

**SOUTH WEST MILTON  
KEYNES CONSORTIUM**

# APPEAL STATEMENT OF CASE

May 2020  
On behalf of SWMK Consortium

**Carter Jonas**



**SOUTH WEST MILTON KEYNES CONSORTIUM  
(TAYLOR WIMPEY UK LTD, HALLAM LAND MANAGEMENT LTD, WILLIAM DAVIS LTD,  
BELLCROSS LTD & CONNOLLY HOMES PLC)**

**TOWN AND COUNTRY PLANNING ACT 1990**

Outline planning application for physical improvements to the Bottledump roundabouts and a new access onto the A421 (priority left in only) to accommodate the development of land in Aylesbury Vale District reference 15/00314/AOP (for Outline planning application with all matters reserved except for access for a mixed-use sustainable urban extension on land to the south west of Milton Keynes to provide up to 1,855 mixed tenure dwellings; an employment area (B1); a neighbourhood centre including retail (A1/A2/A3/A4/A5), community (D1/D2) and residential (C3) uses; a primary and a secondary school; a grid road reserve; multi-functional green space; a sustainable drainage system; and associated access, drainage and public transport infrastructure - EIA development).

**APPEAL STATEMENT OF CASE**

**LPA REFERENCE: 15/00619/FUL**

**May 2020**



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## 1.0 INTRODUCTION

- 1.01 This Statement of Case has been prepared by Carter Jonas LLP on behalf of the Appellant, the South West Milton Keynes Consortium (SWMK) which comprises Taylor Wimpey UK Ltd, Hallam Land Management Ltd, William Davis Ltd, Bellcross Ltd & Connolly Homes PLC. The appeal has been lodged following the refusal of planning permission by Milton Keynes Council (MKC) for the application reference 15/00619/FUL. The application was refused for a single reason:

*That in the opinion of the Local Planning Authority there is insufficient evidence to mitigate the harm of this development in terms of increased traffic flow and impact on the highway and Grid Road network, with specific reference to Standing Way and Buckingham Road, thus this will be in contravention of Policies CT1 and CT2 (A1) of Plan:MK.*

- 1.02 The reason for refusal relates solely to highway matters and not to the principle of the proposed development. A copy of the decision notice is attached as Appendix 1.
- 1.03 The appeal application is a duplicate of a planning application submitted to the former Aylesbury Vale District Council (AVDC) now Buckinghamshire Council (BC) and given the reference 15/00314/AOP. The proposed development is 'cross-boundary', with almost the whole of the development situated within the administrative area of BC, but for two of the three access points which are situated within the administrative area of Milton Keynes Council (MKC). See Figures 1 & 2 & 3 below. The application site within BC is allocated for mixed-use development in the emerging Vale of Aylesbury Local Plan (as Proposed to be Modified, October 2019) and the Council has resolved to grant planning permission for the proposed development subject to conditions and a S106 Planning Obligation. Throughout the application process there has been ongoing dialogue and joint working between the LPA, key stakeholders and the Appellant in reflection of the 'cross-boundary' characteristics of the proposed development, which included a series of regular topic based meetings to address key issues such as highways, education, design & layout and S106 matters.

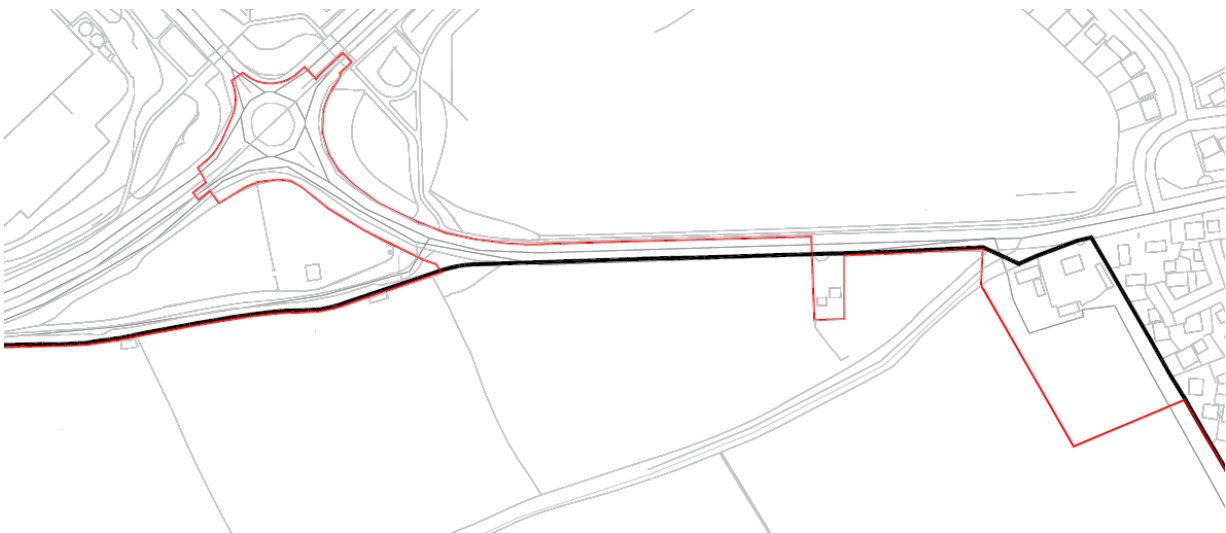


Figure 1 – Tattenhoe Roundabout / Buckingham Road (MKC point of access)

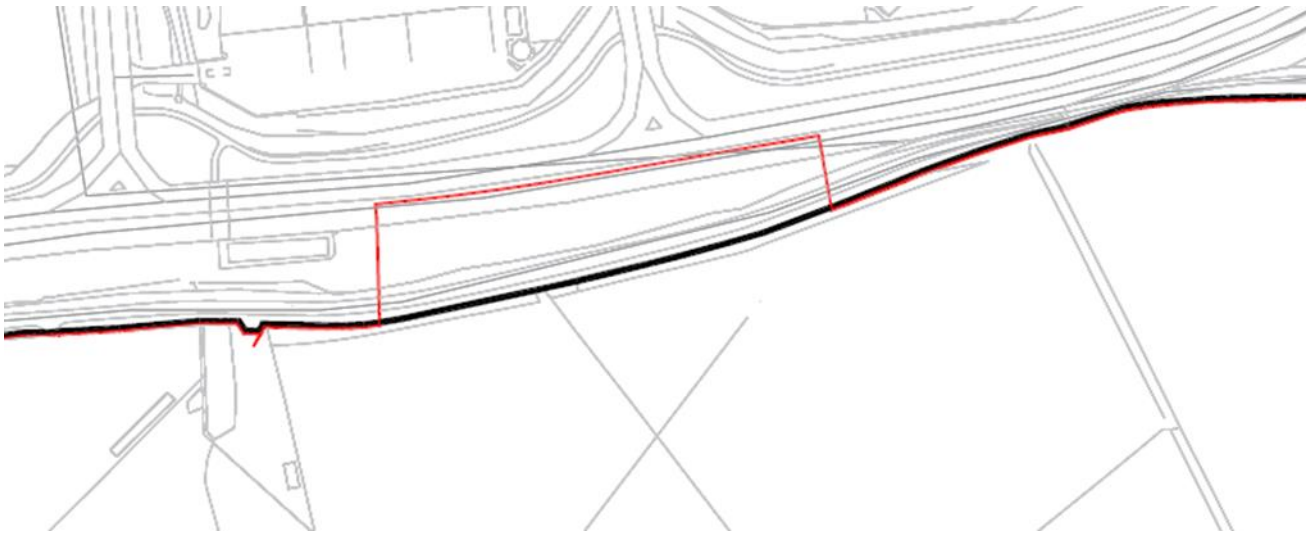


Figure 2 – A421 Westbound point of access (left-in only) (MKC point of access)



Figure 3 – Bottledump Roundabout / Whaddon Road (MKC highway improvements)

## The Site and Surroundings

- 1.04 The proposed overall development will cover a site area of 144.48 Ha and is located to the west of Far Bletchley, at the south western edge of Milton Keynes. The boundary of the site is formed by the A421 (H8 Standing Way) and Buckingham Road (A4034) to the north, the disused former Oxford to Bletchley rail line to the south (due to be reopened as part of the East West Rail project) Whaddon Road to the west and the existing residential area of Far Bletchley to the east. Weasel Lane – an existing bridleway and cycle route – cuts through the site from Whaddon Road to Buckingham Road. There are other public rights of way across the site, including the Milton Keynes Boundary Walk.
- 1.05 The site currently comprises agricultural land. There are hedgerows and trees at some of the field boundaries and a few existing farm buildings on the site. There are adjoining buildings that are in residential use. An oil pipeline crosses the middle of the site in a north south direction; a 30m wide exclusion zone for the pipeline is



incorporated into the layout of the proposed development. There are high voltage overhead power lines crossing the north western part of the site; the power lines will be placed underground as part of the proposed development. An intermediate pressure gas main passes through the eastern part of the site in a north south direction; the gas main will fall within land set aside for a Grid Road Reserve (GRR).

- 1.06 The proposed development straddles the boundary between the rural hinterland of the former Aylesbury Vale and the urban area of Milton Keynes. To the north of the A421 is the industrial area of Snelshall West and to the east is the established residential area of Far Bletchley. To the west and south of the site is farmland and open countryside. The village of Newton Longville is located to the south of the disused rail line. Milton Keynes, is a main centre in the region providing significant employment opportunities and containing a broad range of services and facilities. The proposed development includes walking, cycling and public transport infrastructure and facilities, which would connect to the existing networks in the surrounding area.
- 1.07 The proposed development will be well connected on a local, sub-regional and regional scale. The A421 immediately north of the site enables connections to the established Milton Keynes grid road network, also linking to the A5 and M1 which provide connections to the wider city and region respectively and form part of the Strategic Road Network. To the west, the A421 links to the A43 which connects the M40 to the south with Northampton, Kettering and Corby to the north. Via the A43, the A421 also connects the site to the M40 corridor between London and Birmingham.

## The Planning Applications

- 1.08 Duplicate outline planning applications were submitted to the former AVDC and MKC in January 2015, with all matters reserved for later determination except for access. The applications were accompanied by a full suite of supporting technical documents, including an Environmental Statement and Transport Assessment. The planning application to MKC which is the subject of this appeal was given the reference 15/00619/FUL. The application to AVDC was given the reference 15/00314/AOP.
- 1.09 Following engagement with AVDC, MKC & Buckinghamshire County Council (BCC) a formal set of revisions to the planning applications were prepared and submitted to both LPAs in August 2016. The package of revisions comprised the following documentation, copies of which accompany this appeal submission:
- a. Covering letters to AVDC & MKC
  - b. Revised Framework Travel Plan
  - c. Revised Transport Assessment
  - d. Design & Access Statement Addendum
  - e. Ecological Assessment
  - f. Environmental Statement Addendum
  - g. Non-Technical Summary to ES Addendum
  - h. Landscape & Visual Impact Assessment
  - i. Revised drawing package

### Milton Keynes

- 1.10 The planning application residing with MKC (15/00619/FUL) was first considered at the Development Control Committee (DCC) meeting of the 17th November 2016 (Appendix 2). Officers advised that the access points were necessary to secure delivery of the development in AVDC. In paragraph 5.4 of the officers' report, it was stated that subject to conditions the proposed access arrangements would not have such a visual impact as to warrant a refusal of planning permission.

- 1.11 The MKC Highways officer comments on the application were recorded at paragraph A3.17 of the report, stating that:-

*In summary, the Transport Assessment has demonstrated that the development (in AVDC) is able to be accommodated on the highway network. Improvements to junctions within Milton Keynes are proposed and, subject to agreeing a financial contribution, appear acceptable to mitigate the development.*

*The two accesses proposed within Milton Keynes have been tested and have been Safety Audited. The accesses are deemed to be acceptable.*

*Proposals for public transport and connections to the walking and cycling networks are acceptable but their implementation needs to be secured.*

- 1.12 Officers recommended that planning permission should be granted subject to conditions. However, the DCC decided to defer the application. The minute of the decision recorded that:-

*That determination of the application be deferred to allow for further information to be provided in respect of the modelling processes used to complete the transport assessment and the implications and process to delegate the authority to determine the application to Aylesbury Vale District Council.*

- 1.13 The application was brought back to the DCC meeting of the 2nd February 2017. Officers again recommended that planning permission should be granted. However, the DCC decided that the application should be further deferred to allow further modelling and testing of the TA.

- 1.14 The application was again reported to the DCC at its meeting of the 9th March 2017. A copy of the report is attached as Appendix 3. Officers recommended for a third time that planning permission should be granted, concluding that:-

*The proposal involves highway works to the A421 and Bottledump roundabout. These works will help to ensure that there would be no undue impact on the highway network in Milton Keynes in terms of capacity and safety as a result of the SWMK planning application (15/00314/AOP) if AVDC was to grant it planning permission. If planning permission is not forthcoming from AVDC then the highway works would not be implemented. The Highway Engineer is satisfied that the works are acceptable and there would be no adverse impact on capacity or safety.*

- 1.15 Again the DCC resolved to defer its decision, the minute of the decision recorded:-

*'that determination of the application be deferred until such time as Aylesbury Vale District Council have determined the Salden Chase application'.*

- 1.16 Following the resolution of AVDC to grant planning permission (see paragraph 1.26 below) the Appellant met with officers of MKC and AVDC to discuss the determination of the planning application on the 7th May 2019.

- 1.17 In light of matters discussed at the meeting, the Appellant commissioned an Ecological Update and a Review of Transport Modelling; and assistance was given in order to ensure that a complete set of application documents in electronic format was available to MKC. Officers also decided to re-advertise the application as an EIA scheme (it is understood that this was in order to respond to concerns raised by Newton Longville PC). The further technical documentation was also submitted to AVDC.

- 1.18 Officers prepared a report to the MKC DCC meeting of the 7th November 2019 which is attached as Appendix 4. Under the heading 'Highway Matters', officers reported the following:-

*7.4 The proposal needs planning permission as it involves works to a classified road. Milton Keynes Council is the Local Highways Authority responsible for the highways which are the subject of this application. The application is accompanied by a Transport Assessment, which has been the subject of discussions between the Highway Engineers at MKC and Buckinghamshire County Council (the Highway Authority for the Aylesbury Vale District) together with the applicant.*

*7.5 The Transport Assessment has demonstrated that the application for a mixed use development submitted in Aylesbury Vale District is able to be accommodated on the highway network. Improvements to junctions within Milton Keynes are proposed and, subject to agreeing the detail, are acceptable to mitigate that neighbouring development. The two accesses proposed within Milton Keynes have been tested and have been Safety Audited and are, therefore, deemed to be acceptable.*

*7.6 A review of the Transport Assessment has been undertaken since the March 2017 Development Control Committee, due to the period of time that had elapsed since the Transport Assessment was produced and the fact that additional traffic modelling work has been undertaken by the respective Authorities to support their Local Plan process. The review sets out the current situation with regards to the discussions on the Transport Assessment and the agreed mitigation. It then does a comparison of the key junctions (in general capacity terms) between the Transport Assessment and the latest modelling results. In conclusion, the Council's Highways Engineers have confirmed that there has not been a significant change in circumstances and the previous conclusions on the Transport Assessment remain valid. Development Management Officers have no reason to disagree with this advice.*

*7.7 Milton Keynes Highways Engineers have also confirmed that the revised site boundary and West Bletchley Parish 'review of transport implications' were taken into account in their assessment.*

*7.8 A Section 278 agreement will ultimately cover the works within the public highway. Consequently there is no highway objection to this application.*

*7.9 Following concerns expressed by third parties about the potential traffic impact of the development, the Councils highway Engineers have revisited the junction modelling of the site access points and the improved Bottle Dump Roundabout. This confirms that the junctions will operate within capacity when the development is complete. It should be noted that there is also scope for further improvement at the detailed design stage.*

*7.10 In addition, the works will be subject to a Section 278 Agreement whereby detailed designs (complete with Road Safety Audits) will need to be presented to the respective Highway Authorities for approval. The Council (together with Buckinghamshire County Council) therefore retain control over the final detailed design.*

*7.11 Subject to adequately worded conditions (and subsequent details assessed at the reserved matters and s278 stages), the proposed development therefore accords with Policies CT1, CT2 and CT3 of Plan:MK.*

*7.12 The Council's Footpath Officer has noted that Shenley Brook End Bridleway 009 is within the development boundary and is located south-west of Bottledump roundabout. It is recommended that*

*the bridleway must remain open and unobstructed at all times. Again this can be controlled by a suitably worded condition.*

- 1.19 Officers recommended for a fourth time that planning permission should be granted. However, notwithstanding the explicit advice in paragraph 7.11 that subject to the imposition of suitable conditions the proposed development accorded with Policies CT1, CT2 & CT3 of the adopted Plan:MK, the DCC resolved to refuse planning permission for the following reason:-

*That in the opinion of the Local Planning Authority there is insufficient evidence to mitigate the harm of this development in terms of increased traffic flow and impact on the highway and Grid Road network, with specific reference to Standing Way and Buckingham Road, thus this will be in contravention of Policies CT1 and CT2 (A1) of Plan:MK.*

### Aylesbury Vale

- 1.20 The AVDC Strategic Development Management Committee (SDMC) formally considered the planning application (15/00314/AOP) at its meeting of the 7th June 2017. A copy of the report is attached as Appendix 5. Officers concluded that:
- The application had been evaluated against the extant development plan and the core planning principles of the NPPF (para 2.1).
  - The development was deliverable and would make a significant contribution to the housing land supply; the proposal was policy compliant in the provision of affordable housing; and that there would be economic benefits from construction and the provision of new B1 employment premises; all of which attracted significant weight in the planning balance (para 2.2).
  - It was likely that the development would result in a net enhancement in biodiversity and it would deliver extensive new informal open space which should be afforded limited weight in the planning balance (para 2.3).
  - Compliance with core principles of the NPPF (healthy communities, design, flood risk, archaeology, residential amenity) have demonstrated an absence of harm (para 2.4).
  - The development would achieve safe and suitable access and would not result in a severe individual or cumulative network and is acceptable (para 2.4).
  - Localised harm would arise in landscape terms and for the users of the local PRoW network, these impacts should be afforded moderate negative weight in the planning balance (para 2.5).
  - Weighing all the relevant factors in the planning balance, having regard to the NPPF as a whole, all relevant policies of the adopted development plan, SPD and other guidance, the adverse impacts would not significantly and demonstrably outweigh the benefits of the proposal (para 2.6).
- 1.21 In light of this advice and in accordance with their officers' recommendation the SDMC resolved:
- That application 15/00314/AOP be Supported and Deferred and Delegated to officers subject to the completion of a legal agreement (with Bucks County Council, Aylesbury Vale District Council and if appropriate Milton Keynes Council) as outlined in the officer's report and subject to conditions as considered appropriate by officers. If this cannot be achieved then the application will be refused for reasons as considered appropriate by officers.*
- 1.22 A period of negotiation in relation to the S106, including with officers from MKC, then ensued. Subsequently, in light of the passage of time, the matter was taken back to AVDC's SDMC on 24th April 2019 with an updated officers' report (Appendix 6). The conclusions to the report stated, inter alia that:-

*Paragraph 11 of the NPPF sets out the presumption in favour of sustainable development which for decision taking this means approving development proposals that accord with an up to date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the Framework as a whole.*

*In then considering paragraph 11 d) ii this wording is consistent with the tilted balance previously set out in paragraph 14 of the 2012 NPPF in the previous report considered by the Strategic Development Management Committee. Therefore, the changes between the respective versions of the NPPF to the presumption in favour of sustainable development as discussed within this report do not otherwise change the previous assessment and concluding planning balance.*

- 1.23 Officers recommended that ‘planning permission should be granted as the S106 had been agreed subject to conditions’ and this was agreed by the Committee which again resolved to grant permission.

## Further Evidence

- 1.24 MKCs reason for refusal relates solely to highways matters and the impact of the proposed development on the local road network in Milton Keynes. In light of this the Appellant has prepared an updated Transport Assessment (TA) and Framework Travel Plan (FTP) for the purposes of the appeal and has engaged with BC and MKC in order to progress this work.
- 1.25 The Appellant has also undertaken a review of the Environmental Statement (ES) and the application documentation more generally. The baseline position for EIA purposes has changed since the submission of the ES, with the proposed allocation of land at Shenley Park (WHA001) north west of the appeal site for approximately 1,150 dwellings in the VALP as Proposed to be Modified. There have also been various changes in policy, including the publication of a revised NPPF in February 2019, the adoption of Plan:MK in March 2019 and the publication of proposed modifications to the emerging VALP.
- 1.26 The Appellant has also made a number of minor revisions to the proposed development within Buckinghamshire Council’s (formerly AVDC) administrative area. The revisions and reasons for them are set out below:
- i. Changes in standards of climate change resilience require a modified drainage strategy that impacts on the current scheme parameters;
  - ii. The oil pipeline that crosses the site has been found to be located further to the west than the record plans which informed the current masterplan / parameter plans;
  - iii. Draft policy H6 of the VALP, as proposed to be modified, requires provision to be made for elderly person accommodation within schemes of the scale proposed here, so the application has been amended to include 60 elderly care units (within Use Class C3) within the total quantum of development.
- 1.27 None of these revisions affect the development proposed within MKC’s administrative boundary which is the subject of this appeal.
- 1.28 In order to reflect the minor revisions and updated policy position, a package of formal revisions to the proposed development has been prepared and will be submitted to BC for consideration following the submission of this appeal. There are no changes to the quantum or mix of proposed uses within the proposed

development, nor to the proposed access arrangements. While none of the revisions affect the access arrangements proposed within MKC, for completeness, the updated TA is included in the appeal submission.

## 2.0 STATEMENT OF COMMON GROUND

- 2.01 Separate draft Statements of Common Ground (SoCG) will be submitted in support of this appeal covering planning and transport/highways matters. It is anticipated that these will be agreed with: MKC; the new Buckinghamshire Council that replaced AVDC and BCC from the 1st April 2020; and with Newton Longville Parish Council and West Bletchley Town Council. The draft statements will be prepared and submitted to both Councils as local planning and local highway authorities. The SoCG with the Councils will set out areas of agreement in order to reduce the scope of evidence to be considered at the Inquiry. The sole area of disagreement expected with MKC is the alleged adverse impact of the proposed development on the local road network, which formed the basis for the reason for refusal.
- 2.02 In the event that any of the matters set out for inclusion in the SoCG cannot be agreed with either Council, evidence will be presented at the Inquiry to address such matters. Every reasonable attempt will be made to ensure that agreed details will not be repeated in written evidence.
- 2.03 The draft Planning SoCG with the Councils will provide detail on the following
- Description of the site
  - The application submission
  - Plan:MK and other relevant policies
  - The consideration of the planning application
  - Matters of common and uncommon ground
  - The reason for refusal
  - Conditions
  - S106 Heads of Terms
- 2.04 The draft Transport SoCG with BC and MKC will broadly comprise inter alia:
- Policy Context;
  - Existing Conditions;
  - Development Proposals;
  - Trip Generation;
  - Distribution and Assignment
  - Network Assessment;
  - Mitigation
  - Residual Cumulative Impacts



## 3.0 LEGISLATION & ADOPTED DEVELOPMENT PLAN

### Legislation

3.01 S38(6) of the Planning and Compensation Act 2004 requires that:

*If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.*

### The Adopted Development Plan

3.02 The adopted development plan for Milton Keynes is Plan:MK which was adopted by MKC in March 2019 and provides for the period 2016-2031. The policies that are considered to be relevant to the proposed development are SD15, CT1, CT2, CT3, CT5 & CT8.

3.03 Policies CT1 & CT2, which are the only policies cited in the reason for refusal are addressed below. Policy CT3 seeks to encourage walking and cycling by providing attractive, convenient, direct, safe and secure pedestrian and cycle routes which are connected to the existing networks. The proposed development is located adjacent to Milton Keynes. Sustrans Route 51 crosses the site and the scheme provides for walking, cycling and public transport infrastructure and facilities, which would connect to the existing networks in the surrounding area, thus providing future residents with the opportunity to travel by non-car modes of transport. Policy CT5 expects development to be designed to meet the needs of public transport operators and users. Public transport services will be provided in the new development and all houses and most other developments would be no more than 400m from a bus stop.

3.04 Policy CT8 and Policy SD15 of Plan:MK seek to extend the grid road network into neighbouring areas for cross-boundary developments. The Proposed Development makes provision for a Grid Road Reserve to enable extension of the Grid Road Network through the site at a future point in time.

3.05 Policy SD15 of Plan:MK is entitled 'Place-Making Principles for Sustainable Urban Extensions in Adjacent Local Authorities' and sets out a series of principles that MKC wish to see applied in strategic scale development proposals that physically adjoining the Council's administrative boundary. The full text of the Policy SD15 is set out in Appendix 7. The 6th bullet point of Policy SD15 states:-

*Technical work should be undertaken to fully assess the traffic impacts of the development on the road network within the city and nearby town and district centres and adjoining rural areas, and to identify necessary improvements to public transport and to the road network, including parking.*

3.06 The planning application for the proposed development was accompanied by a Transport Assessment (TA) and Framework Travel Plan (FTP) that have been considered by MKC as Local Highway Authority. Officers explicitly advised in the report to DCC of the 7th November 2019 that 'The Transport Assessment has demonstrated that the application for a mixed use development submitted in Aylesbury Vale District is able to be accommodated on the highway network. Improvements to junctions within Milton Keynes are proposed and, subject to agreeing the detail, are acceptable to mitigate that neighbouring development'. Improvements to public transport provision have been agreed with BC and will be secured through a S106 Obligation. The reason for refusal does not refer to Policy SD15.



3.07 With regard to the policies cited in the reason for refusal, Policy CT1 is titled 'Sustainable Transport Network' and states that:-

*A. The Council will promote a sustainable pattern of development in Milton Keynes, minimising the need to travel and reducing dependence on the private car. Milton Keynes Council will:*

- 1. Promote a safe, efficient and convenient transport system*
- 2. Promote transport choice, through improvements to public transport services and supporting infrastructure, and providing coherent and direct cycling and walking networks to provide a genuine alternative to the car*
- 3. Promote improved access to key locations and services by all modes of transport and ensure good integration between transport modes*
- 4. Manage congestion and provide for consistent journey times*
- 5. Promote and improve safety, security and healthy lifestyles*
- 6. Continue to engage with relevant stakeholders along the East-West Rail line and Expressway to identify operational benefits, which provide additional support for a more sustainable transport strategy and/or economic growth of the city*
- 7. Engage with the National Infrastructure Commission to set in place connections from Central Milton Keynes to surrounding communities, including a fifth track constructed between Bletchley and Milton Keynes Central*
- 8. Promote the usage of shared transport schemes in the borough*

3.08 Policy CT2 is titled 'Movement and Access'. Its full text is set out below, albeit the reason for refusal only alleges conflict with part A.1 of policy CT2:

*A. Development proposals will be required to minimise the need to travel, promote opportunities for sustainable transport modes, improve accessibility to services and support the transition to a low carbon future. Development proposals will be permitted that:*

- 1. Integrate into our existing sustainable transport networks and do not have an inappropriate impact on the operation, safety or accessibility to the local or strategic highway networks;*
- 2. Mitigate impacts on the local or strategic highway networks, arising from the development itself or the cumulative effects of development, through the provision of, or contributions towards necessary and relevant transport improvements including those secured by legal agreement;*
- 3. Ensure that development proposals do not prejudice the future development or design of suitable adjoining sites;*
- 4. Provide safe, suitable and convenient access for all potential users;*
- 5. Provide on-site layouts that are compatible for all potential users with appropriate parking and servicing provision in line with the Milton Keynes Parking Standards Supplementary Planning Document (January 2016);*
- 6. Do not result in inappropriate traffic generation or compromise highway safety;*
- 7. Offer maximum flexibility in the choice of travel modes, including walking and cycling, shared transport, and with accessibility for all potential users;*
- 8. Protect and where possible enhance access to public rights of way;*
- 9. Provide a public transport connection to the main points of service provision including nearest district or town centre, or community facilities; and*
- 10. Where possible incorporate the use of shared transport and low carbon "green" travel modes such as electric vehicle charging capacity.*

*B. Development proposals that generate significant amounts of movement or impact on level crossings must be supported by a Transport Statement or Transport Assessment and will normally be required to provide a Travel Plan, with mitigation implemented as required. 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 or the natural environment.*

3.09 3As noted above officers have recommended that permission be granted on four separate occasions. The officer report to the MKC DCC meeting of the 7th November 2019 specifically stated, at paragraph 7.11 that:-

*Subject to adequately worded conditions (and subsequent details assessed at the reserved matters and s278 stages), the proposed development therefore accords with Policies CT1, CT2 and CT3 of Plan:MK.*

3.10 It is not apparent with which aspect of Policy CT1 the proposed development is alleged to be in conflict and MKC has not provided any empirical evidence to support the decision of the DCC either in relation to Policy CT1 or CT2.

## 4.0 NPPF AND OTHER MATERIAL CONSIDERATIONS

### NPPF

- 4.01 The NPPF sets out the Government's planning policies for England and how these are to be applied in plan making and development management. It is a material consideration in determining planning applications and appeals. The following paragraphs are of particular relevance to the consideration of this appeal.

#### Achieving sustainable development

- 4.02 Paragraph 7 states that the purpose of the planning system is to contribute to the achievement of sustainable development. Paragraph 8 confirms that there are three dimensions to sustainable development:

- an economic role – contributing to building a strong responsive and competitive economy by ensuring that sufficient land of the right type is available at the right time and in the right places to support growth...
- a social role – supporting strong, vibrant and healthy communities by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment with accessible services and open spaces...
- an environmental role – contributing to protecting and enhancing our natural, built and historic environment, including making effective use of land and helping to improve bio-diversity...

- 4.03 Paragraph 9 states that the above objectives are to be delivered through the preparation and implementation of plans and the application of the policies in the NPPF.

- 4.04 At the heart of the NPPF is a presumption in favour of sustainable development (paragraph 11). For decision-taking this means:

- approving development proposals that accord with the development plan without delay; or
- where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, granting permission unless;
  - the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed, or
  - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

#### Determining applications

- 4.05 Paragraph 38 states that decision-makers at every level should seek to approve applications for sustainable development where possible. Paragraph 47 states that

*Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise...*

- 4.06 The appeal scheme will provide access to land that is proposed to be allocated in Policy D-NLV-001 of the emerging VALP. The site already benefits from a resolution to grant planning permission for development. In allocating the site, the impact of the development and the capacity of the local road network to accommodate the planned growth were assessed in detail. A clear policy framework has emerged which has been endorsed by the Inspector examining the VALP. This policy framework was established to ensure appropriate forms of development are forthcoming. The appeal scheme accords with the policy requirements of the VALP and the policies of the adopted Plan:MK.

### Promoting Sustainable Transport

- 4.07 Paragraph 102 of the NPPF states that Transport issues should be considered from the earliest stages of plan making and development proposals, so that,
- a. the potential impacts of development on transport networks can be addressed
  - b. opportunities for existing or proposed transport infrastructure, and changing transport technology and usage, are realised – for example in relation to the scale, location or density of development that can be accommodated.
  - c. Opportunities to promote walking, cycling and public transport use are identified and pursued
  - d. The environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account - including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains; and
  - e. Patterns of movement, street, parking and other transport considerations are integral to the design of scheme, and contribute to making high quality places.
- 4.08 Paragraph 103 states that the planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering genuine choice of modes.
- 4.09 Paragraph 108 advises that when assessing allocations in development plans or specific applications it should be ensured that:
- (a) appropriate opportunities to promote sustainable transport modes can or have been taken up,
  - (b) safe and secure access to the site can be achieved and
  - (c) any significant impacts from development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.
- 4.10 Paragraph 109 states that:
- Development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.*
- 4.11 Paragraph 110 states (in part) that:

*applications for development should give priority first to pedestrians and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport with layouts that maximise the catchment area for bus and other public transport services, and appropriate facilities that encourage public transport use.*

- 4.12 The appeal scheme application (15/00619/AOP) submitted in January 2015 was accompanied by an ES of which a comprehensive TA was an appendix. The TA was subsequently updated in a formal revision of the application in August 2016. In light of the reason for refusal, further work has been undertaken and an updated TA and FTP have been prepared and accompany the appeal submission. The updated TA demonstrates that subject to the implementation of appropriate, proportionate and cost effective mitigation, the impacts of the proposed development on the transport network would not lead to either an unacceptable impact on highway safety, or to severe residual cumulative impacts on the local road network.

### Planning conditions and obligations

- 4.13 Paragraph 54 of the NPPF states that LPAs should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition.
- 4.14 Paragraph 55 states that planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects.
- 4.15 Paragraph 56 restates the legal requirements set out in CIL regulation 122, explaining that planning obligations should only be sought where they meet all of the following tests:-
- 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.
- 4.16 The SoCG will address the matter of a Planning Obligation, which is at an advanced stage of preparation and conditions.

### Duplicate Planning Application – 15/00314/AOP

- 4.17 As noted above duplicate outline planning applications were submitted to AVDC and MKC with all matters reserved except for access for a mixed-use sustainable urban extension on land to the south west of Milton Keynes. The applications proposed the provision of up to 1,855 mixed tenure dwellings; an employment area (B1); a neighbourhood centre including retail (A1/A2/A3/A4/A5), community (D1/D2) and residential (C3) uses; a primary and a secondary school; a grid road reserve; multi-functional green space; a sustainable drainage system; and associated access, drainage and public transport infrastructure. The applications were submitted to both AVDC and MKC so that each planning authority could determine the elements of that proposal that fall within their respective administrative areas.
- 4.18 The application to AVDC was reported to the Council's Strategic Development Management Committee on 7th June 2017. The Committee resolved to grant planning permission for that proposal. The resolution stated:

*That application 15/00314/AOP be Supported and Deferred and Delegated to officers subject to the completion of a legal agreement (with Bucks County Council, Aylesbury Vale District Council and if appropriate Milton Keynes Council) as outlined in the officer's report and subject to conditions as considered*

*appropriate by officers. If this cannot be achieved then the application will be refused for reasons as considered appropriate by officers.*

- 4.19 A period of negotiation in relation to the S106, including officers from MKC, was then pursued. Subsequently an update report was presented to SDMC on the 24th April 2019. Officers recommended that 'planning permission should be granted as the S106 had been agreed subject to conditions'. In summary, the S106 Agreement is to include obligations for the following matters: affordable housing; open space; drainage; sports facilities; education; health facilities & contributions (in BC & MKC); community facilities; employment land and neighbourhood centre; highways works and contributions (in BC & MKC).

## **Aylesbury Vale District Local Plan (2004) and the Vale of Aylesbury Local Plan**

- 4.20 The AVDLP2004 constitutes the relevant development plan for those parts of the development within BC (formerly AVDC). The development plan is time expired in the sense that it was intended to guide development up to 2011, albeit that some of its policies were subject to a saving Direction by the Secretary of State and remain in force. Its policies relating to the development strategy for the area and the housing requirement were intended to guide development up to 2011 and have not been saved and no longer form part of the development plan. However, the Proposed Development within Buckinghamshire has been assessed against the relevant saved development plan policies of AVDLP2004 in the context of the AVDC application and is considered to comply with them. The relevant saved policies considered are as follows:

- Affordable Housing: Policy GP2;
- Community and Recreation Facilities: Policies GP84, GP86, GP87, GP90 and GP91;
- Grid Road: RA34 and RA35;
- Design: GP35, GP38, GP39, GP40 and GP45;
- Heritage: GP59; and
- Transport: GP24.

- 4.21 The emerging VALP proposes the allocation of the planning application site as a residential-led mixed use development – Ref. D-NLV001. The policy and supporting text to Policy NVL001, as modified, is provided in Appendix 8. The Proposals Map showing the site allocation is provided in Appendix 9.

- 4.22 A Memorandum of Agreement (MoA) was entered into between AVDC & MKC in February 2018. Paragraphs 4 & 5 of the MoA (which is provided at Appendix 10) state the following in relation to the proposed allocation:-

*The Proposed Submission Vale of Aylesbury Local Plan allocates one site, at Salden Chase (Policy D-NLV001) for a total of 1,855 dwellings that will be closely related to West Bletchley in Milton Keynes.*

*In principle, both Councils concur as to the sites' suitability, subject to details regarding infrastructure and masterplanning matters. The site is included on the basis that detailed consideration is given to the impacts on infrastructure in Milton Keynes, as included in Proposed Submission VALP.*

- 4.23 Policy D-NLV001 was the subject of a site-specific hearing session at the VALP examination – Matter 15o. The Inspector published interim findings on 29th August 2018, to identify those issues that may require modifications to address soundness concerns. The allocation at South West Milton Keynes (Ref. NLV001) was not identified as a concern in the interim findings, which indicates that the Inspector considers that the proposed allocation is sound and should be retained.
- 4.24 AVDC has prepared a list of suggested main modifications, which were subject to consultation during November and December 2019. Those suggested main modifications that relate to the site allocation at

South West Milton Keynes (Policy D-NLV001) are minor and do not affect the principle of the allocation or development at the site. It is considered that Policy D-NLV001 should be given significant weight in any decision on the appeal, because it is consistent with the NPPF, has reached an advanced stage in the plan-making process and the site allocation has been assessed as sound through the examination process.

## **National Planning Practice Guidance**

4.25 Relevant extracts of the National Planning Practice Guidance will be referred to in evidence as appropriate.



## 5.0 REASON FOR REFUSAL

- 5.01 A Transport Assessment (TA) and Framework Travel Plan (FTP) were submitted with the planning applications submitted to AVDC and MKC in January 2015. Similarly, when the applications were formally revised in August 2016 an updated TA and FTP were provided. A subsequent Technical Note providing a review of the transport modelling undertaken was also provided (TN18 – June 2019).
- 5.02 As explained above, MKC Highways officer comments were initially reported to the DCC at its meeting of 17th November 2016, with a recommendation to grant permission. However, the DCC decided to defer the decision to enable officers to engage with objectors in relation to highways matters. The application was then reported to the DCC meeting of the 9th March 2017, again with a recommendation to grant permission. The following comments from MKC's highway officers are recorded in that report as follows:-

*Following the last meeting which deferred a decision on the SWMK access proposals we have had a chance to look in detail at Mr. Heath's objections and also discussed them with the applicant. I am now satisfied that Mr. Heath's concerns are misplaced and see no reason to change our recommendation.*

*Following concerns expressed by third parties about the potential traffic impact of the development we have revisited the junction modelling of the site access points and the improved Bottle Dump Roundabout. This confirms that the junctions will operate within capacity when the development is complete and that there is also scope for further improvement at the detailed design stage.*

*We would also stress that the works will be subject to a Section 278 Agreement whereby detailed designs (complete with Road Safety Audits) will need to be presented to the respective Highway Authorities for approval. The Council (together with Buckinghamshire County Council) therefore retain control over the final detailed design.*

- 5.03 Subsequently, at the DCC meeting of the 7th November 2019, a further report was prepared by officers, again recommending the grant of permission, which recorded the Highways Officer comments as follows:-

*The only new evidence from a highways point of view is the Review of Traffic Modelling.*

*The Review has been undertaken because of the period of time that has elapsed since the last Transport Assessment was produced and the fact that additional traffic modelling work has been undertaken by the respective Authorities to support their Local Plan process. The review sets out the current situation with regards the discussions on the Transport Assessment and the agreed mitigation. It then does a comparison of the key junctions (in general capacity terms) between the Transport Assessment and the latest modelling results. Although only a high level comparison, the effect is to demonstrate that nothing has significantly changed and the previous conclusions remain valid.*

*I would agree therefore with the conclusion that previous work done on the basis of the Transport Assessment remains valid and there is not a need to rerun the traffic impact assessments.*

*Highways have also confirmed that the revised site boundary and West Bletchley Parish 'review of transport implications' were into account in their assessment. [sic]*

- 5.04 Officers of MKC have reviewed the TA and FTP in detail at every stage of the application and agreed that the identified package of measures would acceptably mitigate the impact of the development on the road network.



The access strategy was also reviewed and found to be acceptable in both capacity and safety terms. Notwithstanding the clear support of the highways and planning officers, and a recommendation to grant planning permission, the DCC chose to refuse the application on transport grounds.

- 5.05 The reason for refusal makes reference to local planning policies but does not refer to any empirical evidence to support the contention that planning permission should be refused contrary to the views of the planning and highway officers. Furthermore, the reason for refusal makes no reference to paragraph 109 of the NPPF. Paragraph 109 should be read in the context of Section 9 of the NPPF. Of particular relevance are paragraphs 108 and 110 which are set out in full below:-

*108. In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that*

*a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;*

*b) safe and suitable access to the site can be achieved for all users; and*

*c) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.*

*109. Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.*

*110. Within this context, applications for development should:*

*a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;*

*b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport;*

*c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;*

*d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and*

*e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.”*

- 5.06 The key strands of national policy are considered in more detail below.

### Access Strategy

- 5.07 Vehicular access to the development is proposed at three points: a priority junction with Whaddon Road to the site's western boundary (BCC); a 'left in only' to the site's northern boundary from the westbound A421 (MKC); and a new three arm roundabout junction with Buckingham Road (MKC). The proposed junction arrangements have all been the subject of an independent Road Safety Audit and all matters raised in that audit are

addressed within the TA, which demonstrates that there is no constraint to the provision of safe access to the site.

### The Site's Sustainable Location

- 5.08 The Development Framework Plan forming part of the planning application clearly demonstrates how cycle and pedestrian access will link into the surrounding PRow network including the MK Redway system. The updated TA and the Public Transport parameter plan illustrates the proposed routing to cater for either an extended or new bus services around the site and that the great majority of the proposed development will be within 400m (i.e. five-minute walk) of a bus stop.
- 5.09 The site location and accessibility to public transport is wholly consistent with Para 108 in ensuring that the proposed development will provide:
- a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;*
  - b) safe and suitable access to the site can be achieved for all users*
- 5.10 Furthermore, in reflection of Para 110 the proposed development will:
- a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;*
  - b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport;*
  - c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;*
  - d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and*
  - e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.*
- 5.11 The appeal scheme will secure the delivery of a sustainable development by providing the necessary access points to a site that is proposed to be allocated in the VALP and which has been positively identified as being required to meet the housing needs of Aylesbury Vale. The development proposed within Buckinghamshire Council's administrative area will provide new and accessible neighbourhood services, including schools, employment and retail facilities. It will deliver pedestrian and cycle connections to existing services in Milton Keynes and will deliver significant areas of new accessible open space.

