development Frameworks should be caveated as 'by required' as all of those listed will not necessarily need to be included in the preparation of each Development Framework.

4. Please set out the changes that you consider are necessary to make the Proposed Submission Plan:MK October 2017 legally compliant and/or sound, including revised wording of any policy or text, and reasons why the proposed change would make it legally compliant and/or sound. Please be as precise as possible. (Please note that any non-compliance with the Duty to Co-operate cannot be rectified at the examination.)

Criteria 1: Wording should be amended to reflect that Development Frameworks should set out design 'parameters' and not include a Design Code.

Criteria 2: The list of those involved in the preparation of Development Frameworks should be caveated 'as required' as all of those listed will not necessarily need to be included in the preparation of each Development Framework.

PART B – REPRESENTATION

- 1. Please state which part of the Proposed Submission Plan:MK October 2017 document this representation relates to. (If you wish to make representations on more than one part please fill in a separate 'Part B' sheet for each representation)**

Paragraph	5.24
Policy	SD13 – South East Milton Keynes
Policies Map Schedule – Section or Map	
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2 Do you consider the Proposed Submission Plan:MK October 2017 to be legally compliant?

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No

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Paragraph 5.24 sets out that the principle vehicular access will be via an extended H10 grid road. This is assumed to be via the grid road reserve into the permitted Church Farm development.

This does not reflect the connection to the South West via Brickhill Street, which will also need to be enhanced to cater for the impact of the additional traffic generated by the development, as it is inevitable that traffic from this development will want to travel west towards the V10 and then either north towards CMK or south, to the A5.

Related issues are also picked up in the response on policy SD16.

4. Please set out the changes that you consider are necessary to make the Proposed Submission Plan:MK October 2017 legally compliant and/or sound, including revised wording of any policy or text, and reasons why the proposed change would make it legally compliant and/or sound. Please be as precise as possible. (Please note that any non-compliance with the Duty to Co-operate cannot be rectified at the examination.)

The need for enhancement to the V10 as a result of this development should be reflected in the pre-amble to policy SD13, as well as the policy itself, where the need for an assessment of highway impacts resulting from the proposal and the implementation of required works, should be a requirement, as is the case with policy SD16 (South Caldecotte).

PART B – REPRESENTATION

1. Please state which part of the Proposed Submission Plan:MK October 2017 document this representation relates to. (If you wish to make representations on more than one part please fill in a separate 'Part B' sheet for each representation)

Paragraph	
Policy	SD16 – South Caldecotte (reference also made to SD11 – General Principles for Strategic Urban Extensions – Point 2)
Policies Map Schedule – Section or Map	
Table	
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As currently drafted, there is a conflict between the requirements of policy SD16 and the general principles for SUEs set out in policy SD11.

Policy SD11 sets out that:

Proposals for Strategic Urban Extensions should be prepared in accordance with the principles set out below:

2. To provide the necessary social, grey and green infrastructure at the appropriate stage, rate and scale to support the proposed development, in accordance with an approved Infrastructure Delivery Plan. Strategic Urban Extensions will be expected to make a contribution proportionate to its scale and impact for the delivery of strategic infrastructure requirements identified in the Local Investment Plan. (DLP emphasis underlined).

As drafted, SD16 assumes V10 Brickhill Street will need to be upgraded to a 'Grid Road standard' as a result of the development of South Caldecotte alone. Based on the initial assessments undertaken by our transport consultant and reviewing the possible transport impacts of the scale of proposed development at South Caldecotte, the V10 would not need to be upgraded to Grid Road standard, and it would not be advisable to do so, given the desire to direct traffic south from the site towards the A5 and the strategic road network, rather than north towards the level crossing, which is a pinch point in that system.

It may be that the V10 needs to be enhanced to Grid Road Standard or similar as a result of further developments in the area, particularly the proposed allocation of South East Milton Keynes, but such infrastructure enhancement would not be related to the delivery of South Caldecotte, nor would it be proportionate to the scale and impact of the proposed level of development.

Therefore, it is suggested that to ensure the soundness of the Plan, bullet two of policy SD16 should be amended to remove specific reference to Brickhill Street being upgraded to Grid Road standard as the requirement is not justified. Enhancement to Brickhill Street should be guided by an assessment of the development's impacts,

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covered by the wording of bullet three, rather than an assumption being made that enhancement to Grid Rad standard is required.

In addition, it is suggested that additional text is added that the development of the site should not preclude the future upgrading of Brickhill Street to facilitate the delivery of the South East MK allocation, which should also be required to contribute to future enhancements to mitigate its impacts on the local highway network.

Further, it should be made explicit in the policy wording that to facilitate appropriate access to the site, highway works may be necessary along Brickhill Street outside of the boundary set out on Plan 4. It should be clear that such highway works would be appropriate to facilitate the delivery of the allocation.

