

**SOUTH WEST MILTON KEYNES CONSORTIUM**

**TOWN AND COUNTRY PLANNING ACT 1990**

**APPEAL UNDER SECTION 78 AGAINST THE REFUSAL BY MILTON KEYNES COUNCIL OF AN OUTLINE PLANNING APPLICATION FOR PHYSICAL IMPROVEMENTS TO THE BOTTLEDUMP ROUNDABOUT 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.**

**LAND AT BUCKINGHAM ROAD, TATTENHOE ROUNDABOUT STANDING WAY TO BOTTLEDUMP ROUNDABOUT, MILTON KEYNES.**

**APPENDICES TO PROOF OF EVIDENCE – April 2021**

**LPA Reference: 15/00619/FUL**

**PINS Reference: APP/Y0435/W/20/3252528**

**Mark Hyde BA (Hons), BTP, MRTPI, PIEMA  
Carter Jonas LLP  
One Station Square  
Cambridge  
CB1 2GA**



## **APPENDICES**

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## **Appendix A. 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 be 'JP' followed by a long horizontal stroke.

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 B. Text of VALP Policy NLV-001 as Modified**

### **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~~s been identified as the most appropriate strategic allocations 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 Coddimore 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

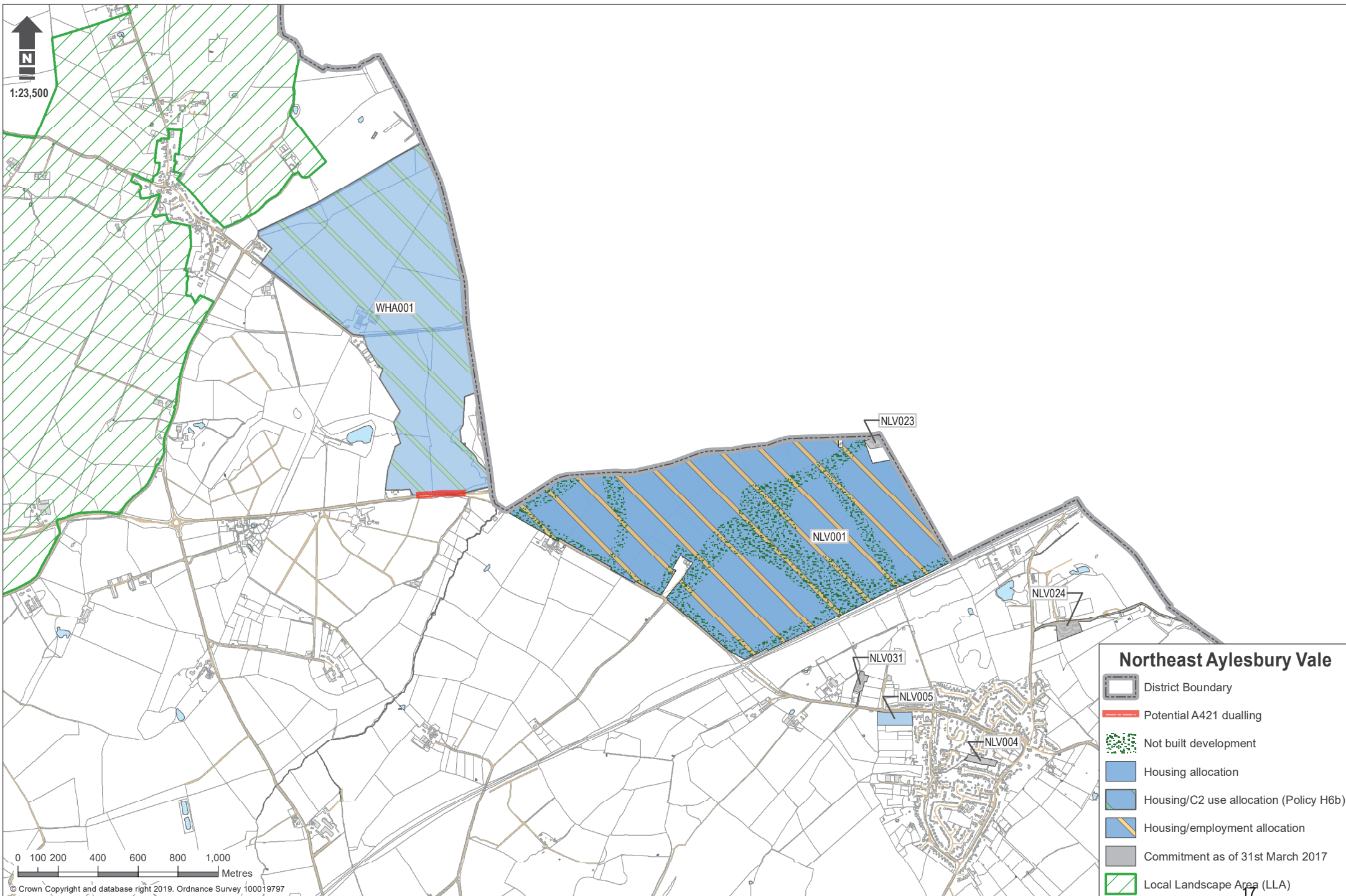
	<p>implement a scheme in the future</p> <p><b>Public Transport Provision</b></p> <ul style="list-style-type: none"> <li>• The enhancement of the existing bus service or provision of a new service to operate between the proposed development and Central Milton Keynes (CMK) via the existing rail station will be required and included within the Framework Travel Plan.</li> </ul> <p><b>Public rights of way</b></p> <ul style="list-style-type: none"> <li>• 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: <ul style="list-style-type: none"> <li>○ ensure a Redway compliant Grid Road reserve to link with existing PROW</li> <li>○ upgrade of footpath and resurface between Weasel Lane and the railway underpass; route to be dedicated as a public bridleway</li> <li>○ resurface byway in Newton Longville Parish and in Mursley Parish between Dagnall House Buckingham Road to the adopted highway</li> <li>○ <u>Provision should be made for adequate green links to Tattenhoe Park</u></li> </ul> </li> </ul>
<b>Site-specific Requirements</b>	<p>Conserving and enhancing the natural environment</p> <p>In terms of the impact on the landscape, site proposals should use land efficiently and create a well-defined boundary <u>as the western edge of Milton Keynes</u> between the settlement and countryside, <u>ensuring that Newton Longville, Whaddon, Mursley and Far Bletchley remain separately identifiable.</u></p>
<b>Landscape</b>	<p>Site proposals will be required to respect and complement the physical characteristics of the site and its surroundings, <u>including the implementation of a defensible boundary along the western edge of Milton Keynes. Proposals will be required to identify</u> 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 <u>including the protection of Newton Longville and Whaddon villages.</u></p>
<b>Air Quality</b>	<p>An air quality assessment will be required and its content and conclusions accepted prior to construction phases.</p>
<b>Noise Contamination</b>	<p>An Environmental Management plan will be required via a condition and with detailed consideration of the layout at reserved matters stage <u>to take account of the delivery of EWR, safeguarding against noise.</u> A condition can be attached in case any</p>

	contamination is found.
<b>Conservation</b>	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. The protection and enhancement of sites of archaeological importance needs to be considered.
<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> <u>and</u> 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>	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 <u>use games area</u> . 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>
<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 <a href="#">and linking to Newton Longville, Bletchley and Central Milton Keynes</a> will need to form and be considered as part of any future reserved matters application.</p>

## **Appendix C. Extract from VALP Proposals Map**





## **Appendix D. MKC Representation on SD VALP 4th December 2017**

Reply to John Cheston

Forward Plans Team  
Aylesbury Vale District Council

*By email*

Date: 4<sup>th</sup> December 2017

Dear Forward Plans Team,

**Vale of Aylesbury Local Plan – Proposed Submission Plan Consultation**

Thank you for the opportunity to consider and comment on your draft Local Plan.

Milton Keynes Council has no objections in principle with the content of the proposed submission Vale of Aylesbury Local Plan and no concerns regarding the Duty to Co-operate.

Policy S2 (Spatial strategy for growth) of the Proposed Submission Local Plan provides for about 1,855 new homes adjacent to Milton Keynes. We have no objections in principle to the inclusion of Salden Chase (SWMK), provided that the infrastructure requirements for Salden Chase outlined in the VALP are retained in the final plan and are delivered in the manner set out in the attached Memorandum of Understanding.

In particular, we welcome the commitment from AVDC to work with MKC to address the infrastructure and services needed to mitigate the impact of the development on Milton Keynes, including highway improvements, public transport provision, public rights of way improvements, green infrastructure, community facility, education facilities, health facilities, local centre and employment area as included in VALP.

We would, however, request that one minor modification is made to the Salden Chase policy (pages 110-114) in the proposed submission VALP:

- To insert in the Salden Chase policy a requirement for a green buffer to be included on the eastern edge of the site to protect the adjacent community of West Bletchley.

Yours sincerely

**John Cheston, Development Plans Team Leader**

## **Appendix E. Report to AVDC SDMC 24th April 2019**

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 F. Planning Policy Assessment of the Proposed Development**

F.1 This Appendix sets out the compliance of the Proposed Development with the NPPF, PPG, extant saved policies of the former Aylesbury Vale District Local Plan (2004) (AVDLP2004) and the Submission Draft Vale of Aylesbury Local Plan (2017) (SVALP2017) as proposed to be modified.

F.2 Paragraph 26 (Id. 61) of the PPG explains the role of a Local Plan. It states in part that:

*“The development plan is at the heart of the planning system with a requirement set in law that planning decisions must be taken in line with the development plan unless material considerations indicate otherwise. Plans set out a vision and a framework for the future development of the area, addressing needs and opportunities in relation to housing, the economy, community facilities and infrastructure – as well as a basis for conserving and enhancing the natural and historic environment, mitigating and adapting to climate change, and achieving well designed places. It is essential that plans are in place and kept up to date....”*

F.3 It is clear that the successful operation of the planning system requires local planning authorities to maintain an up to date development plan. As set out below, the current adopted development plan for Aylesbury Vale AVDLP2004 – is time expired and its housing and spatial strategy policies have not been saved. However, BC is at an advanced stage of preparing a new Local Plan for the former Aylesbury Vale area – the SVALP2017 - which will provide an up to date development strategy and strategic policies. SVALP2017 is currently at examination stage; the hearing sessions have been completed and proposed main modifications were subject to consultation during November and December 2019. Subsequently, Further Main Modifications were published and made subject to consultation in December 2020. Again those relating to the allocation are minor and do not affect the principle of the allocation or development at the site. The Inspector has now indicated that we wishes to hold a series of further EiP Hearing Sessions in light of representations made upon the proposed Main Modifications. These are to take place in April 2021. A Hearing Session has been arranged to discuss the matter of ‘Land adjacent to Milton Keynes’. The focus of the matters and issues identified by the Inspector for discussion at the Further Hearing Session relate exclusively to the proposed allocation of Shenley Park (WHA-001) which emerged as a proposed Main Modification to the VALP.

F.4 Until the SVALP is adopted, the AVDLP2004 constitutes the relevant development plan for the Proposed Development. In September 2007 the Secretary of State issued a Direction, under Paragraph 1(3) of Schedule 8 to the Planning & Compulsory Purchase Act 2004, which identified those policies in AVDLP2004 that were ‘saved’ after 27th September 2007. It is only those saved policies which form part of the development plan. The Buckinghamshire Minerals and Waste Local Plan 2004-2016 (adopted April 2006) and the Buckinghamshire Minerals and Waste Core Strategy (adopted November 2012) also form part of the development plan, but are not relevant to the determination of this appeal since the

Proposed Development is not affected by either of these plans, nor is it safeguarded for minerals or waste development.