### Transport Impact

- 5.12 The transport impact of the Proposed Development is considered in detail in the updated TA. Taking into account adopted and emerging Development Plan policies, appropriate, proportionate and cost effective mitigation measures are proposed, as explained in Section 7 of the updated TA. Those measures would be

secured either as a s106 planning obligation or as physical improvements under s278 of the Highways Act 1980 and would comprise inter alia:

1. Implementation, maintenance and monitoring of an FTP and subsequent detailed Travel Plans for all proposed land uses, to promote smarter travel choices and influence travel behaviour;
2. Connections to existing PRow and contributions towards their improvement;
3. Provision of either an extended or new bus service to connect the site with key social infrastructure and Central Milton Keynes;
4. Cycle parking provision at Bletchley Station;
5. A421 corridor improvements in Buckinghamshire and Milton Keynes;
6. Traffic calming measures in Newton Longville and road safety measures in other local villages;
7. Public Transport improvements to MK Station;
8. Improvements to Bottledump Roundabout and provision of a 'Pegasus' Crossing of Whaddon Road to link the Milton Keynes boundary walk with the existing Redway network;
9. Provision of a Grid Road reserve within the site to accommodate the extension of the Grid Road (V1) further south.

- 5.13 Subject to the implementation of these measures, the highway safety would be acceptable and that the residual cumulative impacts of the proposed development would not be severe. As such, and in accordance with paragraphs 108 and 109 of the NPPF, the proposed development should be allowed.

### **Summary and Conclusion**

- 5.14 Officers have previously recommended approval of the proposed development. The appeal proposal is supported by a comprehensive TA which describe future impacts in 2033 and how appropriate, proportionate and cost effective mitigation would be implemented to comply with local and national planning policy. The methodology adopted within the updated TA is appropriate and has been endorsed by the highway authorities.
- 5.15 The proposed development is in a sustainable location and priority is able to be given to non-car modes. The access strategy for the site has been fully detailed, appraised through a road safety audit and endorsed by the highway authorities.
- 5.16 The application was supported by the local highway authorities and by the Council's Planning Officer. MKC has not identified any empirical or technical evidence to suggest that their expert views were misplaced. The TA demonstrates that the proposed development will not result in a residual cumulative severe highway impact or any unacceptable impacts on safety (paragraph 109 of the NPPF) and that the proposed development accords with Policy CT1 and CT2(A1) of Plan:MK.

## 6.0 PLANNING BALANCE

- 6.01 S38(6) of the of the Planning and Compensation Act 2004 requires planning applications be determined in accordance with the development plan unless material considerations indicate otherwise.
- 6.02 The relevant development plan for the purposes of this appeal is Plan:MK which was adopted by MKC in March 2019. The proposed development accords with the relevant policies of Plan:MK, namely Policies SD15, CT1, CT2, CT3, CT5 & CT8; and with the plan when read as a whole.
- 6.03 This contention is supported by substantial technical evidence that has assessed the impacts of the proposed development on the MK highway network and has identified suitable mitigation measures that will ensure that it will not result in an unacceptable safety or severe highway impact (paragraph 109 of the NPPF). It is also supported by the recommendations of highways and planning officers of MKC, who have consistently advised that planning permission should be granted for the proposed development. Furthermore, the scope and content of a S106 Obligation between the Appellant and the former AVDC and BCC has been agreed with MKC (see paragraphs 1.3-1.11 of Appendix 6 and paragraphs 2.2-2.3 of Appendix 4).
- 6.04 The VALP identifies the quantum of housing growth that is needed in the former Aylesbury Vale up until 2033. It confirms that a minimum of 28,600 dwellings are required between 2013 and 2033. Policy S2 Strategy for Growth identifies 'North East Aylesbury Vale' identifies land adjacent to Milton Keynes for the provision of 3,362 dwellings across a number of sites including two strategic allocations, D-NLV001 (1,855 dwellings) and D-WHA001 (1,500 dwellings). The development of this land to provide housing therefore forms a key strategic allocation of the Local Plan.
- 6.05 The grant of planning permission for the points of access in MKC will secure substantial planning benefits in ensuring the delivery of a key strategic development proposal of the VALP in Buckinghamshire. That development will provide the following significant benefits.

### Social

- Boost the supply of land for housing and provide high quality market and affordable housing on the edge of Milton Keynes;
- Deliver up to 557 affordable dwellings, which equates to 30% of the total housing provision;
- Generate additional funding from the New Homes Bonus;
- Generate additional Council Tax and Business Rates which would directly enhance the future finances of the local authority.
- Provide a wide range of community and recreation facilities, including a local park and district park, formal sports pitches, tennis courts, games area, a skateboard park, children's play areas and allotments;
- Provide a neighbourhood centre with retail and community facilities; and
- Provide land and funding for a primary school and secondary school.

### Environmental

- Provide substantial areas of Green Infrastructure which include new habitats of native broadleaved woodland, species-rich grassland and wetland to enhance wildlife;
- Provide additional strategic landscaping, woodland planting, green infrastructure and open space to enhance the surrounding landscape;
- Promote sustainable forms of transport by including walking, cycling and public transport infrastructure and facilities, which connect to the existing networks in the surrounding area;

- Developing a Framework Travel Plan to effectively manage and promote walking and cycling strategies in to and around the Site;
- Reduce commuting by car which would have positive benefits for air quality;
- Contribute towards traffic calming in Newton Longville to discourage rat-running and high-speed traffic;
- Provide Grid Road Reserve land for a possible extension of the grid road so in the long term a connection can be made from the A421 to the A4146, which would assist in removing through traffic (including HGVs) from local villages.

#### **Economic**

- Provide employment opportunities during the construction phase;
- Deliver employment opportunities at the employment area, neighbourhood centre, and schools;
- Provide employees for local businesses and services in Buckinghamshire and Milton Keynes;
- Support local businesses, services and facilities through additional expenditure of future residents;
- Provide housing for employees of local businesses, services and facilities; and,
- Reduce commuting distances.

6.06 In conclusion, the proposed development accords with the policies of the adopted development plan and in the absence of any material considerations that indicate otherwise, planning permission should be granted. Furthermore, a grant of planning permission will secure the delivery of a key strategic allocation of the VALP that will deliver significant planning benefits.

6.07 As such, the appeal should be allowed and planning permission should be granted

## 7.0 OTHER MATTERS

### Rule 6

- 7.01 At this stage, it is considered likely that Newton Longville Parish Council and Buckinghamshire Council will request Rule 6 status for the Appeal. The Appellant therefore reserves the right to refer to any other matters raised by any Rule 6 parties in the proof of evidence or any addenda thereto.

### Planning Obligations and Conditions

- 7.02 A S106 Planning Obligation has been substantially agreed with BC and MKC and accompanies this appeal submission. The Obligation document is at an advanced stage albeit it has not yet been completed and signed.
- 7.03 The Applicants intend to agree and finalise the S106 Agreement with BC and any other relevant parties as soon as possible.
- 7.04 The main obligations of the S106 Agreement relate to the following matters:-
- 30% affordable housing, with 75% for affordable rent and 25% for shared ownership;
  - public open space, structural landscaping, allotments and amenity land;
  - play facilities including LEAPs, NEAPs, MUGAs, skate park and two youth shelters;
  - SuDS scheme;
  - sports facilities and the sports pavilion;
  - education facilities including for primary school and secondary school;
  - health centre;
  - hospital financial contribution;
  - temporary and permanent community building;
  - employment land; and
  - neighbourhood centre.
- 7.05 These obligations would ensure that the proposed development is consistent with the relevant development plan policies, including those relating to affordable housing and community and recreation facilities.
- 7.06 The transport obligations identified in the S106 Agreement relate to the following matters:-
- travel plans for residential development and commercial uses;
  - delivery of land to accommodate the extension of the Grid Road network further south;;
  - A421 Corridor improvements contribution;
  - Weasel Lane on-site improvements and contribution to off-site improvements;
  - highway works delivery programme;
  - cycle parking at Bletchley railway station;
  - Footpath 19 on-site improvements and contribution to off-site improvements;
  - traffic calming in Newton Longville;
  - highway safety scheme in Whaddon;
  - public transport service enhancement; and
  - contribution to highway works in Milton Keynes

- 7.07 These transport obligations would ensure that the proposed development is consistent with the relevant transport policies and guidance.

**Witnesses**

- 7.08 Prior to the commencement of the Inquiry, a list of those consultants giving evidence on behalf of the Appellant will be provided. However, the Appellant proposes provisionally that evidence will be presented on the following matters:
- Transport
  - Planning
- 7.09 The Appellant reserves the right to review its list of witnesses in light of the Statement of Case submitted by the Council and any Rule 6 parties.
- 7.10 A Core Documents schedule is included at Appendix 11. The Appellant will refer to these documents in evidence as appropriate and reserves the right to add to this in the light of the Council's Statement of Case and/or in light of that any Rule 6 parties.

## APPENDIX 1: DECISION NOTICE



## OUTLINE PLANNING PERMISSION REFUSED

To: Mr Mark Hyde  
Januarys Consultant Surveyors  
7 Dukes Court  
54-62 Newmarket Road  
Cambridge  
CB5 8DZ

**Application no: 15/00619/FUL**  
Applicant: SWMK Consortium  
C/O Agent

Milton Keynes Council, under their powers provided by the above legislation, **Refuse Permission** for

**Outline planning application for physical improvements to the Bottledump roundabouts and a new access onto the A421 (priority left in only) to accommodate the development of land in Aylesbury Vale District reference 15/00314/AOP (for Outline planning application with all matters reserved except for access for a mixed-use sustainable urban extension on land to the south west of Milton Keynes to provide up to 1,855 mixed tenure dwellings; an employment area (B1); a neighbourhood centre including retail (A1/A2/A3/A4/A5), community (D1/D2) and residential (C3) uses; a primary and a secondary school; a grid road reserve; multi-functional green space; a sustainable drainage system; and associated access, drainage and public transport infrastructure - EIA development).**

**At: Land At Buckingham Road, Tattenhoe Roundabout Standing Way To Bottle Dump Roundabout Milton Keynes**

in accordance with your application, valid on 9th March 2015 and the following drawings:

SWMK03/079/F  
D015 Rev D  
D017 Rev D  
D016 Rev B  
D013 Rev A  
D018 Rev A

**The reason(s) for refusing your application are:**

(1) That in the opinion of the Local Planning Authority there is insufficient evidence to mitigate the harm of this development in terms of increased traffic flow and impact on the highway and Grid Road network, with specific reference to Standing Way and Buckingham Road, thus this will be in contravention of Policies CT1 and CT2 (A1) of Plan:MK.

**Working With the Applicant**

In accordance with paragraph 38 of the National Planning Policy Framework Milton Keynes Council takes a positive and proactive approach to development proposals focused on solutions. Milton Keynes Council works with applicants/agents in a positive and proactive manner by: offering a pre-application advice service; as appropriate updating applicants/agents of any issues that may arise in the processing of their application; where possible suggesting solutions to secure a successful outcome; informing applicants/agents of any likely recommendation of refusal prior to a decision; and by adhering to the requirements of the Milton Keynes Council Corporate Plan and the Planning and Transport Service Plan.

In this case Milton Keynes Council officers worked with the applicant to overcome issues during the application process, as well as with Ayelsbury Vale District Council officers to come to an agreement in relation to both Highways and S106 contribution matters. However, Milton Keynes Council Members considered that the proposed development was unacceptable for the reason given.

**Your attention is drawn to the attached notes**



A handwritten signature in blue ink, appearing to read 'JP', with a horizontal line extending to the right.

15th November 2019

**Jon Palmer MRTPI – Head of Planning**  
For and on behalf of the Council

### **Appeals to the Secretary of State**

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State for the Environment under Section 78 of the Town and Country Planning Act 1990 (as amended).

If you want to appeal, then you must do so within six months of the date of this notice. The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

You can appeal using a form that you can get from The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. Customer Support Unit, Tel: 0117 372 6372. Appeal forms and guidance can also be downloaded from the Planning Inspectorate's website [www.planning-inspectorate.gov.uk](http://www.planning-inspectorate.gov.uk).

Alternatively, the Planning Inspectorate have introduced an online appeals service which you can use to make your appeal online. You can find the service through the Appeals area of the Planning Portal – <https://www.planningportal.co.uk/info/200207/appeals>. The Inspectorate will publish details of your appeal on the internet (on the Appeals area of the Planning Portal). This may include a copy of the original planning application form and relevant supporting documents supplied to the local planning authority by you or your agent, together with the completed appeal form and information you submit to the Planning Inspectorate. Please ensure that you only provide information, including personal information, that you are happy will be made available to others in this way. If you supply personal information belonging to a third party please ensure have their permission to do so. More detailed information about data protection and privacy matters is available on the Planning Portal.

The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

### **Purchase Notices**

If either the local planning authority or the Secretary of State for the Environment

Development Management,  
Civic, 1 Saxon Gate East, Central Milton Keynes MK9 3EJ  
Planning Enquiries Direct Line (01908) 252358  
MK Council Tel: (01908) 691691  
[www.milton-keynes.gov.uk](http://www.milton-keynes.gov.uk)

refuses permission to develop land or grants it subject to conditions, the owner may claim that they can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council, or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase their interest in the land in accordance with the provision of Part VI of the Town and Country Planning Act 1990.

### **Compensation**

In certain circumstances compensation may be claimed from the local planning authority if permission is refused or granted subject to conditions by the Secretary of State appeal or reference of the application to him.

These circumstances are set out in section 114 and related provisions of the Town and Country Planning Act 1990 (as amended).

**APPENDIX 2: REPORT TO MKC DCC 071116**

**Application Number: 15/00619/FUL**  
**Major**

**Physical improvements to the Tattenhoe and Bottledump roundabouts and a new access onto the A421 (priority left in/left out) to accommodate the development of land in Aylesbury Vale District reference 15/00314/AOP.**

**AT Land At Buckingham Road, Tattenhoe Roundabout, Standing Way To  
Bottle Dump Roundabout**

**FOR SWMK Consortium**

**Target:** 8th June 2015

**Ward:** Bletchley Park

**Parish:** West Bletchley Council

**Report Author/Case Officer:** Sarah Hine

**Contact Details:** 01908 252283 sarah.hine@milton-keynes.gov.uk

**Team Leader:** Sarah Evans Team Strategic Team Manager

**Contact Details:** 01908 253326 Sarah.Evans@milton-keynes.gov.uk

## **1.0 INTRODUCTION**

*(A brief explanation of what the application is about)*

### **1.1 The Site**

The application site is to the south west of central Milton Keynes. The site includes part of the A421 and Whaddon Road. The site lies to the north of Newton Longville.

### **1.2 The Proposal**

Under application reference 15/00314/AOP (within Aylesbury Vale and to be determined by Aylesbury Vale District Council) outline planning permission is sought with all matters reserved except for the access for a mixed-use sustainable urban extension on land to the south west of Milton Keynes to provide up to 1,855 mixed tenure dwellings; an employment area (B1); a neighbourhood centre including retail (A1/A2/A3/A4/A5), community (D1/D2) and residential (C3) uses; a primary and a secondary school; a grid road reserve; multi-functional green space; a sustainable drainage system; and associated access, drainage and public transport infrastructure.

1.3 This application seeks planning permission for physical improvements to the highway to facilitate the development of an access the site mentioned above in paragraph 1.2.

1.4 The proposal includes physical improvements to the Tattenhoe and

Bottledump roundabouts and for a highways access onto the A421, which would be a priority left in only junction. The application includes an equestrian crossing and links to the redway route to the north of the A421, the installation of a roundabout junction on Buckingham Road.

- 1.5 The determination of this proposal deals only with the proposed highways works, the wider development area is outside of the Milton Keynes boundary and therefore falls to Aylesbury Vale to determine. On this basis Milton Keynes Council will be a consultee to reference 15/00314/AOP and the Council's response to the consultation will be addressed within a separate report.
- 1.6 The planning application is accompanied by a Transport Assessment (TA) and a Travel Plan (TP). The TA has been revised and resubmitted.

## **2.0 RELEVANT POLICIES**

### **2.1 National Policy**

National Planning Policy Framework 2012

12 Accordance with Development Plan  
14 Presumption in favour of Sustainable Development  
17 Core Planning Principles  
32 Transport  
56-66 Design  
103 Flood Risk  
126 – 141 Conserving and enhancing the historic environment  
173 Ensuring viability and deliverability  
176 Safeguards for acceptable development  
204 Planning Obligations

### **Local Policy**

### **2.2 Core Strategy (2013)**

CSA NPPF – Presumption in favour of sustainable development  
CS1 Milton Keynes Development Strategy  
CS11 A Well Connected Milton Keynes  
CS12 Developing Successful Neighbourhoods  
CS13 Ensuring High Quality Well Designed Places  
CS18 Healthier and Safer Communities  
CS19 The Historic and Natural Environment  
CS21 Delivering Infrastructure

### **2.3 Adopted Milton Keynes Local Plan 2001-2011(Saved Policies)**

T2	Access for those with impaired mobility
T3 & T4	Pedestrians and cyclists
T5	Public Transport
T15	Parking Provision

HE1	Protection of Archaeological Sites
HE5	Development affecting the setting of listed buildings
HE6	Conservation Areas
NE2	Protected Species
NE3	Biodiversity and geological enhancement
D1	Impact of development proposals on locality

## 2.4 Supplementary Planning Guidance/Document

Social Infrastructure SPD (2005)  
Sustainable Construction SPD (2007)  
Parking Standards SPD (2016)

Section 278 of the Highways Act 1980

## 3.0 MAIN ISSUES

*(The issues which have the greatest bearing on the decision)*

- 3.1
  - The principle of the development
  - Highway safety
  - Financial contributions

## 4.0 RECOMMENDATION

*(The decision that officers recommend to the Committee)*

- 4.1 It is recommended that planning permission for the highways works are granted on the basis that such works could be completed under a section 278 agreement and the conditions set out at section 6 of this report.

## 5.0 CONSIDERATIONS

*(An explanation of the main issues that have led to the officer Recommendation)*

### 5.1 Principle of the development

Milton Keynes Council is the local Highways Authority responsible for the highways which are the subject of this application.

- 5.2 The development is required for physical improvements to the Tattenhoe and Bottledump roundabouts and a new access onto the A421 accommodate the development of land in Aylesbury Vale District reference 15/00314/AOP (which is subject to a consultation for Vale Aylesbury Vale District Council under reference 15/00223/CONS).
- 5.3 The proposed development would have a visual impact on the area. However, it is part of a wider development being proposed within Vale Aylesbury Vale District for housing development.
- 5.4 In this context, it is considered that the proposed highway improvements are necessary to ensure the delivery of this development (if approved), and proportionately relatively minor to that development. Subject to conditions for tree protection and landscaping, it is considered that the proposal would not



have such a significant visual impact on the area to warrant refusal of the access improvement works.

- 5.5 It should be noted however, that this conclusion does not extend to support the principle of proposals for residential development being considered by the Vale Aylesbury Vale District Council. The proposals in this application should be judged on their own planning merits.

5.6 Highway safety

The application (and the consultation Aylesbury Vale District reference 15/00314/AOP) has been assessed by the Highway Engineer. They have raised no objections to the application. The case officer has no reason or evidence to disagree with this advice.

- 5.7 However, Highways have requested further information for the creation of any temporary accesses to site compounds / storage yards and any construction accesses, as well as construction of the A421 and Buckingham Road accesses. This could be secured by way of condition on any planning permission if this application were to be approved.

5.8 S278 Agreement

The Highways Engineer has also stated that a legal agreement would be required to ensure that appropriate highway works are carried out at the right time and to the right standards. A Section 278 (of the Highways Act) agreement will ultimately cover the works within the public highway.

- 5.9 Highways have also referred to a section 106 agreement may be required to secure funding for the highway improvements that are proposed in Milton Keynes. However, the wider development (Aylesbury Vale District reference 15/00314/AOP) is outside Milton Keynes District and cannot be secured under this application. In terms of the highways improvement required as part of this application however, these can be secured by way of section 106 agreement under the Highways Act. Members will be verbally updated on the amount required and agreed with the applicant at the Committee meeting.

**6.0 CONDITIONS**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To prevent the accumulation of planning permissions; to enable the Local Planning Authority to review the suitability of the development in the light of altered circumstances; and to comply with section 51 of the Planning and Compulsory Purchase Act 2004. (D11)

2. All existing trees, woodlands and hedges to be retained are to be protected according to the provisions of BS 5837: 2012 'Trees in relation to design, demolition and construction - Recommendations' All

protective measures especially the fencing and ground protection must be put in place first, prior to any other work commencing on site (this includes vegetation clearance, ground-works, vehicle movements, machinery / materials delivery etc.) The fencing shall be of the same specification as that depicted in figure 2, page 20 and ground protection as specified in 6.2.3.1 - 6.2.3.5 pages 21/22 in BS 5837: 2012.

Signs informing of the purpose of the fencing and warning of the penalties against destruction or damage to the trees and their root zones shall be installed at minimum intervals of 10 metres and a minimum of two signs per separate stretch of fencing.

Once erected the local authority tree officer shall be notified so the fencing can be inspected and approved.

The Root Protection Area (RPA) within the protective fencing must be kept free of all construction, construction plant, machinery, personnel, digging and scraping, service runs, water-logging, changes in level, building materials and all other operations, personnel, structures, tools, storage and materials, for the duration of the construction phase.

The developer shall submit details of the proposed layout and general arrangements of the site in relation to the trees to be retained. In particular details of storage areas including what substances will be stored and where, locations of car parking, welfare facilities, cement plant, fuel storage and where discharge, filling and mixing of substances will take place. The details should include site levels to enable risks posed to trees to be quantified. The RPA will be amended as the arboriculture officer feels appropriate after taking account of the details submitted.

No fire shall be lit such that it is closer than 20 metres to any tree or that flames would come within 5 metres of any part of any tree.

Earthworks, level changes, service runs, foundations and all other works involving excavation should not be located within the root protection areas.

Reason: To protect the appearance and character of the area and to minimise the effect of development on the area.

3. A landscaping scheme, which shall include provision for the planting of trees and shrubs, shall be submitted to and approved by the Local Planning Authority before first occupation of the development. The scheme shall show the numbers, types and sizes of trees and shrubs to be planted and their location in relation to proposed buildings, roads, footpaths and drains. All planting in accordance with the scheme shall be carried out in accordance with the approved details within the first planting season following completion of development. Any trees or shrubs removed, dying, severely damaged or diseased within two

years of planting shall be replaced in the next planting season with trees or shrubs of such size and species as approved.

Reason: To protect the appearance and character of the area and to minimise the effect of development on the area.

4. Details of any temporary accesses to site compounds / storage yards and any construction accesses shall be submitted to and approved in writing prior to commencement of works on site. The temporary access works shall be carried out in accordance with the approved details.

Reason: In the interest of highway safety within the locality.

5. Details of the construction of the A421 and Buckingham Road accesses shall be submitted to and approved in writing prior to commencement works on site. The development works shall be carried out in accordance with the approved details.

Reason: In the interest of highway safety within the locality.



**David Lock Associates**  
Town Planning and Urban Design

**South West, Milton Keynes**  
**Illustrative Master Plan in Context**

Dwg: SWMK03/07/C

CREATION DATE: 23 FEBRUARY 2014  
LAST REVISED: 23 SEPTEMBER 2014

1:10,000 @ A3  
1:5,000 @ A1

Scale

0 100m

North Arrow

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W E  
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# NOTES

1. Do not scale from this drawing.



DATE	BY	CHKD	APPD
18/01/11	W.D.	W.D.	W.D.
18/01/11	W.D.	W.D.	W.D.

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WILLIAM DAVIS

**Connolly Homes**  
**Taylor Wimpey**

**Henry Boot**  
*Celebrating 125 years*

Project

SOUTH WEST MILTON KEYNES

Drawing Title

A421 STANDING WAY JUNCTION

Rev	Desc	Date
1	Issue	18/01/11
2	Revised	25/01/11
3	Revised	25/01/11
4	Revised	25/01/11
5	Revised	25/01/11
6	Revised	25/01/11
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99	Revised	25/01/11
100	Revised	25/01/11

MS3295-SK-008

B



**NOTES**

1. Do not scale from this drawing.

D	JUNCTION LAYOUT UPGRADE	MRC	RF	15-04-01-15
C	JUNCTION DESIGN LOCUMON MOVED SOUTHEAST TO SUT WASTEWATER	MRC	AP	25-11-09-16
B	JUNCTION DESIGN LOCUMON MOVED NORTHWEST	MRC	AP	25-12-06-14
A	JUNCTION DESIGN LOCUMON MOVED NORTHWEST FOR INFORMATION	MRC	-	21-01-13
	DESCRIPTION	DRN	CHK APP	DATE

**Pell Frischmann**  
9-10 FREDERICK ROAD EDGBASTON BIRMINGHAM B15 1JD



Connolly  Homes

Taylor Wimpey

## Henry Boot

Project

**SOUTH WEST MILTON KEYNES**

### Grading Title

WHADDON ROAD ACCESS JUNCTION

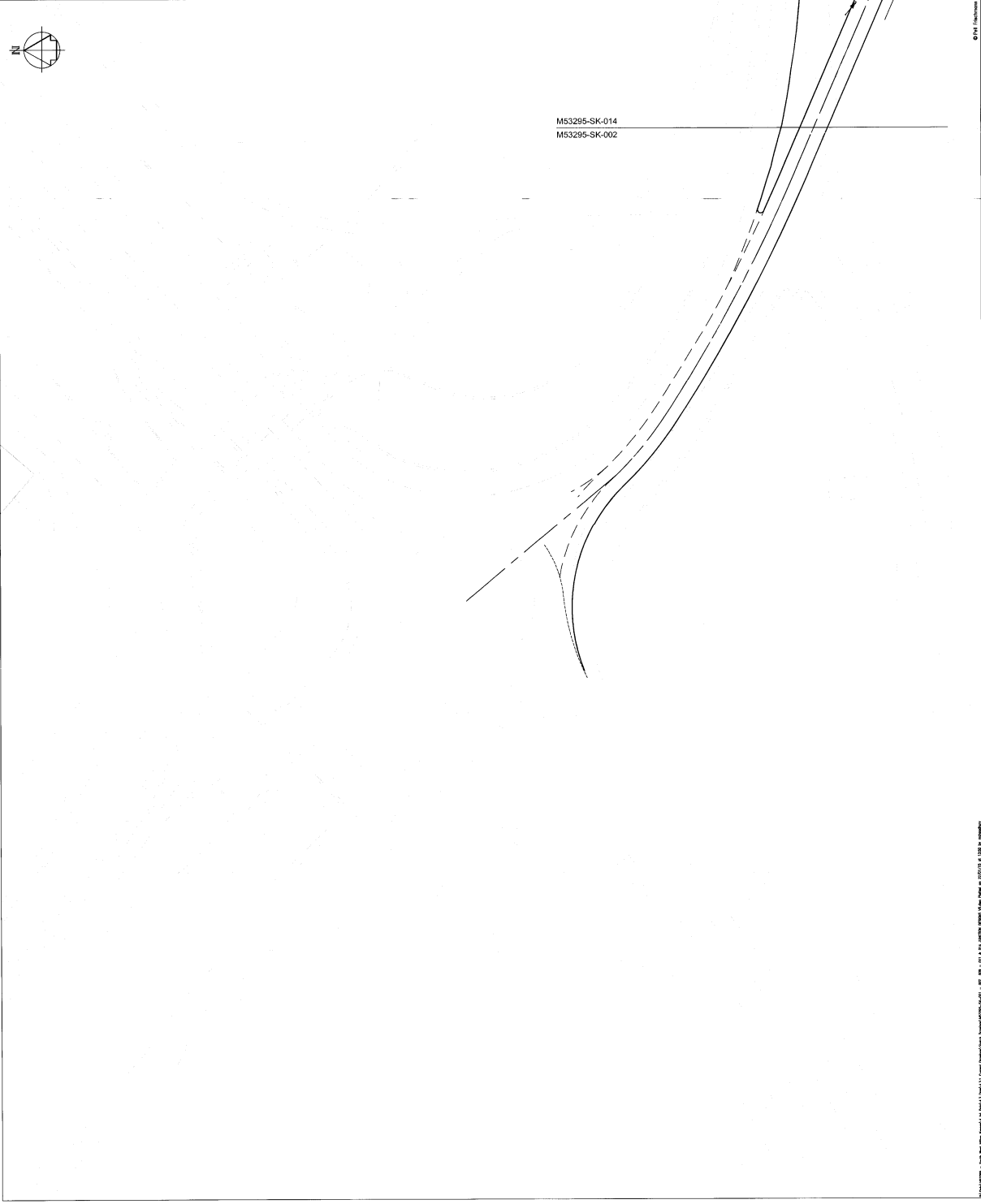
Drawn	Name	Date	Scale	1:1000 @ A3 MS2295 FOR INFORMATION
Designed	MRC	21-01-13		
Designed	MRC	21-01-13	File No.	
Checked	-	-	Drawing Status	
Approved	-	-		

Revision	1
Design No.	1



**NOTES**

1. Do not scale from this drawing.
2. Refer to sketch dwg. M53295-SK-014 for Buckingham Road junction design.



NO.	DESCRIPTION	DATE	BY	CHKD.
1	DESIGN	15/01/13	WJ	WJ
2	REVISION	15/01/13	WJ	WJ
3	REVISION	15/01/13	WJ	WJ
4	REVISION	15/01/13	WJ	WJ
5	REVISION	15/01/13	WJ	WJ
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8	REVISION	15/01/13	WJ	WJ
9	REVISION	15/01/13	WJ	WJ
10	REVISION	15/01/13	WJ	WJ

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**Conolly Homes**  
**Taylor Wimpey**  
**Henry Boot**  
*Celebrating 15 years*

Project		SOUTH WEST MILTON KEYNES	
Drawing Title		TATTENHOE ROUNDABOUT	
Drawn	WJ	Date	15/01/13
Checked	WJ	By	WJ
Reviewed	WJ	By	WJ
Approved	WJ	By	WJ
Drawn	WJ	Date	15/01/13
Checked	WJ	By	WJ
Reviewed	WJ	By	WJ
Approved	WJ	By	WJ



## **Appendix to 15/00619/FUL**

### **A1.0 RELEVANT PLANNING HISTORY**

*(A brief outline of previous planning decisions affecting the site – this may not include every planning application relating to this site, only those that have a bearing on this particular case)*

A1.1 00/01654/MKADV  
ERECTION OF FOUR FREE STANDING SIGNS  
PEAVNZ 20.11.2000

15/02590/ADV  
Advertisement consent for 4 x sponsorship signs  
PEAVNZ 08.12.2015

15/00223/CONS  
Consultation for Vale Aylesbury Vale District Council in relation to Outline planning application with all matters reserved except for access for a mixed-use sustainable urban extension on land to the south west of Milton Keynes to provide up to 1,885 mixed tenure dwellings; an employment area (B1); a neighbourhood centre including retail (A1/A2/A3/A4/A5), community (D1/D2) and residential (C3) uses; a primary and a secondary school; a grid road reserve; multi-functional green space; a sustainable drainage system; and associated access, drainage and public transport infrastructure

To be determined at the Development Control Committee meeting on 17<sup>th</sup> November 2016.

### **A2.0 ADDITIONAL MATTERS**

*(Matters which were also considered in producing the Recommendation)*

A2.1 None

### **A3.0 CONSULTATIONS AND REPRESENTATIONS**

*(Who has been consulted on the application and the responses received. The following are a brief description of the comments made. The full comments can be read via the Council's web site)*

#### **Comments**

#### **Officer Response**

##### **A3.1 Parish - West Bletchley**

Objection, for following reasons:

1. The principle of the development is not supported by any adopted development plan or supplementary planning document.
2. The development would place an unacceptable burden on the transport infrastructure.
3. The proposed grid road that would follow the gas pipeline is not shown to be technically viable nor that such a proposal represents a health and safety risk.
4. Loss of agricultural land
5. Unreasonable heads of terms
6. Impact on local services
7. Location of the allotments
8. Visual impact and poor mix of house types
9. Inclusion of open space within the site of the proposed secondary school

These comments appear to relate to the wider residential development being considered by Aylesbury Vale District reference 15/00314/AOP (our reference: 15/00223/CONS).

The proposed highways improvements in this application are to facilitate any future residential development.

A3.2 Ward - Bletchley Park - Cllr McKenzie

No representation received at the time of writing this report.

A3.3 Ward - Bletchley Park - Cllr Wales

No representation received at the time of writing this report.

A3.4 Ward - Bletchley Park - Cllr Clancy

No representation received at the time of writing this report.

A3.5 Ward - Tattenhoe - Cllr Small

No representation received at the time of writing this report.

A3.6 Ward - Tattenhoe - Cllr Bald

No representation received at the time of writing this report.

A3.7 Ward - Tattenhoe - Cllr Morla

No representation received at the time of writing this report.

A3.8 Parish - Shenley Brook End & Tattenhoe

The proposed development would place an unacceptable burden on the transport infrastructure in particular the already congested A421. Any increase in use of the A421 would inevitably lead to traffic using the alternative route of V1 and H7, which is already a very congested route at peak

These comments appear discuss the principle of the wider residential development being considered by Aylesbury Vale District reference 15/00314/AOP (our reference: 15/00223/CONS).

times, through our parish to gain access into the centre of Milton Keynes and the V3 to gain access to the newer areas of the Western flank to the north of us.

The proposed highways improvements in this application are to facilitate any future residential development.

There has been a lot of discussion about a new A421 expressway and until the route of this is decided we feel that no further development should be allowed in this area as this could affect all development decisions especially in this South West Corner of Milton Keynes.

The draft plan includes reference to S106 agreements and a Community Infrastructure Levy to fund essential services. We do not believe that developer's contributions will sufficiently fund the transport infrastructure requirement without considering the rest of the essential services such as schools and health care. We have already seen in Newton Lees that a doctor's surgery has been built but is sitting empty as there is no money to staff and run it. The Doctors surgeries and schools in our Parish are already oversubscribed and the Primary health care and hospital provision in Milton Keynes is already under pressure. We are aware that residents from the village of Whaddon in AVDC area already access the doctor's surgery at Westcroft. The schools in our Parish are full and all are having extensions built to cater for the existing population and the expected increase in housing of approximately another 2,500 properties in the future.

The use of facilities such as the Household Recycling centre at Bleak Hall in Milton Keynes by residents of the proposed development is also a problem. Leisure particularly sports facilities are under particular pressure in our parish where it

is extremely difficult for local clubs to find sports fields to hire and youth and elderly services provided by our parish are oversubscribed.

Taking into account that Tattenhoe Park which has outline planning permission for almost another 2,000 properties still has to be built, also directly abutting the A421 it is impossible to see how further development straddling the county border should even be considered.

The infrastructure for any development would need to be in place as soon as the first residents moved in as they could certainly not be accommodated across the border in Milton Keynes. This coupled with the transport problems leads us to object most strongly to this development going ahead.

A3.9 RAMBLE Ramblers Association

No representation received at the time of writing this report.

A3.10 Footpath Officer

No representation received at the time of writing this report.

A3.11 British Pipeline Agency

No representation received at the time of writing this report.

A3.12 Bucks And MK Environmental Records Centre

No representation received at the time of writing this report.

A3.13 Natural England

No representation received at the time of writing this report.

A3.14 Councils Archaeologists

No representation received at the time of writing this report.

A3.15 Cranfield Airport

No representation received at the time of writing this report.

A3.16 Environment Agency

No representation received at the time of writing this report.

A3.17 Highways Development Control

In summary, the Transport Assessment has demonstrated that the development (in AVDC) is able to be accommodated on the highway network. Improvements to junctions within Milton Keynes are proposed and, subject to agreeing a financial contribution, appear acceptable to mitigate the development. Noted.

The two accesses proposed within Milton Keynes have been tested and have been Safety Audited. The accesses are deemed to be acceptable.

Proposals for public transport and connections to the walking and cycling networks are acceptable but their implementation needs to be secured.

A section 106 agreement and conditions are required to ensure that appropriate highway works are carried out at the right time and to the right standards. A Section 278 agreement will ultimately cover the works within the public highway.

Consequently there is no highway objection to this application subject to securing the works, improvements and funding referred to.

A3.18 Highways England

No representation received at the time of writing this report.

A3.19 Footpath Officer

No representation received at the time of writing this report.

A3.20 The Parks Trust

The Parks Trust owns and maintains land under 999-year transportation corridor leases that will be affected by the proposed changes around the Tattenhoe Roundabout and the proposed new junction on the A421. We have received notice of the submission of the planning application but to date we have not been consulted on the landscape impacts of these junctions on land in the Trust's care. We have not been able to view any information submitted with the application about the landscape impacts of these junctions as it is not available to download from the online planning system. The Trust must be consulted at an early stage on

This is noted. Tree protection / management plan and landscaping scheme could be secured by conditions. The Parks Trust could be consulted at that time.

managing and mitigating the landscape impacts of these junction changes where they affect land in the Trust's care, especially where any re-landscaped areas will be handed back to the Trust for on-going maintenance. The Trust's approval of any tree management and any re-landscaping scheme on its land must be obtained before planning consent is granted and before works commence.

### **Local Residents**

The occupiers of the following properties were notified of the application:

84 Windmill Hill Drive Bletchley Milton Keynes  
Suzuki Gb Plc Steinbeck Crescent Snelshall West  
Celestia Andersen Gate Snelshall West  
1 Pendeen Crescent Snelshall East Milton Keynes  
Delico Ltd Steinbeck Crescent Snelshall West

Third party representations have been received from 51 households which raise the following concerns:

- Local services including the hospital and GP's are at capacity.
- Schools are at capacity and children already have to travel outside of the area.
- The traffic flows used to assess the application are incorrect and the traffic is already at the rates expected for 2026.
- Traffic flows on Whaddon Road will increase.
- It is inappropriate to consider this application before the adoption of Plan:MK and the Vale of Aylesbury Plan (VALP)

These comments appear discuss the principle of the wider residential development being considered by Aylesbury Vale District reference 15/00314/AOP (our reference: 15/00223/CONS).

The proposed highways improvements in this application are to facilitate any future residential development, only.



- It is inappropriate to consider this application in advance of the emerging Newton Longville Neighbourhood Plan (NLNP)
- The development has an unacceptable impact on the road traffic in Newton Longville and on the surrounding Milton Keynes road network
- The development has an unacceptable visual impact on the landscape and setting of Newton Longville
- The development has an unacceptable impact on productive agricultural land
- The road through Newton Longville is used as a rat run through to the Stoke Hammond Bypass the development will make this worse.
- The bridge near the proposed site should have a weight limit.
- The principle of development in this location is not supported in any (MKC or AVDC) local planning document. The principle of developing this site has not been agreed by either or both authorities.
- Cross development between authorities does not work.
- No development shall take place until local transport infrastructure is in place such as the Southern Bletchley relief road, and interchange on the EastWest rail link.

**APPENDIX 3: REPORT TO MKC DCC 090317**

**Application Number: 15/00619/FUL**  
**Major**

**Physical improvements to the Bottledump roundabouts and a new access onto the A421 (priority left in only) to accommodate the development of land in Aylesbury Vale District reference 15/00314/AOP.**

**AT Land At Buckingham Road, Tattenhoe Roundabout, Standing Way To Bottle Dump Roundabout**

**FOR SWMK Consortium**

**Target:** Extension of time: 15<sup>th</sup> March 2017.

**Ward:** Bletchley Park

**Parish:** West Bletchley Council

**Report Author/Case Officer:** Nicola Wheatcroft

**Contact Details:** 01908 252274 nicola.wheatcroft@milton-keynes.gov.uk

**Team Leader:** Katy Lycett

**Contact Details:** 01908 252313 katy.lycett@milton-keynes.gov.uk

## **1.0 INTRODUCTION**

*(A brief explanation of what the application is about)*

The current application relates to proposed highway works needed to serve the proposed South West Milton Keynes (SWMK) cross boundary mixed use planning application currently being considered by Aylesbury Vale District Council (AVDC). At the Development Control Committee meeting on 17<sup>th</sup> November 2016 a decision was made by the Development Control Committee to object to the AVDC planning application 15/00314/AOP under consultation application 15/02233/CONS. This application is yet to be determined by AVDC. This scheme is an outline proposal for up to 1885 houses, employment units, community facilities including schools and green space.

- 1.1 The proposal relates to the larger mixed use development as it looks to provide one of the accesses to the development and make alterations to Bottledump Roundabout to serve the development. Whilst it relates to the proposed SWMK development it is a separate planning application only for highway works. AVDC will determine the application 15/00314/AOP in due course and depending on the outcome of the application there may or may not be a need for the proposed highway works to be carried out.

## **1.2 Update**

This planning application was also presented to the Development Control Committee on the 17<sup>th</sup> November 2016. However, it was deferred by the Development Control Committee to allow:

- for further information to be provided in respect of the modelling processes used to complete the transport assessment
- and the implications and process to delegate the authority to determine the application to Aylesbury Vale District Council.

The report has been amended to cover these matters, please see paragraphs 5.4 – 5.5 and 5.7 – 5.9 respectively of the report below.

In addition further legal advice was to be sought as to whether the proposed highway works require planning permission.

### **1.3 The Site**

The application site is to the south west of Milton Keynes. The site includes part of the A421 and Whaddon Road. The site lies to the north of Newton Longville.

- 1.4 Under application reference 15/00314/AOP (within Aylesbury Vale and to be determined by Aylesbury Vale District Council) outline planning permission is sought with all matters reserved except for the access for a mixed-use sustainable urban extension on land to the south west of Milton Keynes to provide up to 1,855 mixed tenure dwellings; an employment area (B1); a neighbourhood centre including retail (A1/A2/A3/A4/A5), community (D1/D2) and residential (C3) uses; a primary and a secondary school; a grid road reserve; multi-functional green space; a sustainable drainage system; and associated access, drainage and public transport infrastructure.
- 1.4 This application seeks planning permission for physical improvements to the highway to facilitate the development of an access to the site.
- 1.5 The proposal includes physical improvements to the Bottledump roundabouts and for a highways access onto the A421, which would be a priority left in only junction. The application includes an equestrian crossing and links to the redway route to the north of the A421, and the installation of a roundabout junction on Buckingham Road.
- 1.6 The determination of this proposal deals only with the proposed highways works, the wider development area is outside of the Milton Keynes boundary and therefore falls to Aylesbury Vale to determine.
- 1.7 The planning application is accompanied by a Transport Assessment (TA) and a Travel Plan (TP). Both documents have been revised and resubmitted following discussions with both local highways authorities.

