



# Draft 'Castlethorpe Neighbourhood Plan'

Response on behalf of Mrs J Markham

July 2020

TPS.20762.R02



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# 1 Introduction and Executive Summary

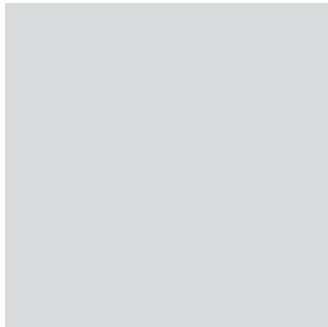
The following report has been prepared on behalf of Mrs J Markham in relation to land at Bullington End Road, Castlethorpe. It sets out our response to the draft Castlethorpe Neighbourhood Plan and in particular, comments on the scope of the plan in relation to the provision of new housing. It is suggested that land at land at Bullington End Road should be allocated for housing purposes.

- 1.1 The following document has been prepared on behalf of Mrs J Markham Ward and provides our response to the draft Castlethorpe Neighbourhood Plan. The current proposals represent an amendment to the existing, 'made' neighbourhood plan.
- 1.2 Our response focuses primarily on matters relating to housing land, as well as procedural matters. It is noted that despite the revised guidance in the Framework and the adoption of an 'up to date' development plan since the existing version of the Neighbourhood Plan was made, the Proposed Modifications give no consideration to the need for additional land. The housing allocation in the current plan at Maltings Field now benefits from outline planning permission but has not yet come forward and is currently the subject of an outstanding appeal. There has been no consultation or consideration of the need for additional housing land and we consider that the scope of public consultation concerning the proposed has been deficient.
- 1.3 It is considered that additional housing land should be allocated and we propose the inclusion of land to the west of Bullington End Road (the "Proposed Allocation"). We enclose a Site Location Plan at **Appendix One**. This site offers an opportunity to make a positive contribution towards housing land supply within and may deliver a sensitive form of development. Our submissions are accompanied by indicative layouts that show the site could accommodate approximately forty dwellings as shown at **Appendix Two** and **Appendix Three**.



Plan:MK 2016 - 2031

Adopted March 2019



## 2 Policy Context

2.1 The modification to the Neighbourhood Plan is prepared in the context of both national and local planning policy guidance. The Government's guidance is provided within the National Planning Policy Framework and the key policies of relevance are summarised below. We also consider the relevant policies in the local development plan, which comprises the adopted 'Plan:MK' 2019 and the adopted 'Site Allocations Plan' 2018.

2.2 By way of background, we also provide a brief overview of the existing, made Castlethorpe Neighbourhood Plan. It will be noted that both national and local policies have been reviewed since this was prepared.

### National Planning Policy Framework

2.3 The purpose of the planning system is to contribute to the achievement of sustainable development. In doing so, it has three overarching objectives: an economic objective; a social objective; and an environmental objective.<sup>1</sup> These objectives should be delivered through the preparation and implementation of plans, but they are not criteria against which every decision can or should be judged: planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account to reflect the character, needs and opportunities of each area.<sup>2</sup>

2.4 A key priority within the Government's Framework is to "significantly boost the supply of homes" and to support this objective, it is important that:<sup>3</sup>

*"... a sufficient amount and variety of land can come forward where it is needed ..."*

<sup>1</sup> 'National Planning Policy Framework' 2019 §8

<sup>2</sup> 'National Planning Policy Framework' 2019 §9

<sup>3</sup> 'National Planning Policy Framework' 2019 §59

2.5 It further advises that the size, type and tenure of housing needed for different groups within the community should be assessed and reflected in planning policies, including for example those who require affordable housing, families with children, or older people etc.<sup>4</sup>

2.6 District councils should establish a housing requirement figure for their whole area, showing the extent to which their housing need can be met over the plan period. Within this, strategic policies should also should:<sup>5</sup>

*" ... set a housing requirement for designated neighbourhood areas, which reflects the overall strategy for the pattern and scale of development and any relevant allocations ...*

*... Where it is not possible to provide a requirement figure for a neighbourhood area, the local planning authority should provide an indicative figure, if requested to do so by the neighbourhood planning body ... "*