- F.5 In due course and once adopted, SVALP2017 will replace AVDLP2004. SVALP2017 contains a housing target based on meeting objectively assessed housing needs and unmet needs from neighbouring authorities and allocates strategic sites to meet the identified housing need. SVALP2017 is currently at examination stage and the Inspector has provided interim conclusions about the soundness of the document. AVDC have proposed main modifications. In accordance with Paragraph 48 of the NPPF it is considered that SVALP2017 carries substantial weight in the decision on Appeal Development because the document has reached an advanced stage in the plan-making process, is consistent with the NPPF and all objections have now been considered by the Inspector at examination and in some instances resulted in main modifications which have themselves been subject to consultation.
- F.6 There are other non-statutory policy documents which are relevant to the Proposed Development. These documents fall into three categories: those that have informed the supporting technical studies e.g. landscape and visual impact; those that have informed the design and layout and content of the Proposed Development e.g. sport and leisure facilities, and planning obligations; and, those that will guide the detailed design stage e.g. building materials, sustainable construction; and refuse and recycling facilities.
- F.7 The Proposed Development has been assessed against all relevant saved policies of AVDLP2004 and it complies with them. In summary, those relevant saved policies 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.
- F.8 Paragraph 11 of the NPPF explains the operation of the presumption in favour of sustainable development. For decision-making, it means approving development proposals that accord with an up-to-date development plan without delay (paragraph 11(c)). Where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date (where, for example, the local authority cannot demonstrate a five year supply of housing), planning permission should be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF (paragraph 11(d)).
- F.9 A further important material consideration is the SVALP2017. The SVALP2017 weighs in favour of granting permission. SVALP2017 contains a housing target based on meeting objectively assessed housing needs and unmet needs from neighbouring authorities and allocates strategic sites to meet the identified housing need. The Local Plan Inspector has

provided interim conclusions about the soundness of SVALP2017 which do not raise any concerns over the allocation of the Proposed Development Site. The allocation for a housing-led mixed use development (Ref. NLV001) was the subject of a site specific hearing session at the SVALP2017 examination. There are no outstanding concerns from the Inspector or BC about the soundness of Policy NLV001 and all indications are that the allocation will be found to be sound and adopted as part of the development plan. In accordance with Paragraph 48, Policy NLV001 should be given substantial weight in the decision for the appeal because it is close to adoption, is consistent with the NPPF and is not subject to outstanding, unresolved objections. Those proposed Main Modifications that relate to site allocation NLV001 are relatively minor and are associated with the detail of the Proposed Development e.g. delivery timetable, green infrastructure, noise, and flood mitigation and drainage, but do not affect the principle of the allocation or its development.

#### Site Specific Policies

- F.10 The Proposed Development is not allocated in the adopted AVDLP2004 and it is not covered by any other site specific designations. The former development strategy in AVDLP2004 – which sought to focus development at Aylesbury – has not been saved. The Proposed Development would fall within the rural area. However, the strategy for the rural area in AVDLP2004 (not contained in policy) which is part of and set within the context of the overall development strategy must also be out of date. It is the general development control policies and the policies relating to the link road between the A4146 and A421 that have been saved and are relevant to the Proposed Development and these policies are considered below.
- F.12 The Proposed Development Site is proposed for allocation as a mixed use sustainable urban extension in SVALP2017 – see Policy NLV001. Policy S2, as modified, defines the overall spatial strategy for SVALP2017, which includes provision for 3,356 dwellings on land in the north east of Aylesbury Vale i.e. adjacent to Milton Keynes within the former Aylesbury Vale District, 1,855 of which would be delivered by the Proposed Development.
- F.13 As set out above, there are no outstanding concerns from the Inspector or BC about the soundness of Policy NLV001 and no proposed Main Modifications affect the principle of the proposed allocation. It is anticipated that Policy NVL001 will be retained and as such this policy should be given substantial weight in the decision on the appeal.

#### Sustainable Development

- F.14 SVALP2017 has been subject to Sustainability Appraisal, which assessed the Proposed Development as part of the strategic allocation Policy NLV001 against sustainability objectives and against reasonable alternatives. The Proposed Development scored well against the sustainability objectives and when compared against reasonable alternatives, with no significant constraints identified that cannot be addressed through mitigation measures. There are no outstanding concerns from the Inspector about the strategic site allocation for Policy NLV001 or the assessment of the site in terms of sustainability. Policy S2

of SVALP2017 identifies the sustainable locations for growth to meet the identified development needs, including the Proposed Development adjacent to Milton Keynes. The Inspector has no outstanding concerns about the locations for growth identified in Policy S2, although, as set out below, the Inspector has indicated that the housing target should be increased for soundness reasons which implies that existing strategic allocations need to be retained and additional locations for growth identified.

- F.15 Paragraph 8 of the NPPF identifies the three strands of sustainable development; economic, social and environmental. The delivery of employment land and infrastructure, providing housing to meet current and future needs; and protecting and enhancing the environment are all sustainable development related matters that are relevant to this Appeal. The Sustainability Strategy (CD1/D) and other application documents explain in further detail how the Proposed Development contributes to the three strands of sustainable development
- F.16 The technical studies and the updated Environmental Statement (CD10/M) demonstrate that after mitigation measures have been implemented there are no unacceptable adverse impacts arising from the Proposed Development. In these circumstances, the proper application of the presumption in favour of sustainable development means that the Proposed Development should be granted planning permission. Furthermore, the Sustainability Strategy demonstrates that the Proposed Development site is a sustainable location for development and the Proposed Development has all the attributes of sustainable development, by including landscape and biodiversity features, providing a mix of uses, additional housing and being accessible by walking, cycling and public transport.

### Housing

- F.17 The adopted AVDLP2004 has an end date of 2011. The housing target in AVDLP2004 was derived from Regional Planning Guidance for the South East (2001) and the Buckinghamshire County Structure Plan (1996), but these documents have not been saved and no longer form part of the development plan. Therefore, the housing targets in AVDLP2004 have also not been saved and no longer form part of the development plan. Policy S2 of SVALP2017 seeks to identify a housing target that would meet the housing needs of the former Aylesbury Vale District for the period to 2033 and unmet needs from Wycombe District and Chiltern / South Buckinghamshire Districts. The Proposed Development is a strategic allocation adjacent to Milton Keynes, which is identified to contribute towards meeting the development needs specified in Policy S2 as modified. The housing target in Policy S2, as modified, is a total of 28,600 dwellings between 2013 and 2033. Table 1 in SVALP2017 explains how the housing target is distributed between the strategic and other settlements, with a total of 3,356 dwellings including 'commitments' of 1,931 dwellings in North East Aylesbury Vale; the Proposed Development is included within the 'commitments' figure.
- F.18 Paragraph 59 of the NPPF reiterates the Government aim to boost the supply of housing and to achieve this by ensuring that a sufficient amount of land for housing is identified and brought forward. Paragraph 72 states that *"the supply of new homes can sometimes be best*

*achieved through planning for larger scale development, such as new settlements or extensions to existing villages and towns that follow the principles of Garden Cities”.*

- F.19 The Proposed Development is required to meet the housing target in Policy S2 of SVALP2017. It represents an urban extension to Milton Keynes and is an appropriate way to deliver a significant amount of new housing to boost the overall supply. Policy H6 (as modified) of SVALP2017 requires larger developments to provide a mix of house types and sizes to meet local needs. The Proposed Development will provide a mix of house types and sizes including 60 extra care units. The detailed mix of dwellings will be determined at reserved matters stage.

#### Affordable Housing

- F.20 Policy GP2 of AVDLP2004 sets out the proportion of affordable housing that will be required, which is that a minimum of 20%; up to 30% affordable housing should be provided for developments of 25 or more dwellings. AVDC's Affordable Housing Interim Position Statement (November 2019) states that it expects to apply the requirements of Policy GP2 at 30% affordable housing.
- F.21 Policy H1 of SVALP2017 seeks a minimum of 25% affordable housing from major development sites. It is anticipated that the type, size, tenure and location of the affordable housing will be agreed with the Council and that affordable dwellings will be integrated throughout the Proposed Development.
- F.22 SVALP2017 as proposed to be modified identifies an overall need for 6,850 net affordable dwellings during the plan period, which equates to an average of 343 dwellings per annum. An Affordable Housing Statement is provided in Appendix 5 of the updated Planning Statement (CD10/C) which demonstrates that housing affordability is worsening in the former AVDC area and that there has been a shortfall in the delivery of affordable housing against what is required.
- F.23 The Proposed Development is for up to 1,855 mixed tenure dwellings, which provides scope for a range of affordable housing types to be provided on site. Subject to viability, up to 30% of the overall housing target would be affordable, which equates to up to 557 affordable dwellings which would exceed the minimum policy requirement. The proportion of affordable housing to be provided within the overall development will be specified in the S106 Agreement but has been agreed in principle with the LPA.

#### Employment

- F.24 Policy D5 of SVALP2017 anticipates that new employment land will mostly be provided within the existing employment areas and as part of the strategic allocations. The Proposed Development is identified as a location where a small amount of additional employment development would be delivered. The Proposed Development includes an employment area for B1 uses. It is appropriate to include small scale employment uses within the mix of uses

provided at a sustainable urban extension. As demonstrated in the updated Employment Assessment (CD10/G) the employment provided within the Proposed Development would not divert jobs or businesses from the main industrial and employment areas of Milton Keynes, but would provide complementary commercial uses as part of a sustainable development.

- F.25 Paragraph 80 of the NPPF gives significant weight to the need to support economic growth. Milton Keynes is a key driver of the regional economy and a focus for employment and jobs, and development which supports that economic role should be encouraged. The Proposed Development includes employment development and other uses that would generate employment opportunities.

#### Retail/Town Centre

- F.26 Policy S1 of SVALP2017 expects new development to enable access to retail facilities. All of the proposed strategic residential allocations include a requirement for a neighbourhood / local centre with retail facilities to be provided within those developments. The allocation for the Proposed Development also expects retail facilities to be provided. The Proposed Development includes a neighbourhood centre providing retail and community facilities, which are located in an accessible location for its future residents. Paragraphs 86 to 90 of the NPPF set out the sequential and impact tests for retail, leisure and main town centre used that are neither in an existing centre, nor in accordance with an up-to date development plan.
- F.27 The limited scale of convenience and comparison retailing included within the Proposed Development is planned and designed to principally meet the needs of its local residents and these uses are anticipated within sustainable mixed use developments by Policy S1 and site allocation NLV001 of SVALP2017. The updated Retail Assessment (CD10/F) considers the sequential and impact tests for the retail uses provided within the Proposed Development.
- F.28 The updated Retail Assessment demonstrates that the neighbourhood centre is specifically planned and designed to meet the day-to-day needs of the local community and that it would be unsustainable for these uses to be located elsewhere. In addition, it is demonstrated in the updated Retail Assessment that the projected population of the Proposed Development will generate substantial residual retail (convenience and comparison) expenditure to support the turnover, vitality and viability of other centres and stores nearby, including in Bletchley and Milton Keynes, which is a significant positive impact.

#### Community & Recreation Facilities

- F.29 Policy GP84 of AVDLP2004, Policy C4 of SVALP2017 and Paragraph 98 of the NPPF seeks to protect existing public rights of way. Weasel Lane, an existing bridleway and cycle route, and other public rights of way across the site, including the Milton Keynes Boundary Walk. All will be retained and incorporated into the Proposed Development.

- F.30 Policy GP86 of AVDLP2004 relates to the provision of outdoor playing space within development, with a standard of 2.43 hectares outdoor play space per 1000 persons, subject to existing open space provision in the locality. Policy GP87 expects equipped play areas for children to be provided and Policy GP91 expects informal amenity open spaces to be provided within development. Policy GP90 seeks to ensure that indoor sports facilities are provided, according to the need arising from the Proposed Development. SVALP2017 contains policies that deal with these matters. Policy I1 seeks to ensure that new green infrastructure is planned, delivered and managed as part of new development. Green infrastructure includes green corridors and public rights of way, public open space, formal sports areas and strategic landscaping. Policy I2 seeks to ensure that sufficient sport and recreation facilities are provided as part of new development.
- F.31 Policy I3 and Policy S1 of SVALP2017 seek to ensure that new residential development provides community facilities to meet identified needs. The Glossary to SVALP2017 states that community facilities include community buildings, indoor and outdoor sports facilities and public open space including green infrastructure. All of the proposed strategic residential allocations include a requirement for community facilities to be provided within those developments and the allocation for the Proposed Development Site also expects a range of community facilities to be provided.
- F.32 In addition, Paragraph 91 of the NPPF expects development to facilitate social interaction and to create healthy and inclusive communities. These aims can be achieved by providing opportunities for future residents to meet, and by creating safe and accessible environments. Paragraph 92 seeks to ensure the delivery of community and recreational facilities and expects an integrated approach to be taken towards the location of housing, economic uses and community facilities. Paragraph 96 seeks to ensure that new development provides access to high quality open space, sport and recreation.
- F.33 AVDC has an adopted Sport and Leisure Facilities SPG (August 2004), which sets out the requirements for such facilities in new development. A Companion Document: Ready Reckoner (August 2005) has also been adopted to identify which facilities a development needs to provide on-site; and sets out a basis to calculate the contribution for off-site community and leisure facilities.
- F.34 The Proposed Development includes a total of 53.97 Ha of green infrastructure and 1.18 Ha of land for allotments. It includes open space and recreation facilities within the site, including formal sports pitches and children's play areas comprising two Neighbourhood Equipped Area of Play (NEAP) and nine Local Equipped Area of Play (LEAP). These facilities are located where they are easily accessible to future residents of the Proposed Development and to existing residents from neighbouring areas.