## **2.0 RELEVANT POLICIES**

### **2.1 National Policy**

National Planning Policy Framework 2012

12 Accordance with Development Plan  
14 Presumption in favour of Sustainable Development  
17 Core Planning Principles  
32 Transport  
56-66 Design  
103 Flood Risk  
126 – 141 Conserving and enhancing the historic environment  
173 Ensuring viability and deliverability  
176 Safeguards for acceptable development  
204 Planning Obligations

#### **Local Policy**

### **2.2**

Core Strategy (2013)

CSA NPPF – Presumption in favour of sustainable development  
CS1 Milton Keynes Development Strategy  
CS6 Place-Shaping Principles for Sustainable for Sustainable Urban Extensions in Adjacent Local Authorities  
CS11 A Well Connected Milton Keynes  
CS12 Developing Successful Neighbourhoods  
CS13 Ensuring High Quality Well Designed Places  
CS18 Healthier and Safer Communities  
CS19 The Historic and Natural Environment  
CS21 Delivering Infrastructure

### **2.3**

Adopted Milton Keynes Local Plan 2001-2011(Saved Policies)

T2	Access for those with impaired mobility
T3 & T4	Pedestrians and cyclists
T5	Public Transport
T15	Parking Provision
HE1	Protection of Archaeological Sites
HE5	Development affecting the setting of listed buildings
HE6	Conservation Areas
NE2	Protected Species
NE3	Biodiversity and geological enhancement
D1	Impact of development proposals on locality

### **2.4**

Supplementary Planning Guidance/Document

Social Infrastructure SPD (2005)  
Sustainable Construction SPD (2007)

Parking Standards SPD (2016)

Section 278 of the Highways Act 1980

### **3.0 MAIN ISSUES**

*(The issues which have the greatest bearing on the decision)*

- 3.1
  - Highway matters including third party comments
  - Determination of Cross Boundary planning applications
  - Visual Impact of Proposed Highway Works

### **4.0 RECOMMENDATION**

*(The decision that officers recommend to the Committee)*

- 4.1 It is recommended that planning permission for the highways works be granted subject to the conditions set out at section 6 of this report.

### **5.0 CONSIDERATIONS**

*(An explanation of the main issues that have led to the officer Recommendation)*

#### **5.1 Highway Matters including Third Party Comments**

The proposal needs planning permission as it involves works to a classified road. Milton Keynes Council is the Local Highways Authority responsible for the highways which are the subject of this application. The application is accompanied by a Transport Assessment which has been the subject of discussions between the Highway Engineers at MKC and Buckinghamshire County Council together with the applicants.

- 5.2 The Transport Assessment has demonstrated that the mixed use development in AVDC is able to be accommodated on the highway network. Improvements to junctions within Milton Keynes are proposed and, subject to agreeing the detail, appear acceptable to mitigate the development. The two accesses proposed within Milton Keynes have been tested and have been Safety Audited and are therefore deemed to be acceptable.
- 5.3 A Section 278 agreement will ultimately cover the works within the public highway. Consequently there is no highway objection to this application.
- 5.4 Following concerns expressed by third parties about the potential traffic impact of the development The Councils highway Engineers have revisited the junction modelling of the site access points and the improved Bottle Dump Roundabout. This confirms that the junctions will operate within capacity when the development is complete. It should be noted that there is also scope for further improvement at the detailed design stage.
- 5.5 In addition, the works will be subject to a Section 278 Agreement whereby detailed designs (complete with Road Safety Audits) will need to be presented to the respective Highway Authorities for approval. The Council (together with Buckinghamshire County Council) therefore retain control over

the final detailed design.

## **5.6 Visual Impact of the Proposed Highway Works**

The proposed access arrangements would have some visual impact on the area. However, they are part of the wider development being proposed within Vale Aylesbury Vale District for housing development. In this context, it is considered that the proposed highway improvements are necessary to ensure the delivery of this development (if approved by Aylesbury Vale DC), and proportionately are relatively minor to that development. Subject to conditions for tree protection and landscaping, it is considered that the proposal would not have such a significant visual impact on the area to warrant refusal of the access arrangements.

## **5.7 Cross Boundary Working**

The South West Milton Keynes planning application crosses the administrative boundary between two Local Planning Authorities (LPA). In these situations advice in the National Planning Practice Guidance (NPPG) sets out that two identical applications should be submitted, one to each LPA, seeking planning permission for the development of land falling within each LPA's administrative area. The planning fee is paid to the local planning authority whose area contains the largest part of the application site. In this case, the majority of the application site falls within the administrative area of Aylesbury Vale District Council.

## **5.8 There are two options for determination of applications in these circumstances:**

1. Each Authority determines the area in their control. This can have issues where two LPAs could make different decisions, impose different conditions and S.106 clauses on one development site.
2. The alternative is for the LPA with the largest development area to have the authority devolved to them to determine the planning application. This helps to ensure that a co-ordinated approach to decision making occurs in line with paragraph 178 of the National Planning Policy Framework (NPPF). This advises that public bodies have a duty to cooperate on planning issues that cross administrative boundaries.

## **5.9 In this case, all the built development will occur in AVDC, the only element within the administrative boundary of Milton Keynes are the proposed alterations to the Bottledump roundabout and the provision of a new junction from the A421. There has been ongoing dialogue and joint working between the two LPAs on this proposal looking at both the process of determination as well as the merits of the applications. The first of the two above options has been taken by Officers (at both Councils) as the most appropriate way to deal with the current applications. There are two distinct and clear elements to the overall scheme, one in each LPA area. The determination of the access application could be undertaken by MKC aside from the determination of the**

housing and associated works application by AVDC.

#### **5.10 Conclusion**

The proposal involves highway works to the A421 and Bottledump roundabout. These works will help to ensure that there would be no undue impact on the highway network in Milton Keynes in terms of capacity and safety as a result of the SWMK planning application (15/00314/AOP) if AVDC was to grant it planning permission. If planning permission is not forthcoming from ADVC then the highway works would not be implemented. The Highway Engineer is satisfied that the works are acceptable and there would be no adverse impact on capacity or safety.

### **6.0 CONDITIONS**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To prevent the accumulation of planning permissions; to enable the Local Planning Authority to review the suitability of the development in the light of altered circumstances; and to comply with section 51 of the Planning and Compulsory Purchase Act 2004. (D11)

2. All existing trees, woodlands and hedges to be retained are to be protected according to the provisions of BS 5837: 2012 'Trees in relation to design, demolition and construction - Recommendations'.

Reason: To protect the appearance and character of the area and to minimise the effect of development on the area.

3. A landscaping scheme, which shall include provision for the planting of trees and shrubs, shall be submitted to and approved by the Local Planning Authority before first use of the development. The scheme shall show the numbers, types and sizes of trees and shrubs to be planted and their location in relation to proposed roads, footpaths and drains. All planting in accordance with the scheme shall be carried out in accordance with the approved details within the first planting season following completion of development. Any trees or shrubs removed, dying, severely damaged or diseased within two years of planting shall be replaced in the next planting season with trees or shrubs of such size and species as approved.

Reason: To protect the appearance and character of the area and to minimise the effect of development on the area.

4. Details of any temporary accesses to site compounds / storage yards and any construction accesses shall be submitted to and approved in writing prior to commencement of works on site. The temporary access works shall be carried out in accordance with the approved details.



Reason: In the interest of highway safety within the locality.

5. Details of the construction of the A421 and Buckingham Road accesses shall be submitted to and approved in writing prior to commencement works on site. The development works shall be carried out in accordance with the approved details.

Reason: In the interest of highway safety within the locality.





**David Lock Associates**  
Town Planning and Urban Design



CREATION DATE: 23 FEBRUARY 2014  
LAST REVISED: 23 SEPTEMBER 2014

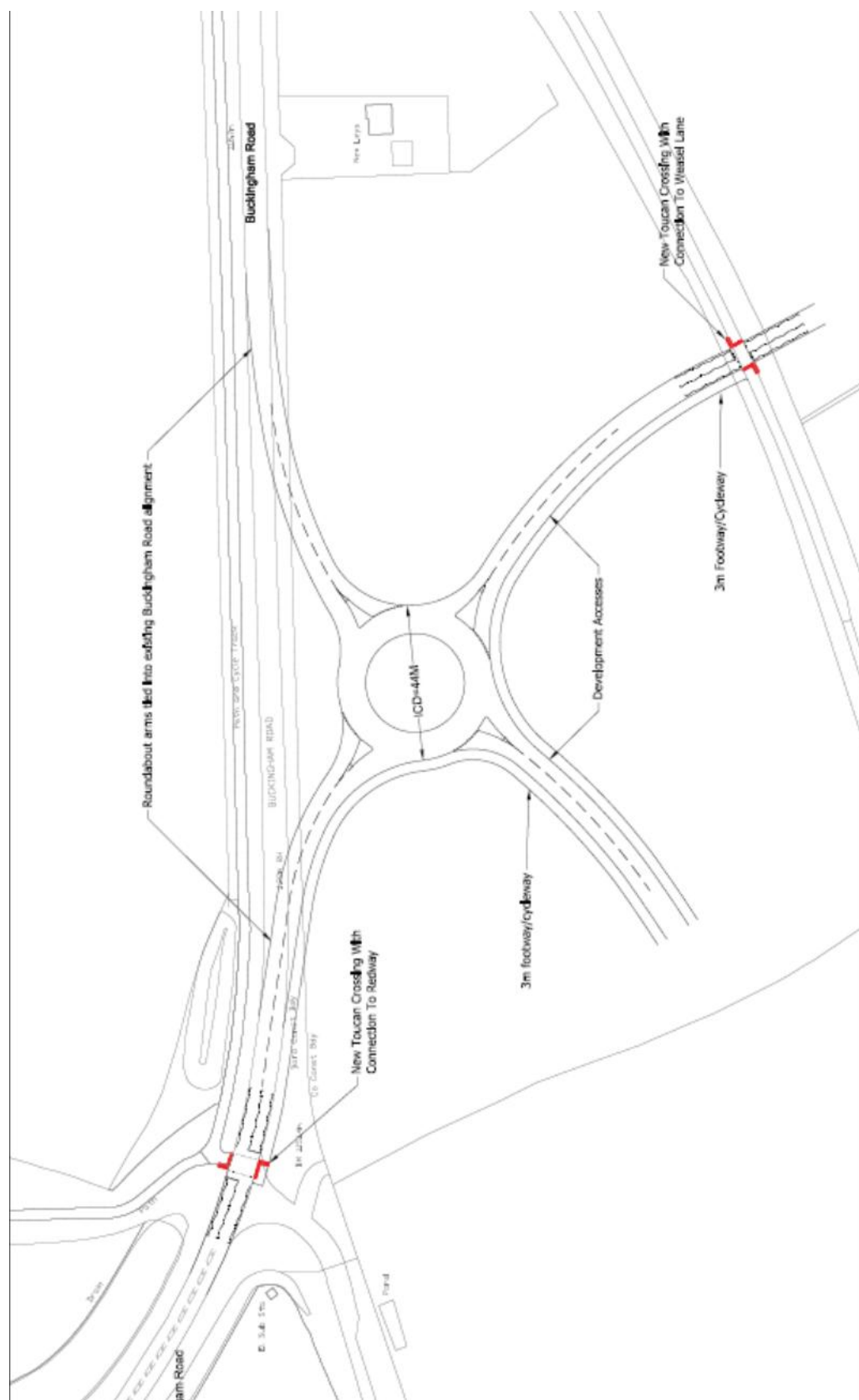


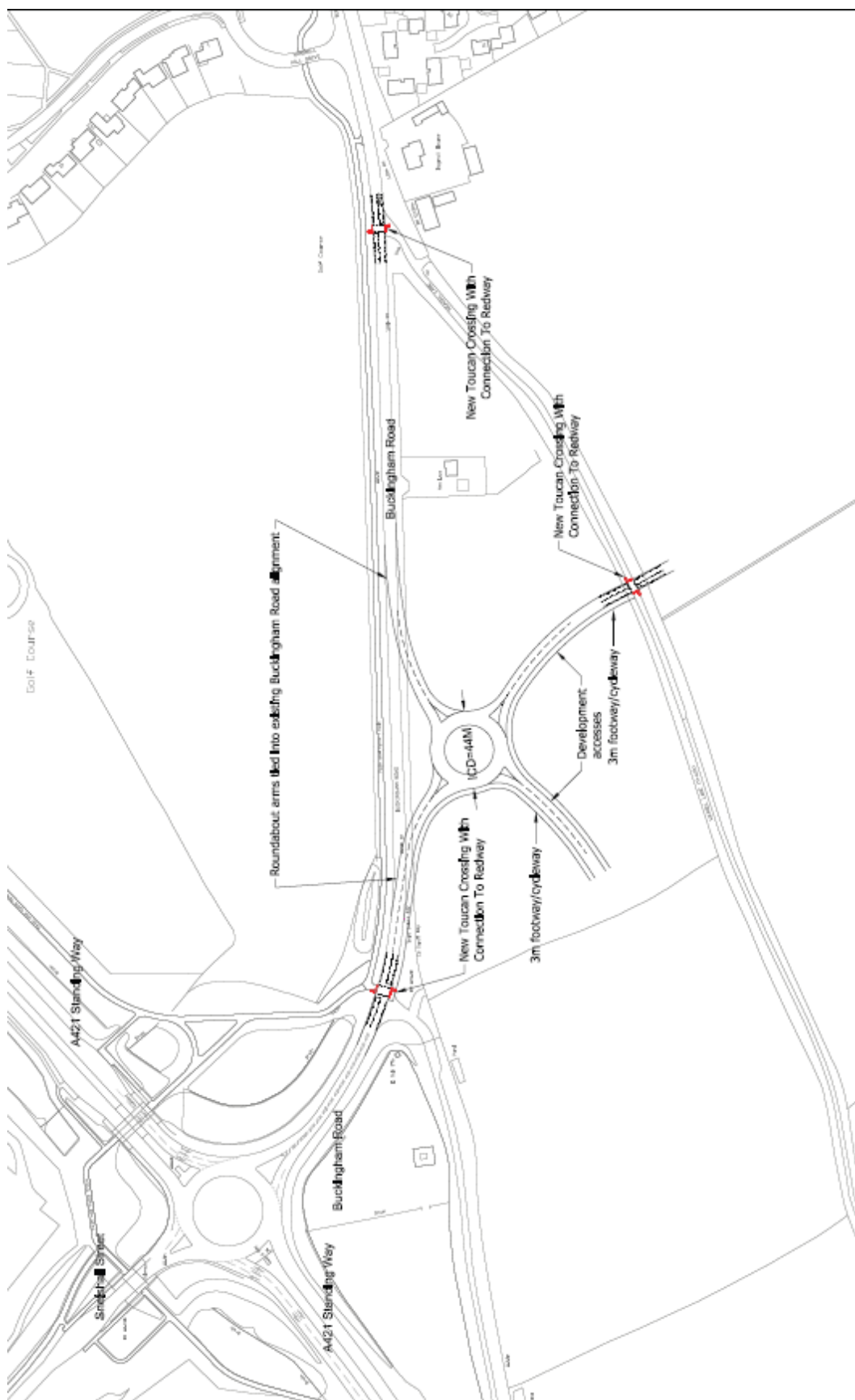
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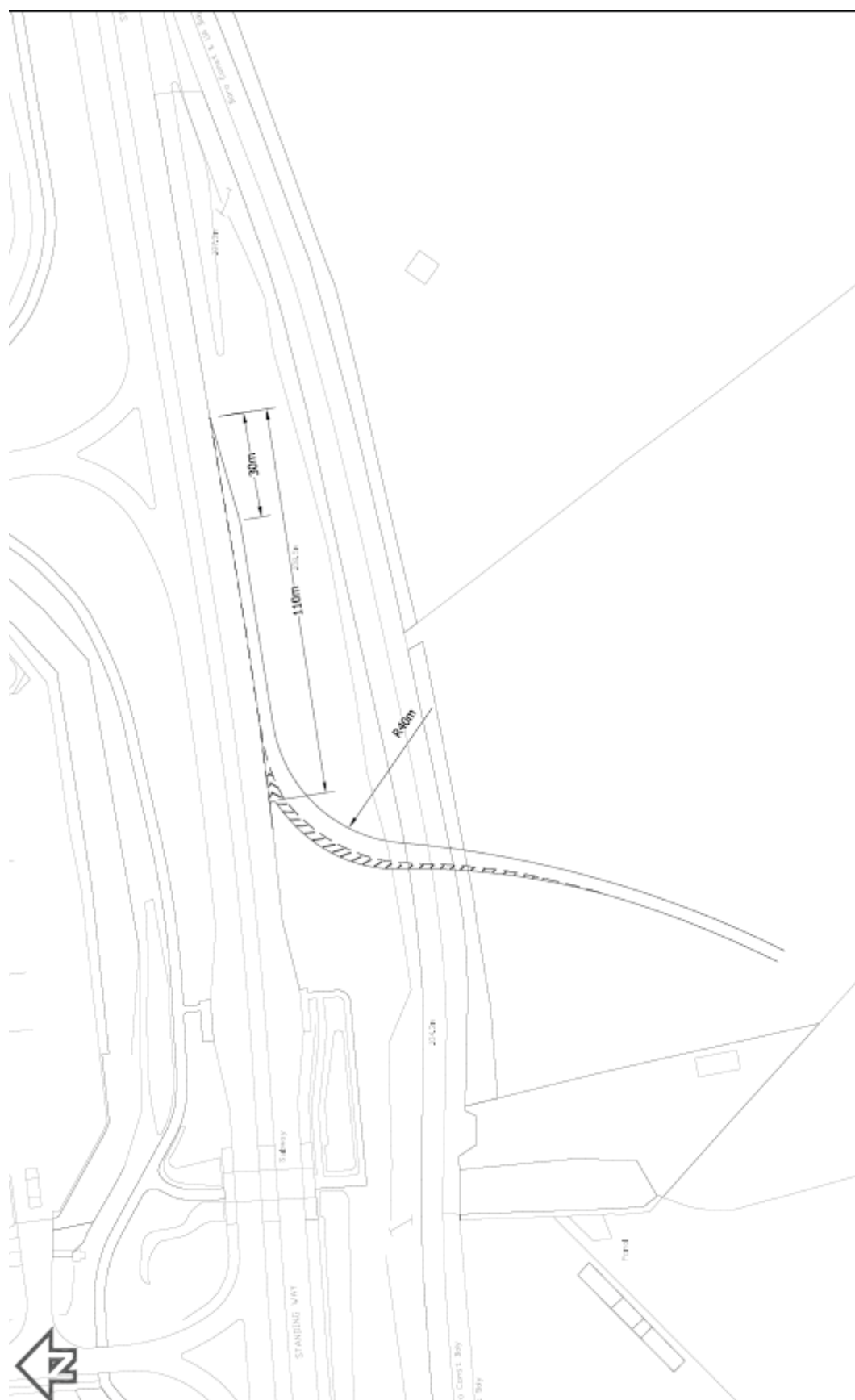
**South West, Milton Keynes**  
**Illustrative Master Plan in Context**

Dwg: SWMK03/07/C

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## **Appendix to 15/00619/FUL**

### **A1.0 RELEVANT PLANNING HISTORY**

*(A brief outline of previous planning decisions affecting the site – this may not include every planning application relating to this site, only those that have a bearing on this particular case)*

A1.1 00/01654/MKADV  
ERECTION OF FOUR FREE STANDING SIGNS  
PEAVNZ 20.11.2000

15/02590/ADV  
Advertisement consent for 4 x sponsorship signs  
PEAVNZ 08.12.2015

15/00223/CONS  
Consultation for Vale Aylesbury Vale District Council in relation to Outline planning application with all matters reserved except for access for a mixed-use sustainable urban extension on land to the south west of Milton Keynes to provide up to 1,885 mixed tenure dwellings; an employment area (B1); a neighbourhood centre including retail (A1/A2/A3/A4/A5), community (D1/D2) and residential (C3) uses; a primary and a secondary school; a grid road reserve; multi-functional green space; a sustainable drainage system; and associated access, drainage and public transport infrastructure

To be determined at the Development Control Committee meeting on 17<sup>th</sup> November 2016.

### **A2.0 ADDITIONAL MATTERS**

*(Matters which were also considered in producing the Recommendation)*

A2.1 None



### **A3.0 CONSULTATIONS AND REPRESENTATIONS**

*(Who has been consulted on the application and the responses received. The following are a brief description of the comments made. The full comments can be read via the Council's web site)*

#### **Comments**

#### **Officer Response**

##### **A3.1 Parish - West Bletchley**

Objection, for following reasons:

1. The principle of the development is not supported by any adopted development plan or supplementary planning document.
2. The development would place an unacceptable burden on the transport infrastructure.
3. The proposed grid road that would follow the gas pipeline is not shown to be technically viable nor that such a proposal represents a health and safety risk.
4. Loss of agricultural land
5. Unreasonable heads of terms
6. Impact on local services
7. Location of the allotments
8. Visual impact and poor mix of house types
9. Inclusion of open space within the site of the proposed secondary school

These comments appear to relate to the wider residential development being considered by Aylesbury Vale District reference 15/00314/AOP (our reference: 15/00223/CONS).

The proposed highways improvements in this application are to facilitate any future residential development.

##### **A3.2 Ward - Bletchley Park - Cllr McKenzie**

No representation received at the time of writing this report.

##### **A3.3 Ward - Bletchley Park - Cllr Wales**

No representation received at the time of writing this report.

A3.4 Ward - Bletchley Park - Cllr Clancy

No representation received at the time of writing this report.

A3.5 Ward - Tattenhoe - Cllr Small

No representation received at the time of writing this report.

A3.6 Ward - Tattenhoe - Cllr Bald

No representation received at the time of writing this report.

A3.7 Ward - Tattenhoe - Cllr Morla

No representation received at the time of writing this report.

A3.8 Parish - Shenley Brook End & Tattenhoe

The proposed development would place an unacceptable burden on the transport infrastructure in particular the already congested A421. Any increase in use of the A421 would inevitably lead to traffic using the alternative route of V1 and H7, which is already a very congested route at peak times, through our parish to gain access into the centre of Milton Keynes and the V3 to gain access to the newer areas of the Western flank to the north of us.

There has been a lot of discussion about a new A421 expressway and until the route of this is decided we feel that no further development should be allowed in this area as this could affect all development decisions especially in this South West Corner of Milton Keynes.

These comments appear discuss the principle of the wider residential development being considered by Aylesbury Vale District reference 15/00314/AOP (our reference: 15/00223/CONS).

The proposed highways improvements in this application are to facilitate any future residential development.



The draft plan includes reference to S106 agreements and a Community Infrastructure Levy to fund essential services. We do not believe that developer's contributions will sufficiently fund the transport infrastructure requirement without considering the rest of the essential services such as schools and health care. We have already seen in Newton Lees that a doctor's surgery has been built but is sitting empty as there is no money to staff and run it. The Doctors surgeries and schools in our Parish are already oversubscribed and the Primary health care and hospital provision in Milton Keynes is already under pressure. We are aware that residents from the village of Whaddon in AVDC area already access the doctor's surgery at Westcroft. The schools in our Parish are full and all are having extensions built to cater for the existing population and the expected increase in housing of approximately another 2,500 properties in the future.

The use of facilities such as the Household Recycling centre at Bleak Hall in Milton Keynes by residents of the proposed development is also a problem. Leisure particularly sports facilities are under particular pressure in our parish where it is extremely difficult for local clubs to find sports fields to hire and youth and elderly services provided by our parish are oversubscribed.

Taking into account that Tattenhoe Park which has outline planning permission for almost another 2,000 properties still has to be built, also directly abutting the A421 it is impossible to see how further development straddling the county border should even be considered.

The infrastructure for any development would need to be in place as soon as the first residents moved in as they could certainly not be accommodated across the border in Milton Keynes. This coupled with the transport problems leads us to object most strongly to this development going ahead.

#### A3.9 Highways Development Control

In summary, the Transport Assessment has demonstrated that the development (in Noted see paras 5.1 – 5.5

AVDC) is able to be accommodated on the highway network. Improvements to junctions within Milton Keynes are proposed and, subject to agreeing a financial contribution, appear acceptable to mitigate the development.

The two accesses proposed within Milton Keynes have been tested and have been Safety Audited. The accesses are deemed to be acceptable.

Proposals for public transport and connections to the walking and cycling networks are acceptable but their implementation needs to be secured.

A section 106 agreement and conditions are required to ensure that appropriate highway works are carried out at the right time and to the right standards. A Section 278 agreement will ultimately cover the works within the public highway.

Consequently there is no highway objection to this application subject to securing the works, improvements and funding referred to.

#### Additional Comments

Following the last meeting which deferred a decision on the SWMK access proposals we have had a chance to look in detail at Mr. Heath's objections and also discussed them with the applicant. I am now satisfied that Mr. Heath's concerns are misplaced and see no reason to change our recommendation.

Following concerns expressed by third parties about the potential traffic impact of the development we have revisited the junction modelling of the site access points and the improved Bottle Dump Roundabout. This confirms that the junctions will operate within capacity when the development is complete and that there is also scope for further improvement at the detailed design stage.

We would also stress that the works will be subject to a Section 278 Agreement whereby detailed designs (complete with Road Safety Audits) will need to be

presented to the respective Highway Authorities for approval. The Council (together with Buckinghamshire County Council) therefore retain control over the final detailed design

A3.10 The Parks Trust

The Parks Trust owns and maintains land under 999-year transportation corridor leases that will be affected by the proposed changes around the Tattenhoe Roundabout and the proposed new junction on the A421. We have received notice of the submission of the planning application but to date we have not been consulted on the landscape impacts of these junctions on land in the Trust's care. We have not been able to view any information submitted with the application about the landscape impacts of these junctions as it is not available to download from the online planning system. The Trust must be consulted at an early stage on managing and mitigating the landscape impacts of these junction changes where they affect land in the Trust's care, especially where any re-landscaped areas will be handed back to the Trust for on-going maintenance. The Trust's approval of any tree management and any re-landscaping scheme on its land must be obtained before planning consent is granted and before works commence.

This is noted. Tree protection / management plan and landscaping scheme could be secured by conditions. The Parks Trust could be consulted at that time.

A3.11 Footpath Officer

No representation received at the time of writing this report.

A3.12 British Pipeline Agency

No representation received at the time of writing this report.

A3.13 Bucks And MK Environmental Records Centre

No representation received at the time of writing this report.

A3.14 Natural England

No representation received at the time of writing this report.

A3.15 Councils Archaeologists

No representation received at the time of writing this report.

A3.16 Cranfield Airport

No representation received at the time of writing this report.

A3.17 Environment Agency

No representation received at the time of writing this report.

A3.18 Highways England

No representation received at the time of writing this report.

A3.19 Footpath Officer

No representation received at the time of writing this report.

A3.20 RAMBLE Ramblers Association

No representation received at the time of writing this report

**Local Residents**

The occupiers of the following properties were notified of the application:  
84 Windmill Hill Drive Bletchley Milton Keynes

Suzuki Gb Plc Steinbeck Crescent Snelshall West  
Celestia Andersen Gate Snelshall West  
1 Pendeen Crescent Snelshall East Milton Keynes  
Delico Ltd Steinbeck Crescent Snelshall West

Third party representations have been received from 71 households which raise the following concerns which predominantly relate to the SWMK mixed use development rather than the application for highway works:

- Local services including the hospital and GP's are at capacity.
- Schools are at capacity and children already have to travel outside of the area.
- The traffic flows used to assess the application are incorrect and the traffic is already at the rates expected for 2026.
- Traffic flows on Whaddon Road will increase.
- It is inappropriate to consider this application before the adoption of Plan:MK and the Vale of Aylesbury Plan (VALP)
- It is inappropriate to consider this application in advance of the emerging Newton Longville Neighbourhood Plan (NLNP)
- The development has an unacceptable impact on the road traffic in Newton Longville and on the surrounding Milton Keynes road network
- The development has an unacceptable visual impact on the landscape and setting of Newton Longville
- The development has an unacceptable impact on productive agricultural land
- The road through Newton Longville is used as a rat run through to the Stoke Hammond Bypass the development will make this worse.
- The bridge near the proposed site should have a weight limit.
- The principle of development in this location is not supported in any (MKC or AVDC) local planning document. The principle of developing this site has not been agreed by either or both authorities.
- Cross development between authorities does not work.
- No development shall take place until local transport infrastructure is in place such as the Southern Bletchley relief road, and interchange on the EastWest rail link.
- Increase in traffic
- Increase in air pollution
- Impact on infrastructure

- Prematurity of application as Neighbourhood Plan no made
- Highway safety issues from alterations to Bottledump roundabout
- Impact of proposed traffic calming on village
- Landscape and visual assessment

**APPENDIX 4: REPORT TO MKC DCC 071119**

## ITEM 6(a)

**Application Number: 15/00619/FUL**

**Description** Outline planning application for physical improvements to the Bottledump roundabouts and a new access onto the A421 (priority left in only) to accommodate the development of land in Aylesbury Vale District reference 15/00314/AOP (for Outline planning application with all matters reserved except for access for a mixed-use sustainable urban extension on land to the south west of Milton Keynes to provide up to 1,855 mixed tenure dwellings; an employment area (B1); a neighbourhood centre including retail (A1/A2/A3/A4/A5), community (D1/D2) and residential (C3) uses; a primary and a secondary school; a grid road reserve; multi-functional green space; a sustainable drainage system; and associated access, drainage and public transport infrastructure - EIA development).

**At** Land At Buckingham Road, Tattenhoe Roundabout, Standing Way To Bottle Dump Roundabout

**For** SWMK Consortium

**Statutory Target:** 08.06.2015

**Extension of Time:** Yes – 29.11.2019

**Ward:** Bletchley Park

**Parish:** West Bletchley Council

**Report Author/Case Officer:** Paul Keen  
Deputy Development Management Manager

**Contact Details:** 07795475593  
paul.keen@milton-keynes.gov.uk

**Team Manager:** Sarah Hine  
Development Management Manager  
sarah.hine@milton-keynes.gov.uk

### 1.0 RECOMMENDATION

- 1.1 It is recommended that permission is granted subject to conditions set out in this report.

### 2.0 INTRODUCTION

#### Background and Updates

- 2.1 The application was deferred by the Development Control Committee on 09.03.2017 to allow time for application 15/00314/AOP (within Aylesbury Vale District) to be determined by Aylesbury Vale District Council to develop the Salden Chase estate.



- 2.2 Officers can confirm that application 15/00314/AOP now has a resolution to grant planning permission by Aylesbury Vale District Council planning committee members, and it is understood that final version of the Section 106 Agreement is out for signature. Once signed the planning permission will be issued by Aylesbury Vale District Council. Development Control Committee members will be updated on the position by way of a further update paper or at the Development Control Committee meeting itself where necessary.
- 2.3 Officers can also confirm that the s106 agreement relating to the Salden Chase site will include financial contributions in the sum of up to £1,990,057 towards hospital provision, to mitigate against the impact of the development on facilities within Milton Keynes District. This follows initial concerns raised by Milton Keynes Council during the consultation on the application at Aylesbury Vale (MKC reference 15/00223/CONS), and subsequent negotiations and agreement between Milton Keynes Council and Aylesbury Vale District Council officers. It is also important to note that Aylesbury Vale District Council has demonstrated that all other financial contributions would be required within Aylesbury Vale District and go towards projects within their jurisdiction.
- 2.4 This application (15/00619/FUL) was deferred by the Development Control Committee on 2<sup>nd</sup> February 2017, as members were concerned that the revised transport assessment report did not adequately address whether further modelling is required, and to allow that work to be undertaken.
- 2.5 This application (15/00619/FUL) was deferred by the Development Control Committee on the 17<sup>th</sup> November 2016 to allow further legal advice to be sought as to whether the proposed highway works require planning permission. It also allowed further information to be provided in respect of the modelling processes used to complete the transport assessment, to ascertain the implications of and give a view on the application submitted within Aylesbury Vale District in highway impact and suitability terms.
- 2.6 Following further consideration and consultation with the Council's Legal and Highways Officers it has been confirmed that, on the basis that the proposed works include (a) the construction of new access ways on to a classified road and (b) the construction of new carriageways, planning permission is required.
- 2.7 It has been confirmed that any financial contributions relating to highways improvement works could be made and secured through an agreement pursuant to section 278 of the Highways Act 1980 (supported by a performance bond).

#### The Site

- 2.8 The application site is to the south west of Milton Keynes and includes part of the A421 and Whaddon Road. The site lies to the north of Newton Longville.
- 2.9 Outside of Milton Keynes Council's jurisdiction, and under application reference 15/00314/AOP (within Aylesbury Vale and to be determined by Aylesbury Vale District Council) outline planning permission is sought with all matters reserved except for the access for a mixed-use sustainable urban extension on land to the

south west of Milton Keynes to provide up to 1,855 mixed tenure dwellings; an employment area (B1); a neighbourhood centre including retail (A1/A2/A3/A4/A5), community (D1/D2) and residential (C3) uses; a primary and a secondary school; a grid road reserve; multi-functional green space; a sustainable drainage system; and associated access, drainage and public transport infrastructure.

### The Proposal

- 2.10 This application (15/00619/FUL) seeks outline planning permission for physical improvements to the highway to facilitate the development of an access to the site.
- 2.11 The proposal includes physical improvements to the Bottledump roundabouts and for a highways access onto the A421, which would be a priority left in only junction. The application includes an equestrian crossing and links to the redway route to the north of the A421, and the installation of a roundabout junction on Buckingham Road.
- 2.12 The determination of this proposal deals only with the proposed highways works, as the wider development area is outside of the Milton Keynes boundary and therefore falls to Aylesbury Vale District Council to determine.
- 2.13 The planning application is accompanied by a Transport Assessment (TA) and a Travel Plan (TP).
- 2.14 There have been minor changes to the application site boundary between the original submission and the formal revision. A revised red line plan was provided when the application was formally revised in 2016. These changes relate to the exclusion of land at the western end of Whaddon Road approaching the Bottledump Roundabout. This was originally included to facilitate a particular access arrangement to the recycling facility, which was subsequently abandoned. This resulted in amendments to the access from the A421, 'left in – left out' to 'left in' only, which moved the red line to the east.
- 2.15 Since the March 2019 Development Control Committee meeting, the Transport Assessment and Ecological appraisal (contained within the Environmental Impact Assessment) have been updated to indicate that the conclusions of those documents are still valid.
- 2.16 An Environmental Impact Assessment (which also relates to Aylesbury Vale's application and this application) has been submitted with the application. The application has been advertised in full accordance with 2011 EIA Regulations (neighbour letters/site notices/press advert) and EU Directive 2011/92/EU.
- 2.17 Members will note that the suffix FUL is used in the MKC reference for this application, rather than OUTEIS which is normally used for (Outline applications subject to an Environmental Impact Assessment). Members can be assured that suffixes are used purely for internal administrative purposes, and this anomaly does not indicate any deviation from any procedural planning law or regulations. . On the contrary, officers can confirm that the application has been dealt with in full

accordance with planning procedural law. For the avoidance of doubt it is hereby confirmed that this is an outline application

#### Reason for referral to committee

- 2.18 The application has been referred to committee due to political and public interest.

#### Scope of debate/decision

- 2.10 This application proposal (15/00619/FUL) is in outline and only the following matters (in addition to principle of the development) can be considered under this application:

- Access

Reserved matters (which do not form part of the assessment of this application) therefore include:

- Layout
- Scale
- Landscaping
- Appearance

- 2.11 Other matters which do not form part of the assessment of this application include matters which relate to the application submitted with Aylesbury Vale District Council (15/00314/AOP).

### **3.0 RELEVANT POLICIES**

#### **National Policy**

- 3.1 National Planning Policy Framework (February 2019) (NPPF)

Section 2 - Achieving sustainable development

Section 8 - Promoting healthy and safe communities

Section 9 - Promoting sustainable transport

Section 11 - Making effective use of land

Section 12 - Achieving well-designed places

In addition, the Planning Practice Guidance is also a material consideration

#### **The Development Plan**

- 3.2 Neighbourhood Plan

There is no draft or made Neighbourhood Plan for this area.

### 3.3 Plan: MK (March 2019)

Since 09.03.2017 Development Control Committee Plan:MK has been adopted at Council on 20 March 2019 and now forms part of the statutory development plan for Milton Keynes, and includes the Policies Map that indicates land use in the Borough.

Policy SD15 – Place Making Principles for Sustainable Urban Extensions in Adjacent Local Authorities

Policy CT1 - Sustainable Transport Network

Policy CT2 - Movement and Access

Policy CT3 - Walking and Cycling

Policy CT5 - Public Transport

Policy INF1 - Delivering Infrastructure

Policy FR1 - Managing Flood Risk

Policy FR2 - Sustainable Drainage Systems (SUDS) and Integrated Flood Risk Assessment

Policy NE1 - Protection of Sites

Policy NE2 - Protected Species and Priority Species And Habitats

Policy NE3 - Biodiversity and Geological Enhancement

Policy NE4 - Green Infrastructure

Policy NE5 - Conserving and Enhancing Landscape Character

Policy D1 - Designing a High Quality Place

Policy D2 - Creating a Positive Character

Policy D5 - Amenity and Street Scene

### 3.4 Supplementary Planning Documents/Guidance

Sustainable Construction Guide SPD (April 2007)

Milton Keynes Drainage Strategy - Development and Flood Risk

SPG (May 2004)

### 3.5 Human Rights Act 1998

There may be implications under Article 8 and Article 1 of the First Protocol regarding the right of respect for a person's private and family life and home, and to the peaceful enjoyment of possessions. However, these potential issues are in this case amply covered by consideration of the environmental impact of the application under the policies of the development plan and other relevant policy guidance.

## 4.0 **RELEVANT PLANNING HISTORY**

### 4.1 Relevant Pre-application Advice

None

### 4.2 Application Site

15/00223/CONS

Consultation for Vale Aylesbury Vale District Council in relation to Outline planning application with all matters reserved except for access for a mixed-use sustainable urban extension on land to the south west of Milton Keynes to provide up to 1,885 mixed tenure dwellings; an employment area (B1); a neighbourhood centre including retail (A1/A2/A3/A4/A5), community (D1/D2) and residential (C3) uses; a primary and a secondary school; a grid road reserve; multi-functional green space; a sustainable drainage system; and associated access, drainage and public transport infrastructure.

Milton Keynes Council raised objections to the development, as it considered the application fails to:

- take account of the level of services and facilities required to meet the day-to-day needs of its future residents; and
- make proportionate contributions towards an increase in the capacity of existing facilities within Milton Keynes to satisfy these increased demands and to mitigate the impact of the proposed development on existing services and infrastructure in Milton Keynes.

It was therefore, considered that the proposal fails to meet the statutory test for the use of planning obligations in accordance with Regulation 122(2) of the Community Infrastructure Levy Regulations 2010, and policies within the Local Plan and National Planning Policy Framework.

Following negotiations between Milton Keynes Council and Aylesbury Vale District Council officers, a contribution has been secured in relation to hospital facilities within Milton Keynes District. Officers consider that the original objection has been addressed.

#### 4.3 Salden Chase Estate (Aylesbury Vale District Council)

15/00314/AOP

Outline planning application with all matters reserved except for access for a mixed-use sustainable urban extension on land to the south west of Milton Keynes to provide up to 1,885 mixed tenure dwellings; an employment area (B1); a neighbourhood centre including retail (A1/A2/A3/A4/A5), community (D1/D2) and residential (C3) uses; a primary and a secondary school; a grid road reserve; multi-functional green space; a sustainable drainage system; and associated access, drainage and public transport infrastructure.

(Aylesbury Vale District Council)\_Committee resolution to grant planning permission subject to conditions and s106 agreement. The s106 agreement includes financial contributions to be paid towards hospitals within Milton Keynes District.

## 5.0 **FULL CONSULTATIONS AND REPRESENTATIONS**

### 5.1 West Bletchley Parish Council

**Initial comments received**

Objection, for following reasons:

1. The principle of the development is not supported by any adopted development plan or supplementary planning document.
2. The development would place an unacceptable burden on the transport infrastructure.
3. The proposed grid road that would follow the gas pipeline is neither shown to be technically viable, nor that such a proposal represents a health and safety risk.
4. Loss of agricultural land.
5. Unreasonable heads of terms.
6. Impact on local services.
7. Location of the allotments.
8. Visual impact and poor mix of house types.
9. Inclusion of open space within the site of the proposed secondary school.

### **Officer comments**

These comments appear to relate to the wider residential development being considered by Aylesbury Vale District reference 15/00314/AOP (our reference: 15/00223/CONS).

The proposed highways improvements in this application are to facilitate any future residential development.

### **Additional comments following re-consultation**

Following re-consultation since the previous (09.03.2017) Development Control Committee deferral, further comments have been received. They outline the same issues as mentioned above.

## **5.2 Shenley Brook End and Tattenhoe Parish Councils**

### **Initial comments received (08/09/2016)**

The proposed development would place an unacceptable burden on the transport infrastructure in particular the already congested A421. Any increase in use of the A421 would inevitably lead to traffic using the alternative route of V1 and H7, which is already a very congested route at peak times, through our parish to gain access into the centre of Milton Keynes and the V3 to gain access to the newer areas of the Western flank to the north of us.

There has been a lot of discussion about a new A421 expressway and until the route of this is decided we feel that no further development should be allowed in this area as this could affect all development decisions especially in this South West Corner of Milton Keynes.

The draft plan includes reference to S106 agreements and a Community Infrastructure Levy to fund essential services. We do not believe that developer's contributions will sufficiently fund the transport infrastructure requirement without considering the rest of the essential services such as schools and health care. We

have already seen in Newton Lees that a doctor's surgery has been built but is sitting empty as there is no money to staff and run it. The Doctors surgeries and schools in our Parish are already oversubscribed and the Primary health care and hospital provision in Milton Keynes is already under pressure. We are aware that residents from the village of Whaddon in AVDC area already access the doctor's surgery at Westcroft. The schools in our Parish are full and all are having extensions built to cater for the existing population and the expected increase in housing of approximately another 2,500 properties in the future.

The use of facilities such as the Household Recycling centre at Bleak Hall in Milton Keynes by residents of the proposed development is also a problem. Leisure particularly sports facilities are under particular pressure in our parish where it is extremely difficult for local clubs to find sports fields to hire and youth and elderly services provided by our parish are oversubscribed.

Taking into account that Tattenhoe Park which has outline planning permission for almost another 2,000 properties still has to be built, also directly abutting the A421 it is impossible to see how further development straddling the county border should even be considered.