2.7 It is recognised that small and medium sized sites can make an important contribution to meeting the housing requirement of an area and can be built out quickly.<sup>6</sup> It is therefore recognised that:<sup>7</sup>

*" ... Neighbourhood planning groups should also consider the opportunities for allocating small and medium sized sites suitable for housing in their area ... "*

2.8 Local planning authorities should support the development of entry-level, exception sites suitable for first time buyers, unless the need for such homes is already being met within the authority's area. Amongst other things, such sites should:<sup>8</sup>

*" ... Comprise entry level homes that offer one or more types of affordable housing ... and*

*Be adjacent to existing settlements, proportionate in size to them, not compromise the protection given to areas or assets or particular importance ... "*

2.9 In rural areas, planning policies and decision should be responsive to local circumstances. Local planning authorities should support opportunities to bring forward rural exceptions sites that will provide affordable housing to meet identified local needs and consider whether allowing some market housing on these sites should help to facilitate this. The Framework goes on to state that:<sup>9</sup>

*" ... To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services ... "*

<sup>4</sup> 'National Planning Policy Framework' 2019 §61

<sup>5</sup> 'National Planning Policy Framework' 2019 §65 to §66

<sup>6</sup> 'National Planning Policy Framework' 2019 §68

<sup>7</sup> 'National Planning Policy Framework' 2019 §69

<sup>8</sup> 'National Planning Policy Framework' 2019 §71

<sup>9</sup> 'National Planning Policy Framework' 2019 §78

## The Local Plan

- 2.10 In terms of the local planning policy context, the statutory development plan currently comprises the following:
- Adopted 'Plan:MK' 2019; and
  - Adopted 'Site Allocations Plan' 2018
- 2.11 The Council has committed to an early review the plan to reflect the role of Milton Keynes within the Government's wider proposals for the growth corridor between Cambridge, Milton Keynes and Oxford.<sup>10</sup> The review is expected to bring the delivery of long term aspirations for 'transformational growth'.
- 2.12 In the meantime, the adopted Development Plan makes provision for some 26,500 new homes to be developed over the plan period 2016 to 2031. Taking account of existing completions and commitments, there is a residual requirement to provide 5,612 new dwellings.<sup>11</sup> However, to ensure that there is an adequate 'buffer' in the supply of land, there is a need to provide sufficient land to accommodate a minimum of 2,650 additional homes.
- 2.13 Turning to consider the spatial strategy, the plan explains that development will be predominantly focused on the existing urban areas within Milton Keynes and the three key settlements that are considered the most sustainable rural locations.<sup>12</sup> Areas for strategic growth are also identified.
- 2.14 However, the plan continues to expect the delivery of new housing development in villages, placing emphasis on the ability of Neighbourhood Plans to bring sites forward. These will include sites identified in Neighbourhood Plans that have already been 'made', as well as new 'small to medium scale development' within rural and key settlements, appropriate to the size, function and role of the settlement.<sup>13</sup> On this basis, provision is made for 1,235 dwellings to be secured as 'windfall' sites.

<sup>10</sup> Adopted Plan:MK Policy DS0 Review of Plan:MK'

<sup>11</sup> Adopted Plan:MK Table 4.1

<sup>12</sup> Adopted Plan:MK §4.18

<sup>13</sup> Adopted Plan:MK Policy DS2 'Housing Strategy'