### Grid Road

- F.35 Policy RA34 and RA35 of AVDLP2004 relate to the redevelopment of the Newton Longville Brickworks site and are of particular relevance to the Proposed Development. These policies safeguard a road corridor to the A4146 and protect a future road link to the A421 from development.
- F.36 The Proposed Development makes provision for a Grid Road Reserve between the A421 Buckingham Road / H8 Standing Way and the East West Rail line to enable the future provision of a link between A421 and A4146 Stoke Hammond bypass. A Grid Road would require land from within the Proposed Development and Government funding for it to be delivered and implemented.

### Design

- F.37 Policy GP35 of AVDLP2004 identifies the key factors to consider in the design of new development, which in summary are the physical characteristics, existing building styles, the scale and context, natural features, and visual impact. Policy GP38 expects new development to incorporate landscaping and to complement existing features. Policy GP39 expects existing trees and hedgerows to be protected or replaced as part of development proposals. Policy GP40 in particular seeks to retain trees and hedgerows which have amenity, landscape or wildlife value. Policy GP45 relates to secured by design considerations and expects development to incorporate measures to assist crime prevention and help reduce risks to personal safety. Policy GP8 seeks to protect the amenity of future residents and to avoid unreasonable harm to nearby residents.
- F.38 The design and layout of the Proposed Development reflects the characteristics of existing neighbouring residential areas. Existing landscape features, trees and hedgerows have been incorporated into the Proposed Development. The landscaping at the site boundary will reduce the visual impact from neighbouring dwellings and residential areas and from surrounding villages, the landscaping will also protect residential amenity. The Proposed Development includes a green infrastructure framework which surrounds and permeates the developed area. Therefore, the Proposed Development is in accordance with the design policies of AVDLP2004.
- F.39 The former AVDC and MKC have adopted a range of design related supplementary guidance. The Design Guide: Building Materials (AVDC January 1995) document provides details on the preferred materials for walls and roofs of new buildings. The Safety Through Design SPG (AVDC September 2001) sets out approaches for the planning and design of the external environment that can help reduce the likelihood of criminal and anti-social behaviour and allow people to feel safer. The Sustainable Construction Guide SPG (MKC April 2007) provides further detail on sustainable construction and identifies a range of measures to reduce the use of resources and materials. AVDC has produced a Refuse and Recycling: Advice Note for Developers (September 2012) that identifies current arrangements for refuse and recycling collections and sets out what needs to be provided within development

to facilitate those collections. All of these matters will be addressed at detailed design stage to deliver a sustainable and well-designed scheme.

F.40 Policy BE2 of SVALP2017 identifies the overarching design principles for new development. In summary, the design is expected to respect and complement the physical characteristics of the site and its surroundings, the local distinctiveness and vernacular character of the locality, the natural qualities and features of the area, and important public views and skylines. Policy BE4 sets out the approach toward densities, which are expected to reflect the densities in the surrounding areas and will be determined on a site-by-site basis. Policy BE3 seeks to protect residential amenity. The design and layout of the Proposed Development reflects the characteristics of the existing neighbouring residential areas. A variety of densities are applied across the Proposed Development, with lower densities at the more sensitive boundaries and an average density which is consistent with other expansion areas of Milton Keynes. The Proposed Development includes substantial areas of landscaping and green infrastructure, which is a characteristic of the grid squares in Milton Keynes. The landscaping at the site boundary will reduce visual impact and protect the residential amenity of neighbouring areas. Therefore, the Proposed Development is in accordance with the design policies of SVALP2017.

F.41 Paragraph 124 of the NPPF stresses the importance of design in built development. Paragraph 006 (Id. 26) of PPG provides further information on design in the planning process. It states:

*“Design impacts on how people interact with places. Although design is only part of the planning process it can affect a range of economic, social and environmental objectives beyond the requirement for good design in its own right. Planning policies and decisions should seek to ensure the physical environment supports these objectives. The following issues should be considered:*

- *local character (including landscape setting)*
- *safe, connected and efficient streets*
- *a network of greenspaces (including parks) and public places*
- *crime prevention*
- *security measures*
- *access and inclusion*
- *efficient use of natural resources*
- *cohesive & vibrant neighbourhoods”*

F.42 The Proposed Development will in effect be an urban extension of Milton Keynes which includes some of the characteristic features of the City, such as self-contained residential neighbourhoods surrounded by substantial areas of open space and strategic landscaping and it would connect to the existing grid road network. The Proposed Development has also been designed to be a standalone new neighbourhood with its own characteristics. The application is in outline but the submitted Illustrative Masterplan (CD10/O/C) and Design &

Access Statement (CD10/D) clearly define future parameters of the Proposed Development to demonstrate that a high quality scheme will be delivered at detailed design stage.

- F.43 The built development is surrounded by substantial areas of green infrastructure and multi-functional open space. The average density is 36 dwellings per hectare (dph), which is similar to and 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 employment, neighbourhood centre and school buildings will be the tallest within the Proposed Development. The internal highway network will comprise primary and secondary routes, internal residential roads, footpath, bridleways, cycle paths. The Primary routes will connect each of the proposed residential parcels. The Secondary routes will provide connections through and between residential development parcels. The Proposed Development includes 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.
- F.44 The potential amenity impacts on existing and future residents are assessed in the updated Environmental Statement (CD/10/M). A preliminary Construction & Environmental Management Plan (CEMP) (CD10/L) has been prepared, which explains how adverse impacts arising from the construction phase would be managed and controlled, including the impacts from noise and dust. At reserved matters stage, the design and layout of the Proposed Development and buildings will need to separate dwellings from main noise sources, avoid habitable rooms facing noise sources and provide adequate noise attenuation measures within building facades and glazing. The detailed design and layout are issues that will be addressed at Reserved Matters stage. A buffer has been included within the Proposed Development to provide suitable stand-off distances between the proposed dwellings and the re-opened East West Rail line. Additional buffers will be required between the dwellings and the main roads to deliver a sustainable and well-designed scheme.

#### Landscape

- F.45 Policy GP35 of AVDLP2004 relates to design, is relevant to landscape and expects development to respect and complement physical characteristics, natural qualities and features, and important public views and skylines. Policy NE5 of SVALP2017 seeks to maintain landscape character through careful design and layout and where there will be harm to landscape character then mitigation measures will be required. Paragraph 170 of the NPPF seeks to protect and enhance valued landscapes subject to their status. The Proposed Development Site is not specifically protected as an attractive or local landscape area.
- F.46 A number of green infrastructure strategy documents have been prepared, which are relevant to the Proposed Development. The list of documents is as follows:

- Aylesbury Vale Green Infrastructure Strategy 2011-2016 (AVDC)
- Buckinghamshire Green Infrastructure Strategy April 2009 (Buckinghamshire GI Consortium)
- Whaddon Chase Green Infrastructure Plan March 2010 (Buckinghamshire GI Consortium)
- Milton Keynes Green Infrastructure Plan February 2008 (MKC)

F.47 The landscape features and the existing trees and hedgerows have been incorporated into the Proposed Development. The impact of the development on these features and landscape mitigation measures are explained in the Landscape & Visual Chapter in the updated Environmental Statement (CD/10/M). The majority of the Proposed Development is within a low sensitivity landscape character area which generally lacks intrinsic features of landscape merit. However, the Proposed Development Site lies adjacent to a character area of high sensitivity - part of the former hunting chase of Whaddon Chase – the green infrastructure and strategic landscaping on the western and southern boundaries will minimise adverse effects on this landscape. The landscaping at the site boundary will reduce the visual impact from neighbouring dwellings and residential areas and from surrounding villages.

F.48 The Proposed Development would be completely contained within a very robust green infrastructure framework which surrounds and permeates the developed area. The green infrastructure would be multi-functional, encompassing woodland, meadows, open space, footpaths and bridleways, play areas, and sports pitches. The Proposed Development is not located within an area specifically protected as a valued landscape and includes landscape mitigation measures to reduce its landscape and visual impacts, which is consistent with the approach in Policy GP35 of AVDLP2004, Policy NE5 of SVALP2017 and Paragraph 170 of the NPPF.

#### Agricultural Land

F.49 Paragraph 170 of the NPPF seeks to retain the best and most versatile agricultural land. Footnote 53 to Paragraph 171 and Paragraph 026 (Id. 8) of the PPG states: “...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”. These matters are addressed in the Agricultural Land Chapter of the updated ES. The Proposed Development Site mostly comprises Grade 3b agricultural land, but there is a small area of Grade 3a land. The site is predominantly in arable use with a small area of pasture. The site is occupied by three farm businesses, one of which only operates on a part time basis. The Proposed Development would involve the loss of 16.2 Ha of the best and most versatile agricultural land, which is assessed in the Environmental Statement as not significant. The two affected full time farm businesses will remain viable and able to operate off-site.

## Ecology

- F.50 Policy NE2 of SVALP2017 seeks to protect and enhance biodiversity and the natural environment. Paragraph 174 of the NPPF seeks to enhance the natural and local environment and to secure measurable net gains for biodiversity. Paragraph 175 seeks to conserve and enhance biodiversity, and expects development to avoid significant harmful impacts on habitats. Paragraph 016 (Id. 8) of the PPG explains how biodiversity should be taken into account in preparing a planning application. Ecological surveys are required to determine the impact of development on biodiversity. Paragraph 018 (Id. 8) identifies the issues that should be considered when seeking to avoid, mitigate or compensate for significant harm to biodiversity. Paragraph 019 (Id. 8) notes that green infrastructure can help to mitigate any significant harm to biodiversity. These matters are addressed in the Ecology Chapter of the updated Environmental Statement.
- F.51 Hedgerows and mature trees, which will largely be retained within the Proposed Development. Parts of the Site are used by birds, bats, badgers, reptiles, and Great Crested Newts, all of which would be protected as part of the Proposed Development. A wide range of new habitats will be delivered, including woodland, hedgerows and trees. Mitigation measures will be secured by conditions and/or s.106 obligations; the need for an Ecological Mitigation, Enhancement & Management Plan will be secured by condition. The Proposed Development would lead to some limited disruption to wildlife which is unavoidable.
- F.52 However, the scale and diversity of the green infrastructure proposals included within the Proposed Development will provide comprehensive mitigation, compensation and enhancement to compensate for any initial losses. Chapter 7: Ecology in the updated Environmental Statement and Appendix 7.10. contain a Biodiversity Metric Calculation for the Proposed Development that demonstrates a substantive net gain for biodiversity, which would be in accordance with Policy NE3 of Plan:MK, Policy NE1 of SVALP2017, and Paragraph 174 of the NPPF.

## Heritage

- F.53 Statutory provisions in s.66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 require decision makers to have special regard to the desirability of preserving listed buildings and their settings and preserving or enhancing the character and appearance of Conservation Areas. Policy GP59 of AVDLP2004 expects development proposals affecting a site of archaeological importance to protect, enhance and preserve the historic interest and its setting. Policy BE1 of SVALP2017 seeks to preserve or enhance heritage assets.
- F.54 Paragraph 192 of the NPPF seeks to protect heritage assets in a manner which is appropriate to their significance. The term 'significance' in terms of heritage policy is defined in the Glossary to the NPPF as follows: *"The value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting". Paragraph 003 (Id. 18a) of the PPG explains what is meant by the conservation*

*and enhancement of the historic environment, and states that: “....Where changes are proposed, the National Planning Policy Framework sets out a clear framework for both plan-making and decision-taking to ensure that heritage assets are conserved, and where appropriate enhanced, in a manner that is consistent with their significance and thereby achieving sustainable development”.*

- F.55 The Archaeology & Cultural Heritage Chapter of the updated Environmental Statement assesses the impact of the Proposed Development on heritage assets. The Proposed Development will have no direct or indirect impacts on listed buildings. It will have a slight impact on views from the western edge of Newton Longville Conservation Area but this will have no material effect on the character and appearance of the Conservation Area and nor will there be any harm to the significance of any listed building. The historic landscape of the Proposed Development is essentially that of 19th century parliamentary enclosure which has subsequently suffered from significant hedgerow loss and the Proposed Development will have a negligible impact upon this landscape type. The geophysical survey and evaluation trenching has identified two areas of late prehistoric/Roman settlement within the Proposed Development Site.
- F.56 The Proposed Development avoids areas of known archaeological potential. The two areas of late prehistoric/Roman settlement are to be preserved within open space. An archaeological watching brief will be implemented by condition to record any peripheral remains.

