

Your ref: Neighbourhood Plan
Our ref: Wolverton Road
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Date: 12/12/22

Development Plans
Milton Keynes Council

Via Email Only: neighbourhoodplanning@milton-keynes.gov.uk

Dear Sir/Madam

**HAVERSHAM-CUM-LITTLE LINFORD NEIGHBOURHOOD PLAN – REGULATION 16
CONSULTATION RESPONSE
VISTRY GROUP LTD**

Thank you for the opportunity to comment on the Haversham-cum-Little Linford Neighbourhood Plan as submitted to the Council on 24th October 2022. Bidwells act on behalf of Vistry Group who control land to the west of Wolverton Road, New Haversham (please see enclosed site plan). We have promoted parts of this land to the Parish Council throughout the earlier stages of preparing the Plan and during this process met with representatives of the Parish Council to discuss the merits of allocating part of the land within Vistry's control for residential development.

As was expressed to the Parish Council through the Regulation 14 consultation in March 2022, Vistry are disappointed that the Parish Council have not seen the benefit of the opportunity offered by allocating an area of their site in the Neighbourhood Plan, which could deliver in the order of 50 homes. As is set out further below, whilst we understand the desire of the Parish Council to focus on 'small' sites, Vistry are disappointed that residents have not had a chance to comment of the merits of a slightly larger site and the benefits it would bring. They also do not believe that the approach to allocating sites leads to a Plan which satisfies the basic conditions set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 that neighbourhood plans are required to satisfy.

Alongside the concern with the allocations process, we have addressed additional concerns with the Plan below, making it clear where we think either the approach of the Parish Council or the policies of the Plan do not satisfy the basic conditions.

The allocation of land for housing

Through our engagement on the Neighbourhood Plan, we have made it clear to the Parish Council that we do not believe the approach taken is robust and will satisfy the basic conditions. Whilst it is positive that the plan is seeking to allocate housing, the approach to limiting sites to 1 hectare is not justified by the evidence, nor do we believe that the site selected for development will contribute to delivering sustainable development, therefore failing two of the basic conditions.

As we set out in our Regulation 14 response to the Parish Council, the Planning Practice Guidance for Neighbourhood Plans (paragraph: 040 Reference ID: 41-040-20160211) sets out:

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Proportionate, robust evidence should support the choices made and the approach taken. The evidence should be drawn upon to explain succinctly the intention and rationale of the policies in the draft neighbourhood plan or the proposals in an Order.

It goes on to state (Paragraph: 072 Reference ID: 41-072-20190509):

In order to demonstrate that a draft neighbourhood plan or Order contributes to sustainable development, sufficient and proportionate evidence should be presented on how the draft neighbourhood plan or Order guides development to sustainable solutions.

The rationale for focusing on sites of under 1 hectare is not justified by the evidence base. Whilst there has been engagement, which is used to justify the decision, no question was asked in the 2018 questionnaire about the size of site preferred, with residents only asked about what type of housing was important to them and there are only a couple of individual comments noted in the Appendix B of the questionnaire results which make reference to any development being 'small scale'.

The evidence base for the Neighbourhood Plan does include the results of a Housing Need survey, prepared to specifically identify the likely level of housing need in the Parish over the next five years (although we note this does not appear to have been submitted to Milton Keynes Council alongside the Neighbourhood Plan). This indicated that 33 households expressed as housing need and a further 27 identified people with a local connection to the village who want to set up home in Haversham. The Parish Council's own evidence therefore indicates a housing need far greater than the 16 homes that land has been identified for in the Plan.

We therefore do not believe that the general approach to limiting the size of sites to 1 hectare is justified as it is not based on evidence, as required by the Planning Practice Guidance. This means the Plan fails to satisfy the basic condition for neighbourhood plans to have regard to national policy and guidance.

Additionally, the consultation undertaken by the Parish Council and the site assessment work both indicate that site 6 (Vistry's site) is a) residents preferred location for development and b) the most sustainable location for development. The site selection process is therefore also not justified by the evidence as required by national guidance, as required to satisfy the basic conditions.

The Basic Conditions Statement appears to indicate that the decision to limit the size of the site to 1ha is in part due to the desire to ensure sustainable travel. This is the first time we are aware of this reasoning being set out. The justification fails to recognise that although 'New' Haversham is a village, it is in close proximity to Wolverton railway station (under 1.5km) which is accessible both on foot and bicycle, with the village also benefiting from a regular bus service which connects into Wolverton and Central Milton Keynes. 'New' Haversham is therefore a sustainable location for development and the justification set out in the Basic Conditions Statement for limiting development to 1ha, particularly in light of the evidence on need, is not justified.