The infrastructure for any development would need to be in place as soon as the first residents moved in as they could certainly not be accommodated across the border in Milton Keynes. This coupled with the transport problems leads us to object most strongly to this development going ahead.

### **Officer comments**

These comments appear to discuss the principle of the wider residential development being considered by Aylesbury Vale District reference 15/00314/AOP (our reference: 15/00223/CONS).

The proposed highways improvements in this application are to facilitate any future residential development.

### **Additional comments following re-consultation**

Objection: The Parish Council's comments in their previous representations still stand.

The proposed junctions for the development in South West Milton Keynes (Salden Chase) would place an unacceptable burden on the transport infrastructure, leading to a significant level of congestion on the A421. We agree with the findings of the Transport Assessment commissioned by West Bletchley Council

Additionally, with the increase of residents from the proposed development, this would place an unacceptable increased demand on local services within our Parish, such as Healthcare and Schooling, which are already under pressure.

We would also question the inclusion of a further roundabout as per the current boundary, and also the boundary itself, which appears to have extended.

### 5.3 Newton Longville Parish Council

Objection (16/11/2016):

1. The letter addresses both the application to Milton Keynes Council and the consultation on the application to Aylesbury Vale. It is important to realise (contrary to how the application has been shown) that the applications are identical (as they are required to be by the government).
2. We apologise to members that matters are being raised now in such detail, however the points have been highlighted to officers for quite some time. As the report to committee was only published on 9th November it was not possible to comment on the report until after that.
3. For the reasons given in more detail below, we hope the committee will defer consideration of the application 15/11619/FUL so it can be given a correct description, advertised in accordance with the Environmental Impact Regulations and considered in the light of that. We stress this is not the fault of the applicants who (initially at least) made identical applications. In addition the applicants should be required to submit a new complete (albeit multi-volume) Environmental Statement which does not constitute a "Paper Chase" as ruled out by the House of Lords.
4. If members do not agree to deferring application 15/11619/FUL we hope that members will agree that the fairer process would be to consider and decide on the consultation 15/00223/CONS before deciding the application 15/00619/FUL. There has been significant confusion and many of the public who have asked to speak on 15/00223/CONS believe they are speaking on a planning application that MKC is to be determining rather than expressing a view to AVDC.
5. We believe that the response to AVDC can and should go ahead. It should be noted though that the description being used is incorrect, as the number of dwellings proposed is 1855, not 1885 as in the MKC description.

#### **Application not dealt with in accordance with Environmental Regulations**

6. The report to committee purports to deal only with the highways changes parts of the application within the Milton Keynes Council boundary, however we contend that is a fundamentally flawed approach and that in particular account needs to be taken of the overall transport implications of the complete application. As is clear from Planning Practice Guidance Paragraph: 034 Reference ID: 22-034-20141017

*"If an application site is on land that falls within the boundary of more than one local planning authority, then identical applications must be submitted to each local planning authority, identifying on the plans which part of the site is relevant to each."*

7. The application has not been treated as an EIA application when it clearly is. Therefore the correct process for dealing with the application in accordance with the Environmental Impact Regulations have not been followed. It is the application site as a whole that determines whether or not it is an EIA application. An



Environmental Statement has been submitted (and subsequently revised in part). This issue was raised with Milton Keynes Council on 26th September.

8. Process issues were raised with the case officers and head of legal at both Milton Keynes Council and Aylesbury Vale on 26th September. This related to several matters:

- Environmental Statement (ES) – Failure by the applicants to comply with Environmental Impact Regulations – Avoidance of a “Paper Chase” As the PPG makes clear, an ES may consist of one or more documents, but it must constitute a “single and accessible compilation of the relevant environmental information and the summary in non-technical language” (Berkeley v SSETR [2000] 3 All ER 897, 908).” What has been submitted does not comply with this.
- Missing Raw Traffic Data
- That at public meetings in West Bletchley and Newton Longville the applicants and their representative claimed that various matters had been “agreed” with the highways authorities and other consultees, but yet there is little or no detail of these discussions on the planning files.
- Other issues with Environmental Statement – inappropriate use of Google Maps Traffic data to “validate” models and failure to carry out stage one safety audits on the junctions affected other than the proposed Whaddon Road junction – and not to have carried out a revised safety audit after making significant changes to the proposed junction.

9. It was only in the reply to that it became clear that Milton Keynes Council believed they did not have the same application as submitted to Aylesbury Vale – despite the clear evidence otherwise including the submissions by the applicants and the above PPG paragraph requiring identical applications are submitted. Amongst other things this meant that MKC were claiming that no Environmental Statement had been sent to them as part of application 15/00619/FUL – and therefore the issues we were raising were irrelevant to Milton Keynes Council and could only be addressed to Aylesbury Vale District Council.

10. There is no doubt that the applicants did in fact submit identical applications to each planning authority. A copy was also supplied to the parish council. However it appears that early on someone at Milton Keynes Council chose to imagine an application that is not what was actually submitted and so contrary to the Planning Practice Guidance and a failure to comply with the Environmental Impact Regulations. As it has been so long since the application was first submitted there has been several changes of case officer since then and this may explain the fundamental error, misunderstanding and so failure to comply with the regulations.

11. After getting a response which implied MKC had not been sent an Environmental Statement by the applicants this point was queried and the response from officers on 11th October said:

*“It is our understanding the ES was not submitted to MKC in respect of the highways application and there has not been a processing error in this regard; in any event an ES would not be required for works of this nature.”*

This continues the fundamental misunderstanding of the true situation, no doubt an error made innocently at first, but not something that can still be ignored.

12. When dealing with a cross-boundary application such as this the government are clear that there should be extensive co-operation and co-ordination between the planning authorities involved. Whilst there are some indication of some joint meetings there is a lack of clear evidence to show there has been true co-operation, joint working and a compliance to comply with the duty to co-operate.

13. Whilst the government guidance does give any more detail about handling cross-boundary application as such, the Environmental Impact Regulations clearly apply to the site as a whole.

14. We do not suggest that it is necessary for Milton Keynes Council to consider in any detail all of proposals on the site as a whole, but not can an artificial boundary be assumed to run along the local authority boundary as if the world ceases at the local authority boundary.

15. A lot of time and effort was spent by Milton Keynes members and planning policy officers in drafting what is now Core Strategy Policy CS6 to cover this very situation. Yet there is scant regard paid to CS6 within the officer report.

16. We ask members to carefully consider policy CS6 and how it should be applied here so that the sort of situation described by residents in the wilderness of “Newton Leys South” are finding by not being within the MKC administrative boundary. Milton Keynes Council has regained control of its own destiny we ask committee to reject cross-boundary applications that fail to comply with the principles laid down in policy CS6. A very strong case can be made that without this, an application will fail all three tests of sustainability as defined in the National Planning Policy Framework.

### **Transport Implications**

17. You have already has a copy of the report on the Transport Implications of this cross-boundary application produced by David Tucker Associates, Transport Planning Consultants in support of the objections by Newton Longville Parish Council to this application. The report was jointly commissioned by both Newton Longville Parish Council and West Bletchley Council.

18. Our consultants report raises various issues which we believe require attention and detailed consideration before the application may be determined.

19. A particular and fundamental outstanding issue which was raised with both Milton Keynes Council and Aylesbury Vale District Council over six weeks ago is the continuing failure to produce the raw data for the traffic analysis undertaken. However we understand the data has more recently been supplied by the applicant to Milton Keynes Council on a CD but for as of now has not yet been placed on the planning file (or a reference to it being available on request). All such information must be made publically available. Until this information is made available by Milton Keynes Council application

20. The lack of the full dataset is raised in paragraph 3.1 of our consultants report in relation to the proposed new T-junction from development to Whaddon Road. Whilst this access is not within the MKC boundary it clearly has the potential for a fundamental effect on traffic flows on the MK Highways Network. The entry and exit points and traffic flows cannot be treated in isolation on the basis of which planning or highways authority they are located in.

21. So far no explanation has been provided by the applicants or highways authority to explain the rational or justification for the removal of a left in, left out junction to the A421 as originally proposed. We understand the only reason for the change is the applicants so not wish to pay the costs of the infrastructure changes that would be needed to support provision of the out part of the proposed junction. So instead they are merely assuming the traffic that would have used that junction can instead use the remaining two proposed junctions.

22. The applicants consultants Mouchel contend that the majority of the highways impact of the site will be towards Milton Keynes – and from a public transport point of view in particular would point towards Central Milton Keynes rail station in particular rather than Bletchley. Given the impact is said to be towards Milton Keynes rather than Buckinghamshire the proposed new junction to Whaddon Road cannot simply be ignored by Milton Keynes Council as it has been in the current report. The traffic that would have exited the development from the A421 junction will now instead have to exit to Whaddon Road and the access the MK highways network via Bottledump Roundabout. The T-junction proposed is only a short distance from the MK boundary and yet is the sort of junction that is now being either closed off or limited to left-only out with in MK due to the number of serious and fatal road traffic collisions they have been at such junction on the MK grid road network in recent years.

5.4 Ward - Bletchley Park - Cllr McKenzie

No representation received

5.5 Ward - Bletchley Park – Cllr Rankine

**Comments**

This application should be withdrawn again until the highways impact issues have been properly addressed by the Councils highways team and until the Council has published a full response to these matters on the public portal for comment. The presentation of evidence on the portal in this case is incredibly poor and difficult for residents to interrogate. Many related documents should be combined and properly labelled as it is hindering the transparency of this process. The conditions set by the DCC in November 2016 have not been met and the return of this application is premature.

The Council planning team should re run the public consultation when the Council has published full responses on the traffic concerns and clarified its legal position as per the requirements set out by DCC decision in November 2016. Council responses must be laid out in a clear way so that they are transparent and so that

the public can respond and comment on the Councils conclusions to the challenges that have been made by multiple residents, Parish Councils, organisations and legal representatives.

It is also recommended that planners listen to comments from DCC Councillors (November 17 2016 DCC meeting minutes) that "the application was in isolation and proved difficult to determine without first knowing the outcome of the decision on the application for the associated housing development".

Only when these matters have been fully addressed, and if officers are still minded to approve this application then the application must return to DCC to complete their decision process.

5.6 Ward - Bletchley Park - Cllr Wales

No representation received

5.7 Ward - Bletchley Park - Cllr Clancy

No representation received

5.8 Ward - Tattenhoe - Cllr Small

No representation received

5.9 Ward - Tattenhoe - Cllr Bald (Ward Member at time of initial application)

No representation received

5.10 Ward - Tattenhoe - Cllr Morla

No representation received

5.11 Ward - Bletchley Park - Cllr Nazir

No representation received

5.12 Ward - Tattenhoe - Cllr Brown (Vice Chair – DCC)

No representation received

5.13 Ward - Tattenhoe - Cllr Lancaster (elected 08-05-2019)

No representation received

## 5.14 MKC Highways

### **Initial comments**

In summary, the Transport Assessment has demonstrated that the development (in AVDC) is able to be accommodated on the highway network. Improvements to junctions within Milton Keynes are proposed and, subject to agreeing a financial contribution, appear acceptable to mitigate the development.

The two accesses proposed within Milton Keynes have been tested and have been Safety Audited. The accesses are deemed to be acceptable.

Proposals for public transport and connections to the walking and cycling networks are acceptable but their implementation needs to be secured.

A section 106 agreement and conditions are required to ensure that appropriate highway works are carried out at the right time and to the right standards. A Section 278 agreement will ultimately cover the works within the public highway.

Consequently there is no highway objection to this application subject to securing the works, improvements and funding referred to.

### **Additional MKC Highways Comments**

Following the last meeting which deferred a decision on the SWMK access proposals we have had a chance to look in detail at Mr. Heath's objections and also discussed them with the applicant. I am now satisfied that Mr. Heath's concerns are misplaced and see no reason to change our recommendation.

Following concerns expressed by third parties about the potential traffic impact of the development we have revisited the junction modelling of the site access points and the improved Bottle Dump Roundabout. This confirms that the junctions will operate within capacity when the development is complete and that there is also scope for further improvement at the detailed design stage.

We would also stress that the works will be subject to a Section 278 Agreement whereby detailed designs (complete with Road Safety Audits) will need to be presented to the respective Highway Authorities for approval. The Council (together with Buckinghamshire County Council) therefore retain control over the final detailed design

### **Comments since 09.03.2017 DCC meeting**

The only new evidence from a highways point of view is the Review of Traffic Modelling.

The Review has been undertaken because of the period of time that has elapsed since the last Transport Assessment was produced and the fact that additional traffic modelling work has been undertaken by the respective Authorities to support their Local Plan process. The review sets out the current situation with regards the

discussions on the Transport Assessment and the agreed mitigation. It then does a comparison of the key junctions (in general capacity terms) between the Transport Assessment and the latest modelling results. Although only a high level comparison, the effect is to demonstrate that nothing has significantly changed and the previous conclusions remain valid.

I would agree therefore with the conclusion that previous work done on the basis of the Transport Assessment remains valid and there is not a need to rerun the traffic impact assessments.

Highways have also confirmed that the revised site boundary and West Bletchley Parish 'review of transport implications' were into account in their assessment.

5.15 Highways England

No representation received

5.16 The Parks Trust

**Comments**

The Parks Trust owns and maintains land under 999-year transportation corridor leases that will be affected by the proposed changes around the Tattenhoe Roundabout and the proposed new junction on the A421. We have received notice of the submission of the planning application but to date we have not been consulted on the landscape impacts of these junctions on land in the Trust's care. We have not been able to view any information submitted with the application about the landscape impacts of these junctions as it is not available to download from the online planning system. The Trust must be consulted at an early stage on managing and mitigating the landscape impacts of these junction changes where they affect land in the Trust's care, especially where any re-landscaped areas will be handed back to the Trust for on-going maintenance. The Trust's approval of any tree management and any re-landscaping scheme on its land must be obtained before planning consent is granted and before works commence.

**Officer comments**

This is noted. Tree protection / management plan and landscaping scheme could be secured by conditions. The Parks Trust could be consulted at that time.

5.17 MKC Rights of Way Officer

Shenley Brook End Bridleway 009 is within the development boundary and is located south-west of Bottledump roundabout. The bridleway must remain open and unobstructed at all times.

5.18 British Pipeline Agency

No representations were received.

5.19 Bucks And MK Environmental Records Centre

No representations were received.

5.20 Natural England

**Comments**

Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on designated sites and has no objection.

Natural England also advised that they raised no objection to the residential development within Aylesbury Vale District.

5.21 MKC Archaeologist

No representations were received.

5.22 Cranfield Airport

No representations were received.

5.23 Environment Agency

No representations were received.

5.24 RAMBLE Ramblers Association

No representations were received.

5.25 Neighbour/ Third Party Representations

Comments have been received from approximately 75 addresses/neighbours. The material planning considerations are summarised below:

- Highway safety issues from alterations to Bottledump roundabout.
- Object to the proposal to create a left-in only access off A421 (H8 Standing Way).
- Impact of proposed traffic calming on village.
- Landscape and visual assessment.
- The traffic flows used to assess the application are incorrect and the traffic is already at the rates expected for 2026.
- Traffic flows on Whaddon Road will increase.
- The development has an unacceptable impact on the road traffic in Newton Longville and on the surrounding Milton Keynes road network.
- The development has an unacceptable visual impact on the landscape and setting of Newton Longville.
- The road through Newton Longville is used as a rat run through to the Stoke Hammond Bypass the development will make this worse.

Matters raised by third parties, which are not material to the consideration of this application include:

- Local services including the hospital and GP's are at capacity.
- Schools are at capacity and children already have to travel outside of the area.
- It is inappropriate to consider this application before the adoption of Plan:MK and the Vale of Aylesbury Plan (VALP).
- It is inappropriate to consider this application in advance of the emerging Newton Longville Neighbourhood Plan (NLNP).
- The development has an unacceptable impact on productive agricultural land
- The bridge near the proposed site should have a weight limit.
- The principle of development in this location is not supported in any (MKC or AVDC) local planning document. The principle of developing this site has not been agreed by either or both authorities.
- Cross development between authorities does not work.
- No development shall take place until local transport infrastructure is in place such as the Southern Bletchley relief road, and interchange on the EastWest rail link.
- Increase in traffic in relation to new residential development.
- Increase in air pollution in relation to new residential development.
- Impact on infrastructure in relation to new residential development.
- Prematurity of application as Neighbourhood Plan not made.

## **6.0 MAIN ISSUES**

6.1 The application is in outline form where only access is identified as a matter for consideration. However the proposed development also raises the following material considerations:

- Principle of development
- Highway matters (including access)
- Impact on character of the area
- Ecology
- Drainage and flood risk
- Development at Salden Chase in Aylesbury Vale District

## **7.0 CONSIDERATIONS**

### Principle of development

- 7.1 The use of the land as highway is established. The proposal relates to highway works and therefore the principle of the development is acceptable subject to all material planning considerations.
- 7.2 This was not a matter of contention at the last Development Control Committee (March 2017), and the adoption of Plan:MK and the updated National Planning Policy Framework does not affect this position in officers' opinion.



- 7.3 Layout, scale, landscaping, appearance can also be assessed under any reserved matters application if this application is successful.

Highway matters

- 7.4 The proposal needs planning permission as it involves works to a classified road. Milton Keynes Council is the Local Highways Authority responsible for the highways which are the subject of this application. The application is accompanied by a Transport Assessment, which has been the subject of discussions between the Highway Engineers at MKC and Buckinghamshire County Council (the Highway Authority for the Aylesbury Vale District) together with the applicant
- 7.5 The Transport Assessment has demonstrated that the application for a mixed use development submitted in Aylesbury Vale District is able to be accommodated on the highway network. Improvements to junctions within Milton Keynes are proposed and, subject to agreeing the detail, are acceptable to mitigate that neighbouring development. The two accesses proposed within Milton Keynes have been tested and have been Safety Audited and are, therefore, deemed to be acceptable.
- 7.6 A review of the Transport Assessment has been undertaken since the March 2017 Development Control Committee, due to the period of time that had elapsed since the Transport Assessment was produced and the fact that additional traffic modelling work has been undertaken by the respective Authorities to support their Local Plan process. The review sets out the current situation with regards to the discussions on the Transport Assessment and the agreed mitigation. It then does a comparison of the key junctions (in general capacity terms) between the Transport Assessment and the latest modelling results. In conclusion, the Council's Highways Engineers have confirmed that there has not been a significant change in circumstances and the previous conclusions on the Transport Assessment remain valid. Development Management Officers have no reason to disagree with this advice.
- 7.7 Milton Keynes Highways Engineers have also confirmed that the revised site boundary and West Bletchley Parish 'review of transport implications' were taken into account in their assessment.
- 7.8 A Section 278 agreement will ultimately cover the works within the public highway. Consequently there is no highway objection to this application.
- 7.9 Following concerns expressed by third parties about the potential traffic impact of the development, the Council's highway Engineers have revisited the junction modelling of the site access points and the improved Bottle Dump Roundabout. This confirms that the junctions will operate within capacity when the development is complete. It should be noted that there is also scope for further improvement at the detailed design stage.
- 7.10 In addition, the works will be subject to a Section 278 Agreement whereby detailed designs (complete with Road Safety Audits) will need to be presented to the respective Highway Authorities for approval. The Council (together with

Buckinghamshire County Council) therefore retain control over the final detailed design.

- 7.11 Subject to adequately worded conditions (and subsequent details assessed at the reserved matters and s278 stages), the proposed development therefore accords with Policies CT1, CT2 and CT3 of Plan:MK.
- 7.12 The Council's Footpath Officer has noted that Shenley Brook End Bridleway 009 is within the development boundary and is located south-west of Bottledump roundabout. It is recommended that the bridleway must remain open and unobstructed at all times. Again this can be controlled by a suitably worded condition.

#### Impact on character of the area

- 7.13 Clearly the development will have some visual impact on the locality, but, as outlined above, it is necessary to facilitate the development in Aylesbury Vale District. Without the highway upgrades proposed in this application, there would be capacity issues within the existing highway infrastructure. To reiterate, that development scheme has a resolution to grant planning permission from Aylesbury Vale District Council, subject to a s106 agreement which is near completion.
- 7.14 However, subject to adequate tree protection, further details of temporary accesses / construction of the A421 and Buckingham Road access, as well as any reserved matters details to follow, it is considered that any harm can be adequately mitigated or would only be short to medium term in impact.
- 7.15 Subject to an adequately worded condition, the proposed development is considered acceptable in this regard, and compliant with Policies D1, D2 and D5 of Plan:MK.
- 7.16 The previous report to the 09.03.2017 Development Control Committee recommended a landscape condition. However, on reflection, officers consider this to be unnecessary at this stage and they are not now advising the condition be included. The reason for this is that Landscaping is a reserved matter, and any landscaping scheme proposals can be assessed and secured at that stage. Milton Keynes Council would be given the opportunity to do this. To add it now would not meet the tests of conditions and would involve repetition within the planning process.

#### Ecology

- 7.17 The Environmental Impact Assessment fully assesses Ecology both within Milton Keynes and Aylesbury Vale Districts. Natural England has confirmed they do not object to either application. Officers have no reason to disagree with this advice.
- 7.18 Subject to further assessment at the reserved matters stage, the proposal is therefore compliant with Policies NE1-NE5 of Plan:MK.

- 7.19 Once approved the application would be subject to the mitigation and enhancement contained within the Environmental Impact Assessment. This can be secured by condition.

#### Drainage and Flood Risk

- 7.20 Similarly, The Environmental Impact Assessment fully assesses drainage and flood risk both within Milton Keynes and Aylesbury Vale Districts, and would be subject to the mitigation contained within. This can be secured by condition.
- 7.21 Any storm water and surface water drainage scheme would also be assessed and secured at the s278 (Highway Works) stage.
- 7.22 Subject to compliance with the details set out in the Environmental Impact Assessment and further assessment at the reserved matters stage, the proposal is therefore compliant with Policies FR1 and FR2 of Plan:MK.

#### Development at Salden Chase in Aylesbury Vale District (AVDC)

- 7.23 The South West Milton Keynes planning application straddles the administrative boundary between two Local Planning Authorities (LPA). In these situations advice in the national Planning Practice Guidance (PPG) sets out that two identical applications should be submitted, one to each LPA, seeking planning permission for the development of land falling within each LPA's administrative area. The planning fee is paid to the local planning authority whose area contains the largest part of the application site. In this case, the majority of the application site falls within the administrative area of Aylesbury Vale District Council.
- 7.24 Pursuant to section 101(1) of the Local Government Act 1972 a LPA may arrange for the discharge of its functions by a Committee of another local planning authority. Accordingly it could have been possible for MKC to delegate its decision making powers to AVDC in respect of this cross boundary application and AVDC could then have determined both applications. The alternative method is for each local authority to determine the elements within their respective boundaries and within their jurisdiction.
- 7.25 In this case, all the mixed use and residential development is being considered by Aylesbury Vale District Council, as this falls within their district. The only elements within the administrative boundary of Milton Keynes are the proposed alterations to the Bottledump roundabout and the provision of a new junction from the A421. There has been ongoing dialogue and joint working between the two LPAs on this proposal looking at both the process of determination as well as the merits of the applications. The option to deal with matters within respective Local Authority jurisdictions has been taken by Officers (at both Councils) as the most appropriate way to deal with the current applications. There are two distinct and clear elements to the overall scheme, one in each LPA area. The determination of the access application could be undertaken by Milton Keynes Council aside from the determination of the housing and associated works application by Aylesbury Vale District Council.

- 7.26 Although associated with it, the development at Salden Chase in Aylesbury Vale District is not within the jurisdiction of Milton Keynes Council. Paragraphs 2.2 and 2.3 of this report provide the latest position on that neighbouring development, as well as the financial contribution towards hospitals that have been negotiated to mitigate against the impact on Milton Keynes District health services.
- 7.27 Policy SD15 (Place Making Principles for Sustainable Urban Extensions in Adjacent Local Authorities) of Plan:MK acknowledges that proposals on the edge of Milton Keynes are likely to have an impact upon the infrastructure and services of Milton Keynes. Amongst other things, it sets out that the need for joint working between neighbouring authorities to achieve a coordinated and well-designed development, and secure developer contributions towards improvement and provision of infrastructure to support the development.
- 7.28 Both through the consultation and assessment of the Aylesbury Vale application (under 15/00223/CONS) and the assessment of this application, officers have carried out the objectives of Policy SD15, within Milton Keynes jurisdictional parameters. Given Milton Keynes Council has no jurisdiction over Aylesbury Vale Council's application (and vice versa) due to the split nature of the development, it would be difficult for Policy SD15 and Milton Keynes Council officers to have influence over the finer detail of that development. The only time the intentions of Policy SD15 could be fully carried out is if a neighbouring authority devolved its jurisdiction of a site/application to Milton Keynes Council. As mentioned, the development at Salden Chase has been assessed against Aylesbury Vale's Local Plan, with a resolution to grant permission, where it is understood that the final version of the s106 agreement is being prepared for signature. To Milton Keynes benefit however, officers can confirm that a planning contribution towards hospitals within Milton Keynes forms part of the s106 agreement, further demonstrating compliance with Policy SD15 as is possible in this case.
- 7.29 Securing s106 contributions towards hospital provision with Milton Keynes District, would also ensure compliance with Policy INF1 (Delivering Infrastructure) of Plan:MK.

## **8.0 CONCLUSIONS**

- 8.1 The proposal involves highway works to the A421 and Bottledump roundabout. These works will help to ensure that there would be no undue impact on the highway network in Milton Keynes in terms of capacity and safety as a result of the neighbouring authority planning application (15/00314/AOP) once planning permission is issued by Aylesbury Vale District Council following completion of the associated s106 agreement.
- 8.2 If planning permission is not forthcoming from Aylesbury Vale District Council then the highway works would not be implemented. This can be secured by condition. The Highway Engineer is satisfied that the works are acceptable and there would be no adverse impact on capacity or safety subject to conditions for further details of highway works.

## 9.0 CONDITIONS

1. Approval of the details of the appearance, means of access, landscaping, layout and scale (hereinafter called "the reserved matters") shall be obtained in writing from the Local Planning Authority before any development is commenced.

Reason: This is outline permission only and these matters have been reserved for the subsequent approval of the Local Planning Authority.

2. The development hereby permitted shall be begun on or before the expiration of two years from the date of the approval of the last of the reserved matters to be approved.

Reason: To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

3. All existing trees, woodlands and hedges to be retained are to be protected according to the provisions of BS 5837: 2012 'Trees in relation to design, demolition and construction - Recommendations'.

Reason: To protect the appearance and character of the area and to minimise the effect of development on the area.

4. Details of any temporary accesses to site compounds / storage yards and any construction accesses shall be submitted to and approved in writing prior to commencement of works on site. The temporary access works shall be carried out in accordance with the approved details.

Reason: In the interest of highway safety within the locality.

5. Details of the construction of the A421 and Buckingham Road accesses shall be submitted to and approved in writing prior to commencement works on site. The development works shall be carried out in accordance with the approved details.

Reason: In the interest of highway safety within the locality.

6. Shenley Brook End Bridleway 009 shall remain open and unobstructed at all times. Details shall be submitted to and approved in writing prior to any works commencing within the application site demonstrating this objective during and after construction works. The development shall be carried out in accordance with the approved details.

Reason: To ensure access along the bridleway is provided during and after construction has been completed in the public interest.

7. The development shall be carried out in full accordance with the recommendations and mitigation measures outlined within the submitted Environmental Impact Assessment relating to drainage strategy.

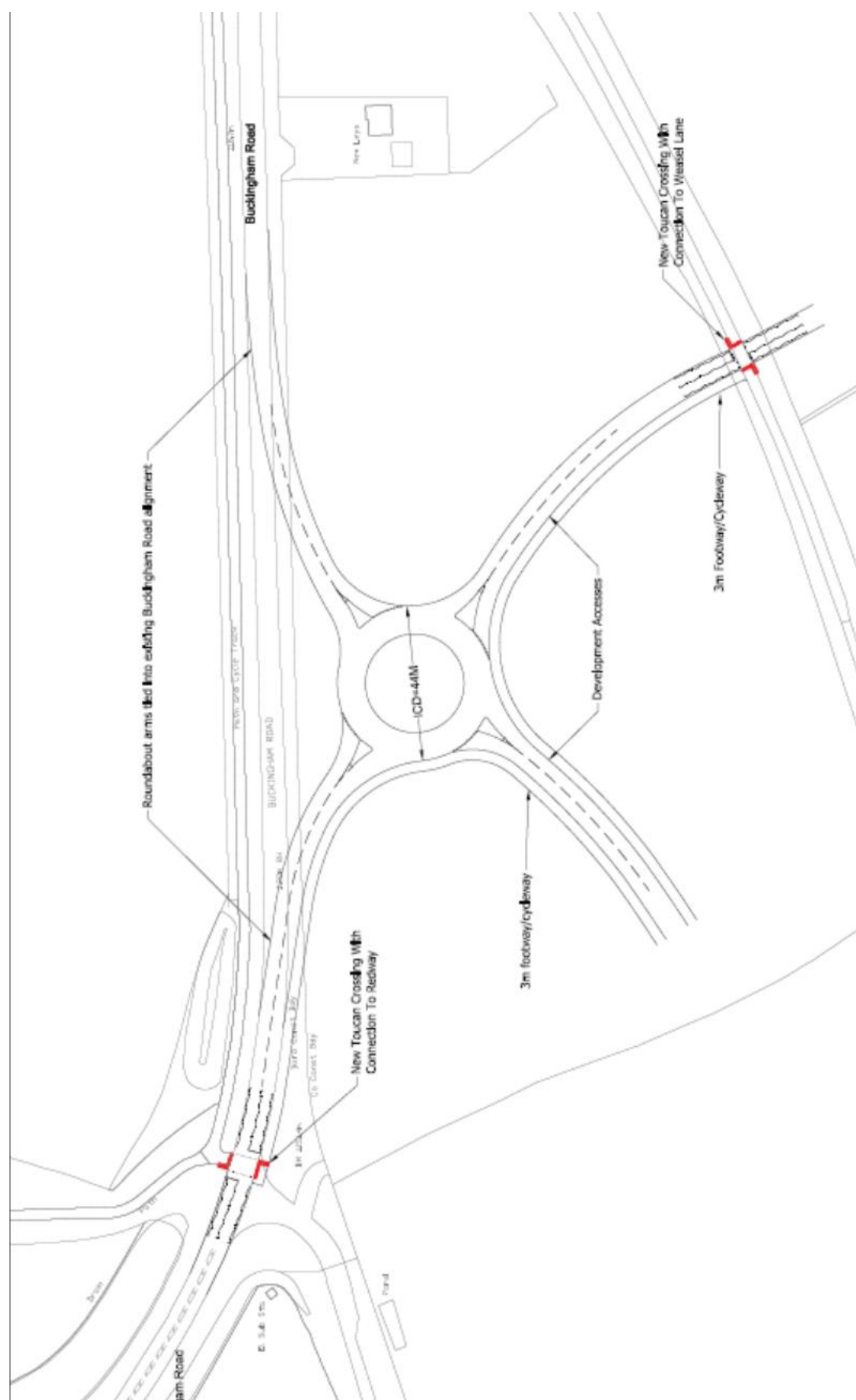
Reason: To limit the environmental impact of the proposed development in relation to drainage and flooding matters.

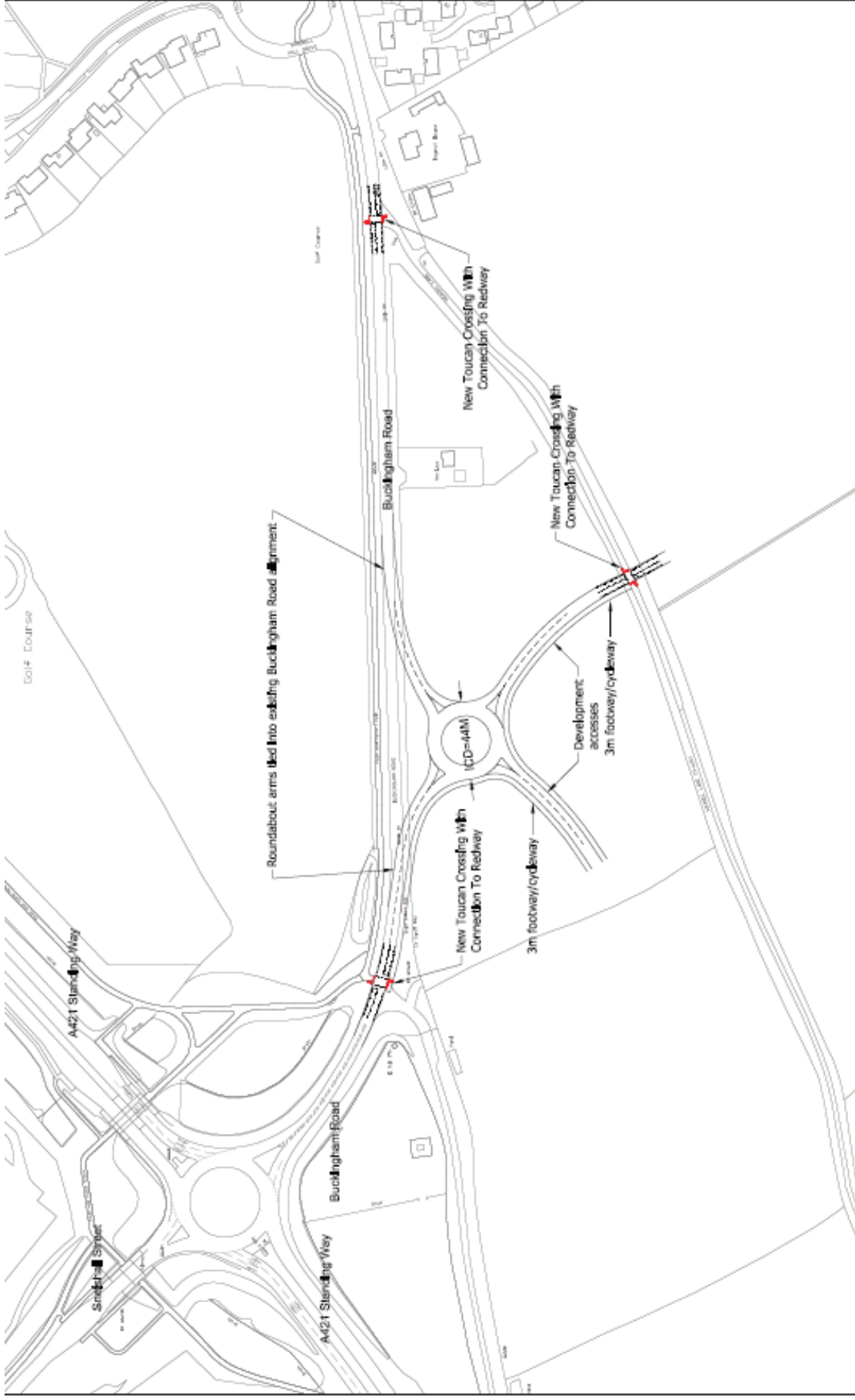
8. The development shall be carried out in full accordance with the recommendations and mitigation measures outlined within the submitted Environmental Impact Assessment relating to ecology.

Reason: To limit the environmental impact of the proposed development in relation to ecology matters.

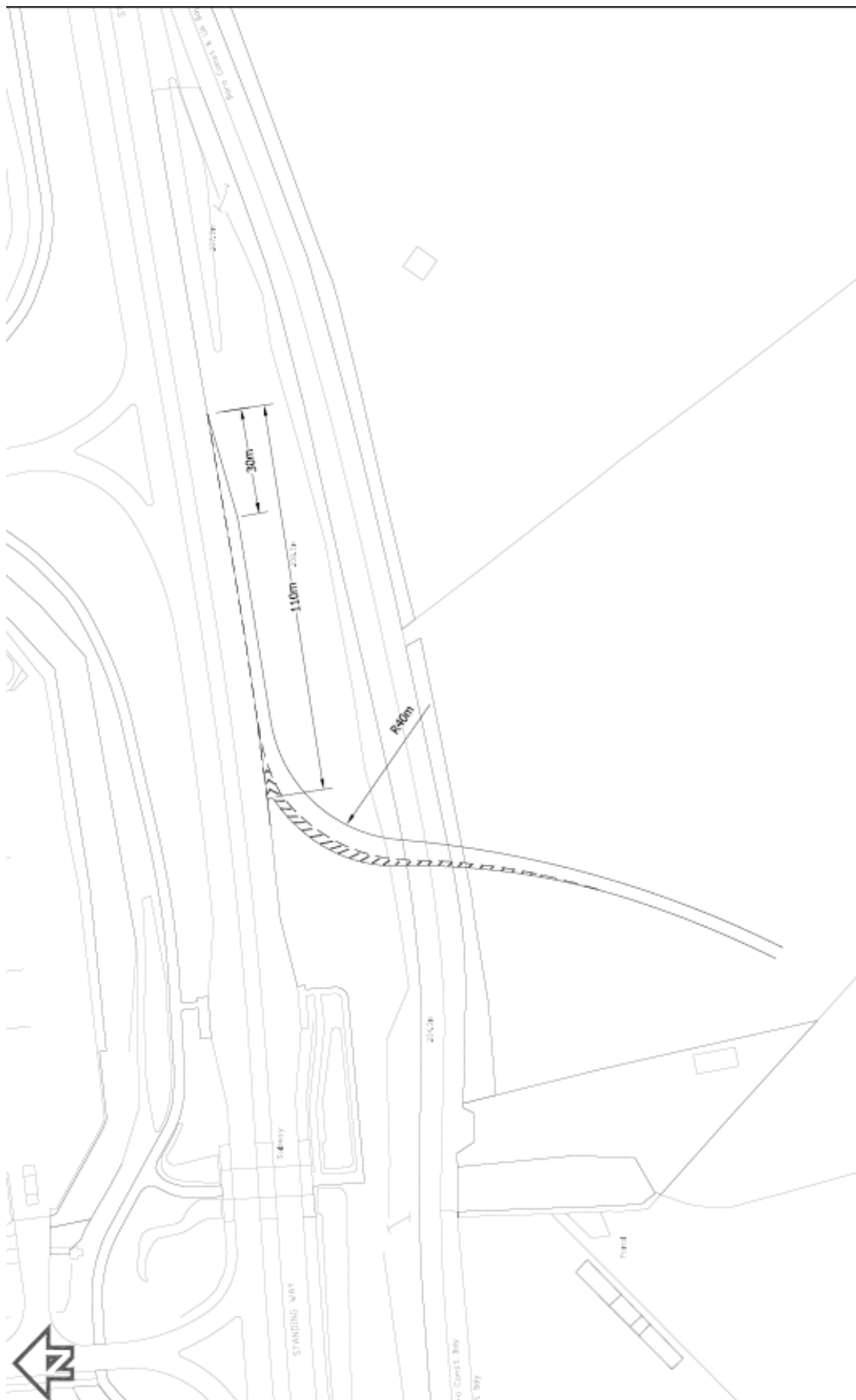
9. The development hereby approved shall not be implemented until the neighbouring development application at Salden Chase (15/00314/AOP), or any other subsequent revised application for development of that site has been approved by Aylesbury Vale District Council, and has itself been deemed implemented.