#### Renewable Energy

- F.57 Paragraph 153 of the NPPF recognises the role of planning in delivering a low carbon future, and expects new development to comply with local requirements for decentralised energy supply and to minimise energy consumption by taking account of landform, layout, building orientation, massing and landscaping. Paragraph 97 seeks to increase the supply and use of renewable and low carbon energy. Paragraph 001 (Id. 5) of the PPG explains the importance of planning for renewable and low carbon energy. It states: *“Increasing the amount of energy from renewable and low carbon technologies will help to make sure the UK has a secure energy supply, reduce greenhouse gas emissions to slow down climate change and stimulate investment in new jobs and businesses. Planning has an important role in the delivery of new renewable and low carbon energy infrastructure in locations where the local environmental impact is acceptable.”*
- F.58 The updated Energy Statement (CD10/J) has assessed the opportunities for energy efficiency and decentralised energy and renewable technologies. In summary those opportunities include the use of energy efficient building fabric, low energy lighting, natural ventilation, air source heat pumps, and photovoltaics. The Proposed Development will be required by regulation to achieve very high energy efficiency and CO2 standards.

## Flooding & Drainage

- F.59 Policy I4 in SVALP2017 relates to flooding and drainage. In summary, a site specific flood risk assessment is required because the Proposed Development will occupy a site greater than 1Ha in size and located in Flood Zone 1. A sustainable drainage system will be provided in order to manage surface water run-off from the Proposed Development.
- F.60 Paragraph 163 of the NPPF expects new development to not increase flood risk elsewhere and for a flood risk assessment to be submitted where appropriate. Paragraph 165 expects major developments to incorporate sustainable drainage systems.
- F.61 Paragraph 030 (Id. 7) of the PPG identifies the objectives of a flood risk assessment. It states:  
*“The objectives of a site-specific flood risk assessment are to establish:*
- *whether a Proposed Development is likely to be affected by current or future flooding from any source;*
  - *whether it will increase flood risk elsewhere;*
  - *whether the measures proposed to deal with these effects and risks are appropriate;*
  - *the evidence for the local planning authority to apply (if necessary) the Sequential Test, and;*
  - *whether the development will be safe and pass the Exception Test, if applicable.”*
- F.62 Paragraph 068 (Id. 7) of the PPG provides a checklist of matters to be addressed in a flood risk assessment. The updated Flood Risk Assessment (CD10/E) (FRA) deals with these matters. The majority of the Proposed Development lies within Flood Zone 1 and therefore is at low risk of flooding. The north western corner of the Proposed Development is within Flood Zone 3 and as such is at high risk of flooding. However, the Environment Agency has no records of flooding at the site. All buildings will be located within Flood Zone 1. The Proposed Development will include sustainable drainage systems including swales and attenuation basins to attenuate surface water run-off to green field rates.

## Transport

- F.63 Policy GP24 of AVDC2004 seeks to ensure that car parking is provided in accordance with the standards contained in the adopted Parking Guidelines SPG (May 2000). The maximum parking guidelines are contained in the table on pg.8 of the SPG and range from 1 space for a one bedroom flat to 3 spaces for a 4+ bedroom house. Paragraph 106 of the NPPF has introduced a degree of flexibility to car parking standards, so that factors such as accessibility and availability of public transport for example are taken into account.
- F.64 Policy T1 of SVALP2017 relates to the delivery of the sustainable transport vision and in particular seeks to encourage a modal shift to sustainable modes of transport, improve safety for all road users and ensure that new development does not create a significant negative impact on the highway or public transport network. Policy T2 seeks to ensure that development does not prejudice the implementation of existing and protected transport

schemes, including East West Rail which forms the southern boundary of the Proposed Development.

- F.65 Policy T3 confirms support for the proposed Oxford to Cambridge Expressway and that once a route has been confirmed, it will be protected in a future review of the Local Plan. Policy T4 seeks to ensure that mitigation is provided to address transport impacts associated with development. It is expected that development will implement necessary works to the highway, contribute towards local public transport services and support for community transport initiatives, provide new and improve existing pedestrian and cycle routes, and provide a travel plan to promote sustainable travel. Policy T5 expects development to provide appropriate levels of parking in accordance with standards, and that the design of development incorporates parking facilities for cyclists and low-emission vehicles. Policy T6 seeks to ensure that networks of pedestrian and cycle routes are provided within development, in order to enable easy access into and through new developments and to adjacent areas and to public transport services. Policy T7 expects electric vehicle charging points to be provided within larger development.
- F.66 In addition, transport related supplementary guidance has been adopted to assist developers. The former Buckinghamshire County Council produced a guide to assist those preparing travel plans. The Sustainable Travel Plans: Guidelines for Developers (updated 2012) document identifies thresholds for when a Travel Plan would be required and provides a recommended structure for a travel plan. A Travel Plan is required for residential developments of 80 dwellings or more and for all education facilities.
- F.67 An updated Framework Travel Plan (CD10/H/B) (FTP) has been prepared to cover all the proposed land uses and identifies a range of measures to positively influence travel patterns, discourage private car travel, and encourage the use of sustainable modes of transport.
- F.68 Paragraph 108 of the NPPF expects transport matters to be assessed for developments that generate a significant amount of movements. Paragraph 109 explains that 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. An updated Transport Assessment has been submitted to assess the traffic and transport related impacts of the Proposed Development. The TA recommends improvements to various junctions to mitigate the impacts of the Proposed Development, traffic calming in adjacent villages and a new bus service through the Proposed Development. A FTP has also been developed to effectively manage and promote walking, cycling and public transport strategies into and around the Proposed Development site.
- F.69 Paragraph 110 of the NPPF encourages the use of sustainable modes of transport modes, including by giving priority to pedestrians and cyclists and improving access to public transport, and by creating safe and secure layouts. As set out in Paragraph 111, a Travel Plan is one method through which sustainable travel can be delivered. Paragraph 110b expects development to address the needs of people with disabilities and reduced mobility.



F.70 Paragraph 006 (Id. 42) of the PPG identifies the benefits of preparing a TA. It states:

*“Travel Plans, Transport Assessments and Statements can positively contribute to:*

- encouraging sustainable travel;*
- lessening traffic generation and its detrimental impacts;*
- reducing carbon emissions and climate impacts;*
- creating accessible, connected, inclusive communities;*
- improving health outcomes and quality of life;*
- improving road safety; and*
- reducing the need for new development to increase existing road capacity or provide new roads.”*

*They support national planning policy which sets out that planning should actively manage patterns of growth in order to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable....”.*

F.71 Sustrans Route 51 crosses the Proposed Development. The Route would be enhanced and incorporated within the Proposed Development. The Proposed Development incorporates 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 sustainable modes of transport. The Proposed Development would accommodate a mix of uses – residential, community, retail, employment and education – making it possible for future residents to travel within the development by sustainable modes. In all respects the Proposed Development is situated in a sustainable location for development.

F.72 The Proposed Development includes improvements to the existing highway network to provide the primary access points from B4034 Buckingham Road, A421 Standing Way and Whaddon Road; and also identifies primary and secondary transport corridors. The local residential roads and access points would be determined at detailed design stage in the discharge of reserved matters. The proposed road hierarchy is described in the updated Design & Access Statement (CD10/D). Parking provision and traffic calming measures are matters that would also be addressed at detailed design stage.

F.73 The highway impacts of the Proposed Development have previously been subject to detailed discussion with the LHA, including MKC, such that there was agreement on the package of mitigation measures and planning obligations required to address those impacts.

#### Noise

F.74 Policy NE6 of SVALP2017 seeks to ensure that development does not have an adverse impact through noise pollution. Paragraph 170e of the NPPF seeks to prevent unacceptable risks from pollution; in this case both noise and air quality matters have been assessed. Paragraph 180 relates to the adverse impact of noise pollution. Section ID30 of the NPPG

deals with noise matters and provides advice on how planning can manage potential noise impacts in new development. Paragraph 001 (Id. 30) of the PPG states that *“Noise needs to be considered when new developments may create additional noise and when new developments would be sensitive to the prevailing acoustic environment”*. Paragraph 005 (Id. 30) identifies the noise exposure hierarchy, which range from not noticeable where no specific action is required to noticeable and very disruptive where preventative action is required. Paragraph 008 (Id. 30) identifies a range of potential solutions to address noise impacts which are engineering, layout, use of conditions/obligations, and mitigation measures.

- F.75 These matters are addressed in the Noise & Vibration Chapter of the updated Environmental Statement. Noise from the Proposed Development would be generated by construction activities (ground preparation, excavation for foundations, construction of roads and buildings, off-loading of materials and vehicle movements), fixed plant equipment (in employment area, schools and neighbourhood centre), additional road traffic, and a reopened railway line.
- F.76 Existing and future residents are those that would be most affected by noise from the Proposed Development, unless mitigation measures are implemented. A preliminary Construction & Environmental Management Plan (CD10/L) has been prepared, which explains how adverse impacts arising from the construction phase would be managed and controlled, including the impacts from noise. The design and layout of the Proposed Development and buildings will need to separate dwellings from main noise sources, avoid habitable rooms facing noise sources and provide adequate noise attenuation measures within building facades and glazing. A buffer will need to be included to provide suitable stand-off distances between the proposed dwellings and the main roads (Standing Way, Whaddon Road and Buckingham Road) and the re-opened East West Rail line.

#### Air Quality

- F.77 Policy NE6 of SVALP2017 seeks to ensure that development does not have an adverse impact on air quality. Paragraphs 180 and 181 of the NPPF relate to the impact of development on air quality. Section Id. 32 of the PPG provides guidance on how planning can take account of the impact of new development on air quality. Paragraph 005 identifies the factors that could determine whether air quality is relevant to a planning decision. In summary those factors are as follows: significant changes in traffic generation; introducing new sources of air pollution; exposing new residents to existing sources of air pollutants; giving rise to potentially unacceptable impacts (such as dust) during construction; and, significantly affecting biodiversity at designated wildlife sites. Paragraph 008 identifies examples of air quality mitigation measures, which are as follows:
- *the design and layout of development to increase separation distances from sources of air pollution;*
  - *using green infrastructure, in particular trees, to absorb dust and other pollutants;*
  - *means of ventilation;*

- *promoting infrastructure to promote modes of transport with low impact on air quality;*
- *controlling dust and emissions from construction, operation and demolition; and*
- *contributing funding to measures, including those identified in air quality action plans and low emission strategies, designed to offset the impact on air quality arising from new development.*

F.78 The Air Quality Chapter of the updated Environmental Statement considers potential air quality impacts associated with the Proposed Development and the surrounding area. Air quality impacts from the Proposed Development would arise from dust associated with construction phase and increased traffic during construction and from the additional uses within the completed development. A preliminary Construction & Environmental Management Plan has been prepared, which explains how adverse impacts arising from the construction phase would be managed and controlled, including the impacts from dust and on air quality. A Dust Management Plan would be prepared for each phase of the Proposed Development to specify the mitigation measures required to control dust. The assessment of air quality within the updated ES concludes that the Proposed Development will lead to an insignificant impact during the construction phase and a negligible impact during the operational phase.

#### Planning Obligations & Conditions

- F.79 Policy I3 of SVALP2017 seeks to ensure that community facilities are provided in conjunction with development and conditions or planning obligations will be used to deliver new community facilities.
- F.80 The former Buckinghamshire County Council adopted Guidance on Planning Obligations for Education Provision (June 2010), which sets out the approach for collecting planning obligations to meet the costs of additional education infrastructure requirements generated by new housing developments.
- F.81 Paragraph 54 of the NPPF encourages the use of conditions or planning obligations to make development acceptable that would otherwise be unacceptable in planning terms. Paragraph 56 of the NPPF sets out the three tests that must all be met for planning obligations, which are as follows: 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. ID: 23b of the PPG provides further advice on when obligations should be used.
- F.82 Paragraph 55 of the NPPF deals with conditions. It states: *“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...”*. ID 21a-004-20140306 of the NPPG explains how the six tests for conditions should be applied.

F.83 Draft conditions have been discussed with BC and are agreed subject to minor amendments. In summary, it is anticipated that conditions will be agreed for the following matters: reserved matters relating to design and layout, construction management, landscaping, tree protection, ecology, drainage and flooding, archaeology, sustainability, commercial uses, waste, transport, noise and contamination.