As well as ensuring that policy SD16 is effective and justified, these suggested changes would bring policy SD16 in line with other policies in the Plan, specifically CT2 – Movement and access which includes the requirements for developments to:

ii) mitigate impacts on the local or strategic highway networks, arising from the development itself or the cumulative effects on development, through the provision of, or contributions towards necessary and relevant transport improvements including those secured by legal agreement;

iii) ensure that development proposals do not prejudice the future development or design of suitable adjoining sites;

It is also noted the policy CT2 sets out a requirement for:

B) Development proposals which generate a significant number of heavy goods vehicle movements will be required to demonstrate, by way of a Routing Management Plan, that no severe impacts are caused to the efficient and safe operation of the road network and no material harm is caused to the living conditions of residents.

This is likely to apply to the development at South Caldecotte and it would be expected that a Routing Management Plan would be agreed as part of the approval of South Caldecotte, which directs traffic south from the site towards the A5, rather than north towards the level crossing and the residential area of Caldecotte beyond. The acceptability of this approach enhances the case for the policy to be amended to remove the upgrade of the V10 to Grid Road Standard as it would be illogical to upgrade the road and then direct a large amount of the traffic away from the enhanced road. The upgrade would effectively undermine the approach of seeking to direct HGVs to the strategic highway at the earliest opportunity.

4. Please set out the changes that you consider are necessary to make the Proposed Submission Plan:MK October 2017 legally compliant and/or sound, including revised wording of any policy or text, and reasons why the proposed change would make it legally compliant and/or sound. Please be as precise as possible. (Please note that any non-compliance with the Duty to Co-operate cannot be rectified at the examination.)

Suggested amended wording to SD16:

2. Access to be taken from Brickhill Street, ~~which will be upgraded to grid road standard.~~

3. The development will be subject to a Transport Assessment, which will investigate the development's impact on the local highway network, including the A5/Watling Street roundabout **and Brickhill Street**. The development will contribute to any necessary improvements, as agreed by the relevant highway authorities and Highways England. **Should this necessitate highway works outside the site boundary defined on Map 4, these will be deemed as appropriate development in the Open Countryside in accordance with policy DS5.** The Transport Assessment will also set out the basis for effective public connections to and from the site to be implemented prior to completion of the development.

(New bullet) 4. Highway works and the agreed layout for the development should not preclude the future upgrade of Brickhill Street to grid road standard, in accordance with policy CT8, should this be necessary in accordance with other policies of this Plan

PART B – REPRESENTATION

1. Please state which part of the Proposed Submission Plan:MK October 2017 document this representation relates to. (If you wish to make representations on more than one part please fill in a separate 'Part B' sheet for each representation)

Paragraph	
Policy	CT8 – Grid Road Network
Policies Map Schedule – Section or Map	
Table	
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Yes

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Criteria V – sets out that grid road corridors should be 60m wide where other land uses (than residential) occur. It is suggested that this needs to be caveated as delivery of this standard, which is based on allowing for future dualling of the road, is not always possible.

This is likely to be the case with the V10 south of the level crossing where widening/diversion of the highway is restricted by an existing water pumping station, the level crossing itself and a high-pressure gas main which runs to the east of the road. It is therefore inappropriate to apply a blanket requirement on all highway improvements.

It is also suggested that policy CT8 would benefit from a plan setting out the location of grid roads, providing clarity to the reader.

Finally, it is queries whether it is effective and appropriate for the policy to refer to the Milton Keynes Planning Manual, last published in 1992, which does not form part of the adopted Development Framework.

For clarity, the term ‘Grid Road’ is one that has evolved over time but it is not in keeping with the terminology used in the referenced Milton Keynes Planning Manual where main roads and referred to as ‘City Roads’.

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Suggested amended wording:

- iv) **Where appropriate**, 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 the Milton Keynes Planning Manual is to remain, to retain consistency 'Grid road' should be replaced with the term 'City Road' throughout

PART B – REPRESENTATION

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Paragraph	17.1-17.6
Policy	Policy SC1 Sustainable Construction
Policies Map Schedule – Section or Map	
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The preamble to the policy set out the national policy issues. These fail to reference more up-to-date papers which set out what local policy should not do.

Whilst it is acknowledged that national policy seeks to address climate change, methods for doing this through spatial planning are set out in National Planning Practice Guidance (Ref 6-003-20140612).