Reason: In the interest of the visual amenity of the locality

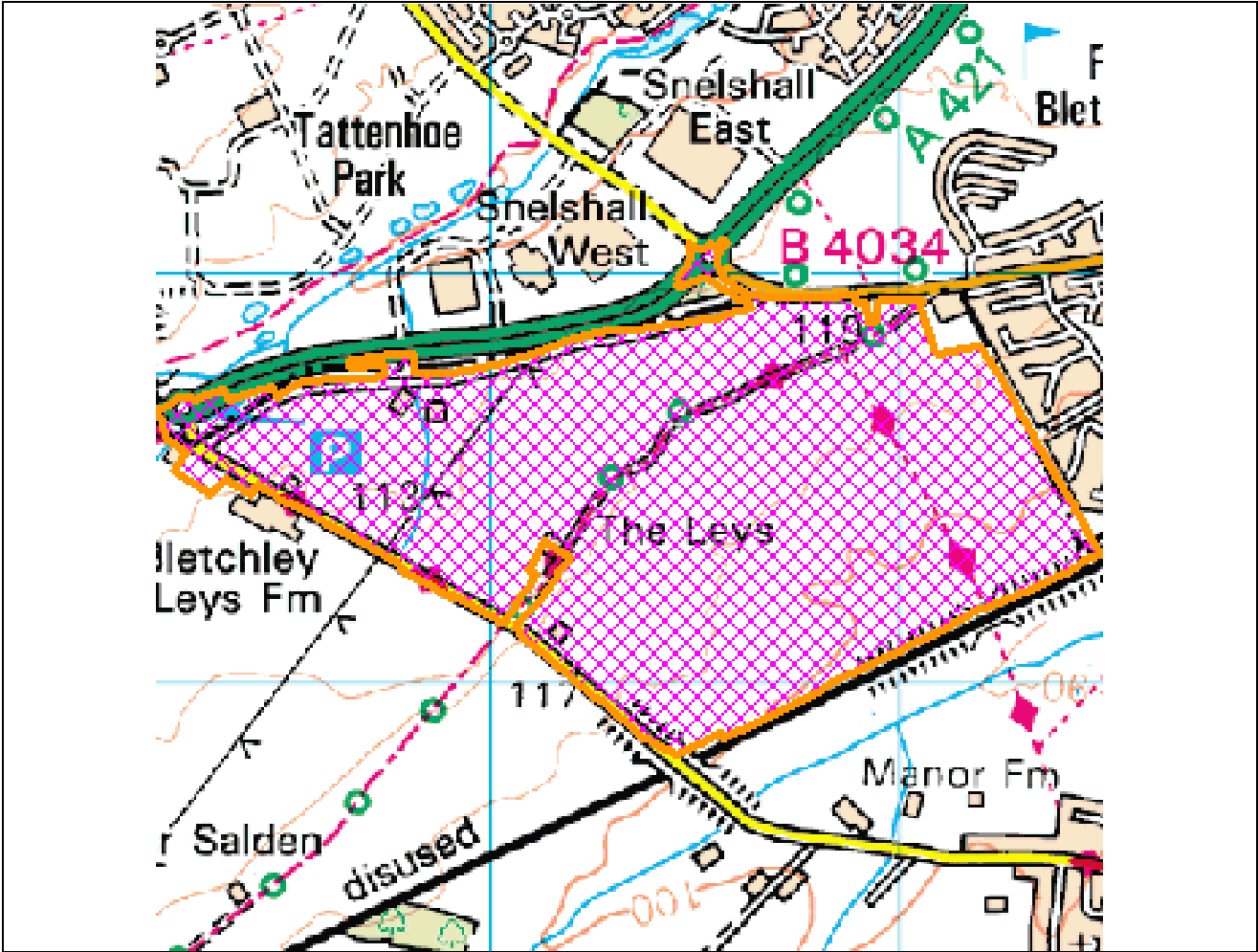








**APPENDIX 5: REPORT TO AVDC SDMC 070617**



REFERENCE NO	PARISH/WARD	DATE RECEIVED
15/00314/AOP	<p>NEWTON LONGVILLE</p> <p>The Local Member(s) for this area are: -</p> <p>Councillor N Blake</p> <p>Councillor B Everitt</p>	30/01/15
<p>OUTLINE PLANNING APPLICATION WITH ALL MATTERS RESERVED EXCEPT FOR ACCESS FOR A MIXED-USE SUSTAINABLE URBAN EXTENSION ON LAND TO THE SOUTH WEST OF MILTON KEYNES TO PROVIDE UP TO 1,855 MIXED TENURE DWELLINGS; AN EMPLOYMENT AREA (B1); A NEIGHBOURHOOD CENTRE INCLUDING RETAIL (A1/A2/A3/A4/A5), COMMUNITY (D1/D2) AND RESIDENTIAL (C3) USES; A PRIMARY AND A SECONDARY SCHOOL; A GRID ROAD RESERVE; MULTI-FUNCTIONAL GREEN SPACE; A SUSTAINABLE DRAINAGE SYSTEM; AND ASSOCIATED ACCESS, DRAINAGE AND PUBLIC TRANSPORT INFRASTRUCTURE. LAND SOUTH OF THE A421 WEST OF FAR BLETCHLEY NORTH OF THE EAST WEST RAIL LINK AND EAST OF WHADDON ROAD</p> <p>SWMK CONSORTIUM</p> <p>STREET ATLAS PAGE NO.56/57</p>		

**1.0 The Key Issues in determining this application are:-**

- a) The planning policy position and the approach to be taken in the determination of the application.**
- b) Whether the proposal would constitute a sustainable form of development.**
  - **Build a strong competitive economy**
  - **Deliver a wide choice of high quality homes**
  - **Promoting sustainable transport**
  - **Conserving and enhancing the natural environment**

- **Conserving and enhancing the historic environment**
- **Promoting healthy communities**
- **Good Design**
- **Meeting the challenge of climate change and flooding**

**c) Impact on residential amenities.**

**d) Developer contributions**

The recommendation is that permission be **DEFERRED AND DELEGATED**

## **2.0 CONCLUSION AND RECOMMENDATION**

- 2.1 The application has been evaluated against the extant Development Plan and the report has assessed the application against the core planning principles of the NPPF and whether the proposals deliver sustainable development. Paragraph 14 of the NPPF requires that where the development plan is absent, silent or relevant policies are out of date, planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of the NPPF taken as a whole.
- 2.2 It is accepted that the development is deliverable and would make a significant contribution to the housing land supply which is a benefit to be attributed significant weight in the planning balance. There is a benefit in the supply of affordable housing for this policy compliant scheme and this matter should also be afforded significant weight. There would also be economic benefits in terms of the creation of jobs associated with the B1 commercial units proposed as well as the other commercial elements and further jobs created from the construction of the development itself and those associated with the resultant increase in population on the site to which taken together should be attributed significant weight in the planning balance.
- 2.3 It is likely that a net enhancement in biodiversity will also be achieved on the site to which limited beneficial weight should be assigned as well as provision of extensive informal open space on site which taken together are considered to be benefits to be assigned limited weight.
- 2.4 Compliance with some of the other core planning principles of the NPPF have been demonstrated in terms of promoting healthy communities, the design of the development, flood risk, on archaeological matters and residential amenity. However, these matters do not represent benefits to the wider area but demonstrate an absence of harm to which weight should be attributed neutrally. Negotiations have enabled the scheme to be amended such that BCC are satisfied that the development will achieve safe and suitable

access and will not result in a severe individual or cumulative network impact and is acceptable subject to relevant conditions and completion of a S106 Agreement to secure the highway works, construction management and financial contributions. Overall the highway matters must be afforded neutral weight in the planning balance.

- 2.5 It is acknowledged that the site is currently a large greenfield site and that localised harm would result from the residential development of it in landscape terms and from the users of the public footpath network. The site has been the subject of detailed consideration in the Environmental Impact assessment and revisions put in place to ensure that the development is sensitive to the site context. A detailed landscape scheme (together with sensitive layout and design) could ensure that the harm to the wider landscape is satisfactorily mitigated and the parameter plans indicate buffer areas to the development and restrictions to the positioning of buildings to mitigate the impact of development on the ridge. Given its greenfield appearance it is considered that this matter should be afforded moderate negative weight in the planning balance.
- 2.6 Weighing all the relevant factors into the planning balance, and having regard to the NPPF as a whole, all relevant policies of the AVDLP and supplementary planning documents and guidance, in applying paragraph 14 of the NPPF, it is considered that the adverse impacts would not significantly and demonstrably outweigh the benefits of the proposal.
- 2.7 It is therefore recommended that the application be supported subject to the completion of a legal agreement (with BCC, AVDC and if appropriate MKC) as outlined above and subject to conditions as considered appropriate by Officers. If this cannot be achieved then the application will be refused for reasons as considered appropriate by Officers.

## **INFORMATIVE**

- 2.8 In accordance with paragraphs 186 and 187 of the National Planning Policy Framework, Aylesbury Vale District Council (AVDC) takes a positive and proactive approach to development proposals and is focused on seeking solutions where possible and appropriate. AVDC works with applicants/agents in a positive and proactive manner by offering a pre-application advice service and updating applicants/agents of any issues that may arise in the processing of their application as appropriate and, where possible and appropriate, suggesting solutions.

In this case detailed topic based discussions have taken place with the Applicant and Agent who responded by submitting amended plans and updated statements as part of this application which were found to be acceptable and approval is recommended.

## **3.0 INTRODUCTION**

- 3.1 The application needs to be determined by committee as the Parish Council has raised material planning objections and confirms that it will speak at the Committee meeting.

#### **4.0 SITE LOCATION AND DESCRIPTION**

- 4.1 The application site is located to the south west of Milton Keynes, immediately to the west of Far Bletchley. It is contained by the boundary of Aylesbury Vale District, but physically relates to the urban area of Milton Keynes, completing its western flank.
- 4.2 The site is bordered to the north by the industrial area of Snelshall West and to the east by the established residential area of Far Bletchley. The western boundary and southern boundaries predominantly comprise agricultural farmland, with Newton Longville located to the south of the site.
- 4.3 The application site covers an area of approximately 145 hectares. The site is defined by the A421 (Standing Way) to the north, Whaddon Road which links the Bottledump roundabout in the north west corner of the site to Newton Longville, to the west and the disused railway line to the south which now forms part of the East West Rail proposals. The eastern boundary is defined by the existing residential neighbourhood of Far Bletchley.
- 4.4 The site currently comprises of a mix of agricultural land and two farm buildings, hedgerows and public rights of way. The site is currently utilised as agricultural farmland. A residential property "The Leys" sits at the western edge of the site but lies outside of the site boundary, and a further residential dwelling is located outside of the site in the north eastern corner, north of Weasel Lane.
- 4.5 Two existing recreational routes fall within the physical limits of the site. Weasel Lane runs along an elevated physical ridge running north-east. Milton Keynes Boundary Walk also runs through the eastern part of the south in a north-south direction. Three sections of public footpaths are also within the site. One footpath traverses the South West section of the site, linking Newton Longville to Weasel Lane, itself a public right of way and part of the long distance National Cycle Route (Sustrans no. 51). The other two sections of footpath converge in the north-east corner of the site, connecting to the wider rural area and Thrift and Broadway Woods.
- 4.6 The topography of the site is undulating and characterised by a ridge running across the central length of the site from east to west aligning with Weasel Lane. The predominant topographic features are therefore shallow ridges and valleys sloping away from this focal ridge line, which run broadly on a south west alignment.
- 4.7 The site naturally divides into two areas along Weasel Lane Ridge: the north/ northwest with its undulating land falling northwards towards the A421; and the south/ southeast which gradually falls toward the south eastern corner of the site. Mature trees are mostly confined to boundary hedgerows, mostly in the north of the site including Weasel Lane. The dominant species on site are Ash and English Oak.

## **5.0 PROPOSAL**

5.1 This application seeks outline planning application with all matters reserved except for access for a mixed-use sustainable urban extension on land to the south west of Milton Keynes to provide

- up to 1,885 mixed tenure dwellings (on 54.16 HA);
- an employment area (B1) on 2.07 HA
- a neighbourhood centre including retail (A1/A2/A3/A4/A5), community (D1/D2) and residential (C3) uses;
- a primary school on 3 HA,
- a secondary school on 5.2 HA;
- a grid road reserve of 7.24 HA
- highway improvements on 5.56 HA of land;
- new junctions to the A421, Whaddon Road & Buckingham Road, primary streets, footpaths & cycle routes, foul water pumping stations, undergrounding of 132Kv overhead power lines and statutory undertakers equipment
- multi-functional green space totalling 55.75 HA comprising parkland, sports & rec spaces including pavilion/changing facilities, play areas, wildlife areas, open spaces including a community orchard and new landscaping;
- a sustainable drainage system inc 5.05HA of land for surface water attenuation measures;

5.2 The application was submitted in January 2015 and is accompanied by an Environmental Statement (ES) following a screening and scoping opinion issued to the applicant confirming it to be development requiring an EIA (as was the previous case on the earlier scheme in 2010).

5.3 The ES considers the impact of the proposed development of the site under the following chapter headings:

- Archaeology and Cultural Heritage
- Agricultural Land
- Ecology
- Drainage
- Landscape and Visual



- Traffic and Transport
- Air Quality
- Noise and Vibration
- Socio-economic issues
- Services and utilities
- Waste
- Ground conditions and contamination
- Significant interactive and cumulative effects
- conclusions

5.4 Further application documents submitted in support include a Planning Statement, Design and Access Statement, Sustainability strategy, Transport assessment and travel plan, Flood risk assessment, Section 106 Draft Heads of Term, Statement of Community Involvement, Tree Report, Retail and Employment assessments. The application is also accompanied by a Land Use Parameter Plan, Building Height Parameter Plan, Access Parameter Plan and Highways Access Drawing, Open Space Plan, Residential Density Plan, Phasing Plan, Constraints Plan and Illustrative Landscape Plan . Illustrative details are set out in the Illustrative Masterplan and the Design and Access Statement.

5.5 Following representations received by consultees and detailed topic based discussions between the consortium, AVDC officers and MKC officers and BCC highways engineers an amendment was submitted in August 2016 which made the following revisions;

- Revisions to the proposed site access arrangements:
  - Improvements to the Bottledump Roundabout, including an equestrian crossing and links to Redway routes to the north of the A421 and within the site;
  - Revision of the proposed junction with the A421 from a 'left in and left out' arrangement to a 'left in' only arrangement and consequent amendments to the disposition of land uses immediately adjacent to the junction;
  - Revision of the proposed traffic light controlled junction with Buckingham Road to a roundabout junction;
- The incorporation of 1.69 Ha of green space (ecological corridor and land effected by archaeological constraints) situated between the proposed satellite secondary school and housing at Far Bletchley within the boundary of the school site;

- Changes to the Whaddon Road corridor to provide for a widening of the landscape corridor along the western boundary of the scheme, removal of the proposed bunding, a general increase in the extent of planting and accommodation of the Milton Keynes Boundary Walk to the internal edge of the landscape corridor;
- Changes to the corridor adjacent to the southern boundary with the relocation of the woodland planting to the northern edge of the proposed SUDs features and changes to the overall design concept for the development parcels in the south east quadrant of the site which incorporates new east-west 'ribbons' of green infrastructure;
- An increase in the number of LEAP (now 9No), the sizes of LEAP and NEAP increased to meet RoSPA guidance and their disposition across the site to maximise coverage in reflection of Fields in Trust guidance;
- Identification of a parcel of land (0.2 Ha) to the rear of the proposed neighbourhood centre to be used either for employment purposes (B1) or to accommodate a 6GP practice (D1) developed over two floors with associated car parking.
- reduced the development parameters directly south of the SAM in order to retain a larger area of Ridge and Furrow and which was accompanied by an update from CgMS archaeology.

5.6 The ES was reviewed following the changes made with implications to the ES chapters considered and a formal addendum to the Environmental Statement and non technical summary was also received in August 2016. The submission explained the reasoning for preparing revised chapters or for not doing so, the addendum ES includes updated chapters upon the following topic areas

- Chapter 9 – Landscape and Visual
- Chapter 10- Traffic and Transport
- Chapter 11 – Air Quality
- Chapter 12 – Noise and Vibration

5.7 In response to the amendments the supporting drawings were amended to reflect the changes sought and a formal round of publicity was undertaken on the amendments submitted. A supplementary Addendum Design and Access Statement document 2016 has been provided.

5.8 Since the updated Travel Assessment (TA) was prepared by Mouchel, the Consortium has continued to engage with BCC and MKC as local highway authorities (LHA) and their appointed technical advisers to consider the updated TA and those objections by third

parties, including an independent review of the TA. commissioned jointly by West Bletchley Town Council and Newton Longville Parish Council. In light of this engagement, further technical work has been undertaken and submitted to the respective LHA; in particular to address criticism of the modelling of the Whaddon Road and Buckingham Road junction arrangements. In consequence, to mitigate identified capacity issues at the proposed junctions, revised junction arrangement drawings have been prepared.

- *Whaddon Road Junction*

- 5.9 An amended layout providing 3.65m through lanes and a 3.5m turning lane has been submitted. This amended layout increases the capacity of the junction and in combination with the submitted travel planning measures, will ensure that this junction will operate within capacity in 2026 with the development fully operational.

- *Buckingham Road Junction*

- 5.10 An amendment to the flare length of the Buckingham Road east arm (westbound) from 4m to 12m has been proposed. This amended layout also proposes increases to the capacity of the junction and in combination with the submitted travel planning measures, will ensure that this junction will operate within capacity in 2026 with the development fully operational.

## **6.0 RELEVANT PLANNING HISTORY**

- 6.1 10/00891/AOP - Site for mixed-use development of up to 5,311 dwellings, 7.4 hectares of employment (Classes B1a-c & B2, utilities & renewable energy infrastructure (sui generis), a relocated recycling centre & a new household recycling centre (sui generis); a neighbourhood centre comprising: a reserve site for a railway station (sui generis); a supermarket (Class A1), mix of A1, A2, A3, A4, A5, B1a & B1b uses, up to 274 dwellings, utilities & renewable energy infrastructure (sui generis), a Thames Valley Police one stop facility (sui generis) & Community Facilities (Classes D1 & D2); two local centres & a small mixed use centre comprising: A1 , A2 , A3 , A4, A5, B1a, B1b, D1 & D2 uses, an emergency/ambulance call point (sui generis), utilities & renewable energy infrastructure (sui generis), up to 90 dwellings & a veterinary practice (sui generis); sites for four primary schools & one secondary school; ground remodelling; multi functional green infrastructure including new landscaping with formal & informal sporting areas, allotments, woodland & a wildlife area, foul & surface water drainage networks; associated highway infrastructure & public transport infrastructure (including a reserve site for Park & Ride) & associated car parking.. – Application withdrawn
- 6.2 13/60019/SO - Environment Impact Assessment Scoping Request for a proposed development - EIAA

## **7.0 PARISH/TOWN COUNCIL COMMENTS**

- 7.1 Newton Longville Parish Council oppose the application and full copies of the comments submitted have been attached to this report as Appendix 1
- 7.2 Whaddon Parish Council – The Parish have provided lengthy comments which have been appended in full to this report at Appendix 2 In summary their comments fall into various categories mainly relating to Traffic and Transport; Sustainability; Need and Location; Landscape and Coalescence.
- 7.3 Mursley Parish Council – Oppose the application
- 7.4 Little Horwood Parish Council – Opposes the application due to the impact it would have on traffic and particularly the flow of traffic along the A421 from the West of the development into Milton Keynes. In addition the Parish Council does not believe adequate consideration had been given to the additional infrastructure and supporting services that will required. Many of the surrounding villages have difficulty accessing the A421 from the South when heading towards Milton Keynes. This is particularly difficult for traffic from Little Horwood and the surrounding area where access to the A421 is via a very dangerous exit at the end of Warren Road. This development provides the District and County with an opportunity to improve safety and the amenity to local residents by making changes to this junction.
- 7.5 Drayton Parslow Parish Council - Oppose the application as this development would add a considerable volume of vehicles to an already overburdened traffic system for those wishing to access Milton Keynes or Buckingham via the A421, resulting in their usage of the roads in and around Drayton Parslow as a 'rat run'.

## **8.0 CONSULTATION RESPONSES**

- 8.1 BCC Highways – Following extensive discussions and the submission of amended plans detailed comments have been provided by BCC as the highway authority concluding that the outline application is acceptable to the Highway Authority subject to a Section 106 Agreement to secure works and contributions and to a number of suggested conditions and informatives. A full copy of the detailed comments have been appended to this report at Appendix 3 of this report. In summary the required contributions relate to the following matters;
- A421 Corridor Improvements - A financial contribution towards corridor improvements between Buckingham and Milton Keynes
  - Newton Longville Traffic Calming A contribution towards the design, consultation and implementation of a traffic calming scheme in the village of Newton Longville to mitigate the impact of the development traffic

- Bus Service Provision - An obligation to enter into a Service Agreement with a bus operator to encourage sustainable modes of travel between the site and Milton Keynes and to support the aspirations and targets set out in the Travel Plan.
- Travel Plan – To submit for approval a Travel Plan in general accordance with the approved Travel Plan Framework and County Council's Travel Plan Guidance for Developers.
- Travel Plan Monitoring – A financial contribution towards the auditing of the travel plan.
- Upgrade to Footpath 19 Parish of Newton Longville - A contribution is required for the improvement of the footpath between the site and the path to the footway between Nos. 36 and 38 Whaddon Road, Newton Longville to provide greater connectivity between Newton Longville and the site.
- Whaddon - A contribution towards road safety improvements on Coddimoor Lane and Stock Lane.
- Cycle Parking Provision – A financial contribution to provide additional cycle parking at Bletchley Station to encourage sustainable modes of travel between the site and the railway station and to support the aspirations and targets set out in the Travel Plan.
- Highway Works – An obligation to enter into a Highway Works Delivery Plan to secure the delivery of the following works:
  - 1) Improvements to Bottle Dump Roundabout and a Pegasus crossing on Whaddon Road in general accordance with drawings D018 Rev.A and D015 Rev.B to include CCTV camera provision and variable message signs.
  - 2) Improvement to Whaddon Road/A412 Roundabout in general accordance with drawing D019 Rev. B.
  - 3) Site Access to Whaddon Road.
  - 4) Site Access to Buckingham Road to include toucan crossings on Buckingham Road (East) and the development access road.
- Grid Road Reserve – An obligation to dedicate the land for the grid road reserve to Buckinghamshire County Council as Highway Authority, in order to not prejudice the ability of the Council's to deliver this scheme in the future.
- NLO/19/1 – An obligation to dedicate a public bridleway along the alignment of Footpath NLO/19/1 between Weasel Lane and the railway line, under Section 25 of the Highways Act.
- Weasel Lane – A contribution to resurface Weasel Lane outside the red line, from Whaddon Road south-east to the property Weasels' to provide improved connectivity to the wider rights of way network for leisure purposes.

Milton Keynes Council has set out the following obligations, which are considered necessary to mitigate the impact of the development within Milton Keynes, to be secured under Section 278 Agreement:

1. Capacity Improvements at the following junctions within Milton Keynes:
  - Bleak Hall Roundabout on A421
  - Elfield Park Roundabout on A421
  - Emerson Roundabout on A421
2. Redway provision and connections (to the A421 Redway, the old A421 itself and the new link to Buckingham Road). These connections will require improvements to surfacing, lighting and signage.
3. Phasing and timing of infrastructure provision

8.2 Highways England – Following the receipt of amended plans and additional information Highways England raise no objections and recommend that conditions should be attached to any planning permission that may be granted.

8.3 Landscape Officer – Following discussions and the submission of amended plans and updated ES documents the Landscape Officer accepts that the improvements to the layout will improve the visual mitigation on the receptors beyond the site boundary (in particular the views from Newton Longville to the south-east), however does not accept that views of the proposed development from the footpaths that traverse the application site would reduce to a level that any reasonable observer would regard as not being a significant change from the existing baseline views over open countryside. For these reasons the Landscape officer disagrees with the overall conclusions in the submitted revised LVIA and would advise that the scheme should be considered in the planning balance on the basis of significant adverse landscape and visual impacts to the application site itself.

In respect of the proposed impact on settlement character and identity it is concluded that generally the proposed development adopts an approach to settlement character that seeks to positively respond to the topographical and landscape issues on the application site rather than proposing a wholly MK based style of development.

8.4 Environmental Heath - The Environmental Statement dated January 2015, identifies that noise and vibration impacts in relation to the scheme will occur during both the construction and operation. The noise mitigation measures detailed in chapter 12 must be implemented as part of the Construction Environmental Management plan. Should this application be approved then further information will be required regarding the siting of noise sources, the use of low-noise road surfacing and any other noise mitigation measures to demonstrate that residential properties will comply with the standards specified in BS8233:2014.

- 8.5 Contaminated Land Officer - A Phase 1 Geo-Environmental Desk Study report written by Pell Frischmann has been submitted as part of the ES for the above application. After reviewing the Desk Study report and section 16 of the ES, which relates to the Ground Conditions and Contamination, it is concluded that based on the historic land uses and its current operational use, the overall risk from land contamination at the site is considered to be low for the current developments, and low for the re-developed site. However, this would need to be confirmed by appropriate intrusive investigation, testing and assessment of the results of the investigation. The officer confirms that she agrees with this conclusion and recommends the imposition of conditions on any planning approval.
- 8.6 BCC Education – Primary, secondary and special schools including Children's Centre provision within the planning area of the development are all currently or projected to be at capacity. The development proposal borders Milton Keynes so may well impact on schools across the border. Both local authorities will need to work together to ensure that the effects of the development are most effectively mitigated. Notwithstanding these issues, should the application be approved the County Council would require the developer to make contributions in accordance with the policies set out in its "Guidance on Planning Obligations for Education Provision":
- 8.7 Housing - Should the scheme achieve 1855 dwellings housing officers would expect at least 556 units of affordable housing to be offered in order for it to be policy compliant at 30%. These units should be of a type and size reflective of the overall housing mix whilst also taking into account the district-wide need with a suitable tenure mix to be agreed and secured as part of S106 discussions. It should be noted, however, that the affordable element of a scheme should be broadly in line with the site's overall housing mix.
- 8.8 Biodiversity - These proposals involve the development of a greenfield site and are therefore highly likely to have a negative impact upon biodiversity if unmitigated. A series of ecological assessments has been produced and submitted in support of this application by the consultant FPCR. These reports detail the species and habitats currently found on the proposed development site. It is considered that this element of the ecological assessment acts as an accurate account of the features found at the time of the assessment. The recommendations of this report are not considered to be detailed enough to address the enhancement aspects of a major development of the scale proposed and the applicant will need to demonstrate how the development minimises impacts on biodiversity, provides net gains in biodiversity, and conserves and enhances biodiversity, in accordance with NPPF. The mention of ecology links in the Design and Access Addendum is welcomed but detail is required on how these measures will be achieved
- 8.9 Buckinghamshire County Council (BCC) Flood Management - Based on the information provided BCC Strategic Flood Management Team has no objection to the proposed development subject to the imposition of conditions.

- 8.10 BCC Archaeology – No objection in principle and recommend the imposition of a condition is applied to require the developer to secure appropriate protection, investigation, recording, publication and archiving of the results in conformity with NPPF paragraph 141
- 8.11 PROW Officer – Raises no objection to the application and recommends the imposition of conditions
- 8.12 CPDA - Do not wish to object to the proposals at this time, however, identify a number of concerns which should be addressed either prior to planning approval being considered or via specific conditions attached to any subsequent approval.
- 8.13 Natural England – No objections
- 8.14 Tree Officer - The indicative layout can comply with BRITISH STANDARD 5837 and is generally sympathetic to retention of the better quality tree features.
- 8.15 Anglian Water – No objections and recommend the imposition of conditions
- 8.16 Drainage Engineer – Following the receipt of further details the drainage engineer withdraws their previous comments and therefore has no objections to the application on surface water drainage grounds and recommends the imposition of the standard drainage condition be placed upon the application.
- 8.17 Environment Agency - Following the submission of the FRA addendum we are satisfied that the proposed development can incorporate a sustainable method of surface water drainage without increasing the risk of flooding on or off site.
- 8.18 Milton Keynes Council –MKC Local Planning Authority resolved on the 17 November 2016 to object to the planning application consultation from Aylesbury Vale District Council, as an adjoining Local Authority to the planning application for the following reason:  
The application fails to take account of the level of services and facilities required to meet the day-to-day needs of its future residents and fail to make a proportionate contribution towards an increase in the capacity of existing facilities within Milton Keynes to satisfy these increased demands and to mitigate the impact of the proposed development on existing services and infrastructure in Milton Keynes. It is therefore considered that the proposal fails to meet the statutory test for the use of planning obligations in accordance with Regulation 122(2) of the Community Infrastructure Levy Regulations 2010. Policy CS6 of the Core Strategy and Paras. 203-204 of the National Planning Policy Framework.

MKC objects to the proposal on the basis that the proposed development will also result in an adverse impact on the highways network of Milton Keynes.

MKC LPA fully support the comments put forward by NHS England and the Milton Keynes Clinical Commissioning Group in respect of the need for onsite primary healthcare provision and a per dwelling contribution in support of secondary health care facilities at Milton Keynes Hospital. Milton Keynes objects to the proposal on the basis that the



development would not provide adequate primary and secondary healthcare facilities to offset the impact of the development. Furthermore should Aylesbury Vale District Council be minded to grant planning permission Milton Keynes Council Local Planning Authority would support the request from NHS England and Milton Keynes CCG that health care requirements are secured within a collaborative section 106 agreement.

Milton Keynes Council object to the proposals on the basis of the adverse impact the development would have on existing education facilities within Milton Keynes. It is considered that the proposed on site education provisions are insufficient to offset the education needs generated by the development and that given the sites proximity to Milton Keynes the burden would fall on existing facilities within Milton Keynes. It is confirmed that Milton Keynes Council does not have capacity to accommodate education need generated by this development and given the sites location within the Aylesbury Vale District Council administrative area any education need arising would need to be accommodated within Aylesbury Vale.

Whilst it is acknowledged that Aylesbury Vale District Council maybe unable to demonstrate a five year housing land supply at the time of the determination of this application and therefore paragraphs 49 and 14 of the NPPF would be engaged Milton Keynes Council request that full consideration is given to the test of if this site would constitute a sustainable development. On the basis that the current development proposals do not incorporate the necessary critical physical and social infrastructure to constitute a sustainable development in the terms set out within paragraph 14 and therefore consider that this proposal should be refused on this basis despite the 5 year housing land supply position.

A list of S106 requirements has been provided and is addressed in more detail in the report under the heading promoting healthy communities.

## **9.0 REPRESENTATIONS**

- 9.1 A letter of objection of been received from the MP, Rt. Hon. John Bercow, raising concerns regarding the policy position and in particular the consideration of the application ahead of Newton Longville's neighbourhood plan. Concerns are raised relating to the highway and traffic implications and the increased strain on infrastructure and congestion, the limitations of access to public transport and the ultimate reliance on the private car. Furthermore, concern is raised on the grounds of the loss of a distinctive aspect of the village and the implications of further linking development onto Far Bletchley. Finally objections are raised to the additional pressures this development would place on doctors surgeries as well as

other vital infrastructure. In conclusion it is not considered that the development would comprise sustainable housing growth

9.2 A total of 482 letters of representation had been received to the original submission, 478 of which raise objections, and 4 letters raise comments that neither support or object. The salient objections raised are as follows:

- Existing road which runs East-West through Newton Longville is already deteriorated from use by all classes of vehicle, and many people exceed the speed limit.
- Potentially an extra 1000+ cars to the roads during peak hour will increase noise disturbance, air pollution and further damage the road surface, as well as increasing the risk of a road accident for those who live in the village.
- There was previous significant opposition to the development in 2010/2011.
- Roads around Newton Longville, Far Bletchley, Stoke Hammond, Mursely, Drayton Parslow, Stewkley and Whaddon, as well as the Bottle Dump roundabout and the A421 will have to work beyond their capacity and congestion is experienced in the vicinity and there are already bottlenecks experienced as a result of infrastructure constraints present..
- Current road infrastructure around Bletchley is unable to cope with the volumes of traffic. Any increase is unacceptable.
- Inadequate public transport means the majority of residents will use their cars to travel everywhere.
- Development will be too high density, and there will not be enough off-street parking spaces.
- There is inadequate parking provision in Bletchley to accommodate the shoppers that would arise from the proposal, there are currently capacity issues.
- Provision of the layout and location of access points to the site is inadequate. All 3 are very dangerous with 2 being on 60mph roads, with bends and hazards, and 1 on a 70mph dual carriageway on a downhill slope that is regularly used by large goods vehicles. During rush hour it would take a long time for the road to be clear for just 1 car to safely exit the site, let alone a potential 2,000 cars. Accident waiting to happen.
- There is no practical pedestrian access from the new development to the nearest shopping destination – Bletchley centre.
- The development would put strain on the already hard-pressed police resources in Milton Keynes.
- There will be an adverse impact on the current village school, either it will not be able to cope with the influx of students, or it will close due to students going to the new school that is proposed.

- The educational infrastructure is inadequate to provide for an influx of this size, they are stretched thin as is.
- Despite being residents of Aylesbury Vale, residents of this development would likely use the facilities in MK, due to their closer proximity. E.g. being expected to use Stoke Mandeville hospital is preposterous when it is a 45 minute drive away, while MK hospital is just a 15 minute drive away. The development would therefore put significant strain on services in MK, namely Milton Keynes General hospital.
- The development threatens the settlement identity of Newton Longville.
- Amenity and recreation from the footpaths that cross the historic field system will be denied for current and future generations of the village.
- The development will generate further noise, light and air pollution.
- Proposed 3 storey buildings will create unacceptable visual exposure, and be out of character with the village of Newton Longville as well as be detrimental to the appearance of the countryside.
- There is a risk of flooding that will impact this development and the surrounding areas.
- Disruption of and loss of precious habitat for wildlife, including an endangered protected species of bird
- Wildlife highly valued by local residents, provides a spectacle for recreation when walking in the countryside.
- The traffic and identity implications experienced by Newton Longville as a result of the development will severely detract from the conservation area.
- The proposed housing would be very close to existing housing, blocking both light and taking considerable privacy.
- Valuable agricultural land will be lost, reuse of existing buildings and brownfield sites should be sought first.
- The application is premature, submitting before the completion of the VALP and emerging Neighbourhood Plan.
- The development of an urban extension, with a population of a small town in a largely rural setting is not in keeping with the rural context of Newton Longville and the wider area.
- AVDC will get the vast majority of council tax and S106 taxes, while MKC will have to put up with the costs and additional strain.
- "As a taxpaying Milton Keynes residents, object strongly to having to fund facilities for residents in Aylesbury Vale".
- To consent this proposal without a whole-hearted approval from MKC will store up problems for the future. The district council boundary should be moved to include the area within MKC, only then can a rational decision be made.

- There is no need for this volume of housing in AVDC or MKC, hence it is superfluous to requirements.

9.3 Following receipt of amended plans/additional information in August 2016, 102 further letters of representation were received. The letters reiterated those points set out above and whilst a number of letters acknowledge the changes to the scheme they continue to raise objections to the proposals and make the following additional material considerations;

- There is a need for the provision of further infrastructure associated with the scheme including a youth centre, bowling green and public house
- The proposed local centre should be more accessible
- There is a need for greater emphasis to be given to the employment provision on the site
- The requirement for duty to co-operate has failed to be met by AVDC
- No regard has been given to the future potential of the Oxford – Cambridge expressway proposals
- Granting permission on this site sets clear future precedents for similar schemes which would have a significant impact on the adjacent settlement identifies and landscape impact
- The grid road should make provision for a dual road. The current position of the reserve grid road is considered inappropriate
- The proposals would put increased pressures on already stretched infrastructure, further emphasised by the failure of the proposal to improve hospital provision
- Insufficient traffic surveys/assessments have been undertaken and the possible potential of increased use of Newton Longville as a rat run is underestimated
- The provision of an additional roundabout on the A421 would negatively impact upon traffic flow
- The impact of construction traffic will have significant adverse impacts particularly given the extensive period for construction
- Proposal has a contrived and insufficient parking provision and fails to address the issue of the displacement of existing on street parking that would be lost through the development of this site.

9.4 West Bletchley Council formally OBJECTS to this planning application. The objection relates to both the principle and detail of the proposed development; the particular reasons include the following:

1. The principle of a development at the site is not supported by any adopted development plan or supplementary planning document;

2. The proposed development would place an unacceptable burden on the transport infrastructure;
3. The proposed grid road that would follow the route of a known gas main is not shown to be technically viable nor that such a proposal does not represent a health and safety risk to existing or future residents or users of the road;
4. The proposal would result in the loss of a significant amount of best and most versatile agricultural land;
5. Unreasonable draft Heads of Terms that do not reflect the way a real world timetable operates nor does it allow sufficient flexibility to account for an uncertain commercial market;
6. The impact on local services;
7. The location of the proposed allotments;
8. The adverse visual impact and poor mix of house-types.

## **10.0 EVALUATION**

*The planning policy position and the approach to be taken in the determination of the application*

- 10.1 Members are referred to the Overview Report before them in respect of providing the background information to the policy framework for AVDC when coming to a decision on this application. The application should be considered in the context of paragraph 14 of the NPPF whereby there is a presumption in favour of granting planning permission for sustainable development unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits.
  - *Policy background*
- 10.2 The South East Plan (SEP), published in 2009 identified Aylesbury Vale as a major growth area, Aylesbury as a 'regional hub' and required the Vale to expand by 26,890 dwellings from 2006-2026. The majority of those dwellings were indicated to be at Aylesbury, with lower numbers being accommodated in Rest of District and in the north east of Aylesbury Vale
- 10.3 The Milton Keynes and South Midlands Sub-Regional Strategy identified land to the south west, between the A421 and the railway line as a growth locations. The South East Plan (SEP) was adopted in 2009 which identified a Strategic Development Area at South West Milton Keynes (SWMK), known as the SWMK SDA Area. Policy MKAV1 included a requirement 5,390 dwellings as an urban extension to the south west of Milton Keynes. This proposal covered a larger site area than that currently proposed by this planning application. The levels and distribution of housing provision in Policy MKAV1 of the SEP were proposed to deliver the spatial vision for Milton Keynes and Aylesbury Vale set out in

Policies MKAV2 and MKAV3. These policies clarified the housing provision split between the local authority areas in advance of Policy MKV2 which related to the spatial framework for Milton Keynes growth area. Policy MKV3 proposed the spatial framework for Aylesbury Growth Area

- 10.4 The draft Aylesbury Vale Core Strategy (2009) sought to carry forward all relevant information and policies from the SEP and in the proposed submission core Strategy The strategic objectives proposed a distribution of growth across the district and policy CS1 identified the provision of 5,390 dwellings in the north east of Aylesbury Vale close to Milton Keynes as part of the Core Strategy.
- 10.5 The Government revoked the South East Plan in July 2010 at which time AVDC withdrew the Core Strategy. Whilst these plans are no longer in place the background policy position is considered material to the planning application.
- Milton Keynes policy position
- 10.6 There are a number of relevant policies in the Milton Keynes Core Strategy 2013 including policies CSA NPPF Presumption in favour of sustainable development, CS1 Milton Keynes Development Strategy, CS6 Place-Shaping Principles for Sustainable Urban Extension in Adjacent Local Authorities, CS10 Housing, CS11 A Well Connected Milton Keynes, CS12 Delivering Successful Neighbourhoods, CS13 Ensuring High Quality Well Designed Places, CS18 Healthier and Safer Communities, CS19 The Historic and Natural Environment and CS21 Delivering Infrastructure amongst others.
- 10.7 Policy CS6 of the MK Core Strategy sets out that when and if development comes forward for an area on the edge of Milton Keynes which is wholly or partly within the administrative boundary of a neighbouring authority this Council will put forward the following principles of development during the joint working on planning, design and implementation:
1. The local authorities will work jointly, and with infrastructure and services providers, to achieve a coordinated and well designed development.
  2. A sustainable, safe and high quality urban extension should be created which is well integrated with, and accessible from, the existing city. Its structure and layout should be based on the principles that have shaped the existing city, especially the grid road system, redways and the linear parks and strategic, integrated flood management.
  3. A strategic, integrated and sustainable approach to water resource management (including SUDS and flood risk mitigation) should be taken.
  4. The design of development should respect its context as well as the character of the adjoining areas of the city.
  5. Linear parks should be extended into the development where possible to provide recreational, walking and cycling links within the development area and to the city's extensive green infrastructure and redway network.

6. Technical work to be undertaken to fully assess the traffic impacts of the development on the road network within the city and nearby town and district centres and adjoining rural areas, and to identify necessary improvements to public transport and to the road network, including parking.

7. A route for the future construction of a strategic link road(s) and/or rail link should be protected where necessary.

8. New social and commercial facilities and services should be provided, and existing facilities improved where possible, to meet the day to day needs of new and existing residents.

9. The opportunity for new 'Park and Ride' sites for the city should be fully explored and where possible provided and efficiently and effectively linked to the city road system.

10. The local authorities and their partner organisations should produce an agreement on appropriate mechanisms to secure developer contributions towards improvement and provision of infrastructure to support the development, including facilities in the city that will be used by residents of the development area.

10.8 Further relevant policies for MKC are set out in the adopted Milton Keynes Local Plan (saved policies) including S3 City Expansion Areas, S10 Open Countryside, S12 Linear Parks, D1 Impact of Development Proposals on Locality, D2 Design of Buildings, D2A Urban Design Aspects of New Developments, D4 Sustainable Construction, HE1 Protection of Archaeological Sites, NE1 Nature Conservation Sites, NE2 Protected Species, NE3 Biodiversity and Geological Enhancement, NE4 Conserving and Enhancing Landscape Character, T2 Access For Those With Impaired Mobility, T3,T4 Pedestrians and Cyclists, T5 Public Transport, T10 Traffic, T15 Parking Provision, T17 Traffic Calming, H1 Land Allocated for Housing, H2- H5 Affordable Housing, H8 Housing Density, H9 Housing Mix, L3 Open Space Standards of Provision and PO4 Percent for Art amongst others.

10.9 Paragraph 178 of the National Planning Policy Framework (NPPF) states that public bodies have a duty to co-operate on planning issues that cross administrative boundaries, particularly where strategic issues are involved. It is expected by the Government that joint working on areas of common interest should be undertaken. The application site is wholly located within the administrative boundary of Aylesbury Vale District Council (AVDC), but the principal access points to the A421 fall within the administrative boundary of Milton Keynes Council (MKC). The planning application has been submitted to both AVDC and MKC to enable both authorities determine the elements of the proposed development that fall within their respective administrative areas.

- 10.10 The applications were originally submitted in July 2015 and since this date there has been ongoing dialogue and work with Milton Keynes Council on the proposal. A number of topic based meetings have taken place at regular intervals looking at key issues such as highways, education, design and layout and S.106 matters engaging with key consultees, stakeholders and the applicants. It is considered that the requirement to work cooperatively with adjoining authorities as specified in the NPPF has been met in this instance.

*Whether the proposal would constitute a sustainable form of development*

- 10.11 The Government's view of what 'sustainable development' means in practice is to be found in paragraphs 18 to 219 of the NPPF, taken as a whole (paragraph 6). It is only if a development is sustainable that it would benefit from the presumption in paragraph 14 of the NPPF. The following sections of the report will consider the individual requirements of sustainable development as derived from the NPPF and an assessment made of the benefits associated with the issues together with any harm that would arise from the failure to meet these objectives and how the considerations should be weighed in the overall planning balance.
- 10.12 The NPPF promotes sustainable development and encourages consolidation of smaller rural settlements where it will enhance or maintain the vitality of rural communities. In terms of the sites broader location, the site falls within the Parish of Newton Longville. Newton Longville is identified in AVDLP as an Appendix 4 settlement implying that it is considered to be appropriate to allow "limited small-scale development" at the settlement. The Council's Draft Settlement Hierarchy Assessment 2016 identifies the settlement as one of the District's medium villages.
- 10.13 The site is located on the edge of Milton Keynes, and whilst it is within Newton Longville Parish, the site is actually approximately 0.5km distant from the built up area of the settlement of Newton Longville (to the south-east) and is more directly associated with the built form of Milton Keynes.
- 10.14 The nearest bus stops to the application site that are served by a regular bus service are on Chepstow Drive in Far Bletchley to the east of the site. These existing bus stops on Chepstow Drive are currently on Route 28 which provides on Monday to Saturday an hourly service operates between Central Milton Keynes and Bletchley Bus Station.
- 10.15 The nearest bus stops to the application site that provide a more frequent level of service are around 800 metres walking distance from the site boundary on Whaddon Way. These stops are currently on Route 4 which provides a 10 minute service during peak weekday hours and a 20 minute service throughout the rest of the day.
- 10.16 Bletchley Railway Station is approximately 4km driving distance from the application site to the east and therefore is accessible both by cycle and car. The station has parking spaces and there is also sheltered parking for cycles. The station, is located on the West Coast



Main Line, providing connections to Milton Keynes Central and Birmingham New Street to the north, and Watford and Euston to the south. The station also provides links to local stations, including Leighton Buzzard. Southern Trains operates an hourly service which terminates at South Croydon.