## **Appendix G. MKC Validation Letter 23rd March 2015**



**Carole Mills**  
**Chief Executive**

**Anna Rose**  
**Service Director Planning and Transport**

**Our Ref:** 15/00619/OUT

**Your Ref:**

**Reply To:** Nicola Wheatcroft

**Direct Line:** 01908 252274

**e-mail:** nicola.wheatcroft@milton-keynes.gov.uk

SWMK Consortium  
C/O Mr Mark Hyde  
Januarys Consultant Surveyors  
7 Dukes Court  
54-62 Newmarket Road  
Cambridge  
CB5 8DZ

23rd March 2015

Dear Sir/Madam,

**Application no: 15/00619/OUT**

**Proposal: Outline permission for 2 x junction improvements and a new access onto A421 (priority left in/left out) (associated with Aylesbury Vale District Council planning application 15/00314/AOP)**

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

I am writing to acknowledge receipt of your application. I have checked the paper work submitted and I am treating the application as being valid. If I later find out that the submission is not valid, I will write to you again.

Your application will be posted on the Council's web site for the public to view. Personal details such as your signature, your personal e-mail address, and your personal telephone number will be removed from the documents posted on the web site. You can keep track of your application's progress through the Council's Planning Applications Public Access system via the following link [www.milton-keynes.gov.uk/publicaccess](http://www.milton-keynes.gov.uk/publicaccess). All of the information which is important in the decision making process can be viewed through Public Access. However, some background information held on the planning file can not be viewed through Public Access.

Every effort will be made to determine your application in the shortest time possible. However, should there be any delay in dealing with your application you will be notified of the circumstances and your permission requested for an extension to the statutory determination date stated below. Nevertheless I hope it will be possible to determine the application before this date.

If by **8th June 2015**, therefore, you have not been given a notice of a decision, and you have not agreed in writing that the determination period may be extended you may appeal to the Secretary of State. Appeals must be lodged within six months of that date unless the

**Development Management, Planning and Transport**  
**Civic Offices, 1 Saxon Gate East, Central Milton Keynes MK9 3EJ**  
**Planning Enquiries Direct Line (01908) 252358 Fax: (01908) 252211**  
**MK Council Tel: (01908) 691691**  
**[www.milton-keynes.gov.uk](http://www.milton-keynes.gov.uk)**

application has already been referred by the Authority to the Secretary of State for the Environment. Appeals must be made on a form which is obtainable from the Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN.

Yours faithfully,

A handwritten signature in dark ink, appearing to read 'Andrew Horner', with a long horizontal stroke extending to the right.

Head of Development Management

On behalf of:

**Nicola Wheatcroft - Senior Planning Officer**

## **Appendix H. Report to MKC DCC 17th November 2016**



**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.

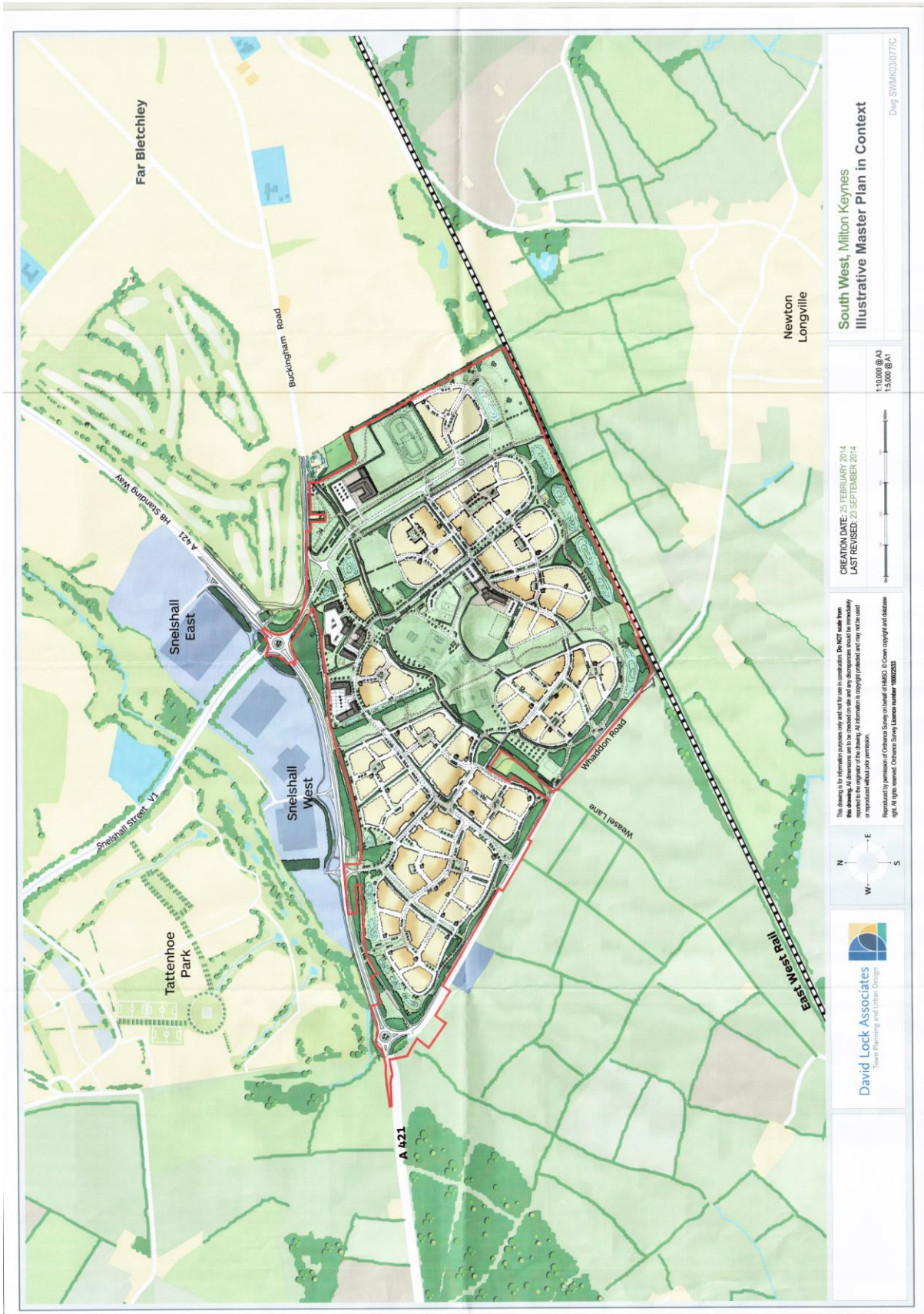
4. Details of any temporary accesses to site compounds / storage yards and any construction accesses shall be submitted to and approved in writing prior to commencement of works on site. The temporary access works shall be carried out in accordance with the approved details.

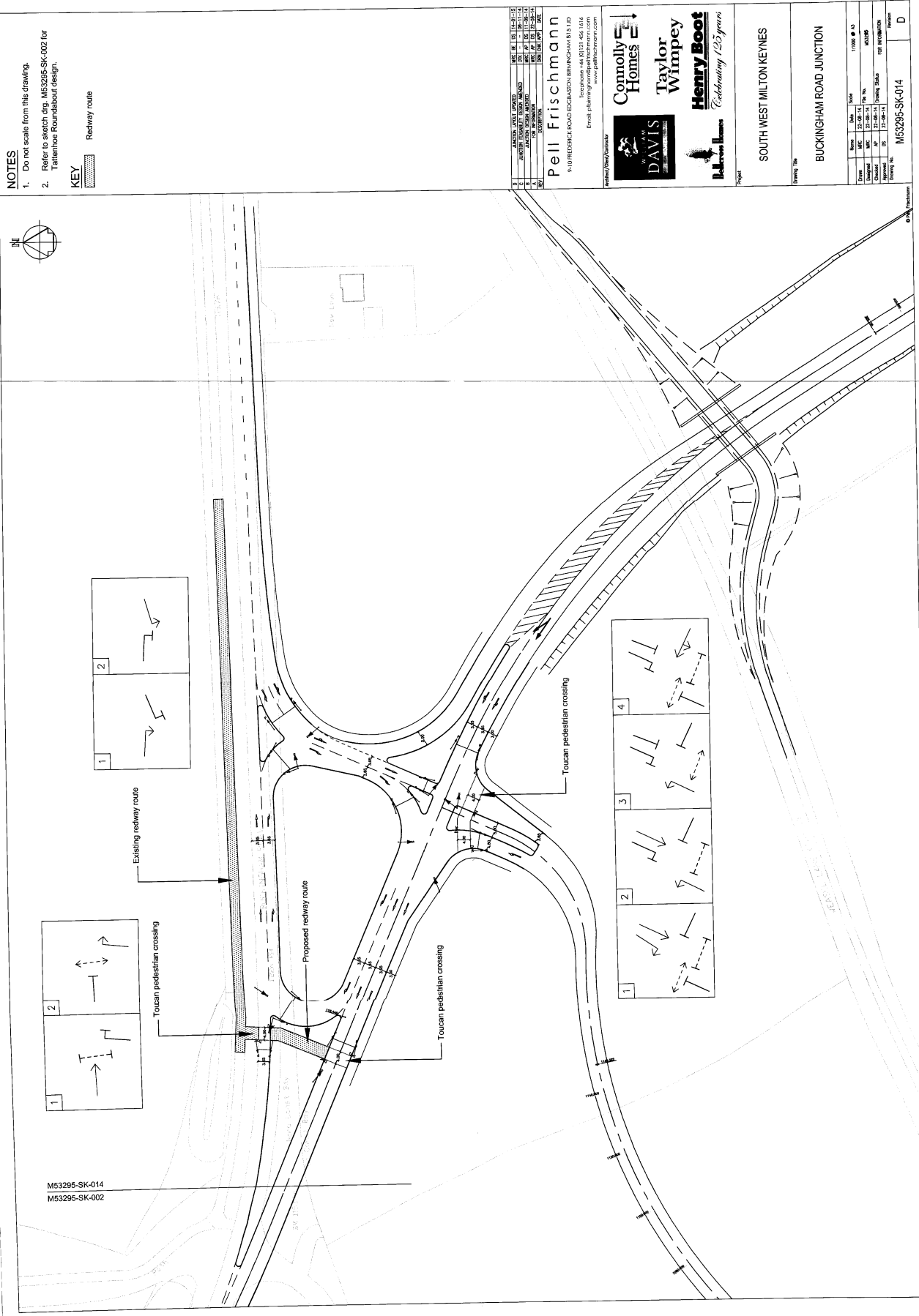
Reason: In the interest of highway safety within the locality.

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.







**NOTES**

1. Do not scale from this drawing.
2. Refer to sketch dng. M53295-SK-002 for Tallentree Roundabout design.

**KEY**

Redway route

M53295-SK-014  
M53295-SK-002

3	AMOUNT	UNIT	PRICE	M53	1	11.41	13
4	AMOUNT	UNIT	PRICE	M53	1	11.41	13
5	AMOUNT	UNIT	PRICE	M53	1	11.41	13
6	AMOUNT	UNIT	PRICE	M53	1	11.41	13
7	AMOUNT	UNIT	PRICE	M53	1	11.41	13
8	AMOUNT	UNIT	PRICE	M53	1	11.41	13
9	AMOUNT	UNIT	PRICE	M53	1	11.41	13
10	AMOUNT	UNIT	PRICE	M53	1	11.41	13
11	AMOUNT	UNIT	PRICE	M53	1	11.41	13
12	AMOUNT	UNIT	PRICE	M53	1	11.41	13
13	AMOUNT	UNIT	PRICE	M53	1	11.41	13
14	AMOUNT	UNIT	PRICE	M53	1	11.41	13
15	AMOUNT	UNIT	PRICE	M53	1	11.41	13
16	AMOUNT	UNIT	PRICE	M53	1	11.41	13
17	AMOUNT	UNIT	PRICE	M53	1	11.41	13
18	AMOUNT	UNIT	PRICE	M53	1	11.41	13
19	AMOUNT	UNIT	PRICE	M53	1	11.41	13
20	AMOUNT	UNIT	PRICE	M53	1	11.41	13
21	AMOUNT	UNIT	PRICE	M53	1	11.41	13
22	AMOUNT	UNIT	PRICE	M53	1	11.41	13
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31	AMOUNT	UNIT	PRICE	M53	1	11.41	13
32	AMOUNT	UNIT	PRICE	M53	1	11.41	13
33	AMOUNT	UNIT	PRICE	M53	1	11.41	13
34	AMOUNT	UNIT	PRICE	M53	1	11.41	13
35	AMOUNT	UNIT	PRICE	M53	1	11.41	13
36	AMOUNT	UNIT	PRICE	M53	1	11.41	13
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**Pell Frischmann**  
9-10 FREDERICK ROAD ECKINGTON BRIMMINGHAM B15 1JD  
Telephone: +44 (0)121 455 1114  
Email: [info@pellfrischmann.com](mailto:info@pellfrischmann.com)  
[www.pellfrischmann.com](http://www.pellfrischmann.com)