## 'Castlethorpe Neighbourhood Plan 2015 to 2030' 2017

- 2.15 The existing Castlethorpe Neighbourhood Plan was 'made' in 2017, predating both the current version of the National Planning Policy Framework and the statutory development plan. The scope of the existing neighbourhood plan will of course be familiar, but we note the key points below.
- 2.16 The Neighbourhood Plan first provides the history of Castlethorpe and its context. It also outlines the policy context that applied at the time it was prepared, making reference to the adopted 'Milton Keynes Local Plan' 2005 and the 'Milton Keynes Core Strategy' 2013.
- 2.17 The plan was prepared following consultation with the local community, which include a questionnaire that was undertaken in 2014. In light of this, it identified a vision for the village with corresponding objectives, including the need to:
- Ensure sympathetic development;
  - Enable the use of community facilities;
  - Provide housing at low cost outside the Conservation Area;
  - Protect the recreation ground and areas of Green Space; and
  - Encourage the expansion of Lodge Farm Business Centre and Balney Grounds.
- 2.18 Turning to consider land use policies, the Neighbourhood Plan identifies the extent of the settlement boundary.<sup>14</sup> Development proposals within the boundary are to be supported, while those outside are subject to provisions relating to the control of development in the countryside.<sup>15</sup>
- 2.19 The Neighbourhood Plan identifies one site for housing development, referred to as Maltings Field. This was located on the southeast edge of the settlement and is expected to accommodate approximately 30 new dwellings, with emphasis on smaller, open market affordable homes.<sup>16</sup> The allocation set out specific requirements for the site. Supporting text to the policy suggests that Maltings Field was one of two sites that were considered and believed to be the most sustainable.
- 2.20 The plan goes on to provide other policies concerning the design of development in the village and also the improvement of community facilities including the recreation ground buildings and the allotments amongst others, which are identified as 'proposed assets of community value'.<sup>17</sup> The recreation ground and Castle Field, together with the South Street paddock are also identified as Local Green Spaces.<sup>18</sup>

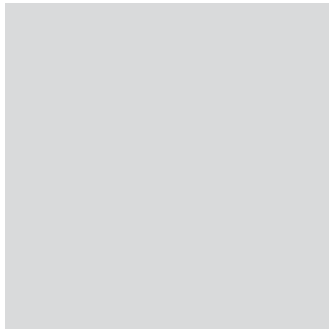
<sup>14</sup> 'Castlethorpe Neighbourhood Plan' 2017 Policy 1 'Settlement Boundary'

<sup>15</sup> 'Castlethorpe Neighbourhood Plan' 2017 Policy 9 'Surrounding Countryside and Landscape'

<sup>16</sup> 'Castlethorpe Neighbourhood Plan' 2017 Policy 2 'Housing Development at Maltings Field'

<sup>17</sup> 'Castlethorpe Neighbourhood Plan' 2017 Policy 4 'Community Facilities'

<sup>18</sup> 'Castlethorpe Neighbourhood Plan' 2017 Policy 5 'Local Green Spaces'



### 3 Overview of Proposed Modifications

- 3.1 Castlethorpe Parish Council has now prepared an updated version of the Castlethorpe Neighbourhood Plan and the Proposed Modifications were published for consultation on 22 May 2020. The consultation ends on 17 July 2020.
- 3.2 The main body of the Neighbourhood Plan is largely unaltered and it remains based on the survey undertaken in 2014. The Plan continues to set out the settlement boundary but makes amendments in relation to the designation of Gobbey's Field as Local Green Space and an alteration to the settlement boundary to reflect the new Plan:MK.
- 3.3 The Neighbourhood Plan retains the allocation of land at Maltings Field for residential purposes. The site has gained outline planning permission since the existing Neighbourhood Plan was made.<sup>19</sup> An application was submitted for the approval of reserved matters for the erection of thirty one dwellings,<sup>20</sup> but this is now the subject of an appeal for non-determination.<sup>21</sup>
- 3.4 The draft modification to the Neighbourhood Plan does not propose any new housing allocations.

<sup>19</sup> Application Reference 17/01536/OUT dated 23 January 2018

<sup>20</sup> Application Reference 19/02444/REM

<sup>21</sup> Appeal Validated 27 March 2020



## Consultation

- 3.5 The Proposed Modifications are accompanied by a 'Consultation Statement'. This explains that consultation process that has been undertaken in support of the proposed changes. It first identifies the timeline of events and notes that villagers were told of the intention to update the Neighbourhood Plan during the course of 2018. Of note, in March 2019 it indicates that:

*" ... Chairman's article in quarterly Newsletter 'Castlethorpe News' tells villagers that work is proceeding on updating our Neighbourhood Plan but are waiting for advice from Milton Keynes Council on allocating further land ... "*