- 10.17 Milton Keynes Central is approximately 7km driving distance from the site and is therefore accessible by both cycle and car. Cyclists can also use the network of Redways to access the station. The train operators serving Milton Keynes Central are London Midland, Southern trains and Virgin Trains.
- 10.18 These services and facilities are within 5km of the site, a distance where cycling can be considered a meaningful alternative to the private car. The application site is well connected on a local, sub-regional and regional scale. The A421/H8 Standing Way runs in a north easterly direction towards the A5 providing connections to the Bletchley, Emerson Valley and Furzton areas. A roundabout at the junction of H8 Standing Way and V6 Grafton Street allows access to Redmoor Roundabout which interchanges with the A5. To the east of the A5, A421 Standing Way provides access through to Junction 13 on the M1 Motorway and also north into Bedford.
- 10.19 To the west, the A421 provides links to Buckingham and the A43. The A421 runs west from Bottle Dump Roundabout in the north-west corner of the application site, and providing links to the surrounding villages. The A421 continues west and meets the A413 to the east of Buckingham, some 12.5km west of the site.
- 10.20 National Cycle Route 51 (Sustrans) runs south-west through the site, along Weasel Lane from Buckingham Road, crossing Whaddon Road before re-joining the road network, east of Lower Salden Farm. Weasel Lane is a restricted byway, and the site can link with a number of public right of ways in the vicinity. The Milton Keynes cycle network, the Redway system, connects to the site, and a route can be followed towards the City Centre and Central Milton Keynes Railway Station.
- 10.21 Furthermore, there is good access to employment and leisure opportunities in Milton Keynes and the proposal also includes employment provision creating further opportunities. It is therefore considered that the site is in a sustainable location for growth and is capable of accommodating a level of development which will be dependant on a number of issues discussed below.

#### *Build a strong competitive economy*

- 10.22 The NPPF states that the Government is committed to securing and supporting sustainable economic growth in order to create jobs and prosperity. Paragraph 17 of the NPPF defined the 12 core land use planning principles which should underpin both plan-making and decision-taking.

- 10.23 The third core principle is that planning should “proactively drive and support sustainable economic development” and that “every effort should be made objectively to identify and then meeting the ... business... needs of an area”. Paragraph 19 states that the Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth and places significant weight on this element. Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system. Paragraph 20 states that “local planning authorities should plan proactively to meet the development needs of businesses and support an economy fit for the 21st century”.
- 10.24 The Government is committed to securing and supporting sustainable economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development.
- 10.25 In recognition of the importance of sustainable development the application proposes a sustainable mix of uses on site and job creation, the proposed employment element comprises of 2.07 hectares. This will be developed for B1 purposes, most probably offices. The offices will be developed at the gateway to the scheme, fronting the A421, and next door to the neighbourhood centre and would be closely related to the employment uses located opposite the application site within MKC. This would provide high quality employment space in a phased development as well as a local centre and up to 1855 new homes
- 10.26 The application is accompanied by a Planning statement and retail and employment Reports which considers that the site proposes a balanced and diverse employment offer creating a land use blend which is compliant with the requirements of the NPPF.
- 10.27 The neighbourhood centre will provide a range of community infrastructure and facilities to ensure the delivery of a sustainable mixed use development of sufficient critical mass and diversity to meet the requirements and expectations of the new community and generate new employment opportunities.
- 10.28 The Employment Assessment advises that based on a plot ratio of 0.45 the provision of 2.07ha of employment land would generate 9,315 sq m of floor space (gross external area (GEA)). 80% of this would represent usable floor space of 7,452 sq m.
- 10.29 The submission is clear to explain that this site is deliverable and will provide a range of local employment opportunities for people with differing skills and work experience.
- 10.30 The proposed development would also include small scale retail/ community uses within the neighbourhood centre to provide a further element of Local employment. 0.67Ha of land is allocated for a neighbourhood centre which will comprise a mixed use space for local retail and other services to include retail (A1), financial and professional services (A2),

a family public house (A4) and takeaways (AS) and community and recreation uses (DI and D2). Retail provision on the site would be modest and limited to only providing convenience needs for the residents of the new development, ensuring no impact upon existing services and facilities in the area in line with NPPF advice.

- 10.31 The ES also sets out that in economic terms the development will create in excess of 150 construction jobs on site, for the majority of the duration of the development of the project. It is also estimated that once fully constructed, the new development will create approximately 1,880 new permanent jobs, 621 fte arising from the proposed employment land and 1,261 fte from the neighbourhood centre, schools and supporting on site community facilities / services, depending on the exact types of businesses that occupy the new units. It is also predicted that the completed development will generate a figure of £48,230,000 arising as support for the local economy, this being a reflection of gross median household incomes derived from the Council's monitoring data. The ES provides an estimate of New Homes Bonus arising from the scheme of £8,000,000. The Retail Assessment concludes that the turnover of the proposed food store will be £4,380,000 whilst the housing will generate £10,160,000 of convenience retail expenditure to the local economy.
- 10.32 Therefore, not only will the development provide additional employment land and the direct creation of jobs which weighs in its favour, it is acknowledged that the construction of the development in itself would contribute to the economy of the area and so too would the resultant population growth in supporting local businesses, facilities and services with increases in expenditure estimated in the ES as well as the new services the development includes. It is therefore considered that the proposal would give rise to a number of economic benefits, which should be afforded significant weight in the overall planning balance.

*Deliver a wide choice of high quality homes*

- 10.33 As of October 2016, based on the best available information, the 5 year housing land supply position now stands at 5.8 years, which means that the Authority now have in excess of 5 years supply. This uses the updated Buckinghamshire HEDNA (October 2016) figure for Aylesbury Vale as the requirement figure (965 dpa), and doesn't include any element of unmet need at this stage. This position is a result of the updated Buckinghamshire HEDNA which has been revised to reflect new population and household projections. Members are referred to the overview report on the detailed clarification and background information on the HEDNA position.
- 10.34 It is acknowledged that this continues to be an interim position as no element of unmet need that we will be asked to accommodate in Aylesbury Vale is included. It would not be appropriate to include that unmet need element in the housing requirement as any potential

unmet need figure is not agreed with other HMA authorities as yet (see paragraph 3.7 of the October 2016 position statement).

10.35 This means that paragraph 49 of the NPPF is no longer engaged, however there are no up-to-date housing supply policies in AVDLP and the NPPF requires that housing applications are considered in the context of the presumption in favour of sustainable development and to boost significantly the supply of housing. Therefore, on this basis and having regard to the significant contribution that the proposal would make to the housing supply of the District, it is considered that this benefit should be afforded significant weight in the overall planning balance.

10.36 The submission confirms that the site is deliverable and estimates that work would commence on site within 12 months of the outline permission being granted (to allow for reserved matters applications to be submitted and approved). The Planning Statement advises that the infrastructure delivery would take two years from outline permission (2019/20) and housing delivery also two years from outline permission (2019/20-2025/26) and completion seven years from reserved matters (2025/26).

10.37 The planning statement advises that the site could deliver approximately 600 dwellings in the five year period.

	Year 1 2019/20	Year 2 2020/21	Year 3 2021/22	Year 4 2022/23	Year 5 2023/24	Year 6 2024/25	Year 7 2025/26
Estimated Completions	80	210	310	360	360	360	175

10.38 The SWMK Consortium comprises both developers and housebuilders, all of whom are experienced at delivering large scale mixed use developments of the type proposed in this planning application. The application site is either owned by members of the Consortium or is controlled under option. The report concludes that the initial phases of the proposed development are deliverable, and could contribute to the five year housing land supply. The proposed development is developable between years 2017/18 and 2023/24 and is considered viable.

10.39 Furthermore, the applicant has confirmed through S106 discussions that 30% (557) of the dwellings are to be affordable units which accords with policy GP2 of the AVDLP which requires 20-30% provision of affordable housing and any phasing will ensure that the aggregate percentage as the scheme progressed does not fall below 30%. Regard is paid to MKC policy H4 requires that developments secure 30% of new housing in the Borough as affordable housing. It is considered that the upper limit threshold for affordable housing is in line with policy requirements of AVDC. It is acknowledged that there remains a high demand / need for affordable housing within the district and the beneficial weight to be afforded to this policy compliant scheme is considered to be significant in the planning

balance. S106 discussions are ongoing between the Consortium and housing officers on securing this provision and detailed discussion will agree the clustering standards, housing mix and tenure split.

- 10.40 The scheme is in outline and does not seek permission for a specific housing mix and officers will ensure at the detailed matters stage that the market housing and affordable housing on the scheme accords with the housing need prevailing in the District at that time and is reflective of the overall mix of dwellings within the development.
- 10.41 There is no reason that the site could not be delivered and it is considered the proposal would make a worthwhile contribution towards the supply of deliverable housing land and contribution of affordable housing on site as well as the mix of properties to be proposed. The proposal would provide sustainable homes that would have economic, social and environmental benefits, and the resulting social benefits attract significant weight in favour of the development in the overall planning balance.

*Promoting sustainable transport*

- 10.42 The NPPF at para 32 seeks to encourage sustainable transport modes and to ensure safe and suitable access to new development.
- 10.43 It will also be necessary to consider whether the proposal provides opportunities to undertake day-to-day activities and that the development would ensure that safe and suitable access to the site can be achieved for all people, and that improvements can be undertaken that effectively limit the impacts albeit that development should only be refused on transport grounds where the residual cumulative impacts are severe.
- 10.44 The promotion of sustainable transport is a core principle of the NPPF and patterns of growth should be actively managed to make the fullest possible use of public transport, walking and cycling and to focus significant development in locations which are or can be made sustainable.
- 10.45 Access into the site is a matter for consideration in this application and as submitted, there are three points of access proposed from the development onto the local highway network at the following locations: Whaddon Road, Buckingham Road and A421 Standing Way.
- 10.46 The access onto Whaddon Road falls within the jurisdiction of AVDC as local planning authority and Buckinghamshire County Council as highway authorities, whilst the A421 Standing way access point joins the highway network controlled by Milton Keynes Council. The Buckingham Road access joins the existing public highway controlled by Milton Keynes Council.
- 10.47 Three access points were selected to distribute traffic onto the local highway network and provide route choice options for new residents of the proposed development. The internal road layout, to be considered at the reserved matters stage, would however need to be designed to discourage through trips (rat running through the development). The internal

layout is to be considered as part of the reserved matters application, however the internal layout should accord with current standards.

- *Buckingham Road Access*

- 10.48 The original TA proposed a signalised gyratory arrangement. Both MKC and BCC raised concerns regarding introducing traffic signals in this area as well as the complex arrangement, which could be confusing for drivers.
- 10.49 In response to these concerns a new four arm roundabout junction has been proposed, encompassing two new site roads. The existing Redway on the northern side of Buckingham Road is to remain and a shared footway cycleway is proposed on the southern arms of the junction into the site. Toucan crossings are proposed on the western arm between the new roundabout and Tattenhoe Roundabout and where the new road crosses Weasel Lane, providing safe crossing facilities to the wider pedestrian and cycle network.
- 10.50 The assessment of this proposed junction shows that the junction operates within capacity in both the AM and PM peaks in the 2026 Base with Development scenario. Furthermore, the design of the junction does not impede the ability of either Council to deliver the Grid Road if required in the future. Whilst the modelling demonstrates that there is junction capacity available in its current form to accommodate changes to the network, additional land will be secured by S106 Agreement, as part of the Grid Road reserve, to ensure that amendments to this junction can be carried out in the future.
- 10.51 An independent Stage 1 Road Safety Audit has been undertaken and BCC are satisfied that the problems identified can be resolved during detailed design consideration at the reserved matters stage. These works are considered to be achievable within the limits of the highway and land within the applicant's control and can be secured by way of a condition.

- *Whaddon Road Access:*

- 10.52 The proposed access at Whaddon Road is a ghosted right turn priority junction, and BCC have confirmed that the design of the junction ensures that appropriate visibility can be achieved based on requirements set out in Manual for Streets 2 and DMRB.
- 10.53 An independent Stage 1 Road Safety Audit was carried out on the Whaddon Road access and the design has been amended to address the problems raised, including the extension and provision of a longer flare length (within the site) to accommodate peak hour demand for vehicles leaving the site.
- 10.54 The Stage 1 Road Safety Audit did raise concerns regarding the conspicuity of the junction to approaching road users. Whilst the Applicant has demonstrated that the required visibility splays can be achieved, the Highway Authority is of the view that further design

features are necessary and a speed limit reduction on Whaddon Road should be investigated. These are matters that can be secured by way of condition(s).

- 10.55 The results of the modelling work and sensitivity testing undertaken by the Applicants have adequately demonstrated that with an element of traffic reassignment the two site access junctions in combination have sufficient capacity to accommodate the vehicle trips generated by the proposed development. As such, the Highway Authority is of the view that subject to detailed design, 'safe and suitable access' can be achieved in accordance with the requirements of the NPPF.

*- A421 Standing Way:*

- 10.56 The design of the access from A421 Standing Way is in the form of a left in only junction. This junction falls within Milton Keynes Council's jurisdiction and is being considered separately by their planning committee. It should however noted that in the MKC Committee report on the access application, MKC highways officers have raised no objections to the highway matters. BCC does not have any objections in principle to the proposed access arrangement, subject to detailed design and entering into relevant Highways Agreements. This can be secured via means of a S106 obligation.

*Off Site Impact Assessment:*

*Milton Keynes:*

- 10.57 It is acknowledged that the majority of traffic generated by the development is on roads within Milton Keynes. For assessing the impact within Milton Keynes, the Milton Keynes Traffic Model (MKTC) has been used. The MKTM has been accepted as suitable for the purpose of assessing the impact of the proposed development on the Highways England and Milton Keynes Road network. The demand model takes into account change in travel demand expected in Milton Keynes as a result of major land use and infrastructure changes. The model has not however been calibrated or validated within Aylesbury Vale and there is no evidence to suggest that the model is accurate in this regard.
- 10.58 BCC raised concerns to the use of the MKTM model for assessing the impact of the proposal within Buckinghamshire. It should be noted that BCC has not questioned the ability of the model as a tool to assess traffic conditions in Milton Keynes, only the ability of the model to reflect accurately traffic volumes and conditions in Aylesbury Vale.
- 10.59 Milton Keynes Council commissioned Stirling Maynard, an independent transport consultant, to assess the highway and transport impacts of the proposed development on the Milton Keynes network. Their comments recommend that there are no objections to the proposed access arrangements subject to conditions and a S106 Agreement.

- 10.60 As a result it was agreed that junction assessment using static models would be completed at locations within Buckinghamshire (8 agreed junction locations), using Automatic Traffic Counts (ATC) and Manual Classified Counts (MCC) survey data with a forecast year of 2026. This work was carried out during October and November 2015. The scope and location of the surveys were agreed with BCC prior to being commissioned and the Highway Authority is satisfied that surveys have been carried out in accordance with best practice and the 2015 base data is robust.
- 10.61 The junction assessments and proposed mitigation schemes have been reviewed by BCC and a full detailed position for each junction is set out in the full highway comments attached as Appendix 3.
- Mitigation Package A421 Corridor:
- 10.62 The A421 provides a key strategic east-west link within the Aylesbury Vale District, connecting the M40 with the M1 via Buckingham and Milton Keynes. The majority of the A421 is single carriageway; however the route becomes a dual carriageway after crossing the boundary with Milton Keynes. There are concerns regarding congestion on the A421 at peak times, and its function as a strategic east-west link. The further impact of potential developments on the A421 in Buckinghamshire is therefore of particular concern. As part of the application the A421 has been subject to extensive modelling and testing to ensure the highway network can accommodate the proposed development.
- 10.63 A number of the junctions along the A421 corridor are shown to be operating over capacity in 2026 without development traffic. This is a direct result of background traffic growth. The Applicant has however demonstrated that the impact of the development on the surrounding highway network can be mitigated and therefore the cumulative residual impact of the development cannot be considered 'severe' in the context of paragraph 32 of the NPPF. Furthermore, a number of the improvements proposed are likely to provide a 'nil-detriment' situation, whereby the highway network is 'no worse off' with the proposed development in a future forecast year of 2026.
- 10.64 At present the A421 is free flowing along most of its length in Buckinghamshire, with junctions managed through priority junctions or roundabouts. The Applicant has proposed signalisation of the priority junctions of the A421/ Warren Road and A421/Shucklow Hill/Little Horwood Road. Whilst the signal schemes proposed adequately resolves queuing on the minor road, it would also stop the free flow and introduce delays to the primary route.
- 10.65 This route is currently under consideration by the National Infrastructure Commission, as one of the East-West Expressway. It is therefore considered more prudent to commute the costs of construction of the signal schemes into a S106 agreement. This would avoid



abortive works being carried out by the Applicant and would result in a more considered mitigation scheme, taking into account external factors. As such a financial contribution towards corridor improvements has been agreed with the Applicant.

- *Traffic through the Villages:*

- 10.66 The Transport Assessment considers in detail the impact of the proposed development on the villages of Whaddon, Newton Longville, Little Horwood, Mursley and Great Horwood, in terms of capacity and road traffic safety. In order to establish base traffic conditions Automatic Traffic Counts and Manual Classified Counts were completed in October and November 2015.
- 10.67 The predicted increase in traffic flow is greatest through Newton Longville, due to the location of the development. The impact of development traffic reduces further to the north and west as traffic disperses across the wider highway network. The TA carried out by the Applicant indicates that even with the predicted increase in traffic flow, as a result of the proposed development, the link flows through all of the villages remain within theoretical capacity. through the villages.
- 10.68 The increase in traffic flow through Newton Longville is considered to be significant, with a 25% increase in the AM peak and 24% in the PM peak. The Applicant has proposed a traffic calming scheme to mitigate the impact of the development, which is addressed further below and is to be secured in a S106 Agreement.
- 10.69 The increases in traffic flow predicted through Nash, Great Horwood, Little Horwood and Mursley is not considered to be significant and would not result in a severe impact on the local highway network.
- 10.70 There is a moderate increase in traffic predicted through Whaddon, however a number of these movements are a logical choice between origin and destination with the majority being linear north-south movement's ending in the northern suburbs of Milton Keynes. Whaddon is already traffic calmed however the review of Personal Injury Collision (PIC) data has shown that there have been 7 collisions along Stock Lane and Codimoor Lane leading to and from Whaddon Village, one of these collisions was fatal. The Transport Assessment shows that there is a marginal increase in risk for further PIC in Whaddon and Newton Longville. It is envisaged that the traffic calming proposals in Newton Longville will suitably mitigate the potential for further PICs, however in order mitigate the potential impact in Whaddon a financial contribution is required towards road safety improvements on Coddimoor Lane and Stock Lane to be secured in a S106 Agreement.

- *Newton Longville Traffic Calming Proposals:*

10.71 An indicative traffic calming scheme for Newton Longville has been submitted as part of the revised TA, which includes enhanced gateway features on all roads leading into the village, pinch points along Whaddon Road, raised junction tables and signing/lining. BCC is satisfied that the scheme would provide the desired effect of deterring traffic that could otherwise use the strategic road network, by slowing journey times through the village. Despite this, the County Council is aware that Newton Longville Parish Council has their own aspirations for traffic calming within the village and is of the view that it would be more appropriate for a financial contribution towards the design, consultation and implementation of traffic calming be paid by the Applicant. This will allow the County Council to work with the Parish Council to provide a comprehensive traffic calming scheme that meets the aspirations of the local community. As such a financial contribution is required to be secured in a S106 Agreement.

- *Public Transport Provision*

10.72 In respect of bus services, currently the nearest bus stops to the site are 800m walking distance from the site boundary on Whaddon Way, currently served by Route 4 operated by Arriva which provides a 10 minute service from 6am to midnight. To ensure that all new dwellings are within 400m walking distance to a bus stop, it is essential for a bus service to be provided that enters into the application site.

10.73 The Applicant has proposed to either enhance an existing bus service or provide a new start up service to operate between the proposed development and Central Milton Keynes (CMK) via the existing rail station. The objective is to provide a high quality, fast, frequent and reliable bus service that serves the social and accessibility needs of those without access to a car. It is also expected that with the effective marketing initiatives included within the Framework Travel Plan, people who would otherwise use a private car will be encouraged to use the proposed bus service for many of their work and leisure based journeys.

10.74 Initial discussions with MKC and the operator Arriva indicate that either service 8 or 2 could be extended. An alternative would be to start a completely new high frequency service. It is intended the service would operate seven days a week, with a journey time of approximately 30 minutes between the site and CMK. This is considered to be adequate to provide a realistic option to new residents, in order to influence modal choice.

10.75 It is envisaged that the bus route will be introduced in phases over the life of the development, to ensure that residents in the first phases will have access to a bus service at the earliest opportunity. BCC requires the submission of a bus service phasing plan, which can be secured by condition. Indicative locations of the bus stops are shown on the illustrative masterplan and the majority of residential properties are within 400m walking distance of a bus stop, which is considered appropriate.

- *Rail, cycle and Pedestrian Provision*

- 10.76 The nearest railway station to the development sites is Bletchley Railway Station, approximately 4km distance to the east via the A421 / B4034. The station has provision for 628 parking spaces. It provides an hourly service to Milton Keynes, London Euston, Bedford, Croydon and Clapham Junction.
- 10.77 Bus access to Bletchley Railway Station would be via Bus Route 4 that operates with a frequency of every 20 minutes. The nearest bus stop for Route 4 is on Whaddon Way in Bletchley, a 950m walk from the Buckingham Road site access. Bus users would alight at Sherwood Road, from where it is a 300m walk to the Railway Station. The total journey time for this route would be 20 minutes (11 minute walk, 5 minutes bus, 4 minute walk).
- 10.78 Cycle access to Bletchley Railway Station would be via Buckingham Road. There is an existing Redway along Buckingham Road to Caernarvon Crescent, from where the route would be on-road to the station. The route is 3.2km long, equivalent to a 13 minute cycle (based on an average cycling speed of 15kph). An alternative route would be via the Redway on Buckingham Road initially, then using the quieter on-road routes of Whaddon Way, Shenley Road, Church Green Road, Wilton Avenue and a short cycle path to the station. The route on quieter roads is 4km; equivalent to a 16 minute cycle.
- 10.79 Milton Keynes Central Railway Station is approximately 7km from the site (via Snelshall Street, Childs Way and Elder Gate). It provides an hourly service to Milton Keynes, Watford Junction, London Euston, Croydon and Clapham Junction. Access to Milton Keynes Central Railway Station by public transport would be via the extended Route 8, with an approximate travel time of 18 minutes from the Site.
- 10.80 There is good access from the site to local footway/footpaths and the local cycle network, providing connections to services and facilities within the area. National Cycle Route 51 (Sustrans) is the nearest cycle route to the A421 corridor; it runs between Bletchley and Winslow, passing to the south of Salden Chase, before continuing on to Bicester. Furthermore, the majority of the A421 corridor consists of unclassified rural roads, where on-road cycling is a viable option.
- 10.81 The Milton Keynes Cycle Network, known as the Redway System, commences west of the Bottle Dump roundabout and continues eastbound, north of the A421 Standing Way. The existing infrastructure provides highway quality routes from the site to both Milton Keynes City Centre and Central Milton Keynes Railway Station. Pedestrian access to the proposed development will be achieved as follows with all but the recreational footpaths being available for use by cyclists:
- The old Buckingham Road south of the current A421 dual carriageway:

- Whaddon Road - across the A421 close to Bottle Dump Roundabout via the existing subway;
- The existing Subway across A421 to Snelshall West
- Buckingham Road – south east of the Tattenhoe Roundabout;

10.82 An updated illustrated masterplan has been submitted in support of the planning application. The masterplan aims to encourage walking and cycling as realistic alternatives to that of the private car, through high quality infrastructure. The masterplan identifies 'alternative' Redway routes through the site which is considered a positive benefit and will need to be developed further as part of any future reserved matter applications.

10.83 Off-road pedestrian/cycle footway should be provided along the primary route corridors. The County Council supports the principle of Linear Walks and as part of the reserved matters consideration will need to be paid to surfacing and lighting to ensure that these are high quality, attractive routes. A number of new routes are proposed within the site, including:

- north side – conversion of the old A421 Buckingham Road into a cycling route;
- south side – footpath/cycleway within a new linear park parallel to the railway;
- east side – bridleway along the alignment of Footpath NLO/19/1
- west side – walking/cycling route parallel to Whaddon Road;
- central east to west – Weasel Lane is retained forming National Cycle Network Route 51 (Sustrans); and
- central north to south – a route passes through the centre of the development.

10.84 The details of the cycle and pedestrian infrastructure within the site will need to form and be considered as part of any future reserved matters application.

- *Public rights of way*

10.85 A number of improvements to the surfacing of the local footpaths are proposed those within the site will be completed as part of the development and a financial contribution is to be secured as part of the Section 106 Agreement for those routes outside of the site. The improvements within the site include:

- Footway/cycleway/bridleway along Grid Road reserve to be provided and constructed to 'Redway' standard; Existing PROW
- Upgrade of footpath 19 Newton Longville Parish, resurfaced to a sealed carriageway standard to a width of 3m between Weasel Lane and the railway underpass; route to be dedicated as a public bridleway;

- Restricted byways 20 and 25 Newton Longville Parish and Restricted Byway 15 Mursley Parish, locally known as Weasel Lane, to be resurfaced to a width of 3m, between Dagnell House Buckingham Road to the adopted highway adjacent to Lower Salden farm entrance; and
- Dedicate as a PROW with public bridleway status alongside Whaddon Road from Weasel Lane to Bottle Dump roundabout and provide a sealed surface 3m wide. This would form part of the Milton Keynes boundary walk and would be contained within the Site behind a landscaped buffer.

10.86 Weasel Lane, passing south-west to north-east through the centre of the site, Weasel Lane is likely to be a busy walking and cycling route used by new residents. Weasel Lane is restricted by a byway, for use by pedestrians, cyclists and horseback. Notwithstanding its status, Weasel Lane is accessible to motor vehicles from both Whaddon Lane and Buckingham Road and provides access to the existing residential property.

10.87 It is proposed as part of this application to improve the surface of Weasel Lane, which will encourage walking and cycling within the site but also longer trips to Milton Keynes and Winslow that National Cycle Route (NCN 51) aims to achieve. A 3m wide walking cycling route should be secured by way of condition and supported by a S106 to resurface Weasel Lane outside the red line, from Whaddon Road south-east to the property 'Weasels'.

10.88 The application proposes a new connection for walkers and cyclists between Weasel Lane and the Bottle Dump roundabout, along a green corridor. This represents a significant improvement for existing users of the MK Boundary Route as they currently have to walk in the vehicular highway along Whaddon Road or the adjoining grass verge. It will also provide an important strategic connection between NCN 51; the proposed new cycling route along the old Buckingham Road (A421); and the Redways alongside the new A421. It will also be a positive draw for new residents wishing to walk and cycle between communities on this side of the development. The route would be further complimented by a new Pegasus crossing on the Bottledump Roundabout and the proposed conversion of the old A421 Buckingham Road into a cycling route. The details of this route will need to form part of any future reserved matters application.

10.89 Footpath 19 Newton Longville Parish connects the parish of Newton Longville with the new development site. As part of the package to mitigate the impact of the development and improve connectivity with Newton Longville, an improvement is required along Footpath NLO/19/2 and NLO/19/3. The footway within the site is to be resurfaced to a sealed carriageway standard to a width of 3m between Weasel Lane and the railway underpass, to be dedicated as a public bridleway. South of the railway bridge, a contribution would be

required for the improvement of the footpath between the site and Nos. 36 and 38 Whaddon Road, Newton Longville.

- Internal Road Layout:

- 10.90 As part of the illustrative masterplan submitted in support of the planning application, a new network of Primary Streets will form the principal circulation route for all vehicular traffic. The route will connect with the existing highway network at the three access points. The indicative plans show that the primary street is to be 7.3m wide, with a footway/cycleway of 3m wide, which is considered to be appropriate for the nature of the road.
- 10.91 The primary streets are to form part of the proposed bus route. The primary streets therefore need to be designed to avoid on-street car parking, which could result in obstructions to the bus route. This could be achieved by ensuring appropriate off-street parking is provided, the use of on-street car parking laybys, and frontage car parking with dropped kerbs. This will need to be considered as part of any future reserved matter applications.
- 10.92 The illustrative masterplan shows the tertiary roads to be between 4.8m and 5.5m, which are considered appropriate for the nature of the road. All roads will need to be designed to accommodate an 11.2m refuse vehicle in line with AVDC fleet requirements and tracking should be provided as part of any future reserved matters application.
- 10.93 There are two schools (a primary and secondary) proposed as part of the development. The internal road layout will need to be carefully designed as part any future reserve matters application to accommodate these facilities. The design will need to consider drop off provision, widened footways, crossing points, road signage and lining to provide for a serviced school site. In addition the bus stops serving the school will need to be designed to accommodate the predicted number of buses/coaches, to ensure that they do not obstruct the free flow of traffic. This will require early engagement with BCC Education and Highways Development Management team.

- Grid Road:

- 10.94 Whilst the proposed development only requires a single carriageway road for access, the masterplan has been developed to ensure that at a dual carriageway could be provided in the future. The land for the grid road will need to be adequately secured in the S106 Agreement, so that the Councils can develop and implement a scheme in the future. Furthermore the detailed design should look to limit the future cost of dualling and this will need to be demonstrated as part of a future reserved matters application.
- 10.95 Buckinghamshire County Council consider that new residents of the proposed development would have ability to access rail services by means other than that of the

private car, and the benefits of an improved bus service are acknowledged, such that the site is considered to be sustainably located. The inclusion of facilities on site will enable residents to make local shopping trips, which reduce the need for car travel and offers some employment opportunities at a local level. This in turn enables appropriate social infrastructure to support the residents of the site and enable residents to engage positively with the community and contribute socially with the community, in line with NPPF guidance.

- 10.96 Furthermore, it is considered that the proposal would comply with the principles of the MK Core Strategy including Policy CS6 and to those principles of policies of the adopted Milton Keynes Local Plan including S3 City Expansion Areas, T3,T4 Pedestrians and Cyclists, T5 Public Transport, T10 Traffic, T15 Parking Provision and T17 Traffic Calming amongst others.
- 10.97 Overall BCC Highways consider that the development proposal would not have an unreasonable impact on the highway network and advise there are no objections to the scheme. As such it has been demonstrated that the proposal would not have an unreasonably adverse impact on highway safety or convenience and would not be contrary to NPPF advice, and therefore this factor should be afforded neutral weight in the planning balance.

#### *Conserving and enhancing the natural environment*

- 10.98 In terms of the impact on the landscape, proposals should use land efficiently and create a well-defined boundary between the settlement and countryside. Permission will not be granted for development that impairs the character or identity of the settlement or the adjoining rural area. Regard must be had to how the development proposed contributes to the natural and local environment through protecting and enhancing valued landscapes and geological interests, minimising impacts on biodiversity and providing net gains where possible and preventing any adverse effects of pollution, as required by the NPPF. The following sections consider the proposal in terms of agricultural land, landscape, Trees and hedgerows and biodiversity.

##### *- Landscape*

- 10.99 One of the core land-use planning principles in the NPPF that should underpin decision taking is that planning should take account of different roles and character of different areas including recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it. The document goes on to say that the planning system should contribute to and enhance the natural and local environment by, amongst other things, protecting and enhancing valued landscapes.
- 10.100 The NPPF states that planning decisions should encourage the effective use of land by re-using land that has been previously developed (brownfield land), provided that it is not of high environmental value.

- 10.101 AVDLP policy GP35 requires that new development respects and complements the physical characteristics of the site and its surroundings, the building tradition of the locality, and the scale and context of the setting, the natural qualities and features of the area and the effect of the development on important public views and skylines. NPPF advises at paragraph 109 that the planning system should contribute to, and enhance, the natural and local environment by, among other things, protecting and enhancing valued landscapes.
- 10.102 Policy NE4 of the MK Local Plan states that where development in the open countryside is acceptable in principle under other policies in this plan, it should respect the particular character of the surrounding landscape.
- 10.103 The Environmental Statement includes a chapter containing a Landscape and Visual Impact Assessment and this has been updated through the submission of an addendum ES statement for the Landscape and Visual Impact Assessment chapter, which takes on board comments from the Councils Landscape Officer on the scope of the LVIA and which assesses the potential landscape and visual effects of the proposed development before and after mitigation measures.
- 10.104 The site is greenfield land and is located in the open countryside adjacent to the settlement of Milton Keynes, and has physical boundaries to the north in the form of the A421, the south by the disused railway line and well treed embankment and also to the west with Whaddon Road and Bletchley to the east. Whilst the proposals represent an extension of built development into the open countryside, these site specifics offer some visual and physical containment of the development.
- 10.105 The ES and the updated addendum assesses the visibility and views and through a Zone of Theoretical Visibility exercise to establish the representative visual envelope and has identified a number of viewpoints where the development has been assessed from and evaluates the potential effects through the phases of development. The ES considers that the development would result in a permanent land use change from agricultural land to built development
- 10.106 The ES has judged that at the outset (on completion of the development) the proposal would result in major-moderate adverse landscape effect on the site, which is concluded as being a locally significant effect. 15 years after completion the GI would form a mature framework of connected woodland, parks, greenspace and recreational routes that would provide considerable environmental benefits (in line with the enhance and reinforce guidelines) and it is assessed in the ES that these benefits would reduce the degree of adverse effects to moderate adverse and that these effects would not be significant.
- 10.107 Turning to the conclusions of the ES on the visual effects, this advises that views of the proposed development within the wider landscape would be restricted as a result of the containment created by the built up area of Milton Keynes and Bletchley, and as such marked adverse effects would be limited to receptors that are either within the site or within



the immediate landscape. It is assessed that the proposed development would not be an uncharacteristic feature within the landscape given the sites proximity to the edge of Milton Keynes and Bletchley. In the longer terms as the development's GI becomes fully established and mature the framework of woodland, trees and hedgerows around the perimeter of the of the site and within the layout would help to soften and filter views of the built form and as a result it has been concluded that none of the visual effects are judged to be significant in the longer term.

10.108 The ES also assesses the night time effects of the development noting the existing baseline situation of Milton Keynes and Bletchley which presently illuminate and impart a level of sky glow on the landscape. Therefore, whilst it is acknowledged that there would clearly be a degree of adverse effect, it has to be recognised that the change to the site will be experienced in the context of the already well-illuminated surrounding built up area especially in long views and therefore, would not be seen to especially intrusive or harmful to the night sky.

10.109 The site lies within Character Area "Bedfordshire and Cambridgeshire Claylands". It is not situated within a landscape that is afforded any statutory landscape quality protection or designation at an international, national, regional or local scale. The nearest landscape designation being the Whaddon-Nash Valley LLA which lies 1.8km to the north-west of the site. The Aylesbury Vale Landscape Character Assessment (Jacobs 2008), identifies that the site is located within the Newton Longville-Stoke Hammond Claylands Landscape Character Area (LCA), the condition of which is assessed as being moderate with a low sensitivity and an overall guideline to enhance and reinforce the character area. The key characteristics and landscape elements include and which are relevant to the application site; a gently undulating to rolling landform, heavy clay with mixed agricultural use, nucleated settlement pattern and parliamentary enclosures.

10.110 The application was originally submitted with a LVIA (dated January 2015) in support of their proposal which concluded that the proposed development of up to 1855 dwellings etc., on this currently green field site, will not result in significant landscape character impacts in the long term on the site itself or in either the short or long term on the wider character area (Newton Longville - Stoke Hammond Claylands LCA 4.9) within which it lies. This was a conclusion that the Council's landscape Officer considered to be unreasonable.

10.111 The Landscape officer considers that the proposed development will be perceived, both from within the site and from the wider landscape as a significant change in landscape character terms in both the short and long term when assessed against the existing landscape character 'baseline' of undeveloped agricultural land in open countryside and it is upon this basis that the proposed development should properly be considered.

- 10.112 The landscape officer acknowledged that the original submission addressed a number of concerns which had been raised on the previous planning submission (withdrawn prior to determination) and considered that with regard to the identified need for 'better physical connections across Weasel Lane' this has been addressed in principle by the provision of both a 'primary' and 'secondary' connection north south across the proposed area of GI that occupies the high ground in the centre of the site.
- 10.113 Following lengthy and detailed discussions relating to the landscape and design merits of the application, the applicant has proposed a number of changes to the submitted scheme with a view to addressing (amongst other matters) a number of the landscape and visual issues raised in the landscape officers original comments. To reflect these changes, the applicant has submitted an 'Addendum Environmental Statement' (dated July 2016) contained within which is a revised Landscape and Visual Impact Assessment (LVIA).
- 10.114 Having considered the revised design, the applicant has concluded in the revised LVIA that the proposed development, with respect to its landscape character impacts, would 'at the outset ... result in a major-moderate adverse landscape effect on the site, which is concluded as being a locally significant effect' but that after 15 years 'the Green Infrastructure would form a mature framework ... that would be providing considerable environmental benefits [and] ... that these benefits would reduce the degree of adverse effects to moderate adverse, and that these effects would not be significant'.
- 10.115 Whilst the Landscape officer accepts the conclusion set out in the LVIA with regard to the impacts at the outset, he disagrees with the conclusions for year 15 and beyond. In line with the officers previous comments he was of the opinion that the proposed development would be perceived, both from within the site and from the wider landscape as a significant change in landscape character terms in both the short and long term when assessed against the existing landscape character 'baseline' of undeveloped agricultural land in open countryside. Whilst it is accepted that the improvements to the layout will, by year 15, have mitigated the impact of the proposed development on the wider landscape to the extent that the effects may reduce to a level that is less than significant, he does not accept that these improvements would reduce the impact on the landscape within the site to a level that is less than significant and it is on this basis that the revised scheme should be considered in the planning balance with regard to landscape character impacts.
- 10.116 With respect to the visual impacts of the proposed development, the revised LVIA concludes that 'in the longer term, as the development's GI becomes fully established and mature, the framework of woodland, trees and hedgerows around the perimeter of the site, and within the layout, would help to 'soften' and filter views of the built form. As a result, it is concluded in the LVIA that the level of effects on all visual receptors would lessen, and that none of the visual effects are judged to be significant in the longer term'.

- 10.117 The indicative Landscape Masterplan sets out the landscape framework for the proposal and allows for a significant provision of Green Infrastructure (GI), with 53.67ha to be allocated as open space and landscape in a range of forms including an 'eco-corridor', formal and informal open space to create a high quality and distinctive landscape. The proposal sets out mitigation of the potential significant adverse landscape and visual effects and which includes an enlarged perimeter screen and structural planting, the redesign of the proposed layout to facilitate the introduction of tree planting tiered through the site utilising the gradient of the site and an ecological buffer, the inclusion of open spaces, the retention and enhancement of the public rights of way/ bridleway and key features such as hedgerows and trees, sensitively designed lighting scheme and sensitive positioning of development away from the central ridge line.
- 10.118 Turning to the relationship of the proposed development to the adjacent settlement of Milton Keynes, it is considered that the proposed development would provide a generally logical and cohesive extension to the existing settlement pattern and character of the settlement. Whilst the proposed development is designed to be responsive to the specific context and character of the site upon which it is proposed (rather than definitively following the MK 'development style') it is clear that the proposed development does seek to address its relationship with the adjacent settlement in a constructive and positive manner, taking influences from the adjacent settlement character.
- 10.119 The proposed Green Infrastructure delivery seeks to integrate the proposed areas of open space with the extensive city wide network – in particular the MK Boundary Walk and the neighbouring Chepstow Park, through particularly the extension of the linear park network. With regard to the MK grid road system, whilst the proposed development adopts a more relaxed approach to the delivery of a grid system than that adopted in the wider city, the application seeks to provide and safeguard for the future extension of Snelshall Street (V1) as part of the proposals should this be required in the future.
- 10.120 Generally the proposed development adopts an approach to settlement character that seeks to respond to the topographical and landscape issues on the application site rather than proposing a wholly MK based style of development. In that regard it is considered that the principles of those policies set out in MK Local Plan and the MK Core Strategy and in particular policy CS6 relating to development on the edge of Milton Keynes..
- 10.121 However, it is clear there will still be significant landscape and visual impacts on the area of the development site itself and its immediate surrounding landscape through the proposed development of a greenfield site and the topography of the land. However, the adverse impact would be limited to the site itself, users of the footpaths and the sites immediate setting due to its position at the urban edge of Milton Keynes. It is noted that without a mitigation package being in place the landscape impacts would have a significant adverse

impact. However, noting the layout and mitigation measures that are proposed as part of the scheme it is considered that this factor is an adverse impact to be attributed moderate negative weight in the planning balance.

- *Agricultural land*

10.122 Paragraph 112 of the NPPF advises that Local Planning Authorities should take into account the economic and other benefits of the best and most versatile agricultural land (Grades 1, 2 and 3a) and, where significant development of agricultural land is demonstrated to be necessary, Local Planning Authorities should seek to use areas of poorer quality land in preference to that of a higher quality.

10.123 The ES includes an Agricultural Land Classification Study and which assesses 144 hectares of predominately agricultural land which at the current time is primarily in arable use with a small area of grassland to the northern and western boundaries. The site is occupied by a number of separate farm business, on a variety of different tenures.

10.124 The application site is shown on the Provisional Agricultural Land Classification Map as being Grade 3 and 4, and the agricultural land classification survey shows mainly sub-grade 3b land, of moderate quality (88%) with small areas of better quality land, Grade 3a (11%) and other land (1%). The moderate quality land is limited by soil wetness and significant wetness/workability problems. The better quality land is described with lighter textures or having soils with calcareous topsoils. In summary the site comprises of 16 hectares (of the 144 ha total site area) of best and most versatile agricultural (BMV) land. This falls below the threshold of 20ha set by Natural England. The magnitude of the impact on the agricultural land as a result if the irreversible development of this quantity of BMV land is considered to have an adverse effect. In terms of the 4 occupying farm businesses, three of these businesses will remain operating off-site as viable businesses and the fourth is only a part time business. As such this matter should be afforded limited negative weight in the overall planning balance.

- *Trees and hedgerows*

10.125 Policies GP39 and GP40 of the AVDLP seek to preserve existing trees and hedgerows where they are of amenity, landscape or wildlife value.

10.126 The application is accompanied by an Arboricultural Assessment to identify the quality and value of existing trees on site which was supported by the Tree Officer. The site has no trees subject to tree preservation Orders. A total of sixty four individual trees and twenty five groups of trees were surveyed as part of the arboricultural assessment. Six of these and three groups of trees were graded as category A, 28 trees and 8 groups of trees were graded as B and 19 trees and 11 groups of trees were graded as C and there are 13 individual and 3 groups of trees graded as category U trees on the site which could be removed as good arboricultural practice.

10.127 Trees of A and B category are to be retained and incorporated into the development as the proposal seeks for the retention and protection of existing good quality trees and hedgerows. All trees to be removed, with the exception of two trees (T47 and T60), were considered to be of low arboricultural quality or low amenity value. The trees assigned category C are those which whilst still relatively young should not present a significant constraint to the potential to develop the site. Loss of category C material can suitably be mitigated for through new tree planting forming part of the overall landscaping proposals which would support the development. Any current amenity value can be regained within a relatively short time frame and therefore such losses should not raise objection from an arboricultural perspective.