**Connolly Homes**  
**Taylor Wimpey**  
**Henry Boot**  
Celebrating 125 years

Project	SOUTH WEST MILTON KEYNES		
Drawing No.	M53295-SK-014		
Scale	1:1000 @ A3		
Drawn	MC	23-02-14	Rev. No.
Checked	MC	23-02-14	Rev. No.
Approved	MC	23-02-14	Rev. No.
Design No.	M53295-SK-014		
Sheet No.	D		





**NOTES**  
1. Do not scale from this drawing.

**Pell Frischmann**  
9-10 REDBURN ROAD, BIRMINGHAM B15 1JD  
Telephone: +44 (0)121 454 1114  
Email: [pell@pellfrischmann.com](mailto:pell@pellfrischmann.com)  
[www.pellfrischmann.com](http://www.pellfrischmann.com)

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**Taylor Wimpey**  
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*Celebrating 125 years*

Project		Drawing No.	
SOUTH WEST MILTON KEYNES		A421 STANDING WAY JUNCTION	
Drawn	27-01-13	Scale	1:1000 @ A3
Checked	27-01-13	Rev. No.	MCD20
Author	-	Drawing Status	FOR INFORMATION
Checker	-	Revision	B
Drawn By	MS3295-SK-008		



**NOTES**  
1. Do not scale from this drawing.



STATION	CHORD BEARING	CHORD DISTANCE	CHORD AREA	CHORD PERIMETER
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2	100° 00' 00"	100.00	0.00	100.00
3	100° 00' 00"	100.00	0.00	100.00
4	100° 00' 00"	100.00	0.00	100.00
5	100° 00' 00"	100.00	0.00	100.00
6	100° 00' 00"	100.00	0.00	100.00
7	100° 00' 00"	100.00	0.00	100.00
8	100° 00' 00"	100.00	0.00	100.00
9	100° 00' 00"	100.00	0.00	100.00
10	100° 00' 00"	100.00	0.00	100.00

**Pell Frischmann**  
9-10 FREEDOM ROAD EXHIBITION BRANSHAM B15 1JD  
Telephone +44 (0)1224 455 164  
Email: info@pellfrischmann.com  
www.pellfrischmann.com



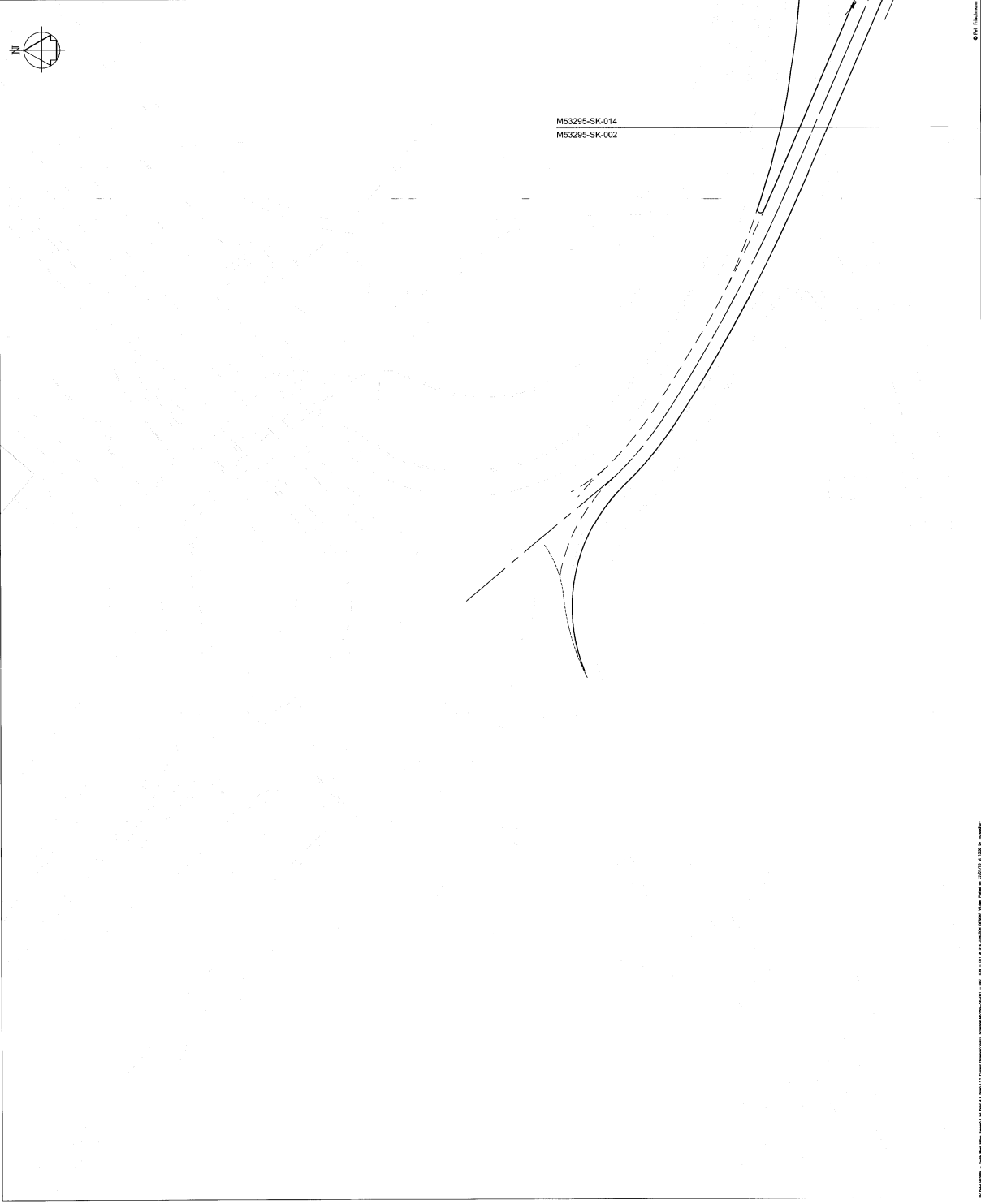
*Celebrating 125 years*

Project		South West Milton Keynes	
Drawing Title		WHADDON ROAD ACCESS JUNCTION	
Drawn	W.D.	Scale	1:1000 @ A3
Checked	M.C.	Date	21-12-13
Reviewed	-	For Information	M5235-SK-001
Drawn No.	-	Revision	D



**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	15/01/15	MD	MD
2	REVISION	15/01/15	MD	MD
3	REVISION	15/01/15	MD	MD
4	REVISION	15/01/15	MD	MD
5	REVISION	15/01/15	MD	MD
6	REVISION	15/01/15	MD	MD
7	REVISION	15/01/15	MD	MD
8	REVISION	15/01/15	MD	MD
9	REVISION	15/01/15	MD	MD
10	REVISION	15/01/15	MD	MD

**Pell Frischmann**  
9, 10 FREDERICK ROAD, LONDON, N1 1JF, UK  
Telephone: 020 7345 4444  
Email: info@pellfrischmann.com  
www.pellfrischmann.com

**Conolly Homes**  
**Taylor Wimpey**  
**Henry Boot**  
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<b>Project</b>		<b>Location</b>	
SOUTH WEST MILTON KEYNES		TATTENHOE ROUNDABOUT	
<b>Drawn</b>		<b>Scale</b>	
MD		1:1000 @ A3	
<b>Checked</b>		<b>Date</b>	
MD		15/01/15	
<b>Project No.</b>		<b>Revision</b>	
M53295-SK-002		E	

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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

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 I. Report to MKC DCC 9th March 2017**



Minutes of the DEVELOPMENT CONTROL COMMITTEE held on THURSDAY 9 MARCH 2017 at 7.00 pm.

**Present:** Councillor A Geary (Chair)  
Councillors: Alexander, Bint, Brackenbury (Substituting for Councillor Exon), Eastman, McLean, Miles (Substituting for Councillor Legg), Petchey, P Williams and C Wilson

**Officers:** B Leahy (Head of Development Management), K Lycett (Senior Planning Officer), A Smith (Senior Planning Officer), N Wheatcroft (Senior Planning Officer), S Taylor (Interim Planning Officer), P Caves (Highways Engineer), A Swannell (Highways Engineer), A Burton (Rights of Way Officer), R Armstrong (Rights of Way Officer), J Pearce (Senior Bridges Engineer), J Price-Jones (Solicitor – Planning) and D Imbimbo (Committee Manager).

**Apologies:** Councillors Exon, Legg and Morla

**Also Present:** Councillors Bald, M Bradburn, R Bradburn, Clancy, Exon, Green, Long, McDonald and Patey-Smith

Mr N Weeks (SMT Transport Consultants)

**Number of**

**Public Present:** approx. 70

## **DCC72 CHAIRMANS WELCOME**

The Chair welcomed Members of The Committee, Officers and Public to the meeting.

The Chair explained that due to personal circumstances he may have to leave the meeting and in which case as there was no Vice Chair present proposed that it be agreed that in the event that he was called away Councillor McLean be appointed Vice Chair for the meeting and take the Chair in the Chair's absence, this was seconded by Councillor Eastman, on being put to the vote the motion was carried.

RESOLVED –

That Councillor McLean be appointed Vice Chair for the duration of the meeting.

**DCC73****MINUTES OF PREVIOUS MEETING****RESOLVED –**

That the minutes of the Meetings of the Development Control Committee held on 17 November 2016 and 2 February 2017 and the meetings of the Development Control Panel on 15 December 2016 and 19 January 2017 be agreed as accurate records, and be signed by the Chair as such, subject to an amendment to the resolution at minute DCC49 application 15/00619/FUL to read;

‘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 any further legal implications.’

The Committee heard from Mr Galloway (Clerk to Newton Longville Parish Council) in consideration of the Item.

**DCC74****DECLARATION OF INTERESTS**

Councillor Brackenbury asked that it be noted that in respect of application 16/01475/FUL, being Ward Councillor had attended a meeting organised by the Parish Council where concerns of the Parish had been expressed and the applicant had made comment, he, however, had not expressed a view and would consider the application on its merit.

Councillor Brackenbury asked that it be noted that in respect of application 16/02105/FUL, being Ward Councillor had made comment when consulted that the matter should go before the Committee, he, however, had not expressed a view and would consider the application on its merit.

Councillor Bint asked that it be noted that in respect of application 16/01475/FUL, he was a member of the MK Forum who had submitted objections to the scheme however, he had not had any discussion in respect the application and would judge it on its merits.

Councillor Petchey asked that it be noted that in respect of application 16/01475/FUL, he was a member of the Executive Scrutiny Committee that had considered a community right to buy application; he had not had any discussion in respect the application and would judge it on its merits.

Councillors A Geary and Bint made the same declaration.

Councillor Eastman stated that he was Chair of the Executive Scrutiny Committee, however, he had not had any discussion in respect the application and would judge it on its merits

Councillor Petchey asked that it be noted that in respect of application 16/03520/MKCOD3 he was a member of the Parish Council, but had not been involved in any of the discussions in respect of this matter and would judge the application on its merits.

Councillor Miles asked that it be noted that in respect of application 16/01475/FUL, he was a Trustee of the Parks Trust (The Landowners) and would therefore take no part in the determination of the application.

Councillor Eastman asked that it be noted that in respect of application 16/02904/FUL, being Chair of Newport Pagnell Town Council he was aware of the application but had not taken part in any discussion on the matter or expressed a view and would consider the application on its merit.

Councillor A Geary asked that it be noted that in respect of application 16/02904/FUL, being Ward Councillor he was aware of the application but had not taken part in any discussion on the matter or expressed a view and would consider the application on its merit.

## **DCC75**

### **QUESTIONS FROM MEMBERS OF THE PUBLIC**

- (a) Question from Councillor T Baines (Campbell Park Parish Council) to Councillor A Geary.

‘Following the decision to reduce the number of Planning Enforcement officers in MKC what levels of planning enforcement can we realistically expect?’

The Chair indicated that the decision had been made by Full Council at its budget meeting, however it was anticipated that alternative arrangements would ensure that the post would not be deleted. It was further commented that it was anticipated that an enforcement plan would be presented to the Committee at its Special meeting on 30 March 2017

Councillor Baines asked a supplementary Question;

‘At a recent meeting at Campbell Park Parish Council with Brett Leahy and Gavin Treen we were shown the plans for 2 teams of Enforcement Officers, this has now obviously changed. More worryingly was a response to a question re enforcement from Mr Treen " just because somebody is doing wrong does not mean he or she will be punished". Is this MKC Planning enforcement going back to ‘Woolly’ at best and non-existent at worst?’