- 3.6 Later that month:

*" ... Milton Keynes Council advises that it has received a legal opinion that no new allocation of land for housing is needed ... "*

- 3.7 In June 2019, the Consultation Statement notes that the regular Castlethorpe News:

*" ... tells villagers that work on Neighbourhood Plan includes designation of Gobbey's Field as Local Green Space and also possible new boundary on Conservation Area ... "*

- 3.8 Subsequently, in December 2019 the Castlethorpe News provided a:

*" ... full description of modifications to Neighbourhood Plan ... "*

- 3.9 It is not until after the full list of modifications is provided, that members of the community are consulted at the end of January 2020, when the Pre-Submission draft of the Neighbourhood Plan and the Modification Proposal was published. Notification was sent to all landowners and statutory consultees at that time and households in the village were invited to make comments.

## Previous Representations by Mrs J Markham

- 3.10 Mrs J Markham previously made representations to the Parish Council in relation to the proposed modifications. These were submitted to the Council during the consultation on the Pre-Submission Draft and the Modifications Proposal.<sup>22</sup>

- 3.11 The representations suggested the inclusion of land at Bullington End Road for residential development. It was indicated that the land was approximately 0.8 hectares, though additional land could be made available. The Parish Council's Consultation Statement set out the response to this representation, but simply stated that there was "no comment".<sup>23</sup> An explanatory footnote further remarked:<sup>24</sup>

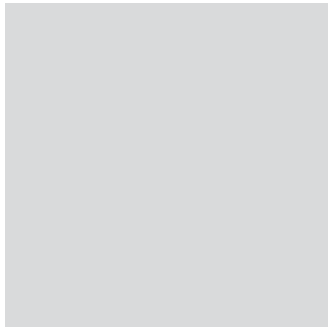
*" ... Three landowners have asked for their land to be allocated for housing ... all have been advised that no allocation is being made in this Modification ... "*

- 3.12 On this basis, the response provided no more detailed assessment of the sites that had been presented to the Parish Council.

<sup>22</sup> Mrs J Markham 'Correspondence' 14 February 2020

<sup>23</sup> 'Consultation Statement' Page 2 'Responses to Pre-Submission Consultation from Landowners ... '

<sup>24</sup> 'Consultation Statement' Page 2 'Responses to Pre-Submission Consultation from Landowners ... ' (Note 1)



## 4 Comments on Draft Neighbourhood Plan

### Extent of Consultation

- 4.1 In the first instance, it is our view that the nature and extent of public consultation undertaken has been inadequate. As set out above, the Consultation Statement indicates that the villagers were 'told' about the intention to update the Neighbourhood Plan, and 'told' about the proposed designation of Gobbey's Field as Local Green Space. Having informed the village that the changes were to be made via the local newsletter, the Parish Council moved straight to the publication of a Pre-Submission Draft of the plan which included the proposed changes.
- 4.2 From this series of events, it is quite clear that there has been no genuine attempt to consult on the need for amendments to the made neighbourhood plan, their scope or their nature; the proposed changes have effectively been presented as a fait accompli, and not arisen through any open discussion or consultation process.
- 4.3 Our client's own representations as well as those made by others concerning the provision of housing land and the inclusion of additional sites, have simply been dismissed with 'no comment'. Thus the Proposed Modifications have been progressed without any proper assessment of the representations that have been made.
- 4.4 Given that the Neighbourhood Plan remains based on a questionnaire that was undertaken in 2014, we consider that more extensive, genuine consultation should be undertaken on the proposed modifications to the Neighbourhood Plan.
- 4.5 It is quite apparent from the 'Modification Proposal Statement' that the primary motivation for the proposed amendment is simply to secure additional 'protection' against new housing allocations and development, rather than any authentic review.<sup>25</sup>