Examples of mitigating climate change by reducing emissions:

- Reducing the need to travel and providing for sustainable transport
- Providing opportunities for renewable and low carbon energy technologies
- Providing opportunities for decentralised energy and heating
- Promoting low carbon design approaches to reduce energy consumption in buildings, such as passive solar design

Examples of adapting to a changing climate:

- Considering future climate risks when allocating development sites to ensure risks are understood over the development's lifetime
- Considering the impact of and promoting design responses to flood risk and coastal change for the lifetime of the development
- Considering availability of water and water infrastructure for the lifetime of the development and design responses to promote water efficiency and protect water quality
- Promoting adaptation approaches in design policies for developments and the public realm

The NPPG (ID: 6-009-20150327) goes on to say:

The National Planning Policy Framework expects local planning authorities when setting any local requirements for a building's sustainability to do so in a way consistent with the government's zero carbon buildings policy and adopt nationally described standards. Local requirements should form part of a Local Plan following engagement with appropriate partners, and will need to be based on robust and credible evidence and pay careful attention to viability. In this respect, planning

3. Do you consider the Proposed Submission Plan:MK October 2017 to be sound?

authorities will need to take account of government decisions on the Housing Standards Review when considering a local requirement relating to new homes.

If considering policies on local requirements for the sustainability of other buildings, local planning authorities will wish to consider if there are nationally described standards and the impact on viability of development. Further guidance can be found under Viability.

This guidance has been post-dated by the Written Ministerial Statement of 27th March 2015, which sets out a clear emphasis on improvements through building regulations driving down the emissions associated through individual buildings. Whilst largely related to homes, the statement makes it clear that any new policies can only cover certain elements of sustainability and these should be referred to the new national technical standards – local policy standards and targets, such as those incorporated in policy SC1, are therefore inappropriate.

Further, there is a clear expectation that policy standards should be based on a proper assessment of viability. SC1 sets out a number of requirements that will impact on development viability, including savings in carbon emissions over Part L of building regulations, payments into the Carbon Offset fund and onsite renewable energy generation.

These factors will add significant costs to new development which do not appear to have been subject to a proper viability assessment. We are particularly concerned about the impact on commercial development. The Plan-wide Viability Assessment assumes that commercial buildings will be built to BREEAM very good – and therefore does not consider the costs associated with enhanced carbon performance and renewable energy. At no point have the impacts of building to BREEAM outstanding been considered, which could also be seen as a requirement of policy SC1.

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On several levels the policy is unsound and should be deleted from the plan.

This removal would not, in our view affect the overall soundness of the plan, which does consider other ways of addressing climate change, such as the location of new development, which has been sited.

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Paragraph	
Policy	Policy INF1
Policies Map Schedule – Section or Map	
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At paragraph 5, the policy sets out:

If applicable, the Council will give consideration to the likely timing of infrastructure provision. As such, development may need to be phased either spatially or over a period of time to ensure the provision of infrastructure is delivered in a timely manner and to meet the Council's expectations. Therefore, conditions or a planning obligation may be used to secure this phasing arrangement. 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.

The last sentence of the paragraph refers to infrastructure meeting 'future growth' needs and taking into account 'external growth of the site'.

This is considered to be unclear and suggests that in providing infrastructure, developers will be expected to provide or contribute towards future, unplanned growth requirements. This would not be justified as development proposals should mitigate their own impacts and not meet needs of other developments – particularly those that are unplanned.

It is suggested that the policy be amended to clarify the requirement for infrastructure delivery to have regard to planned growth in the area of the site and to give consideration to the likelihood of future development in the area so as not to preclude future growth, if it were deemed to be necessary.

4. Please set out the changes that you consider are necessary to make the Proposed Submission Plan:MK October 2017 legally compliant and / or sound, including revised wording of any policy or text, and reasons why the proposed change would make it legally compliant and/or sound. Please be as precise as possible. (Please note that any non-compliance with the Duty to Co-operate cannot be rectified at the examination.)

Suggested amendment to paragraph 5:

If applicable, the Council will give consideration to the likely timing of infrastructure provision. As such, development may need to be phased either spatially or over a period of time to ensure the provision of infrastructure is delivered in a timely manner and to meet the Council's expectations. Therefore, conditions or a planning obligation may be used to secure this phasing arrangement. All infrastructure provision should ensure that it is provided to meet the needs of ~~future growth~~ **planned growth** and ~~take into account external growth of the site~~ **and that consideration is given to possible future growth in the local area to ensure future growth of Milton Keynes is not compromised.**

5. If your representation is seeking a change, do you consider it necessary to take part and speak at the examination hearing(s) if invited to do so by the Inspector?

Yes

No

If you wish to take part in the examination hearing(s), please outline why you consider this to be necessary: *(Please note the Inspector will determine who will be invited to be heard at the examination hearing(s))*

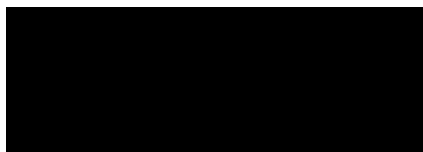
To help the Inspector understand the complex issues raised by the representations.

6. Do you wish to be notified of any of the following?
(Please tick all that apply)

- When Plan:MK 2016-2031 is submitted for independent examination
- When the Inspector's report on Plan:MK 2016-2031 is published
- Adoption by MKC of Plan:MK 2016-2031

x
x
x

Signature



Date

20/12/17