The Chair told Councillor Baines that should he be able to provide more detail of any specific cases a written response would be provided.

- (b) Question from Mr Galloway to Councillor A Geary.

On 17th November the committee robustly objected to a consultation on a planning application submitted to Aylesbury Vale District Council including a decision that the chair of DCC would attend the AVDC meeting to give the objections. However since then, no objection has actually been sent to AVDC. Why not and when will it be sent to AVDC. If there is some difficulty coming up with suitable wording may I suggest that the excellent letter of objection submitted by Milton Keynes Council to the



similar application in 2010 be used as a base. Much of the points made then apply just as much now.

The Chair told Mr Galloway that there had been a delay due to the complex nature of the matter, however a letter had been signed by him and had been sent to Aylesbury Vale District Council.

Mr Galloway asked a supplementary Question;

Could it be ensured that it was added to the online system so that it could be viewed.

The Chair confirmed that the letter was a response to Aylesbury Vale District Council and that he was sure they would publish it in accordance with their procedures.

**DCC76**

**DELEGATION OF POWERS UNDER SECTION 257 TOWN & COUNTRY PLANNING ACT 1990 CALVERTON FOOTPATH 52 (PART) EXTINGUISHMENT**

The Committee considered a report in respect of the Delegation of powers under Section 257 Town and Country Planning Act 1990 relating to the extinguishment of a part of Calverton Footpath 52.

The Committee sought clarity as to process and why the footpath was to be extinguished rather than diverted. It was noted that in respect of process, should during the consultation stage an objection that cannot be resolved be received the matter would be brought before the Committee, if there was no objection then the order would be completed. It was further noted that in this instance the footpath, which currently runs through a building site, would be replaced by various highways and Red ways.

Councillor A Geary proposed that the powers under section 257 Town and Country Planning Act 1990 be delegated to the Rights of Way Officer, this was seconded by Councillor McLean and on being put to the vote was carried, and it was;

RESOLVED –

That powers under Section 257 of the Town and Country Planning Act 1990 for the extinguishment of Calverton Footpath 52 (Part) be delegated to the Rights of Way Officer.

**DCC77**

**DELEGATION OF POWERS UNDER SECTION 257 TOWN & COUNTRY PLANNING ACT 1990 CALVERTON FOOTPATH 56 (part) EXTINGUISHMENT**

The Committee considered a report in respect of the Delegation of powers under Section 257 Town and Country Planning Act 1990 relating to the extinguishment of a part of Calverton Footpath 56.

The Committee sought clarity as to process and why the footpath was to be extinguished rather than diverted. It was noted that in respect of process, should during the consultation stage an objection that cannot be resolved be received the matter would be brought

before the Committee, if there was no objection then the order would be completed. It was further noted that in this instance the footpath, which currently runs through a building site, would be replaced by various highways and Red ways.

Councillor A Geary proposed that the powers under section 257 Town and County Planning Act 1990 be delegated to the Rights of Way Officer, this was seconded by Councillor McLean and on being put to the vote was carried, and it was;

RESOLVED –

That powers under Section 257 of the Town and Country Planning Act 1990 for the extinguishment of Calverton Footpath 56 (Part) be delegated to the Rights of Way Officer.

**DCC 78**

**DELEGATION OF POWERS UNDER SECTION 119 HIGHWAYS ACT 1980 BRIDLEWAY 4 NEWTON BLOSSOMVILLE (PART) AND BRIDLEWAYS 2 & 3 COLD BRAYFIELD (PART)**

The Committee considered a report in respect of the Delegation of powers under Section 119 Highways Act 1980 Bridleway 4 Newton Blossomville (part) and Bridleways 2 & 3 Cold Brayfield (part).

Councillor A Geary proposed that the powers under Section 119 Highways Act 1980 Bridleway 4 Newton Blossomville (part) and Bridleways 2 & 3 Cold Brayfield (part) be delegated to the Rights of Way Officer, this was seconded by Councillor McLean and on being put to the vote was carried unanimously, and it was;

RESOLVED –

That powers under Section 119 Highways Act 1980 for the diversion of Bridleway 4 Newton Blossomville (part) and Bridleways 2 & 3 Cold Brayfield (part) be delegated to the Rights of Way Officer.

**DCC79**

**DELEGATION OF POWERS UNDER SECTION 257 TOWN & COUNTRY PLANNING ACT 1990 HANSLOPE PARISH FOOTPATH 38 (PART)**

The Committee considered a report in respect of the Delegation of powers under Section 257 Town and Country Planning Act 1990 relating to the diversion of a part of Hanslope Parish Footpath 38

Councillor A Geary proposed that the powers under Section 257 Town and Country Planning Act 1990 relating to the diversion of a part of Hanslope Parish Footpath 38 be delegated to the Rights of Way Officer, this was seconded by Councillor McLean and on being put to the vote was carried unanimously, and it was;

RESOLVED –

That powers under Section 257 Town and Country Planning Act 1990 relating to the diversion of a part of Hanslope Parish Footpath 38 be delegated to the Rights of Way Officer.

**DCC80****REPRESENTATIONS ON APPLICATIONS**

Mr S Heath, Dr J Gandolfi, Councillor E Thomas (West Bletchley Council), Mr M Galloway (Clerk to and representing Newton Longville Parish Council), Councillor J Nicolas (Shenley Brook End and Loughton Parish Council, Councillor N Long (Ward Councillor) and Councillor A Clancy (Ward Councillor) spoke in objection to application 15/00619/FUL, Physical improvements to the Bottle dump 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.

The applicant's agent, Mr M Paddle exercised the right of reply.

Mr J Partridge, Mr S Heath, Mr T Skelton, Councillor J Alexander (Bradwell Parish Council), Councillor M Bradburn (Ward Councillor), Councillor Exon (Ward Councillor) and Councillor R Bradburn (Ward Councillor) spoke in objection to application 16/01475/FUL, Demolition of existing public house and erection of 27 dwellings and single storey D1 use building for a community hall with associated new/alterations to vehicle accesses and car parking to east of St Augustine's Church at Site at The Suffolk Punch, Langcliffe Drive, Heelands.

The applicant's agent, Mr S Chapman exercised the right of reply.

Mr B Steadman, Councillor T Baines and Mr C Mead (Campbell Park Parish Council) and Councillor McDonald (Ward Councillor), spoke in objection to application 16/03520/MKCOD3, Construction of a new teaching block with associated additional staff and drop-off car parking at Site Orchard Academy, Springfield Boulevard, Springfield.

The applicant's agent, Mr M Rudman and the Applicant Mr M Shotton exercised the right of reply.

Ms D Sutton and Councillor Green (Ward Councillor), spoke in objection to application 16/02904/FUL, Demolition of one dwelling and erection of ten flats at 2 Westbury Lane, Newport Pagnell.

The applicant's agent, Ms S Turnbull exercised the right of reply.

**DCC81****PLANNING APPLICATIONS****15/00619/FUL**

**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**

The Senior Planning Officer introduced the application with a presentation. The Committee heard representations from members of the public, Parish Councils and Ward Councillors in objection to the application, raising the following concerns;

- The Transport Assessment remains inadequate, incomplete and 'unevidenced'.
- No consultation has been undertaken with objectors by the Highways Officers.
- The modelling of the Transport Assessment is flawed.
- The data used for analysis is 3 years old and no longer valid and takes no account of new development in the interim and does not take account of future development on Tattenhoe and Kingsmead.
- Pedestrian and Cycle access has not been adequately assessed and the impacts on Hamilton Lane.
- The application for Highways works ought to be considered in the context of the wider application for the residential estate and the other facilities provided therein.
- The proposals will cause severe traffic congestion rather than alleviate any potential problems.
- The application ought not be considered before the main application was determined by Aylesbury Vale District Council.
- Milton Keynes Council approving this application would suggest that the determination made by the Committee to object to the main proposal to develop the estate it was to serve was not serious.
- There is an obligation on the Council to work with the adjacent Authorities in assessing the application, this has not taken place.
- Paragraph 32 of the National Planning Policy Framework has not been taken account of.

The applicants agent told the Committee that the Transport Assessment a thorough

assessment of transport issues had been undertaken over the last two years and consultation undertaken with all major stakeholders.

The Committee heard that a revised Transport Assessment had been submitted in August 2016 using modelling advised by relevant bodies from the relevant Councils and Highways England. The Assessment takes account of post-development impact. This demonstrated that there would be no negative impact from the development beyond the 2026 baseline and the proposals would assure this was the case.

The Senior Planning Officer told the Committee that it was not being asked to consider the potential congestion from the proposed build on Salden Chase but rather an application to conduct road improvements to the adjacent road. The committee would therefore have to determine the application on the situation as it was at this time, and confirmed that the recommendation remained to grant the application.

The Transport Consultant confirmed that the application took account of the Milton Keynes transport model.

Councillor Bint sought clarification from the applicants agent as to what account had been taken of approved but as yet unbuilt developments and any other potential developments, and also what split of traffic had been considered when assessing traffic travelling from Milton Keynes to Buckingham and the reverse.

The applicants agent confirmed that the model took account of various local plan projections in its construction including all major highway schemes proposed. In respect of the split he was unable to provide that figure but the detail was available in the assessment.

Councillor Bint sought Clarity from an objector, Mr Heath, what engagement had been had between him and officers. Mr Heath confirmed there had been no contact.

Councillor A Geary proposed that the Officer recommendation to grant the application be

agreed, this was seconded by Councillor McLean.

Councillor C Wilson expressed a view that despite this application being separate from the proposed adjacent development it was not possible to make an informed decision before knowing what the future position would be.

Councillor C Wilson proposed that the determination of the application be deferred until Aylesbury Vale District Council (AVDC) have determined the application to develop the Salden Chase estate, this was seconded by Councillor Miles.

Councillor Bint stated that in the event that the determination was deferred it should also be to allow Officers of the Council to engage with the relevant objectors, and in particular Mr Heath, to examine the modelling used to complete the transport assessment and consider any evidence provided by other parties. There was also a need to consider what the nature of the school on the estate would be to assess the impact on traffic that would have and also a need to assess adequately whether those who later occupy the estate would use facilities such as employment, shopping and Rail links in Milton Keynes or Aylesbury.

On being put to the vote the motion to defer the application until AVDC have determined the application to develop Salden Chase was carried unanimously, and it was;

RESOLVED –

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

**16/01475/FUL**

**DEMOLITION OF EXISTING PUBLIC HOUSE AND ERECTION OF 27 DWELLINGS AND SINGLE STOREY D1 USE BUILDING FOR A COMMUNITY HALL WITH ASSOCIATED NEW/ALTERATIONS TO VEHICLE ACCESSES AND CAR PARKING TO EAST OF ST AUGUSTINE'S CHURCH AT SITE AT THE SUFFOLK PUNCH, LANGCLIFFE DRIVE, HEELANDS FOR HIGH STREET HOMES**

The Senior Planning Officer introduced the application with a presentation. The Committee heard following the deferral by the Committee the scheme had been amended to replace the originally proposed nursery with a Community Hall.

It was noted that a number of representations had been received since the publication of the agenda and these had been detailed in the published update reports, it was further commented that an additional condition in respect of recording the existing structure on the site.

The Senior Planning Officer confirmed that the Officer recommendation was to grant the application subject to the conditions as detailed in the Committee report together with the additional condition in respect of recording the existing structure and a S106 agreement to secure the provision of a community hall building and associated parking, or a financial contribution of £208k and granting of land in lieu of the Community Hall with details of the S106 agreement to be agreed by the Head of Development Management following Consultation with the Chair and Vice Chair.

The Committee heard from Objectors who raised the following concerns;

- Loss of amenity for residents.
- A Complete Change in the use of the land.
- A total absence of consultation from the developers.
- The density of the site at 55dph does not comply with Local Policy or National standards.
- The lack of affordable housing provision.
- The proposed provision of a Community Hall is not a provision of a Community Centre which is a different facility.
- The Community hall has limited capacity being one storey rather than 2 and fails to provide for the wider needs of the community as a facility of this nature

should by virtue of being too small and having no capacity for adaptability.