<sup>25</sup> Modification Proposal Statement' 2020 §11

## Scope of the Proposed Modifications

- 4.6 Secondly, it is contended that the scope of the Proposed Modifications is extremely limited, and that it should be broadened to include consideration of additional housing land.
- 4.7 The existing, made Neighbourhood Plan was prepared prior to both the revised version of the National Planning Policy Framework and the adoption of Plan:MK. Consequently, the corresponding provisions within it do not consider the implications of these newer policies.
- 4.8 In particular, the Proposed Modifications to the Neighbourhood Plan should openly assess the implications of the requirements within Plan:MK to deliver some 26,500 new dwellings over the plan period. This provision includes the development of 1,235 dwellings as 'windfall sites' which will include sites in the rural areas provided through the neighbourhood plan process. On this point, the Government's guidance advises that (our emphasis):<sup>26</sup>

*" ... policies in a neighbourhood plan may become out of date, for example if they conflict with policies in a local plan covering the neighbourhood area that is adopted after the making of the neighbourhood plan. In such cases, the more recent plan policy takes precedence. In addition, where a policy has been in force for a period of time, other material considerations may be given greater weight in planning decisions as the evidence base for the plan policy becomes less robust. To reduce the likelihood of a neighbourhood plan becoming out of date once a new local plan (or spatial development strategy) is adopted, communities preparing a neighbourhood plan should take account of latest and up-to-date evidence of housing need, as set out in guidance ... "*

- 4.9 The Proposed Modifications do not consider whether additional land should be allocated for housing purposes and given the material change in the development plan policies, the scope of the proposed alterations is too narrow. Consequently, it fails to comply with the guidance.

## The Requirement for Additional Sites

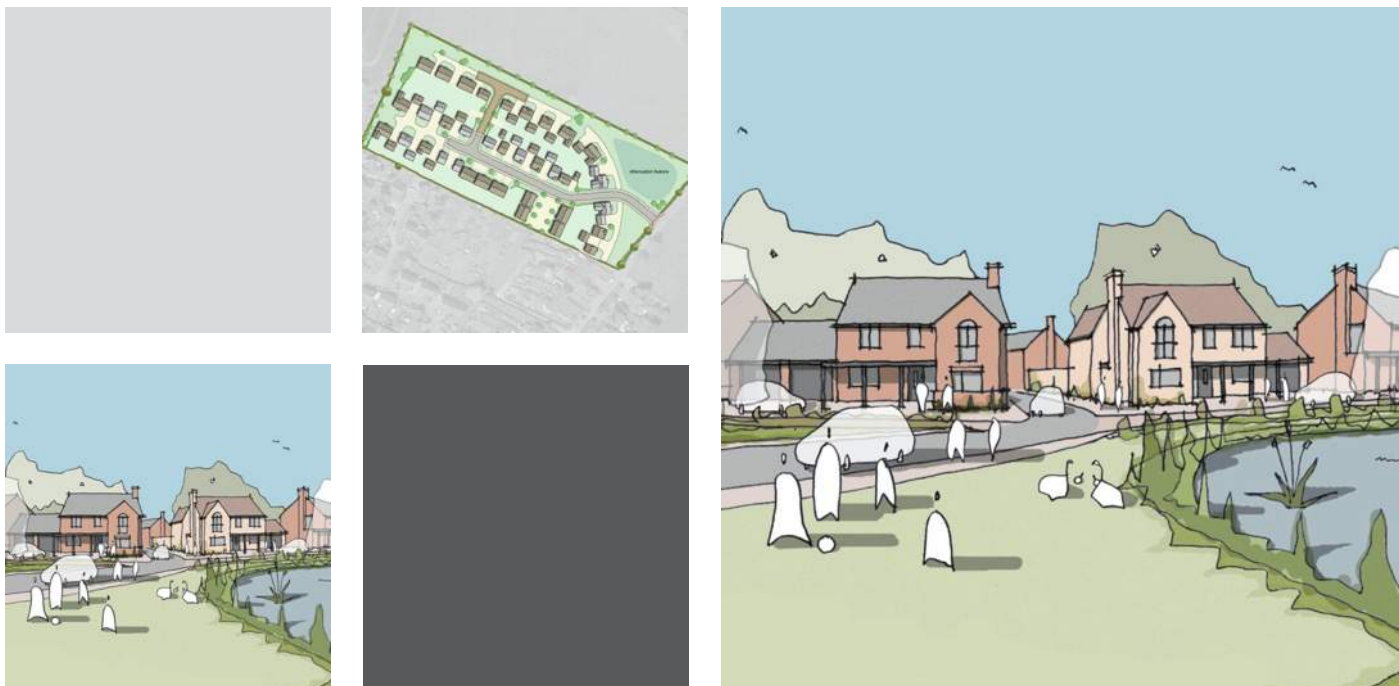
- 4.10 Given the need to secure additional housing through 'windfall sites', it is suggested that land at Bullington End Road should be included within the Neighbourhood Plan for the purposes of residential development. The potential contribution of this site and its suitability for residential development is discussed below.