10.128 New structural and screen tree planting, hedge and shrub planting is also indicated as being proposed as part of the future detailed scheme. On the basis of the detail submitted it is considered that a scheme could be designed to pay adequate regard to the landscaping of the site and subject to completion of a Tree Protection Plan and Arboricultural Method Statement such that the development would accord with AVDLP policies and with relevant NPPF advice and as such this factor should therefore be afforded neutral weight in the planning balance.

- *Biodiversity*

10.129 Paragraph 109 of the NPPF requires new development to minimise impacts on biodiversity and provide net gains in biodiversity where possible. Policy NE2 of the MK Local Plan states that planning permission will be refused for development if it would be likely to adversely affect animal or plant species, or their habitat, specifically protected by law. Policy NE3 of the MK Local Plan seeks that all new development exceeding 5 dwellings (in the case of residential development) or incorporating gross floorspace in excess of 1000 sq m (in the case of other development) will be required to incorporate proposals to enhance biodiversity and geological features which are appropriate to, and where possible compensate for, impacts on the immediate area and the site characteristics.

10.130 The application is supported by an ecological assessment which has been updated during the course of the submission, and the Council's Biodiversity Officer confirms that the surveys submitted are sufficient to accurately gauge what species and habitats are present on the site.

10.131 The assessment details the species and habitats currently found on the proposed development site as a number of surveys were carried out (badger, bats, reptiles, great crested newts and birds).

10.132 However, the officer considers that the current proposals do not quantify ecological impacts in a meaningful way to enable pre and post development comparison, sufficient to objectively assess net losses or gains. The NPPF seeks enhancements where possible and the minimum requirement is for no net loss. A condition could be attached to any

approval of this outline application requiring the submission of a scheme that provided for no net loss of biodiversity on the site and secure the submission of full details for mitigation in accordance with NPPF guidance. Furthermore the application is considered to accord with policies NE2 and NE3 of the Milton Keynes Local Plan.

10.133 In the planning balance it is considered that this matter should be given neutral weight.

- *Air Quality*

10.134 The NPPF includes air quality as an issue to be evaluated when considering the need to conserve and enhance the natural environment and that planning decisions should ensure that any new development in Air Quality Management Areas is consistent with the local air quality action plan.

10.135 The ES includes a chapter which assesses the air quality effects associated with the proposed development and looks at both the construction and operational impacts of the proposals. The assessment methodology was agreed with AVDC prior to the assessments being undertaken. Information provided in the Transport Assessment and on traffic modelling has been used to predict local air quality. The designated Air Quality Management Areas (AQMA) are approximately 18km to the south of the application site and would not be affected by development traffic.

10.136 The Council's Air Quality Officer has accepted the content and conclusions of the assessment. The amendments to the scheme does not alter the quantum of development and overall trip generation and therefore, the air quality impacts remain as originally assessed. The construction works have the potential to create dust and during construction it will therefore be necessary to apply a package of mitigation measures to minimise dust emission, and with these measures in place it is expected that any residual effects will not be significant. Mitigation measures can be used and secured by condition. The air quality impacts associated with the construction and operation of the proposed development have been assessed and it has been concluded that the operational impacts of increased traffic emissions arising from additional traffic on local roads will be negligible at all receptors and the impacts on overall operation air quality would be insignificant. This is considered to be a neutral factor in the planning balance.

- *Noise*

10.137 Paragraph 123 of the NPPF states that planning decisions should aim to avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of the new development and mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development including through the use of conditions.

- 10.138 AVDLP policy GP8 states that permission for development will not be granted where unreasonable harm to any aspect of the amenities of nearby residents would outweigh the benefits arising from the proposal.
- 10.139 MKC policies D1(Impact of development proposals on locality), T10 (Traffic), E4 (Employment Development in the Town, District and Local Centres and E9 (Controlling the risk of pollution) are relevant to the consideration of noise impact.
- 10.140 The ES includes a chapter on noise and vibration which considers the effects of the proposed development during construction and once operational and the noise associated with the employment uses of the development.
- 10.141 The Environmental Statement identifies that noise and vibration impacts in relation to the scheme will occur during both the construction and operation. The report identifies monitoring locations both within AVDC and MKC for noise monitoring. During construction, the nearby properties will experience adverse effects from noise and vibration but this will be temporary and intermittent in nature and generic mitigation measures to reduce the effects will be employed. There are potential impacts from the increased levels of road traffic and also from new any fixed installations and plant associated with the proposed development.
- 10.142 No objections have been raised by the Environmental Health Officer subject to the noise mitigation measures detailed in chapter 12 being implemented as part of the Construction Environmental Management plan. The measures highlighted can be secured via a condition and with detailed consideration of the layout at reserved matters stage, to allow maximum enjoyment of gardens and amenity areas for residents as well as satisfactory internal noise levels within dwellings. Officers are satisfied with the content and findings of the noise assessment in the ES and consequently, following the adoption of the recommended mitigation measures as outlined in the ES and conditions, there is not considered to be a detrimental noise impact from the proposed development and therefore, this matter is assigned neutral weight in the planning balance.

- *Contamination*

- 10.143 A further consideration in the NPPF in relation to the need to conserve and enhance the natural environment is contamination, and the guidance states in paragraph 121 that planning decisions should ensure that the site is suitable for its new use taking account of ground conditions.
- 10.144 The ES includes a chapter on ground conditions and contamination assessing the potential environmental effects on ground conditions and contamination. A Phase 1 Desk Study has been completed on the site and it was agreed with the contaminated land officer that no site investigation was necessary to inform the EIA. The land has always been used as

farm with two minor tracks and a footpath with a railway line to the south of the site. The only potential sources of contamination related to imported made ground associated with minor areas of hardstanding, the railway lines and associated sidings, contamination associated with factories to the north and contaminants associated with farming. The investigation concluded that there is unlikely to be a requirement for large scale remedial works but it is proposed to conduct ground investigations at the application site prior to the detailed design of the proposed development in order to delineate areas of contamination and any other risks prior to construction. A condition can be attached in case any contamination is found. This is considered a neutral factor in the planning balance.

#### *Conserving and enhancing the historic environment*

10.145 The NPPF at section 12 “Conserving and enhancing the historic environment” at paragraph 126 endorses a positive strategy for the conservation and enjoyment of the historic environment. Paragraph 132 advises that, when considering the impact of development on the significance of a designated heritage asset, great weight should be given to the asset's conservation: the more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset, or development within its setting. Any harm or loss should require clear and convincing justification. Paragraph 134 advises that where a development will cause less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use. The NPPF at paragraph 134 notes that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use. The NPPF at paragraph 135 states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

10.146 An assessment needs to be made of how the proposal would sustain and enhance the significance of heritage assets and the positive contribution that conservation of assets can make to sustainable communities as well as the need to make a positive contribution to local character and distinctiveness. The effects of specific developments will need to be assessed having regard to the site characteristics, specific impacts and ability to successfully mitigate. The significance of any heritage assets affected including any contribution made by their setting will need to be considered. When considering the impact on the significance, great weight should be given to the asset's conservation.



- 10.147 The ES contains a chapter on Archaeology and Cultural Heritage which assesses the impact on the historic environment which can be divided into two categories; Archaeology and Built Heritage. There are no scheduled ancient monuments nor listed buildings within the application site. There are a number of listed buildings within Newton Longville conservation area (located 850m to the south of the site at the nearest point) and scheduled remains of Tattenhoe deserted medieval village lying to the north of the site.
- 10.148 Policy GP59 of AVDLP requires regard to be had to the protection and enhancement of sites of archaeological importance.
- 10.149 The County Archaeologists welcome the submission of the archaeological evaluation report which included the results of the geophysical survey and trial trenching which have been undertaken within the proposed development area.
- 10.150 The evaluation recorded numerous well-preserved, substantial archaeological features at the site. Relatively large quantities of pottery were recovered. There were four main foci of activity:
- Area 1 contained three enclosures. These spanned the Iron Age/Roman transitional period;
  - Area 2 contained at least one late prehistoric enclosure;
  - Area 3 contained at least one late prehistoric enclosure and related ditches;
  - Area 4 contained a series of enclosures, ditches and other features spanning the Late Iron Age/Roman transitional period into the 4<sup>th</sup> century AD.
- 10.151 The evaluation also exposed a number of features which had not been detected by geophysical survey, including some quite substantial ditches in Trench 7. There was some evidence to suggest that some of the features interpreted as furrows in the survey might actually be archaeological features. The proposed development has been designed so as to enable all four settlement areas to be preserved within open space and school playing fields.
- 10.152 In light of these comments, the archaeologist advises that if planning permission is granted for this development it is likely to harm the significance of a number of heritage assets, so a condition should be applied to require the developer to secure appropriate protection, investigation, recording, publication and archiving of the results in conformity with NPPF paragraph 141. With reference to the NPPF and the saved archaeological policy GP.59 of the AVDLP and that this element should therefore be afforded neutral weight in the planning balance.
- 10.153 In terms of the impact on the listed buildings, the nearest listed building is Lower Salden Farmhouse (Grade II) located 1.5km south-west of the site, the relative location of development to the Lower Salden Farmhouse means there will also be no material impact upon the setting and significance of this Listed Building. Furthermore, there will be

negligible impacts on the wider setting of those listed buildings located within the designated Newton Longville conservation area

10.154 In terms of the impact on the designated conservation area at Newton Longville, this is located 850m south west of the site and is surrounded by 20<sup>th</sup> century housing development and therefore at the most considered to sufficiently distant from the development. It is acknowledged that the proposed development would be visible in long distance views from the Whaddon Road within the conservation area, but it is considered with appropriate mitigation and sensitive design and layout that the scheme would not result in any significant harm to the designated conservation area.

10.155 Special regard has been given to the statutory test of preserving the setting of the listed building under section 66 and 72 of the Planning (Listed Building and Conservation Areas) Act 1990, which it is accepted is a higher duty. It has been concluded that the development could be designed so as to preserve the setting of the listed buildings, and so the proposal accords with section 66 and 72 of the Act. It is concluded that the setting of the listed building and conservation area would be preserved, and so the proposal accords with section 66 of the Act. In addition, no harm would be caused to the significance of the listed buildings, in NPPF terms, and as such this element of the proposal accords with guidance contained within the NPPF and is assigned neutral weight in the planning balance.

*Promoting healthy communities.*

10.156 In facilitating social interaction and creating healthy, inclusive communities the proposals should aim to achieve places which enable communities to integrate and come together, including through mixed use developments and strong neighbourhood centres and active streets; safe and accessible environments and developments.

10.157 This should include the provision of sufficient choice of school places, access to high quality open spaces and opportunities for sport and recreation and the protection and enhancement of public rights of way. This should in particular address the need to provide sufficient green infrastructure which provides value in many ways. It will therefore be necessary to consider how each scheme addresses these issues.

10.158 The NPPF seeks to promote healthy communities by facilitating social interaction and creating healthy, inclusive communities. This includes the provision of active street frontages, strong neighbourhood centres, safe and accessible developments with access to social, recreational and cultural facilities and services and high quality open spaces with opportunities for sport and recreation. AVDLP policy GP45 requires that the design and layout of all proposals should incorporate measures to assist crime prevention and help reduce risk to personal safety. SPG3 provides guidance on appropriate security and safety measures.

- *Thames Valley Police (TVP)*

10.159 Contributions have been requested from TVP towards staff, new vehicles, mobile IT equipment, radio capacity, number plate recognition camera's, a programme of works at Bletchley which appears to be planned for release. The majority of these requests are not considered to meet the relevant tests particularly given the police benefit from funding elsewhere.

*–Community facilities*

10.160 Policies GP86-88 and GP94 seek to ensure that appropriate community facilities are provided arising from a proposal (e.g. school places, public open space, leisure facilities, etc.). The illustrative master plan indicates provision of a comprehensive network of multi-functional open spaces and green corridors with both formal and areas of informal public open space. Amendments have revised the GI Plan to show how Weasel Lane and the Milton Keynes boundary walk are safeguarded and utilised as principal recreational routes and incorporated within broad corridors of greenspace. The proposal provides for 53.67ha of green open space and 1.18ha of allotment land highlighting the importance of open space as a means of establishing a high quality setting for development is recognised and the role it plays in realising a distinctive character of the new community as well as its contribution to the wider Green Infrastructure around Milton Keynes and providing an opportunity to link with the linear park to the southern edge of the site and acts as an extension to the existing Chepstow Park and a new linear park to improve the north western section of the MK Boundary Walk. The amount of open space to be provided is a benefit to which moderate weight should be attributed.

10.161 The parameters plan as amended makes provision for 9 Locally Equipped Area of Play (LEAP's) and also 2 Neighbourhood Equipped Area's of Play, which each include a multi use games area. The sizes of the LEAPs have increased to provide an activity area of 500sqm to accord with RoSPA guidance and their disposition across the site provides increased coverage and ensures suitable accessibility to meet the standards set out in the Fields in Trust guidance. In addition to the provision of LEAPs and NEAPs on site, youth shelter, a MUGA, sports hall, changing pavilion, skateboard park, sports pitches, cricket wicket, tennis courts and community centre are proposed. Subject to these measures which could be ensured by S106 Agreement, the proposal can be considered acceptable in terms of leisure provision and policies GP86-88 and NPPF advice and this matter should be afforded neutral weight in the planning balance.

*- Public rights of way*

10.162 Policy GP84 of AVDLP requires regard to be had to the amenity, convenience and public enjoyment of public rights of way and the desirability of their retention or improvement. The application site is traversed by public rights of way and as indicated the development will alter/improve those routes. It is clear that the character of these public right of ways would be altered by the proposed development from that of footpaths which presently crosses

open countryside to one passing through a residential development and impact on the character of these public rights of ways and the enjoyment of some of its users. However, this would be mitigated to some degree by the introduction of open spaces flanking the route of the footpath and compensated for by the provision of a improved footways and links. It is considered that, on balance, the convenience resulting from the improvements set against the potential loss in enjoyment to users from the more urban environment through which the path would pass is such that it is considered that the matter should therefore be afforded neutral weight in the planning balance.

10.163 It is considered that only limited weight should be given to the additional open and play space provision to support healthy communities in view of the considerable opportunities for outdoor recreation on and around the application site.

- *Education*

10.164 Policy GP94 seeks to ensure that appropriate community facilities are provided arising from a proposal e.g. school places. The proposal includes educational facilities on site and given the position of the site on the edge of the district, careful consideration has been given to the education requirements and as with the other matters these have been discussed in conjunction with the neighbouring authority MKC..

10.165 BCC have raised no objections to the application in its current form on sustainability grounds. In terms of educational facilities, the application makes provision for a 3 form entry primary school, with Early Years Pre-school facilities on 3.0 Ha of land and a secondary school on 5.2 Ha of land. Provision is also made for accessible recreation and community uses to serve the new residents, designed and located with the intention to be complementary to the delivery of the new schools. An Education Statement is provided in the planning statement to support the proposal. proposition. The proposed development will fund the provision of an appropriate number of additional grammar school places and secondary school places in accordance with the County Council Planning Obligations Policy. Whether secondary school place provision, if decided to be within the development will be an annex extension to an existing grammar school, an extension to an existing secondary school or a standalone secondary school is a decision that must be left to the Decision Maker, which depending upon circumstances would be the County Council

10.166 In summary BCC have advised that primary, secondary and special schools including Children's Centre provision within the planning area of the development are all currently or projected to be at capacity. The lack of long term housing plans causes significant difficulties for the Local Authority with regard to its ability to effectively plan for additional secondary and special school provision. The development proposal borders Milton Keynes so may well impact on schools across the border. Both local authorities will need to work together to ensure that the effects of the development are most effectively mitigated. Notwithstanding these issues, should the application be approved the County Council

would require the developer to make contributions based on the indicative mix of homes provided in accordance with the policies set out in its "Guidance on Planning Obligations for Education Provision":

10.167 Having regard to this advice and subject to the required contributions being secured in the S106, it is considered that this matter would not conflict with the requirements of policy GP94 of AVDLP or NPPF advice and should be afforded neutral weight in the planning balance.

- *Health care*

10.168 Concerns have been raised by objectors regarding the capacity at the local doctors surgery. The provision of health facilities at all levels is the remit of the NHS and CCG, who have been consulted on the proposal. The CCG have advised that the development in question will result in approx. 4,524 additional residents (based on 2.4 occupancy) and would affect several existing GP surgeries in Milton Keynes - Drayton Road, Hilltops, Parkside, Westcroft and Whaddon surgeries. None of these GP practices currently include the South West Milton Keynes development within their practice boundaries and do not have capacity to absorb this population increase.

10.169 In this regard, the development seeks to make the direct provision of land and a financial contribution to accommodate the construction of a building to provide for a 4 GP surgery to meet NHS England specifications; or a financial contribution to meet the costs of equivalent provision off-site. There is additional flexibility provided within the scheme in that the site identified adjacent to the neighbourhood centre is of sufficient size to provide for a 6 GP surgery. The scheme proposes a parcel of land (0.2ha) to the rear of the proposed neighbourhood centre to be used either for employment purposes or to accommodate a 6GP practice (D1) developed over two floors with associated car parking should it be required.

- MKC S106 contribution requests

10.170 MKC have set out a number of section 106 contributions sought and have expressed their expectations in the event specific infrastructure/services are not to be provided within the application site to mitigate the impacts on the service and infrastructure these residents will be likely use to within Milton Keynes;

- *Early Years*

10.171 MKC consider that it is not clear whether Early Years provision is being accommodated on site and as such MKC would be seeking a contribution in line with their Education Facilities SPG.

10.172 It is confirmed that BCC intends provision for pre-school and primary school to be made within the development site and this is a matter which is proposed to be secured by S106.

This is set out within the planning application and is formally acknowledged by BCC in its consultation response. As such in light of the provision being made on site it is not considered that the contribution would be justified.

- *Library Facilities*

10.173 In line with Milton Keynes Council's Social Infrastructure SPD, contributions towards the provision of library facilities are sought, to mitigate the potential impact of the development on library provision for this area and in particular on the south of Bletchley.

10.174 The responsible Authority for libraries in this instance is BCC. Unless someone works or is educated in MK, AVDC residents are not entitled access to MK libraries. Those working or in full time education in MK have right of access, but the costs are met by Employers and Education Institutions in MK via their business rates.

10.175 The applicants argue that the requested contribution is a 'tariff' type payment based on an out of date supplementary planning document that reflects a strategy for the provision of library space that itself has now been superseded. A contribution on this basis does not fairly or reasonably relate to the development proposed. Nor, in the present context, i.e. that of a strategy for the reconfiguration of Bletchley library to provide for shared use arrangements of the building on the basis that the building is too large for the services it provides, can it be held that a contribution is necessary to make the development acceptable, given that the apparent works to reconfigure the building have the necessary funding in place.

10.176 The Consortium have advised that they consider the requested contribution is contrary to CIL Regulation 122

- *Health Facilities*

10.177 MKC consider that there will also be an impact on acute/hospital facilities as a result of this development and consider that existing NHS provision will not have the capacity to absorb the likely impact and additional health provision that will be required. Given the proximity of the development to Milton Keynes and the services located here, it is anticipated by MKC that the impact of this development will directly affect MK Hospital. NHS England have commented that the scale of this proposed development, distance, and most importantly, other significant developments planned in the area NHS England needs to take a more holistic view. Milton Keynes CCG feels that in order to mitigate the impact of the above development a contribution towards additional health facilities would include a land allocation and a charge per dwelling in line with the tariff adopted by Milton Keynes Council

10.178 In order to mitigate the impact of the above development, NHS England seek the provision of additional health facilities on site to include the provision of a site to accommodate a 6-

GP surgery, the construction of the GP surgery to NHS England specifications. They also support the CCG in their request for a contribution per dwelling in line with the Social Infrastructure SPD adopted by MKC towards secondary healthcare facilities for Milton Keynes Hospital.

- 10.179 The development lies in AVDC ward Newton Longville and abuts MKC wards Bletchley Park and Tattenhoe. Recent GP ward data (October 2015) indicates that there are 2,620 Newton Longville residents registered at 22 different GP surgeries: 30% at The Red House (Milton Keynes), 20% at Norden House (Winslow), 16% at Whaddon House (Milton Keynes), and diminishing numbers at the others. Whilst the development will transfer a large population into the Newton Longville ward and a GP Practice within the development justified, it would over time disrupt the present patterns of enrolment.
- 10.180 By reference to the Department of Health: Health Building Note 11-01 (Facilities for Primary and Community Care) 2013, a 4 GP surgery would be necessitated by the proposed development. GPs are private contractors to the NHS. Providing land for a GP Practice is common on large housing developments, as is providing premises for rent, as a planning obligation. The formal revisions to the submitted scheme provide alternative means of provision for primary healthcare, either within the proposed neighbourhood centre building (225sqm), or as a specific alternative use of employment land adjoining the neighbourhood centre (0.2 Ha).
- 10.181 It is acknowledged that the current strategy for the delivery of new primary care provision arising from development on the southern flanks of the City (Eaton Leys, Newton Leys and SWMK) has not yet been concluded by the CCG; but that there are options available on each development for direct provision. In this regard, the Consortium has agreed to make the direct provision of land and a financial contribution to accommodate the construction of a building to provide for a 4 GP surgery to meet NHS England specifications; or a financial contribution to meet the costs of equivalent provision off-site. There is additional flexibility provided within the scheme in that the site identified adjacent to the neighbourhood centre is of sufficient size to provide for a 6 GP surgery.
- 10.182 However, the Consortium consider that an additional financial contribution to reflect the MKC Social Infrastructure SPD cannot be justified as the SPD arrives at a 'tariff' style cost based on a strategy of meeting projected costs of healthcare provision for the City to 2016. This data is now over eleven years out of date. Furthermore, the SPD states at paragraph 2.7.7 that 'For the expansion areas or large greenfield sites where there is a deficiency or complete lack of health facilities, provision of new GP practices will be required. Developers will be expected to make a contribution either in the shape of a site in an accessible location or direct funding.' The request for a per head contribution in addition to land and buildings would not comply with the CIL Regulations.

10.183 Turning to Secondary (Hospital) Healthcare, this sector is a market with hospitals that are NHS Trust, NHS Foundation Trust and private (charitable, not for profit and for profit) all of which are licenced by the NHS to deliver 'free at point of delivery' services. In any geographical area providers are paid at the same rate for each named procedure. Thus favouring one over another upsets the level playing field.

10.184 Services are commissioned by the Clinical Commissioning Group for the area but referrals by GPs are not directed to any particular provider but agreed with the patient. The choice of hospital is thus based on a variety of considerations and NHS Choices (the web service) offers open information on each hospital and which services it offers. The provision of health facilities at all levels is the remit of the NHS and is to be provided for the population. Thus, were a contribution sought, it would amount to double funding, which would be contrary to CIL Regulation 122 because it is clearly not necessary.

- Waste Management

10.185 Again, MKC consider that it is extremely likely that the residents of SWMK would utilise the Household Waste and Recycling Centres in Milton Keynes for all bulky waste and household waste disposal other than the kerbside collections which was expected AVDC will be responsible for. As such, a contribution in line with the Social Infrastructure SPD is requested for Waste Management to facilitate the provision of recycling centre facilities.

10.186 AVDC are the waste collection and disposal authority for the site and will manage this in accordance with their statutory responsibilities. It is acknowledged that there may be pressure on the nearest HWRC in MK from future occupiers of the development in the absence of alternative provision on site but as currently sought, the requested contribution, does not comply with the CIL Regulations.

10.187 The proposed contribution is based on a 'tariff' type cost per dwelling approach that is contained in the adopted SPD (2005), this sum is a reflection of all the anticipated costs associated with household waste arising from prospective housing in the period to 2016, including the provision of two new civic amenity sites. It is out of date and moreover relates to much more than the level of costs that might be attributed to the increased utilisation of existing HWRC that might warrant enhancement and for which, no evidence has been provided by MKC that it is relevant, necessary and reasonable to make the development acceptable in planning terms.

- *Emergency Services*

10.188 The Emergency Services that will serve this site will be Milton Keynes based and as such a contribution is sought in line with MK Council's Social Infrastructure SPD towards the provision of Emergency Services, split between the Ambulance Service and Fire Service.



10.189 'Blue Light' emergency services are organised on a wider geographic basis than individual local authority administrative boundaries. The applicants argue that the requested figure is based on a 2005 SPD and is considered 'out of date' for the purpose of establishing any contributions that may be considered necessary to make the development acceptable in planning terms. Consequently, the requested contribution, as currently sought, cannot be held to be relevant, necessary, reasonably relate in either scale or kind to the proposed development to make the development acceptable in planning terms.

- *Voluntary Sector*

10.190 In line with the MK Council Social Infrastructure SPD, contributions are sought for Voluntary Sector projects to facilitate the integration of new communities with the existing. MKC consider that this is going to be of particular importance for SWMK residents, who will be separated from Milton Keynes by the administrative boundary however will for all intents and purposes live in Milton Keynes and rely on MK for the vast majority of their day to day requirements.

10.191 The proposed Heads of Terms for the S106 Agreement include for the Community Building within the development to be made available for public use by the occupation of the 750th dwelling in addition to the provision, if required of a Temporary Community Building from the occupation of the 150th dwelling. This will provide the opportunity and facilities for community based groups and activities as part of the development. Furthermore the Consortium is willing to consider appropriate mechanisms for the resourcing of community engagement initiatives. Consequently, the requested contribution from MKC, as currently sought, cannot be held to be relevant, necessary, reasonably relate in either scale or kind to the proposed development to make the development acceptable in planning terms.

10.192 On the basis of the information available and having regard for the proposed facilities, it is considered this factor should be afforded neutral weight in the planning balance

*Good design*

10.193 The NPPF sets out that the Government attaches great importance to the design of the built environment and that good design is a key aspect of sustainable development. AVDLP policy GP35 is consistent with the objectives of the NPPF and states that the design of new development proposals should respect and complement; the physical characteristics of the site and surroundings, the building tradition, ordering, form and materials of the locality; the historic scale and context of the setting; the natural qualities and features of the area; and the effect on important public views and skylines. AVDLP policy GP38 is also in conformity with the NPPF and states that new development schemes should include landscaping proposals designed to help buildings fit in with and complement their surroundings and conserve existing natural and other features of value as far as possible.

- 10.194 The rationale for the design and layout of the Proposed Development is set out in detail in the Design & Access Statement and the addendum Design and access statement submitted in August 2016. In summary, the form and layout of the proposed development is strongly influenced by principles that have governed the planned expansion of Milton Keynes and in line with Policy CS6 of the MK Core Strategy place-shaping principles for sustainable urban extensions in adjacent Local Authorities. The Proposed Development includes a primary road grid structure, local routes with pedestrian/cycle route connections, a neighbourhood centre at a prominent east west junction of the main connecting route, which would create lively, well used streets and walkable neighbourhoods which encourage linked trips and foster community cohesion.
- 10.195 All matters are reserved at this stage except for access, and as such the assessment has been considered against those plans submitted and in particular the Development Framework Plan and Illustrative Masterplan.
- 10.196 The design of the Proposed Development seeks to respond to the specific spatial context of both Milton Keynes and Aylesbury, and in particular the characteristics (density, built form, and open space) which define the built form of the residential areas located around or in close proximity to the Application Site. The three areas which have informed the design and layout are: the traditional grid square of Tattenhoe; the neighbourhoods in the southern part of Newton Longville; and, the western neighbourhoods of Far Bletchley. The proposed design approach has been the subject of detailed discussions with both AVDC and MKC officers and amends were sought to the scheme to respond to more closely to the site constraints and context.
- 10.197 In summary, the Proposed land uses would comprise residential development; employment area; neighbourhood centre; land for a three form entry primary school with early years provision and four form entry secondary school; green infrastructure and associated drainage, highway and transport infrastructure and the proposed distribution of uses across the site are set out on the land use parameters plan..
- 10.198 The Proposed Development includes a variety of residential densities, with the average density being shown as 35 dwellings per hectare (dph), which is typical of other Milton Keynes expansion areas. Lower densities are proposed at the more sensitive boundaries, and higher densities close to the primary routes and at the neighbourhood centre. The building heights are determined by their location within the site and the proposed use. The residential buildings are higher at key entrances or intersections to provide landmark or gateway buildings. The application is supported by a density plan which indicates the development in the southern most part and lower western part of the site as restricted to 20-25 dph, with development increasing as you move northwards through the site to an area of 25-35dph and a small contained area to the north east of the site comprising a mix of 40-45dph and 50dph. This approach is supported by the indicative building heights

which prominently proposes development limited to 2-2.5 storeys (up to 10m) with a small areas of 3 storeys (up to 11m) restricted to the along primary routes and at key entrances or intersections in order to provide landmark or gateway buildings. Within the employment area building heights are shown with a maximum of 12m, which is similar to other employment sites opposite and adjacent to A421. The proposed neighbourhood centre indicated a maximum of 13m, with retail and community uses at ground floor and residential above. The proposed primary school would comprise heights up to 10m and 2 storeys for efficient use of site and the secondary school up to 12m.

- 10.199 The mixed use scheme is set within approximately 54 hectares of parkland and a comprehensive green infrastructure strategy providing areas of public open space, structural landscaping including a linear parkland area of open space.
- 10.200 The proposal includes large areas of open space and recreation facilities within the site, including a local park and district park, formal sports pitches, tennis courts and a Multi-Use Games Area (MUGA), a skateboard park, children's play areas, and allotments. These facilities are located where they are easily accessible to residents within the site and also from neighbouring areas.
- 10.201 The existing rights of way and cycle routes through the Application Site will be retained and incorporated into the Proposed Development. The Proposed Development includes walking, cycling and public transport infrastructure and facilities, which would connect to the existing networks in the surrounding area.
- 10.202 The mixed use scheme is set within approximately 54ha hectares of parkland and a comprehensive green infrastructure strategy providing areas of public open space, structural landscaping including a linear parkland area of open space of some 40-50 metres typical width. The supporting DAS indicates that this approach has sought to create a landscape lead approach and a form of development which responds to the site context. The DAS suggests a building style of 'arts and crafts' influenced style housing with well-articulated building forms and varied roof lines to reflect a traditional 'edge of settlement' character.
- 10.203 Thames Valley Police have commented on the proposal and confirmed that they do not wish to object to the proposals at this time, however, they do identify a number of concerns which should be addressed and incorporated at the Reserved Matters stage.
- 10.204 The detailed design of the proposal is a reserved matter for later consideration and it is therefore not possible to assess this aspect fully at this stage. However, subject to appropriate conditions on any approval, it is considered this issue could be adequately addressed through design codes and the consideration of any subsequent reserved matters applications. MKC have confirmed that their Urban Design Officer considers that this application would fit well as an urban extension to Milton Keynes and complements

many of the grid squares in MK for example with the inclusion of the grid road reserve and underpasses, redway (along primary street) as well as the high provision of open space(policy L3 of MK Local Plan) . The central primary street proposed also mirrors many other primary streets that “loop” through established MK estates such as Shenley Brook End, Shenley Lodge and Old Farm Park/Browns Wood.

- 10.205 Subject to the imposition of appropriate conditions on any outline approval to agree the specific details of materials, boundary treatments, landscaping, slab levels and lighting, it is considered the proposal could comprise an appropriate form of design in the context of the site, in accordance with GP35 of AVDLP and NPPF advice. The proposal would accord with the principles of policy CS6 of the MK Core Strategy. Nevertheless, there is nothing in the proposals at this stage to suggest they would be of any particular or exemplar quality such that it is considered this factor should be afforded neutral weight in the planning balance.

*Meeting the challenge of climate change and flooding*

- 10.206 Paragraph 103 of the NPPF requires new development to consider the risk of flooding to the site and elsewhere. Developments need to demonstrate resilience to climate change and support the delivery of renewable and low carbon energy which is seen as central to the economic, social and environmental dimensions of sustainable development. This will not only involve considerations in terms of design and construction but also the locational factors which influence such factors. Development should be steered away from vulnerable areas such as those subject to flood risk whilst ensuring that it adequately and appropriately deals with any impacts arising.
- 10.207 Whilst the majority of the site is located within Flood Zone 1, the north western corner of the application site lies within Flood Zone 3 as indicated on the EA Flood Map. The ES includes a chapter on drainage which incorporates the findings of the Flood Risk Assessment, which sets the drainage strategy for the site. The proposed mixed use development is on a greenfield site covering an area of approximately 144 ha. The Tattenhoe Brook flows along the northern western corner of the site prior to being culverted under Standing Way (A421) and Bottle Dump roundabout. There is a tributary of the River Ouzel, located 100 m to the south of the site, with several field drains (culverted under the railway) discharging into it. Soakage rate tests carried out on the site have established that infiltration unlikely to be viable, and it is proposed that surface water will be discharged via a series of attenuation ponds to the Tattenhoe Brook on the northern boundary (requiring consent from the Bedford Group of Drainage Boards), with run-off to the south being conveyed via attenuation basins into the network of existing field drains.
- 10.208 The SuDS systems required for drainage purposes will take the form of ‘green’ SUDS features such as swales and attenuation ponds and will be formed in the areas of open space and will be designed and managed to provide ecological opportunities.

10.209 The proposed dwellings would be required to be constructed to modern standards of design and sustainability to accord with current building regulations.

10.210 It is not considered that the proposed development would materially increase or exacerbate flood risk on the site nor in the wider locality. Therefore, the proposed development would be resilient to climate change and flooding in accordance with the NPPF. This matter should therefore be afforded neutral weight in the planning balance.

#### *Impact on residential amenities*

10.211 The NPPF at paragraph 17, under the heading “Core planning principles” sets out guiding principles for the operation of the planning system. One of the principles set out is that authorities should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. AVDLP policy GP8 states that permission for development will not be granted where unreasonable harm to any aspect of the amenities of nearby residents would outweigh the benefits arising from the proposal.

10.212 At this stage, the matters of the detailed appearance, layout and scale of the proposed development are reserved for approval at a later date (and the submitted layout plans provided are illustrative only). It is therefore not possible to make detailed assessments relating to the direct impacts the new houses would have on existing neighbours or one another (or indeed the impact that other matters such as the landscaping proposals or lighting of the site may have).

10.213 However, the indicative details submitted show a layout which following discussions has been amended to reflect the character and appearance of the adjacent development within MKC and that provides for spacing between and about properties such that it is considered should ensure that no adverse over or interlooking between properties should occur and that acceptable amounts of amenity space could be achieved. Therefore, It is considered that the scheme could be designed at a detailed stage so as to ensure that the amenities of future occupants would not be adversely affected.

10.214 . Matters of noise and disturbance is covered above.

10.215 Subject to an appropriate layout and scale of development, it is considered that the proposed development would not result in any significant loss of light or overshadowing to, neighbouring properties. It is therefore considered that at the detailed stage the proposal could be designed so as to accord with policy GP8 of AVDLP. It is considered that this factor should be afforded neutral weight in the planning balance.

#### *S106 / Developer Contributions*

10.216 An assessment is required to conclude whether each proposal will be a sustainable development and that any adverse impacts can be satisfactorily addressed through appropriate mitigation. This will include on and off site provision of infrastructure and

facilities to provide for the needs of the residents as well as providing for any specific site specific mitigation.

- 10.217 As noted above, there are a number of requirements which would need to be secured in a Planning Obligation Agreement to secure their delivery, namely financial contributions towards and/or onsite provision of education facilities, off-site sport and leisure provision, on-site provision of affordable housing, public open space and play areas, on- and off-site highways works, travel plan and sustainable transport measures (and/or financial contributions thereto). Specific projects are also to be identified for the financial contributions to ensure compliance with latest Government Guidance in consultation with the Parish Council and County Council.
- 10.218 It is considered that such requirements would accord with The Community Infrastructure Levy (CIL) Regulations 2010. Regulation 122 places into law the Government's policy tests on the use of planning obligations. It is now unlawful for a planning obligation to be taken into account as a reason for granting planning permission for a development of this nature if the obligation does not meet all of the following tests; necessary to make the development acceptable in planning terms, directly related to the development and fairly and reasonably related in scale and kind to the development.
- 10.219 In the context of this application the development is in a category to which the regulations apply. The requirement for all of the above named measures being sought, if the proposals were to be supported, would need to be secured through a Planning Obligation Agreement. These are necessary and proportionate obligations that are considered to comply with the tests set by Regulation 122 for which there is clear policy basis either in the form of development plan policy or supplementary planning guidance, and which are directly, fairly and reasonably related to the scale and kind of development. Specific projects would be identified within the Section 106 in accordance with the pooling limitations set forth in CIL Regulation 123 to ensure that the five obligations limit for pooled contributions is not exceeded.

**APPENDIX 6: REPORT TO AVDC SDMC 240419**

REFERENCE NO	PARISH/WARD	DATE RECEIVED
15/00314/AOP	<p>NEWTON LONGVILLE</p> <p>The Local Member(s) for this area are: -</p> <p>Councillor N Blake</p> <p>Councillor B Everitt</p>	30/01/15
<p>OUTLINE PLANNING APPLICATION WITH ALL MATTERS RESERVED EXCEPT FOR ACCESS FOR A MIXED-USE SUSTAINABLE URBAN EXTENSION ON LAND TO THE SOUTH WEST OF MILTON KEYNES TO PROVIDE UP TO 1,855 MIXED TENURE DWELLINGS; AN EMPLOYMENT AREA (B1); A NEIGHBOURHOOD CENTRE INCLUDING RETAIL (A1/A2/A3/A4/A5), COMMUNITY (D1/D2) AND RESIDENTIAL (C3) USES; A PRIMARY AND A SECONDARY SCHOOL; A GRID ROAD RESERVE; MULTI-FUNCTIONAL GREEN SPACE; A SUSTAINABLE DRAINAGE SYSTEM; AND ASSOCIATED ACCESS, DRAINAGE AND PUBLIC TRANSPORT INFRASTRUCTURE. LAND SOUTH OF THE A421 WEST OF FAR BLETCHLEY NORTH OF THE EAST WEST RAIL LINK AND EAST OF WHADDON ROAD</p> <p>SWMK CONSORTIUM</p> <p>STREET ATLAS PAGE NO.56/57</p>		

#### 1.0 The Key Issues in determining this application are:-

a) The planning policy position and the approach to be taken in the determination of the application in light of the new NPPF.

b) Other matters

The recommendation is that permission be GRANTED as the S106 agreement has now been completed subject to conditions



## 1.0 INTRODUCTION

- 1.1 Members will recall that this application was considered at the Strategic Development Management Committee on 7 June 2017 when members resolved that the application be deferred and delegated for approval subject to the completion of a legal agreement and appropriate conditions. This report is before members to update members on the latest position on the S106 relating to the health contributions requested from Milton Keynes Council (MKC) and the minutes of the meeting.
- 1.2 The minutes of the meeting as approved state:  
*That application 15/00314/AOP be **Supported and Deferred and Delegated** to officers subject to the completion of a legal agreement (with Bucks County Council, Aylesbury Vale District Council and if appropriate Milton Keynes Council) as outlined in the officer's report and subject to conditions as considered appropriate by officers. If this cannot be achieved then the application will be refused for reasons as considered appropriate by officers.*
- 1.3 The original officers report at paragraphs 10.177 and 10.183-10.184, a copy of which is appended to this report, concluded that the provision of secondary health facilities is the remit of the NHS and is to be provided for the population. Thus, were a contribution sought, it would amount to double funding, which would be contrary to CIL Regulation 122 because it is clearly not necessary.
- 1.4 In February 2019, Milton Keynes Council submitted a supporting document from the NHS Trust regarding the likely impact of the South West Milton Keynes development (SWMK) on the Milton Keynes University Hospital (MKUH) and have provided evidence to demonstrate and quantifies that impact in a manner which is more consistent with the requirements of CIL Regulation 122 and demonstrates that the request does not amount to double funding.
- 1.5 The contribution would be used on the new cancer unit or extension to the radiotherapy centre and new expanded neonatal facility, a new pathway unit incorporating a frailty unit as well as associated diagnostic and intervention facilities and support service infrastructure. The total contribution requested is £1,990,057, split equally into three payments, with a payment of one third of the total to be made on the completion of the 450<sup>th</sup>, 900<sup>th</sup> and 1,350<sup>th</sup> dwelling within the development, with payments to be indexed from the date of the Agreement.
- 1.6 MKC have confirmed that they are no longer seeking contributions on the remaining S106 contributions sought. Discussions have been ongoing with MKC since the application was considered at committee and in correspondence to AVDC in October 2018, MKC have clarified their position on a number of contribution requests. In this correspondence MKC have confirmed that they are content with the arrangements being made for the provision of education and agree that these are the most appropriate given the differing school systems that exist between MKC and Buckinghamshire. They also agree that onsite provision of primary healthcare is appropriate and that the arrangements being secured through the application and S106 should adequately address this matter.
- 1.7 In relation to other contributions proposed by MKC, they still believe that joint working on provision such as the libraries or voluntary sector would have potential planning benefits for the development and its integration with its surroundings. However, note that there is an intention for standalone provision to cover these areas which will mitigate, if not eliminate, any impact on Milton Keynes services. As such no further request is made in relation to this aspect.
- 1.8 As regards the emergency services MKC remain concerned that no mitigation appears planned to cater for the impact on any of the blue light services and that the requests for contributions made by Thames Valley Police directly have been dismissed rather than negotiated. Furthermore, MKC note that the Committee report suggests that 'the majority' of TVP's requests were not considered to meet the relevant tests so perhaps there may be some room here for further discussions directly with TVP. In response to this point, no

additional information or evidence has been provided on these matters since the earlier report was produced and as such the position set out in paragraphs 10.159 and 10.198-189 of the appended committee report.

- 1.9 Finally on waste management MKC have confirmed that there are no firm proposals at this time for additional facilities in the south of the Borough which would be likely to meet the CIL Regulation tests. As such the position remains that this request would be contrary to the CIL Regulations
- 1.10 The S106 has now been progressed and is close to completion, and the applicants have agreed to this additional contribution in relation to the provision of secondary health facilities to be included in the draft agreement.
- 1.11 The Committee is asked to clarify that the original recommendation that the s.106 should include requirements for secondary health contribution in line with MKCs request and resolve to extend the original delegation accordingly.
- 1.12 Since the application was considered by the committee a new NPPF was published in February 2019 and supersedes the guidance set out in the NPPF 2012 previously considered in the officer's report and related overview report. The overview report has been updated and provides an overview of the policy framework to reflect the new NPPF and is attached to this report. Attached to this report is as appendix B to confirm compliance of the original report with the new NPPF for members to note.