- The proposed Community Hall has limited storage space and kitchen facility
- In general the proposal represents an overcrowded unpopular development that is against the wishes of the residents.
- There are covenants on the site from the Milton Keynes Development Corporation when the site was gifted to the Parks Trust in 1992.
- The granting of planning permission does not convey a right to break the covenants and Milton Keynes Council should not be complicit in condoning any breaking of the Covenants.
- Should the land be given to the Council and a Community centre be built it would necessitate breaking the covenant, although a legal method exists to remove the covenant.
- Should the Committee be minded to approve the application, clauses should be added to the S106 requiring compliance with the covenants or legally removed.
- The proposed layout of the development fails to recognise the requirement to set the rear gardens away from traffic noise on the V7 Saxon Street or take account of the position of the sun.
- Proposed rear fences are 2.4 meters high which is greater than the norm.
- Rear living rooms also face north and do not get sun. proposals do not comply with policy CS17 of the Core Strategy
- The Parish Council does not believe that it should supplement the developers' obligation to provide the facility financially.
- The Suffolk Punch was a successful pub that provided for the wider needs of the Community and is an asset that should not be lost.



- The Public House remains a viable option that local public House suppliers would welcome the option to take the site over.
- Plans presented to the Parish Council bear no relationship to the plans in the report.

The Committee heard from the applicant's agent that the proposal was to develop a sustainable brown field site with dwellings aimed at first time buyers and older people. A viability appraisal has been supplied which supports the developers position in respect of the lack of provision of affordable housing, it should be noted that the developer has also accepted a lower profit margin than might ordinarily be expected to ensure that the development can be delivered. The scheme does however provide for a contribution of the equivalent of £283k for the community hall and land. The Site is constricted by the presence of two water mains and is designed to accommodate them.

The Senior Planning Officer confirmed that the layout of the site was considered appropriate in the context of the site despite the concerns raised in respect of sunlight.

The Committee heard that no consultation had been undertaken with the Parish Council in respect of what was required for a Community Hall, however the developers agent confirmed that it was proposed that a 9 month period be agreed to allow for that process to be undertaken.

Councillor A Geary proposed that the Officer recommendation be agreed, this was seconded by Councillor McLean.

Members of the Committee recognised that the site was constrained by numerous issues and expressed some concern about the sustainability of the site in lieu of the viability assessment, however it was recognised that the developer had sought to provide for a community facility to replace the public house.

It was further commented that a requirement should be placed on the current owner of the land to ensure that covenants are cleared to avoid any liability on the part of the Council.

Members of the Committee also expressed concern that the Community Hall did not have the support of the Parish Council as there was a risk that it would incur financial liabilities if the facility was not adequate to support the various groups that might ordinarily be expected to use it and thereby generate an income.

Councillor A Geary told the Committee that he wished to commend the Ward Councillors for the work they have undertaken in seeking to find a resolution to the situation between the developer's and residents. He further commented that he recognised the issues in respect of affordable housing, but that the viability assessment supported the developer's stance, and simply put the Committee had to decide between the provision of one affordable unit and a community hall. He asked that the Committee also note that it was proposed to allow a period of 9 months to negotiate an agreed design for the community hall.

The Senior Planning Officer confirmed that amendments had been made to the scheme to take account of many of the comments of the Urban Design Officer's and that this had not been made clear in the report.

The Committee also heard that in his view the Senior Planning Officer considered that the density was in keeping with the area.

The Head of Development Management told the Committee that the recommendation being put to the Committee was in response to the reason for deferral when the matter was last at committee to seek to negotiate the community hall that was acceptable to the Parish Council. The key changes that had been negotiated with the developer were that the land would be transferred for free to the Parish Council and an added condition to enter negotiation with the applicant within a nine month period to formulate a design that is acceptable to all parties, this being a design capped by the £208k. If that fails there remains a backup clause which allows for the Parish Council to take free ownership of the land and receive a sum of £208k which it would be able to use as it saw fit to provide the community facility it wanted.

The Committee also heard that Policy H7 was engaged in the case of this application the site being a Brown Field site and therefore capable of being redeveloped.

The Committee further heard that the applicant was accepting a 13% profit margin rather than the industry standard 20% to allow for the scheme to be delivered and to include the community facility, there remained a risk that if the application was refused but later allowed on appeal, there was no guarantee that the financial concessions would be required and the facility could be lost altogether.

The Head of Development Management advised that the reference to a plan condition in the recommendation was to allow for the addition of a condition to enable the submission of revised plans for the community hall.

Councillor Brackenbury left the meeting due to personal circumstances.

On being put to the vote the proposal to grant the application subject to the conditions set out in Section 6 of the DCC report, a plan condition, a recording condition as detailed in the Update Paper, and a Section 106 Legal Agreement to secure the provision of the community hall building and associated parking or a financial contribution of £208,000 and transfer of land in lieu of the provision of the community hall with detail of the Section 106 Legal Agreement to be agreed with the Chair and Vice Chair

#### RESOLVED –

That planning permission be granted subject to the conditions as set out in Section 6 of the DCC report, a plan condition, a recording condition as detailed in the Update Paper, and a Section 106 Legal Agreement to secure the provision of the community hall building and associated parking or a financial contribution of £208,000 and transfer of land in lieu of the provision of the community hall with detail of the Section 106 Legal Agreement to be agreed with the Chair and Vice Chair

**CONSTRUCTION OF A NEW TEACHING BLOCK WITH ASSOCIATED ADDITIONAL STAFF AND DROP-OFF CAR PARKING AT ORCHARD ACADEMY, SPRINGFIELD BOULEVARD, SPRINGFIELD FOR MILTON KEYNES COUNCIL**

The Senior Planning Officer introduced the application with a presentation. The Committee heard that additional representations had been received following publication of the agenda which had been detailed in the published update report.

The Committee heard from objectors who raised concerns in respect of the traffic congestion caused by both drop off and collection and the staff parking arrangements.

Concern was expressed in respect of road safety which was poor and would be exacerbated by the increased level in traffic movement. There also remained concern about the parking provision which included tandem parking. It was suggested that there were viable alternative options that could be explored and it was requested that the Committee defer the determination of the application to allow a travel plan to be developed in advance of approval of planning permission, and alternative parking arrangements be considered, particularly looking to use a reserved site at the front of the site.

The applicant's agent confirmed that extensive examination of the traffic issues had been undertaken and that the site was highly sustainable in transport connection terms. It was contested that the school expansion would provide for improved parking arrangements both on and off site through the provision of additional parking bays. It was further commented that analysis suggested that although there would be an increase in the number of trips many of these would be by sustainable means rather than vehicular.

The Highways Engineer confirmed that tandem parking was proposed this was not the Councils preferred option but was, in the circumstances, considered acceptable.

It was further confirmed that the parking

standards were met with a slight over-provision of spaces.

The Senior Planning Officer confirmed that the recommendation remained to grant the application subject to the conditions as detailed in the Committee report.

Councillor a Geary proposed that the Officer recommendation be agreed, this was seconded by Councillor McLean.

It was commented that a 60% increase in pupil numbers was likely to see more than a 60% increase in traffic movement as new pupils were likely to come from further afield, there was also a concern that tandem parking could lead to staff opting to park in school drop off spaces.

It was further recognised that spaces identified as new that were presently listed as curbside spaces would in reality already be in use and therefore whilst newly introduced into the calculations were in reality already occupied.

Members of the Committee further commented that the lack of a completed travel plan made determination of the application problematical.

The Chair reminded the Committee that it was only whether a problem would be exacerbated that the Committee could consider not any existing problem and further supported the notion that the lack of a completed travel plan did not make that clear.

Councillor Bint proposed that an additional condition be added to require a parking plan to be provided in addition to the travel plan, this was seconded by Councillor Miles, the Chair having moved the substantive motion accepted the amendment.

On being put to the vote the proposal to grant the application, subject to the conditions as detailed in the Committee report together with the additional condition in respect of a parking plan was lost.

Councillor Bint proposed that determination of the application be deferred to for additional work to be done to consider and report back on the options available to address concerns raised by objectors and deliver a completed travel plan.

This was seconded by Councillor A Geary.

On being put to the vote the proposal to defer determination of the application to was carried unanimously, and it was;

RESOLVED –

That determination of the application be deferred to allow for additional work to be done to consider and report back on the options available to address concerns raised by objectors and deliver a completed travel plan.

**16/02904/FUL**

**DEMOLITION OF ONE DWELLING AND  
ERECTION OF TEN FLATS AT 2 WESTBURY  
LANE, NEWPORT PAGNELL, FOR  
SIGNATURE HOMES MILTON KEYNES**

The Senior Planning Officer introduced the application with a presentation. The Committee heard that representations had been received following publication of the agenda which have been published in the update report.

A Site Inspection had been undertaken attended by Councillors A Geary, Eastman, Petchey and Green.

An additional condition was proposed, to read;

‘The windows in the first and second floor on the north west elevation facing towards No.4 Westbury Lane and the south east elevation facing towards No.2A Westbury Lane shall be obscurely glazed to a level of obscurity of level 3 within the Pilkington range of Textured Glass or equivalent and be non-opening below 1.7 metres from finished floor level. These windows shall not be altered to clear glazing or another opening method thereafter without the prior written consent of the Local Planning Authority.

Reason: To safeguard the amenity and privacy of the adjoining residential occupiers, in the interests of saved policy D1(iii) of the Milton Keynes Local Plan 2001-2011’

The Committee heard that the recommendation remained to grant the application subject to the conditions as detailed in the Committee report together with the additional condition as detailed above.

The Committee heard representations from

Objectors who raised the following concerns;

- The site would better serve a development of small bungalows which would be more in keeping with the area.
- The proposed structures are large and would overpower the bungalows immediately adjacent to the site.
- The bedrooms at the rear of the adjacent bungalows will be affected by noise and light from the proposed siting of the bin store and car parking areas.
- There is insufficient amenity space for washing lines and children's play areas.
- 18 parking spaces is not sufficient and will encourage parking on Westbury Lane.
- The proposals are in contravention of policies D1 impact on neighbouring properties, policy D2 design of the buildings, policy T10 traffic and highway safety and policy H7, housing on unidentified sites.

The Applicant's agent told the Committee that the principle of redeveloping the site was in accordance with policy. It was further commented that the Highways Officer had raised no concerns in respect of Highway Safety and the scheme was designed to respect neighbouring properties having been set apart from them and did fit the street scene which had a mix of housing styles.

Councillor A Geary proposed that the Officer recommendation to approve the application, subject to the conditions as detailed in the Committee report and the additional condition as detailed above be agreed, this was seconded by Councillor McLean.

Councillor A Geary stated that he did not believe that the proposed development fitted in with the street scene and could not support the application in its current form.

On being put to the vote the proposal to grant the application subject to the conditions as detailed in the Committee report and the additional condition as detailed above was carried, and it was;

RESOLVED –

That planning permission be granted subject to the conditions as detailed in the Committee report and the additional condition as detailed above.

16/02105/FUL

**ERECTION OF BLUE LIGHT HUB  
EMERGENCY SERVICES FACILITY  
INCLUDING ACCESS, EMERGENCY EXIT  
AND LANDSCAPING AT LAND TO NW OF,  
THORNBURY, WEST ASHLAND FOR  
BUCKINGHAMSHIRE FIRE AND RESCUE  
SERVICE**

The Senior Planning Officer told the Committee that following the determination of the application by the Committee the application was being returned to DCC for consideration of an amendment to the previously stated financial contributions as set out in the Committee report. In order to facilitate this the Committee was requested to rescind the previous decision and consider the amended application.

The Senior Planning Officer confirmed that the recommendation remained to grant the application as amended.

Councillor A Geary proposed that the Officer recommendation be agreed, this was seconded by Councillor McLean.

It was noted that the building was considered to be an exemplary example of a Carbon Neutral Building and therefore the Carbon levy did seem inappropriate in this instance.

The Committee expressed some concern that the information in respect of what the contribution would be was fully available when the application was originally considered and opportunity had been available to make comment at that time, which did not happen, the proposal had a risk associated of setting a precedent.

It was further commented that as the proposed amendments were to free money to provide for a fire engine which was in the interests of public safety the circumstances could be considered



exceptional.

It was however commented that having made the case for the removal of contributions for Public Art and Carbon Offset, the contribution proposed for parking restriction and traffic control was justified.

Councillor C Wilson proposed that the full contribution to Carbon Offset be required, the proposal failed to find a seconder.

Councillor Petchey proposed that the full contribution to public art be required, Councillor C Wilson seconded the proposal which on being put to the vote was lost.

On being put to the vote the proposal to grant the application to accept the revised contributions as detailed in the Committee report was carried.

On being put to the vote the proposal to the previous decision of the Committee was carried, and it was;

#### RESOLVED

1. That planning permission be granted subject to the conditions set out at the end of the Committee report and subject to the completion of a new s106 agreement to secure a fixed sum contributions for the implementation of parking restrictions as stated in Section 5.4 of the report.
2. That the previous decision of the Committee be rescinded.

THE CHAIR CLOSED THE MEETING AT 11:09 PM