## The Need for Examination and Referendum

- 4.11 Aside from the matters above, in our view the Proposed Modifications (which include the allocation of additional Local Green Space, which is contested by the landowner and required under the previous examination to be removed from the Made Plan) must be considered 'Material Modifications' and would require examination and referendum. New Buildings of Local Interest are also identified.
- 4.12 As such, we do not agree with the claim that the proposed modifications are not 'so significant or substantial' as to change the nature of the Made Plan.<sup>27</sup>

<sup>26</sup> National Planning Practice Guidance 2019 §84 ID 41-084-20190509

<sup>27</sup> Modification Proposal Statement' 2020 §3



## 5 The Proposed Allocation

### Introduction

- 5.1 As we have discussed above, it is indicated that land at Bullington End Road should be included within the Neighbourhood Plan to accommodate residential development.
- 5.2 The land is identified on the site location plan at **Appendix One** and the following section provides a brief overview of the Proposed Allocation and the scope and form of development that might be achieved on it.

### Site Description

- 5.3 The Proposed Allocation concerns an area of land to the west of Bullington End Road. The site is approximately 2 hectares in size and is located at the northern end of the village, immediately adjacent to the existing settlement boundary in the vicinity of Thrupp Close. The land is not subject to any specific landscape designations. Similarly, it is not within any Conservation Area.
- 5.4 The site is undeveloped, being used for agricultural purposes in association with other adjoining land and agricultural holdings. It is well defined and is contained by existing hedgerows (that incorporate some trees) on the boundaries (with the exception of the northern boundary where a new hedge would be planted), but there is no existing landscaping or mature vegetation within the body of the site. Similarly, there are no existing structures on the land. There is a gentle slope downwards towards the eastern part of the site.
- 5.5 In terms of the site's surrounding area, the land to the west and north is currently open. The land to the south largely comprises residential development on Thrupp Close, which generally consists of semidetached and detached, two storey properties. It is considered an area with 'consistency of design'. The Proposed Allocation also adjoins the allotments to the south and the recreation ground to the southwest.

- 5.6 The site is currently served by a vehicular access through neighbouring agricultural land. However, its frontage along Bullington End Road lies within the 30mph speed limit on the approach to the village. The nearest bus stops are located on North Street, close to its junction with Bullington End Road. This provides services to Central Milton Keynes, Wolverton and Leadenhall, as well as Northampton, Roade and Hartwell.

#### The Design Approach

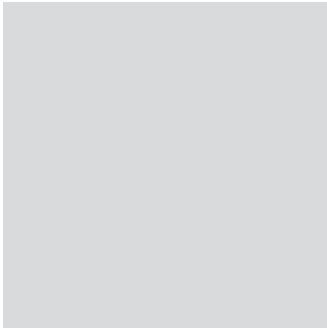
- 5.7 DCa Architects have prepared development proposals for the site having regard to the constraints and opportunities that affect the Proposed Allocation. These are illustrated on the plans provided at **Appendix Two** which includes a detailed site analysis and also set out the design approach.
- 5.8 The outline design approach identifies the following key steps and opportunities:
- Formation of a new hedgerow with native species to bolster existing landscaping;
  - Reinforced landscape with a margin providing soft edges adjacent to neighbouring open land;
  - Provide surface water attenuation at the lowest point on the site;
  - Provide a new vehicular access off Bullington End Road in the centre of the site's frontage;
  - Establish a built form that integrated naturally with the existing character of the village;
  - Form perimeter development, with an internal access road;
  - Provide connections to existing open space etc.