## **2.0 CONCLUSION AND RECOMMENDATION**

- 2.1 As stated in the previous report the application has been evaluated against the Development Plan and the NPPF and the Authority has assessed the application against the objectives of the NPPF and whether the proposals deliver 'sustainable development'. This report continues to consider those relevant policies and the updates including the NPPF arising from this proposal and consider whether the development plan policies are consistent with the NPPF and refer to paragraph 11 which revises the 2012 paragraph 14. The overview report has been updated and provides an overview of the policy framework to reflect the new NPPF and is attached to this report. This also provides an update on the housing land supply position and the progress on the emerging local plan.
- 2.2 Paragraph 11 of the NPPF sets out the presumption in favour of sustainable development which for decision taking this means approving development proposals that accord with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
- 2.3 In then considering paragraph 11 d) ii this wording is consistent with the tilted balance previously set out in paragraph 14 of the 2012 NPPF in the previous report considered by the Strategic Development Management Committee. Therefore, the changes between the respective versions of the NPPF to the presumption in favour of sustainable development as discussed within this report do not otherwise change the previous assessment and concluding planning balance.
- 2.4 This report demonstrates that the changes in circumstances since the application was considered by Committee could not justifiably alter the conclusion that the proposals constitute a sustainable and acceptable development. In this instance it is considered that the planning balance exercise is not affected by the change in circumstances to arrive at a

different conclusion and recommendation to that which the committee previously considered and resolved to agree.

- 2.5 The Committee is asked to consider the updates set out in relation to the new NPPF and to clarify that the original recommendation on the s.106 should now include requirements for a financial contribution towards secondary healthcare is acceptable to Members and resolve to extend the original delegation accordingly. Officers therefore recommend the following is resolved:

**That the delegation to officers made on 7 June 2017 in respect of application 15/00314/AOP is extended to include the requirement to secure a financial contribution towards secondary health care facilities at Milton Keynes University Hospital (MKUH) within the S106 legal agreement referred to in that delegation.**

### **3.0 WORKING WITH THE APPLICANT/AGENT**

- 3.1 In accordance with paragraphs 186 and 187 of the National Planning Policy Framework, the Council, in dealing with this application, has worked in a positive and proactive way with the Applicant and has focused on seeking solutions to the issues arising from the development proposal. In this case, the discussions took place with the applicant/agent which resulted in amended plans being submitted and which were found to be acceptable and approval is recommended.

**APPENDIX 7: POLICY SD15**

## Policy SD15

### PLACE-MAKING PRINCIPLES FOR SUSTAINABLE URBAN EXTENSIONS IN ADJACENT LOCAL AUTHORITIES

- A. It is expected that development proposals on the edge of Milton Keynes are likely to have significant impacts upon the infrastructure and services of Milton Keynes, particularly given the significant attractor Milton Keynes will be for any future residents.
- B. When and if development comes forward for an area on the edge of Milton Keynes which is wholly or partly within the administrative boundary of a neighbouring authority, this Council will put forward the following principles of development during the joint working on planning, design and implementation:
  - 1. The local authorities will work jointly, and with infrastructure and services providers, to achieve a coordinated and well designed development.
  - 2. A sustainable, safe and high quality urban extension should be created which is well integrated with, and accessible from, the existing city. Its structure and layout should be based on the principles that have shaped the existing city, especially the grid road system, redways and the linear parks and strategic, integrated flood management.
  - 3. A strategic, integrated and sustainable approach to water resource management (including SUDS and flood risk mitigation) should be taken.
  - 4. The design of development should respect its context as well as the character of the adjoining areas of the city.
  - 5. Linear parks should be extended into the development where possible to provide recreational, walking and cycling links within the development area and to continue the city's extensive green infrastructure and redway network.
  - 6. Technical work should be undertaken to fully assess the traffic impacts of the development on the road network within the city and nearby town and district centres and adjoining rural areas, and to identify necessary improvements to public transport and to the road network, including parking.
  - 7. A route for the future construction of a strategic link road(s) and/or rail link should be protected where necessary.
  - 8. New social and commercial facilities and services should be provided, and existing facilities improved where possible, to meet the day to day needs of new and existing residents.
  - 9. The opportunity for new 'Park and Ride' sites for the city should be fully explored and where possible provided, and efficiently and effectively linked to the city road system.
  - 10. The local authorities and their partner organisations should produce an agreement on appropriate mechanisms to secure developer contributions towards improvement and provision of infrastructure to support the development, including facilities in the city that will be used by residents of the development area.

## **APPENDIX 8: POLICY D-NLV001**

## **Salden Chase North East Aylesbury Vale**

~~4.113~~4.110 In determining the housing figure for Aylesbury Vale, a crucial aspect of the Local Plan is to decide the strategic locations where development should be allocated. At the issues and options stages of the Local Plan two strategic allocations were considered on the edge of Milton Keynes/Bletchley.

~~4.114~~4.111 The Housing and Economic Land Availability Assessment (HELAA) v4 (January 2017) confirmed that the two strategic allocations known as Salden Chase (NLV001) and Shenley Park (WHA001) were both suitable or part suitable for housing and or economic development.

~~4.112~~ As a result of further assessment and taking account of the overall housing requirement for Aylesbury Vale, Salden Chase and Shenley Park ~~have~~<sup>has</sup> been identified as the most appropriate strategic allocation~~s~~ to come forward at this stage.

## **Salden Chase**

~~4.115~~4.113 The site currently comprises agricultural land. There are hedgerows and trees at some of the field boundaries. There are agricultural buildings on the site. There are adjoining buildings that are in residential use.

~~4.116~~4.114 An oil pipeline crosses the middle of the site in a north-south direction; a 10m wide exclusion zone for the pipeline is incorporated into the layout of the proposed development. There are high voltage overhead power lines crossing the north-western part of the site; the power lines will be placed underground as part of the proposed development. An intermediate pressure gas main passes through the eastern part of the site in a north south direction; the gas main will fall within land set aside for the grid road reserve.

~~4.117~~4.115 The site is crossed by an existing public right of way in the form of a bridleway.

~~4.118~~4.116 The topography of the site includes a ridge towards the centre of the site with a gradual slope descending towards Newton Longville.

~~4.119~~4.117 There is a resolution to approve an outline planning application for the site – 15/00314/AOP – with all matters reserved except for access for a mixed-use sustainable urban extension on land to the south west of Milton Keynes to provide up to 1,855 mixed tenure dwellings; an employment area (B1); a neighbourhood centre including retail (A1/A2/A3/A4/A5), community (D1/D2) and residential (C3) uses; a primary and a secondary school; a grid road reserve; multi-functional green space; a sustainable drainage system; and associated access, drainage and public transport infrastructure.

~~4.120~~4.118 ~~A masterplan supplementary planning document (SPD) for the site will establish the site layout and disposition of land uses. The development will adhere to the following place-shaping principles:~~

~~provide a long term defensible boundary to the western edge of Milton Keynes recognise that, whilst being located totally within Aylesbury Vale, the development will use some facilities in Milton Keynes, given its proximity. Milton Keynes also provides access point into the site~~

~~ensure the long term retention of Newton Longville and Whaddon as separate communities with unique identities, and protect them and other neighbouring communities, (including Mursley and Far Bletchley), from direct and indirect negative impacts generated by the development~~

be deliverable so as to maximise speed of delivery, enable faster delivery of key infrastructure whilst minimising disruption and delay

provide a sustainable and strategic approach to flood mitigation and urban drainage, linked to multi-functional green infrastructure, to control surface water flows and flooding, (as set out in the Milton Keynes Strategic Flood Risk Assessment and Water Cycle Study)

ensure green infrastructure and green open space is provided in the form of a liner park to the south of the site to minimise impacts to Howe Park Wood site of special scientific interest (SSSI) and that there are adequate green links to neighbouring Tattenhoe Park

infrastructure will need to be provided and phased alongside development, the details of which will be agreed through developer contribution agreements.

#### 4.121 The vision and objectives for this site are:

To create an exemplar development, of regional significance, which will be a great place to live, work and grow. Built to a high sustainable design and construction standards, the development will provide a balanced mix of facilities to ensure that it meets the needs and aspirations of new and existing residents

To create a sustainable community providing a mix of uses to ensure that housing development is accompanied by employment, infrastructure services and facilities

To ensure that high quality walking, cycling and public transport links to and from Newton Longville, Bletchley and the city of Milton Keynes are an integral part of the development

To take account of the delivery of EWR instead and not compromising—safeguarding against noise etc.

To ensure that infrastructure, facilities and services are delivered in the right place at the right time, for example, provision of new education facilities, and well planned and laid out local centres to establish the heart of new communities.

To ensure that the deciduous woodland priority habitat the north of the site is retained and that green infrastructure is an integral part of the design

To ensure that strong place shaping, community safety and sustainability principles are embedded throughout, creating a socially diverse place with a mix of dwelling types and tenure mix including at least 30% affordable housing ‘pepper potted’ throughout the site, and

To be designed in a way to ensure that the new development relates to the wider site context including the relationship with Milton Keynes and Newton Longville and other surrounding villages.

D-NLV001 Salden Chase	
<b>Site Ref:</b>	NLV001
<b>Site Name:</b>	Salden Chase, Whaddon Road, Newton Longville
<b>Size (hectares)</b>	143.9ha
<b>Phasing</b>	1,500 homes to be delivered 2018-2023 and 1,705 homes to be delivered from 2024-2033
<b>Expected time of delivery</b>	
<b>Allocated for (key development and land use requirements)</b>	Resolution to approve - 15/00314/AOP – Outline planning application with all matters reserved except for access for a mixed use sustainable urban extension on land to the south west of Milton Keynes to provide up to 1,855 mixed tenure dwellings; an employment area (B1); a neighbourhood centre including retail (A1/A2/A3/A4/A5), community (D1/D2) and residential (C3) uses; a primary and a secondary school; a grid road reserve; multi-



functional green space; a sustainable drainage system; and associated access, drainage and public transport infrastructure.

Access into the site is a matter for consideration in this application and as submitted, there are three points of access proposed from the development onto the local highway network at the following locations: Whaddon Road, Buckingham Road and A421 Standing Way. Of these three access/egress points serving the site, Buckingham Road and A421 Standing Way are both within the control of Milton Keynes Council and Whaddon Road is within the control of Aylesbury Vale District Council.

#### **Highway Improvements by Condition(s)**

- Buckingham Road Access signalised gyratory including Stage 1 Road Safety Audit
- Whaddon Road Access speed limit reduction and further detailed design

#### **Highway Improvements by s106 agreement(s)**

- A421 Standing Way left in only junction and further detailed design
- Signalisation of the priority junctions of the A421/ Warren Road and A421/Shucklow Hill/Little Horwood Road.
- In order to mitigate the potential impact in Whaddon a financial contribution is required towards road safety improvements on Coddimoor Lane and Stock Lane
- Newton Longville Traffic Calming Proposals. Currently this is an indicative scheme which may include enhanced gateway features on all roads leading into the village and raised junction tables and signing/lining

#### **Internal Road Layout**

- The objective is to ensure that high quality walking, cycling and public transport links to and from Newton Longville, Bletchley and the city of Milton Keynes are an integral part of the development. A new network of primary streets will form the principal circulation route for all vehicular traffic including a bus route. The route will connect with the existing highway network at the three access points. Plans should show that the primary street is to be at least 7.3m wide, with a footway/cycleway of 3m wide and will need to consider drop off provision, widened footways, crossing points, road signage and lining to provide for a serviced school site

#### **Grid Road**

- Whilst the site only requires a single carriageway road for access, a dual carriageway could be provided in the future. The land for the grid road will need to be adequately secured in the S106 Agreement for the future extension of Snelshall Street (V1) so that AVDC/BCC can develop and

implement a scheme in the future

### Public Transport Provision

- The enhancement of the existing bus service or provision of a new service to operate between the proposed development and Central Milton Keynes (CMK) via the existing rail station will be required and included within the Framework Travel Plan.

### Public rights of way

- A number of improvements to the surfacing of the local footpaths will be required within the site and be completed as part of the development and a financial contribution is to be secured as part of the Section 106 Agreement for those routes outside of the site. The improvements within the site include:
  - ensure a Redway compliant Grid Road reserve to link with existing PROW
  - upgrade of footpath and resurface between Weasel Lane and the railway underpass; route to be dedicated as a public bridleway
  - resurface byway in Newton Longville Parish and in Mursley Parish between Dagnall House Buckingham Road to the adopted highway
  - Provision should be made for adequate green links to Tattenhoe Park

### Site-specific Requirements

Conserving and enhancing the natural environment  
In terms of the impact on the landscape, site proposals should use land efficiently and create a well-defined boundary as the western edge of Milton Keynes between the settlement and countryside, ensuring that Newton Longville, Whaddon, Mursley and Far Bletchley remain separately identifiable.

### Landscape

Site proposals will be required to respect and complement the physical characteristics of the site and its surroundings, including the implementation of a defensible boundary along the western edge of Milton Keynes. Proposals will be required to identify the building tradition of the locality, and the scale and context of the setting, the natural qualities and features of the area, and the effect of the development on important public views and skylines including the protection of Newton Longville and Whaddon villages.

### Air Quality

An air quality assessment will be required and its content and conclusions accepted prior to construction phases.

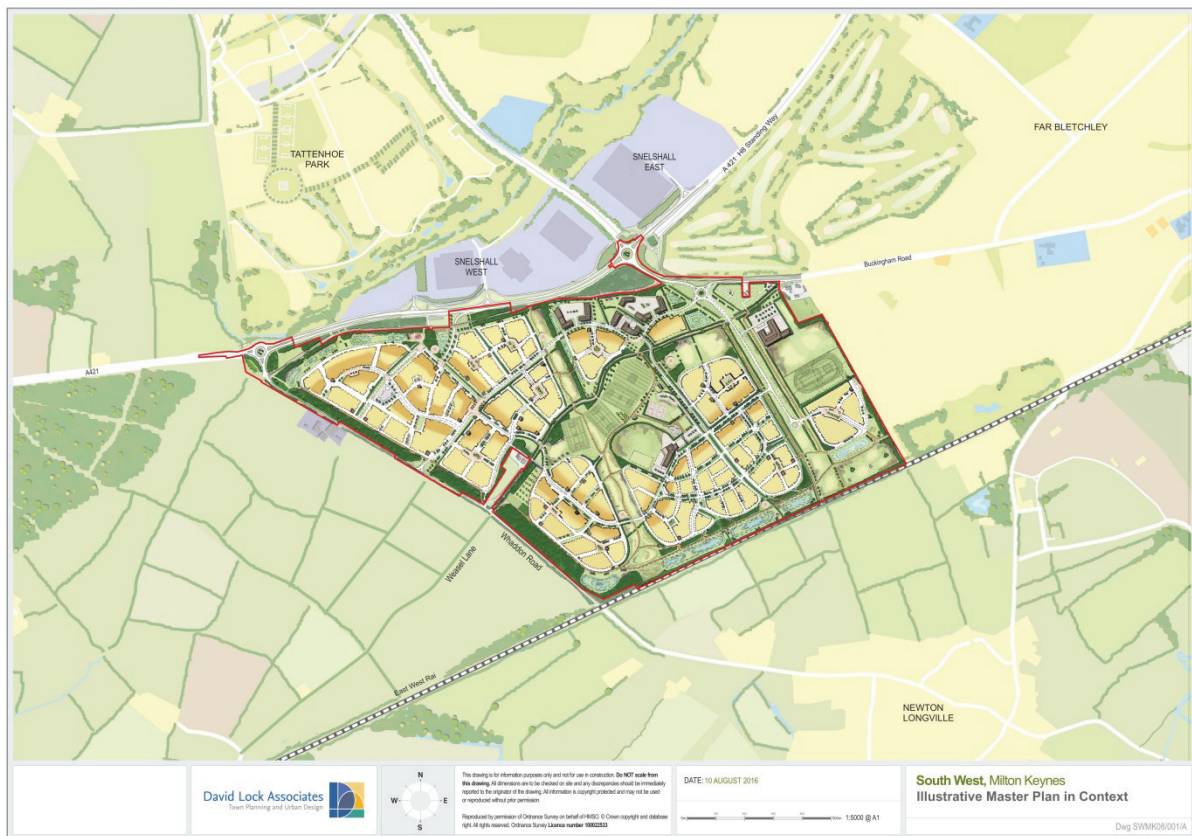
### Noise Contamination

An Environmental Management plan will be required via a condition and with detailed consideration of the layout at reserved matters stage to take account of the delivery of EWR, safeguarding against noise. A condition can be attached in case any

	contamination is found.
<b>Conservation</b>	<p>The significance of any heritage assets affected including any contribution made by their setting will need to be considered. When considering the impact on the significance, great weight should be given to the asset's conservation.</p> <p>The protection and enhancement of sites of archaeological importance needs to be considered.</p>
<b>Ecology Biodiversity</b>	Proposals will need to quantify ecological impacts in a meaningful way to enable pre and post development comparison, sufficient to objectively assess net losses or gains and to provide for multifunctional habitats. Proposals will need to minimise the impact on Howe Park Wood SSSI.
<b>Trees and hedgerows</b>	An <del>aboricultural</del> <u>aboricultural</u> survey has been undertaken for the site and has identified that trees of A and B category are to be retained and incorporated into any development. New structural and screen tree planting, hedge and shrub planting will be required as part of the future detailed scheme.
<b>Place-Making Framework</b>	The site will comprise: residential development; employment area; neighbourhood centre; land for a three form entry primary school with early years provision and four form entry secondary school; green infrastructure and associated drainage; <del>and</del> highway and transport infrastructure <del>and the</del> . <u>The</u> proposed distribution of uses across the site are set in the parameters plan.
<b>Community facilities and Green Infrastructure</b>	<p>The site will need to make provision for a comprehensive network of multifunctional open spaces and green corridors <u>including a linear park to the south of the site</u> with both formal and areas of informal public open space. This will include 53.67ha of green open space and 1.18ha of allotment land, nine locally equipped areas of play (LEAPs) and also two neighbourhood equipped areas of play, which each include a multi use games area. In addition to the provision of LEAPs and NEAPs on site, youth shelter, a multi-use games area (MUGA), sports hall, changing pavilion, skateboard park, sports pitches, cricket wicket, tennis courts and a community centre will be required through a S106 Agreement. <u>The existing woodland priority habitat in the north of the site should be retained.</u> Multi functional Green Infrastructure will be required to control surface water flows and flooding. <u>Impact on the Howe Wood SSSI must be kept to a minimum and green links to Tattenhoe Park must be provided.</u></p>
<b><u>Flood mitigation</u></b>	<u>Provision of a sustainable and strategic flood mitigation and urban drainage scheme linked to multi functional Green Infrastructure must be provided.</u>
<b>Education</b>	The site will need to makes provision for a three-form entry primary school, with early years pre-school facilities on 3ha of land and a secondary school on 5.2ha of land. Provision is also made for

<b>Health Facilities</b>	<p>accessible recreation and community uses to serve the new residents, designed and located with the intention to be complementary to the delivery of the new schools.</p> <p>A contribution towards or delivery of a healthcare facilities either by way of site provision in an accessible location or direct funding to provide for a minimum 4GP with reserve to 6GP surgery will be required at reserved matters or detail stages.</p>
<b>Local Centre</b>	<p>The site will need to make provision for a neighbourhood centre on 0.67ha of land to include retail (A1/A2/A3/A5 and A5) and community facilities (D1 and D2).</p>
<b>Employment Area</b>	<p>The site will need to make provision for an employment area (B1) on 2.07ha of land.</p>
<b>Implementation Approach</b>	<p>An updated illustrated masterplan has been submitted in support of the planning application. The masterplan aims to encourage walking and cycling as realistic alternatives to that of the private car, through high quality infrastructure. The masterplan identifies 'alternative' Redway routes through the site which is considered a positive benefit and will need to be developed further as part of any future reserved matter applications.</p> <p>The details of the cycle and pedestrian infrastructure within the site <u>and linking to Newton Longville, Bletchley and Central Milton Keynes</u> will need to form and be considered as part of any future reserved matters application.</p>

Concept Plan



## **Shenley Park**

4.119 The site covers an area of around 99 ha and is in predominantly agricultural use with areas of woodland plantations. Surrounding land uses are similarly predominantly agricultural although the eastern boundary is defined by the Milton Keynes Boundary Walk, the existing residential development and land currently being developed as part of Milton Keynes.

4.120 Other than the 11KV overhead powerlines crossing the site there are no other utilities present that would significantly constrain the proposed development and sufficient new utility infrastructure can be provided.

4.121 There is one footpath running across the southern part of the site. Long distance bridleways run along the northern and eastern boundaries.

4.122 The topography of the southern half of the site rises from the A421 to the Shenley Road. The remainder of the site from Shenley Road is relatively flat to the northern boundary.

<b><u>D-WHA001 Shenley Park</u></b>	
<b><u>Site reference</u></b>	<u>WHA001</u>
<b><u>Size (hectares)</u></b>	<u>About 99ha</u>
<b><u>Allocated for (key developments and land use requirements)</u></b>	<u>To create an exemplar development, of regional significance, which will be a great place to live, work and grow. Built to a high sustainable design and construction standards, the development will provide a balanced mix of facilities to ensure that it meets the needs and aspirations of new and existing residents, at least 1,150 homes, 110 bed care home/extra care facility, new primary school, subject to need a site for new secondary school, multi-functional green infrastructure (in compliance with Policies I1 and I2 and associated Appendices), mixed use local centre, exemplary Sustainable Drainage Systems, new link road between A421 Buckingham Road and H6 and or H7 Childs Way/Chaffron Way, public transport and cycling and walking links.</u>
<b><u>Source</u></b>	<u>HELAA</u>
<b><u>Current neighbourhood plan status</u></b>	<u>N/A</u>
<b><u>Phasing</u></b>	<u>The site is expected to be delivered between 2024 and 2033</u>
<b><u>Site-specific Requirements</u></b>	<u>Development proposals must be accompanied by the information required in the Council's Local Validation List and comply with all other relevant policies in the Plan. To ensure a comprehensive development of the site an SPD is to be prepared for the site and in addition, proposals should comply with all of the following criteria:</u> <ol style="list-style-type: none"> <li><u>The site will make provision for at least 1,150 dwellings at a density that respects the adjacent settlement character and identity. To ensure that strong place shaping, community safety and sustainability principles are embedded throughout, creating a socially diverse place with a mix of dwelling types and tenure mix including a minimum of 25% affordable housing 'pepper-potted' throughout the site</u></li> <li><u>Provision of 110 bed care home/extra care facility</u></li> <li><u>Provision of land, buildings and car parking for a 2FE primary school (capacity 420) with 52 place nursery. Infrastructure will need to be</u></li> </ol>



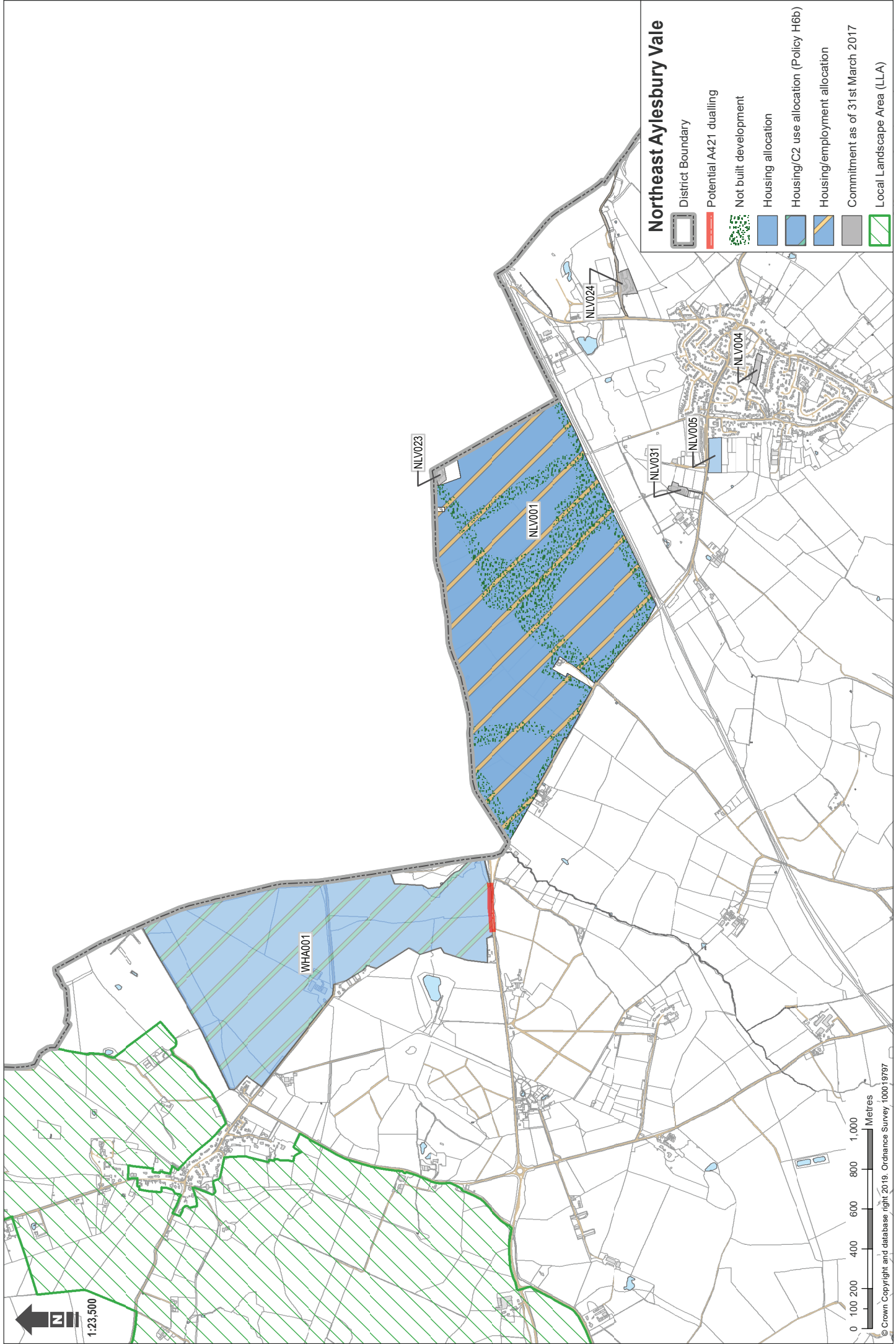
- provided and phased alongside development, the details of which will be agreed through developer contribution agreements.
- d. Subject to detailed discussions and agreement with the Education Authority, a financial contribution towards existing secondary schools will be required or provision of a site for a new secondary school if the need for an on site facility is proven; and a financial contribution to special needs education
  - e. Provision of land, buildings and car parking for new local centre including community hall and a contribution towards or delivery of a healthcare facility either by way of site provision or direct funding (including temporary buildings if necessary). To create a sustainable community providing a mix of uses to ensure that housing development is accompanied by infrastructure services and facilities
  - f. The site will be designed using a landscape-led approach. The development design and layout will be informed by a full detailed landscape and visual impact assessment (LVIA). It will provide a long term defensible boundary to the western edge of Milton Keynes. This recognises that whilst being located totally within Aylesbury Vale, the development will use some facilities in Milton Keynes, given its proximity. Milton Keynes also provides an access point into the site
  - g. Conserve the setting of Whaddon village and Conservation Area by creating a substantial, well designed and managed countryside buffer (not formal open space) and enhanced Briary Plantation woodland belt between the development and the village of Whaddon
  - h. Create high quality walking and cycling links to and from Whaddon, Bletchley and Milton Keynes as an integral part of the development and shall include an extension of the Tatternoe Valley Park into the site
  - i. An ecological management plan shall be submitted to and approved in writing by the Council, covering tree planting, hedge planting, pond creation, and ongoing management of the site
  - j. Existing vegetation should be retained where practicable, including existing woodlands and hedgerows. Specific attention should be made to enhancing Briary Plantation, Bottlehouse Plantation and other significant blocks of woodlands/hedgerows within or on the edge of the site
  - k. Hard and soft landscaping scheme will be required to be submitted for approval
  - l. Archaeological assessment and evaluation shall be required to be submitted to the Council. Development must minimise impacts on the Statutory Ancient Monument of Site of Snelshall Monastery on the northern boundary of the site
  - m. The scheme layout shall have regard to the findings of an archaeological investigation and preserves in situ any remains of more than local importance
  - n. The development must provide a satisfactory vehicular access from the A421 Buckingham Road
  - o. More detailed traffic modelling will be required to inform on the extent of off site highway works to determine whether the section of A421 between the Bottledump roundabout and the site access roundabout needs to be dualled
  - p. Provide for a Link Road connection through the site to Grid Road H6

Childs Way and or H7 Chaffron Way

- q. Existing public rights of way need to be retained, enhanced and integrated into the development with safe and secure environments as part of a wider network of sustainable routes (utilising amongst others the Redway and Sustrans network), to directly and appropriately link the site with surrounding communities and facilities
- r. Provision of public transport service improvements and associated new facilities into Milton Keynes, including new or improved links to Bletchley railway station, and to surrounding areas
- s. An air quality and noise assessment shall be submitted to and approved in writing by the Council prior to development commencing
- t. A surface water drainage strategy will be required for the site, based on sustainable drainage principles and an assessment submitted to the Council for approval and should ensure that development does not increase flood risk elsewhere. The strategy will create new green infrastructure corridors along major surface flowpaths. Development on this site, which would drain into the management area for the Loughton Brook, will seek to reduce flood risk downstream on the Loughton Brook
- u. Detailed modelling will be required to confirm 1 in 20, 100 and 1,000 year extents and 1 in a 100 year plus climate change extents on the ordinary watercourse. Climate change modelling should be undertaken using the up-to-date Environment Agency guidance for the type of development and level of risk. The impact of culvert blockage should be considered for the modelled watercourse. The impacts of climate change must be taken into account in designing the site's SuDs and in any other flood mitigation measures proposed
- v. A foul water strategy is required to be submitted to and approved in writing by the Council
- w. An updated assessment of sewerage capacity and water supply network shall be carried out, working with Anglian Water, to identify the need for infrastructure upgrades and how and when these will be carried out to inform site delivery.
- x. The road access to the A421 will be designed to avoid areas of flood zone 3a with climate change and remain operational and safe for users in times of flood



## APPENDIX 9: PROPOSALS MAP EXTRACT



**APPENDIX 10: MOA FEBRUARY 2018**

**Memorandum of Understanding (MoU) between Milton Keynes Council and Aylesbury Vale District Council in respect of the Milton Keynes Local Plan:MK and the Vale of Aylesbury Local Plan (VALP), housing allocations, Housing Market Areas, and the Duty to Cooperate – February 2018**

**Background**

1. This MoU forms an agreed mutual position between the Councils to be referred to in respect of the Duty to Cooperate. This is a positive approach in the light of recognition from both Councils of the importance of having up to date Local Plans in place.

However, it should be noted that this is not a legally binding agreement and its content may be modified, by agreement, if new information or circumstances need to be taken into account.

2. This MoU has been prepared alongside the publication of the Proposed Submission Vale of Aylesbury Local Plan following active cooperation between the two councils during earlier phases of plan preparation including the production of draft local plans. Its content refers to and summarises the outcomes of meetings that have taken place between Senior Planning Officers and Senior Management from each authority, as well as the respective Cabinet Members for Planning.

**The sites**

4. The Proposed Submission Vale of Aylesbury Local Plan allocates one site, at Salden Chase (Policy D-NLV001) for a total of 1,855 dwellings that will be closely related to West Bletchley in Milton Keynes.

5. In principle, both Councils concur as to the sites' suitability, subject to details regarding infrastructure and masterplanning matters. The site is included on the basis that detailed consideration is given to the impacts on infrastructure in Milton Keynes, as included in Proposed Submission VALP.

6. Plan:MK adopts a spatial delivery strategy which seeks to focus housing development within, and adjacent to the existing urban area of Milton Keynes. The spatial delivery of housing development will be focused within the existing urban area; Central Milton Keynes, land at Eaton Leys, South East Milton Keynes, urban infill comprising small sites and regeneration, and land east of the M1. Delivery of the land at Eaton Leys within the Plan:MK area will need to address impacts on the adjacent open countryside within Aylesbury Vale through the relevant policies within Plan:MK and the associated planning application.

7. The policy wording in the proposed submission VALP (4.118) relating to a 'long-term defensible boundary' to the western edge of Milton Keynes raised concern with Milton Keynes Council because it may sterilise broader longer-term growth options for Milton Keynes. Aylesbury Vale pointed out that the aim of the wording in the policy was to protect the designated Area of Attractive Landscape to the west and provide a buffer between the development areas and Aylesbury Vale. Milton Keynes does not have any objections in principle to the inclusion of Salden Chase subject to any adverse impacts on Milton Keynes being considered in accordance with the proposed policy.

*It is therefore agreed by the two councils that:*

*Cross boundary impacts relating to the allocations at Salden Chase within Aylesbury Vale and at Eaton Leys within Milton Keynes will be addressed through the policies in the respective plans and taken into consideration in the decision making process.*

## **Housing Market Areas and unmet need**

8. National guidance is clear that housing needs should be calculated and accommodated across Housing Market Areas as a whole. Where these cross Local Authority boundaries, the Duty to Cooperate should be engaged to ensure that needs are met. However, it is also stated in national planning guidance that where a local planning authority has asked an adjacent council to accommodate unmet need and this has not been accommodated the requesting authority should have explored all available options for delivering the planning strategy within their own planning area. Through Duty to Cooperate engagement, AVDC and MKC have and will continue to engage positively with regard to the accommodation of development within their respective areas and the implications for any cross boundary impacts.

9. Both Councils were part of a group of authorities that commissioned joint reports from ORS to establish the extent and location of Housing Market Areas (HMAs) across Bedfordshire and Buckinghamshire. These reports also concluded on how established HMAs 'best fit' within existing administrative boundaries.

9. The reports concluded that the Milton Keynes HMA is 'best fitted' to the Milton Keynes administrative area. However, in spatial terms, it does extend further; across the northern third of Aylesbury Vale and also into Central Bedfordshire.

10. The reports also concluded that the Buckinghamshire HMA is 'best fitted' to the combined administrative areas of Aylesbury Vale, High Wycombe, South Bucks and Chiltern District Councils. It does not extend further but, as noted above, the northern third of Aylesbury Vale is within the functional Milton Keynes HMA, a part of the area of Aylesbury Vale also lies within the Luton/Central Bedfordshire HMA and parts of the Buckinghamshire HMA include parts of the Oxfordshire and Berkshire HMA areas.

11. The Proposed Submission Vale of Aylesbury Local Plan has been prepared according to this 'best fit' Buckinghamshire HMA area aimed to accommodate a considerable amount of unmet need from the three more constrained authorities to the south of Aylesbury Vale. Agreements between the councils are being drawn up to establish the level of unmet need which Aylesbury Vale will be asked to accommodate in the proposed submission VALP.

## **Distribution of growth between Housing Market Areas**

12. Aylesbury Vale District Council has previously consulted on a range of options for accommodating a larger amount of housing growth around the District. Sites on the edge

of Milton Keynes have formed a discrete option alongside others such as a new settlement.

13. The proportion of need expected to arise from the existing population in the northern part of Aylesbury Vale (i.e. within the part of the Milton Keynes functional HMA contained in the 'best fit' Buckinghamshire HMA) is to be accommodated in the plan's proposed growth at Salden Chase, Buckingham and other smaller settlements.

14. Whilst not directly attributable to any individual element of the VALP's growth strategy, the unmet need from the south of the Buckinghamshire HMA and a higher level of growth informed the selection of growth sites in the draft VALP including sites on the edge of Milton Keynes. Aylesbury Vale consider that the overall strategy for the distribution of growth in Aylesbury Vale in the proposed submission VALP has taken into account a range of factors not just the source of unmet need.

*It is therefore agreed by the two councils that:*

*(a) Plan:MK will provide for its objectively assessed development needs within the Milton Keynes borough boundary. MKC has no unmet need requirement that would need to be accommodated by Aylesbury Vale.*

*(b) As stated above it is agreed that the development needs arising from the northern part of Aylesbury Vale which is covered by the Milton Keynes HMA will be accommodated in the provisions for the area in the submission VALP.*

### **Impacts on infrastructure in Milton Keynes or Aylesbury Vale from proposals in either council's area**

15. As recognised in the proposed submission draft VALP development in Aylesbury Vale will use some facilities in Milton Keynes. It is also the case that there will be impacts on Aylesbury Vale from the site allocated at Eaton Leys in Plan:MK. As set out in the CIL Regulations and the NPPF contributions from developers to address the impacts of development must be directly related to the development. Contributions can therefore only be accepted in relation to proven impacts and then used to meet the consequences of those impacts.

*The two councils therefore agree that:*

*Where contributions are demonstrated to be necessary to make the development acceptable in planning terms, are directly related to the development and fairly and reasonably related in scale and kind to the development and there is a clear policy basis, to mitigate the impact of a development in the respective authority then Milton Keynes Council or Aylesbury Vale District Council, whoever is the relevant planning authority for the development, will seek to secure these through a S106 agreement and will transfer any consequent contributions received to the relevant authority when they are required for the specified purposes. Such transfers of contributions will be subject to monitoring to ensure that contributions are utilised in an appropriate and timely manner.*



## Continued cooperation and joint working

16. Apart from the site specific and Housing Market Areas matters addressed above it is not considered that there are currently any other cross border strategic planning issues which need to be addressed within this MoU. Nevertheless the proposed submission VALP commits Aylesbury Vale to an early review of the plan to address a range of longer term issues including the alignment of the proposed Oxford Cambridge Expressway. Plan:MK has also been written on the basis of a shorter than normal time horizon because of the potential consequences for Milton Keynes future development from the alignment of the proposed Oxford Cambridge Expressway. There is therefore a continuing need for active and positive cooperation between the two councils in relation to cross border strategic planning issues.

*It is therefore agreed that:*

*The two councils will continue to engage proactively at both officer and member level in relation to longer term cross border strategic planning issues.*



Local Authority Cabinet Member signature	Date
 Cllr Liz Gifford, Cabinet Member for Place, Milton Keynes Council	30.01.18
 Cllr Carole Paternoster, Cabinet Member Growth Strategy, Aylesbury Vale District Council	19.02.18

## APPENDIX 11: CORE DOCUMENT SCHEDULE



**CD1 – Submitted Planning Application January 2015**

Reference	Document	Prepared by
CD1/A	Application Form & Certificate B	Januarys
CD1/B	Planning Statement & Appendices	Januarys
CD1/C	Design & Access Statement	DLA
CD1/D	Sustainability Strategy	DLA
CD1/E	Flood Risk Assessment (Appendix 8.1 of the Environmental Statement)	Pell Frischmann
CD1/F	Retail Assessment	Jones Lang LaSalle
CD1/G	Employment Assessment	Jones Lang LaSalle
CD1/H	Statement of Community Involvement	Athene
CD1/I	Transport Assessment & Appendices (Appendix 10.1 of the Environmental Statement) & Framework Travel Plan	Pell Frischmann
CD1/J	Arboricultural Assessment	FPCR
CD1/K	Energy Strategy	Pell Frischmann
CD1/L	S106 draft Heads of Terms	Eversheds LLP
CD1/M	Construction Environmental Management Plan	Pell Frischmann
CD1/N	Environmental Statement & Appendices	Januarys
CD1/O	Environmental Statement Non-Technical Summary	Januarys
CD1/P	Drawings (see drawings schedule below)	DLA & FPCR

**CD1 Drawings Schedule**

Reference	Drawing Description	Reference	Revision	Date	Comments
CD1/P/A	Development Framework (LUB)	SWMK03-073	H	09/14	DLA
CD1/P/B	Parameter Plan	SWMK03-074	G	09/14	DLA
CD1/P/C	Open Space Plan	SWMK03-076	E	09/14	DLA
CD1/P/D	Illustrative MP in Context	SWMK03-077	C	09/14	DLA
CD1/P/E	Application Site Boundary	SWMK03-079	C	09/14	DLA
CD1/P/E	Residential Density	SWMK03-082	C	09/14	DLA
CD1/P/F	Constraints Plan	SWMK03-087	D	11/14	DLA
CD1/P/G	Phasing	SWMK03-131	B	09/14	DLA
CD1/P/H	Ground Remodelling	SWMK03-148	A	09/14	DLA
CD1/P/I	Building Heights	SWMK03-149	C	09/14	DLA
CD1/P/J	Illustrative Landscape Plan	3126-L-01	C	09/14	FPCR Drawing

**CD2 – Planning Application Formal Revision August 2016**

Reference	Document	Prepared by
CD2/A	Covering Letter	Carter Jonas
CD2/B	Addendum Design & Access Statement	DLA
CD2/C	Addendum to ES & NTS	Carter Jonas
CD2/C/A	Erratum to Addendum ES	Carter Jonas
CD2/D	Revised LVIA (appendix to CD/2C)	FPCR
CD2/E	Revised TA & FTP (appendix to CD/2C)	Mouchel
CD2/F	Ecological Assessment	FPCR
CD2/G	Drawings (see drawings schedule below)	DLA & FPCR

**CD2 Drawings Schedule**

Reference	Drawing Description	Reference	Revision	Date	Comments
CD2/G/A	Development Framework Plan	SWMK03-073	L	08/16	DLA
CD2/G/B	Parameter Plan	SWMK03-074	O	08/16	DLA
CD2/G/C	Open Space Plan	SWMK03-076	J	08/16	DLA
CD2/G/D	Illustrative MP in Context	SWMK08-001	N/A	08/16	DLA
CD2/G/E	Application Site Boundary	SWMK03-079	F	06/16	DLA
CD2/G/F	Residential Density	SWMK03-082	F	07/16	DLA
CD2/G/G	Ground Remodelling	SWMK03-148	C	08/16	DLA
CD2/G/H	Building Heights	SWMK03-149	E	08/16	DLA
CD2/G/H	Public Transport	SWMK03-83	F	08/16	DLA
CD2/G/J	Indicative Landscape Plan	3126-L-01	J	07/16	FPCR

**CD/3A Supplementary Ecological Update Report May 2019**

**CD3/B Supplementary Highways TN18 Report June 2019**

**CD/4 Draft S106 Obligation**

**CD/5 Plan:MK (March 2019)**

**CD/6 Saved Policies of the Aylesbury Vale District Local Plan 2004**

**CD/7 Vale of Aylesbury Local Plan as Proposed to be Modified October 2019**

**CD/8 National Planning Policy Framework (February 2019)**

**CD/9 Planning Practice Guidance (March 2014)**