The selected site for residential development is located away from what services and facilities are in the village particularly the school and bus stops. It has potential for ecological value (as it is not a managed arable field), and is referred to as falling within an Area of Attractive Landscape (noting, although this designation no longer exists in the Local Plan, it is an indication of enhanced landscape value in this area). The size of the site also indicates that it will only deliver limited affordable housing compared to a larger site.

Therefore, in addition to not according with national planning policy guidance, Vistry's view is that both in terms of the overall justification for limiting the size of the site to 1ha and the selection of the site, the Neighbourhood Plan does not satisfy the basic condition of contributing to sustainable development.

Policy HLL4 – Zero Carbon Buildings

Policy HLL4 seeks to deliver ‘zero carbon ready’ development. As we set out to the Parish Council in our Regulation 14 representation, we do not feel this policy is properly justified nor is it in general conformity with the strategic policies of Plan:MK, which includes policy SC1 - Sustainable Construction (clarified in Appendix J of Plan:MK).

Whilst the overall thrust of the policy is consistent with policy SC1, references to Passivhaus standard or equivalent step away from adopted policy. This means the policy has the potential to cause confusion by applying a different set of standards to the rest of Milton Keynes, which have not been properly tested by evidence, particularly as to whether their implementation is viable.

The lack of conformity with strategic policy is recognised at paragraph 5.12 of the Neighbourhood Plan where it states that it won't be until a review of Plan:MK that a policy including such standards will be introduced, and also in the basic conditions statement where it is stated that the policy is '*inspired by innovative plan making work in other parts of the country*'. This may be the case, but this policy work would have been in accordance with the relevant guidance and properly tested.

The National Planning Practice Guidance (Paragraph: 002 Reference ID: 56-002-20160519) sets out that:

Local planning authorities will need to gather evidence to determine whether there is a need for additional standards in their area, and justify setting appropriate policies in their Local Plans.

It goes on to state (paragraph 003 Reference ID: 56-003-20150327):

Local planning authorities should consider the impact of using these standards as part of their Local Plan viability assessment.

Whilst this guidance refers to Local Planning Authorities, it equally applies to Parish Council's and the preparation of neighbourhood plans. Therefore, we consider that with the inclusion of policy HLL4 in the Neighbourhood Plan, the plan cannot be considered to satisfy the basic conditions as it is neither in conformity with the strategic policies of Plan:MK or been prepared with regards to national policy and guidance, failing two of the basic conditions.

Policy HLL10 – Important Views

We raised in Vistry's Regulation 14 representation whether proportionate, robust evidence to support the choices made and the approach taken in the Plan to identifying important views has been prepared to justify the selected Important Views. We also note that Milton Keynes Council raised similar concerns ahead of submission of the Plan.

Despite evidence now accompanying the submitted plan, these concerns still exist. The Basic Conditions Statement sets out that:

'there are some demonstrable physical attributes within the surrounding landscape that are special in framing views between, from and to the settlements that are above the norm in defining its rural character'. (our emphasis underlined)

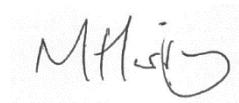
Within the Supporting Evidence for HLL10, there is no comparative assessment of views around the village and no criteria to assess each against to understand whether they 'are above the norm'. We would expect such criteria to cover matters including heritage, landscape sensitivity, landscape quality and consideration of other natural and built features of importance.

Whilst a number of the views do pick out particular features that are likely to justify protection of a view, such as to the viaduct or the church, a number are simply of fields where there is no rational assessment of how the views compare to any other around the village to justify their protection.

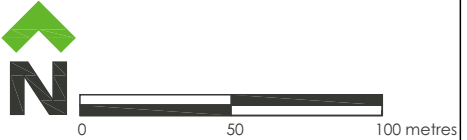
Without such an assessment to provide the proportionate evidence required by national policy guidance, the policy cannot be justified, and it does not meet the basic condition of having regard to national policy and guidance.

We trust these comments will be taken into account in the examination of the Neighbourhood Plan. If you do have any queries on any of the points, please do not hesitate to contact me to discuss.

Yours sincerely,



Mark Harris MRTPI
Partner, Planning



Site Boundary: 7.51ha

Rev	Date	By	Description
A	14/10/19	BT	Boundary updated in line with Concept Masterplan



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Project Land at Fields Farm, Haversham, Wolverton, Milton Keynes

Title Site Location Plan

Client Linden Homes Strategic Land

Scale	1:2500 @ A3	Drawn	BT
Date	Sept 2019	Checked	RR
Drawing No.	CSA/3655/101	Rev	A