#### The Proposed Development

- 5.9 Based on this design approach, an indicative layout is enclosed at **Appendix Three** together with an illustrative street scene. This shows that a low-density development of the Proposed Allocation could deliver just over forty dwellings. This is commensurate with the Neighbourhood Plan's desire to see 'small scale' development, reflecting its role in the settlement hierarchy.
- 5.10 The proposed houses would comprise a mixture of two and three-bedroom properties, consistent with the needs identified in the draft Neighbourhood Plan. There would be a small number of larger four and five bedroom dwellings. It is expected that the development would incorporate affordable housing, and the indicative layout makes provision for thirteen affordable homes, representing 31% of the total. The affordable housing element would comprise two bedroom bungalows, and two and three bedroom houses.
- 5.11 The properties would largely be in the form of either detached houses, rather than flats. This provides scope for a spacious layout with a landscape context. It also affords greater outdoor space for the properties and better access to recreational areas for future occupant, satisfying increasing demand for this.
- 5.12 The proposed development would be set within a robust landscape context, including a landscape buffer around the site's perimeter to provide a soft edge. More extensive landscaping would be provided at the site's frontage, and this would incorporate the surface water attenuation area. This offers an attractive frontage to the site and a landscape approach to the village from Bullington End Road. It also provides significant scope for environmental enhancements.
- 5.13 An indicative streetscene is provided at **Appendix Three**. This shows that the houses could be of traditional appearance, consistent with the character of Castlethorpe and in accordance with the design principles set out in the Neighbourhood Plan.

## Assessment

- 5.14 The indicative layout demonstrates that the Proposed Allocation would meet the housing needs. In particular, it would deliver an opportunity for a small scale development that accords with the character and size of the village.
- 5.15 It is considered that in all other respects, the Proposed Allocation complies with relevant development plan policies and in particular:
- It is well-related to the settlement and would provide a frontage to the Important Open Space;
  - The form of development is able to maintain or enhance the Conservation Area;
  - The existing access is able to serve the development of the site;
  - The layout of development can minimise visual impact on the open countryside;
  - A high quality form of development can be achieved;
  - Existing landscaping can be retained and enhanced; and
  - The biodiversity of the site can be enhanced.
- 5.16 Taking account of the above, we believe that the Proposed Allocation should be identified within the modification to the Castlethorpe Neighbourhood Plan. The settlement boundary should be amended accordingly.



## Appendix One

Site Location Plan



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PROJECT:  
**Land off Bullington End Road  
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CLIENT: \_\_\_\_\_  
 ISSUE STATUS: \_\_\_\_\_

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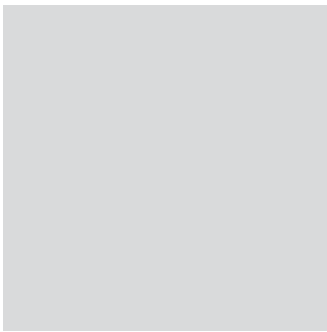
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**Location Plan**

SCALE: **1:1000 (A3)** DATE: **June 2020** BY: **JB**

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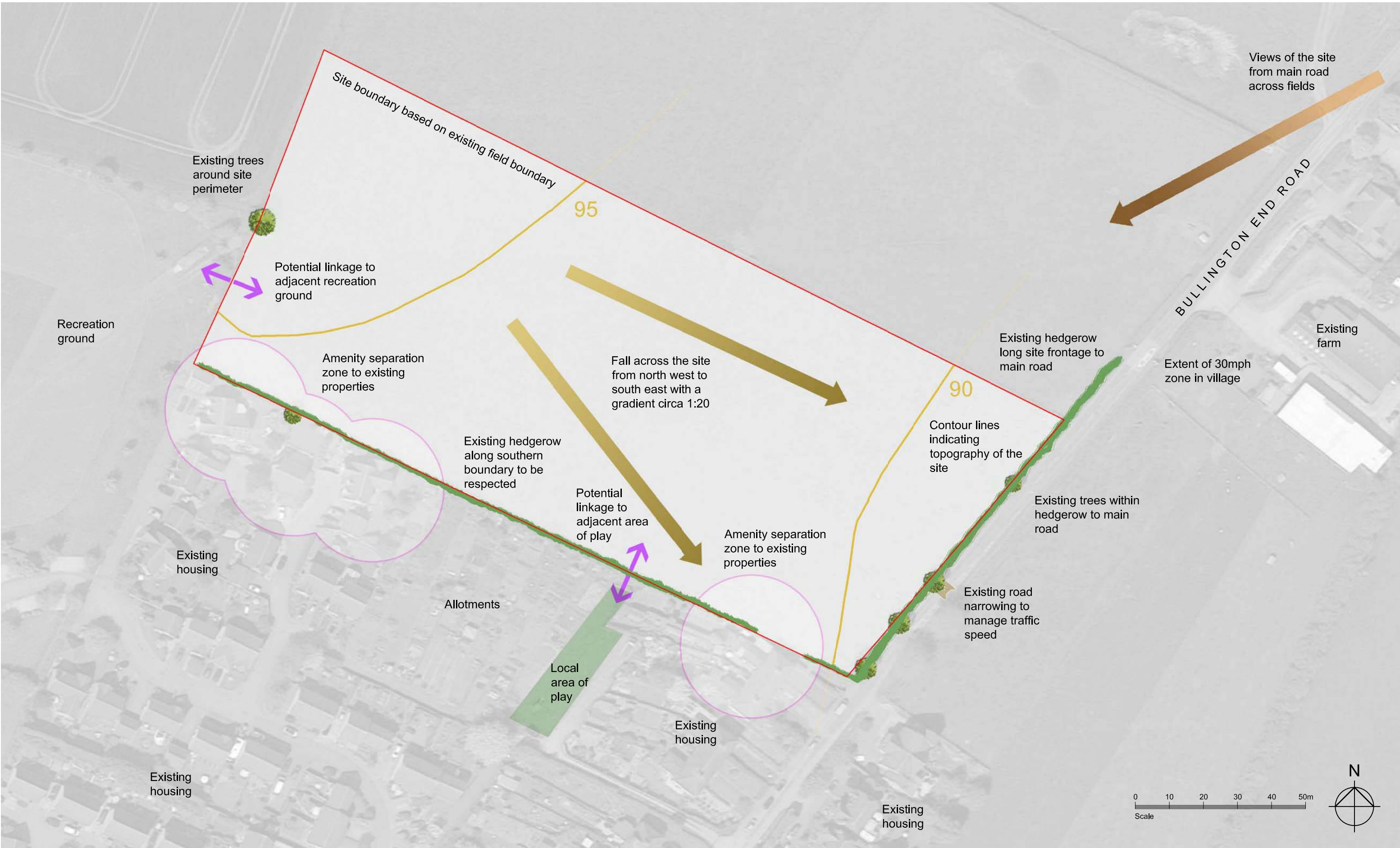
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## Appendix Two

Constraints and Opportunities



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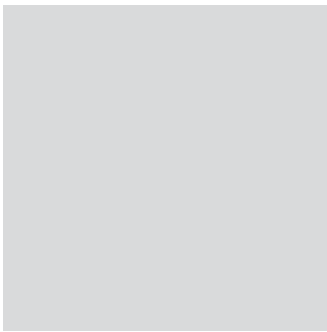
PROJECT:  
**Land off Bullington End Road  
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DESIGN  B of Q  CONSTRUCTION  RECORD

DRAWING TITLE:  
**Site Analysis**

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DRAWING NO: 20067 (B) 002 REVISION:



## Appendix Three

Indicative Layout Plan and Streetscene



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Castlethorpe**

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ISSUE STATUS:  
**DESIGN**  **B of Q**  **CONSTRUCTION**  **RECORD**

DRAWING TITLE:  
**Initial Sketch Scheme**

SCALE: **1:1000 (A3)** DATE: **July 2020** BY: **JB**  
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PROJECT:  
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DRAWING TITLE:  
 Street Scene

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