

## Unitary Councillor Report

### (Snippets) Report from Cllr David Hopkins, Cllr Victoria Hopkins & Cllr Alice Jenkins – Representing Bow Brickhill at MK Council

July 2018



**RE: Levante Gate planning update**

Application now scheduled for August DC Meeting (2 August) following deferment at the July meeting to allow for more detailed Highways response from Highways England to be assessed

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### **Five Year Land Supply - BRIEFING NOTE Update on the 5 Year Housing Land Supply**

#### **Purpose**

This briefing note provides a quarterly update on our 5 Year Housing Land Supply.

#### **5 Year Housing Land Supply Position**

The annual 5 year housing land supply update has now been completed. Below outlines the Council's position, utilising both methodologies, for the period 2018/19 – 2022/23, as follows:

Liverpool Method (the Council's previously preferred method)

The Council can only demonstrate a land supply position of 4.66 years, which is an

approximate deficit of 890-900 dwellings.

Sedgefield Method (preferred method of Government and the Planning Practice Guidance (PPG))

The Council can demonstrate a land supply position of 4.16 years, which is an approximate deficit of 2,460 dwellings.

These calculations have taken account of:

- Final completions recorded for the year 2017/18 and any additional under delivery;
- Consideration of the Inspector's report into the Site Allocations Plan (SAP) and the inclusion of the remaining three (SAP) sites which had not previously been included within the housing trajectory;
- The four Inspectors' reports received in relation to 578 Appeals held during 2017/18 and their conclusions on the Council's land supply and housing trajectory; and
- Updated projections and forecasting carried out by Council Officers, which also considers information from quarterly site monitoring and information supplied by developers and landowners.

### **Conclusion**

The four appeal decisions which the Council have received in the past year do not provide a unanimous position on which methodology of calculating 5 year land supply should be used.

The first three decisions concluded the Sedgefield method should be used, in line with the PPG, whilst the most recent supports the Council's use of the Liverpool method. We still await the outcome of the Wavendon Properties appeal.

However, as outlined above, regardless of which method the Council chooses to adopt, a deliverable 5 year land supply cannot currently be demonstrated and a significant deficit in housing supply exists.

Consequently paragraphs 14 and 49 of the National Planning Policy Framework are engaged and the 'titled balance' to the assessment of residential planning application applies. This unfortunate position continues to bring the challenge of assessing speculative residential proposals on non-designated sites.

The successful adoption of Plan:MK, with its existing housing requirement, proposed level of supply, and projections for delivery over the plan period, assuming the Inspector finds these sound, would enable the Council to demonstrate a 5 year land supply again.

**Author - Brett Leahy**

**Chief Planner**

**Date in 03 July 2018**



## Update: ... Expressway

We are pleased to confirm that the project webpage is now live and presentations from the conference can be found in the project media files and document section.

The webpage address is:

<https://highwaysengland.co.uk/projects/oxford-to-cambridge-expressway/>

Going forward the webpage will be the main area to access public information about developments on the Oxford to Cambridge expressway and we will be updating it periodically as the project moves forward.

The questions and answers from the recent conference will be circulated shortly.

If we can be of further assistance then please do not hesitate to contact a member of the Oxford to Cambridge Expressway team.

Oxford To Cambridge Expressway Team

National Infrastructure Programme

Highways England | Woodlands | Manton Lane | Bedford | MK41 7LW

Web: <http://www.highways.gov.uk>



You may recall that MKC has been working with colleagues at Serco to develop an Access Framework, where Parish and Town councils can contact Serco to obtain prices / quotes for undertaking extra services / topping up services

From early conversations with Serco, we were anticipating that they may be able to come up with a 'shopping basket approach' with prices and a pick and mix, but given the differences in parishes, and the level of detail that would be required to be loaded on to the web area, this hasn't been possible. Furthermore, there were some concerns from Serco about detailing specific prices for elements of services (around commercial sensitivity) given that this is a public website.

The link below takes you to the services that Serco offer to parishes, together with a contact form for you to obtain a quote direct

<https://www.milton-keynes.gov.uk/your-council-and-elections/councillors-and-committees/parish-and-town-councils/serco-services-for-parishes>

Many parishes currently top up services in a variety of ways. The Draft Framework for Local Councils to have an Increased Role in Service Delivery – link below - details these different

ways of enhancing / topping up, but I have also recreated the part of the Draft framework that notes this for ease of reference A Draft Framework for Parish and Town Councils to have an Increased Role in Service Delivery - as separate document

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Milton Keynes Council | Corporate Core | Civic Offices | Saxon Gate | Milton Keynes | MK9 3EJ



### **Plan:MK - Participation and Programme**

Please find attached a populated Programme detailing the participants for each session. Whilst the majority of requests to participate have been accepted there were a few requests that have not led to an invitation to participate in the discussions. Predominantly there were two reasons for this, either the Inspector considered that there were no stated Regulation 19 representations to the Plan in relation to the matters requested, or, that representors were entirely supportive of the Plan in that regard. If the latter applied, there is no need for an appearance as the starting point for the Inspector's Examination is that the Council have submitted (what they consider to be) a sound Plan. It is for others to argue why the Plan is unsound and what changes are required in order to achieve a sound Plan. On that basis, there is no need for supporters of the Plan to participate in the discussions as the defence of the Plan is the Council's task.

There are some instances where representors have been allocated different matters to those requested as the Inspector considers these are more appropriate sessions to discuss the submitted representations.

Please check the attached programme carefully on the basis of the above. I will be happy to answer any queries people may have.

#### **Written Statements**

The Council have now uploaded the written statements received and these are available to view on the Examination Webpage <https://www.milton-keynes.gov.uk/planning-and-building/planning-policy/plan-mk-examination>

I would encourage all participants to review the statements related to your matters of interest prior to the hearings. Doing so will assist in familiarising yourselves with the positions of others and in turn assist you during the discussions.

Should anyone have any queries as we approach the Hearing Sessions, please let me know and I shall be happy to help.

Ian Kemp - Programme Officer

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## **PLAN: MK EXAMINATION**

### **Matter 1: Legal Compliance including the Duty to Co-operate**

#### **HEARING AGENDA**

**Tuesday 10 July 2018, starting at 10am**

The agenda sets out the order of this opening session of the hearings and the main topics on which the discussion will be focused, taking account of the submitted evidence, representations (December 2017) and written statements (June 2018).

1. Opening announcement by the Inspector
2. Milton Keynes Council's opening statement
3. Compliance of the Plan with the relevant requirements of the Planning and Compulsory Purchase Act 2004 (as amended) and the 2012 Regulations (as amended), taken as a whole, including:
  - (i) Consultation (in accordance with Regulations and Statement of Community Involvement)
  - (ii) Scope and Production (in accordance with Local Development Scheme)
4. Compliance with the requirements of the Duty to Co-operate
5. Compliance with the requirements for Sustainability Appraisal (SA)  
[Please note Council's additional commentary on SA regarding alternative options]
6. Compliance with the requirements of Habitats Regulation Assessment (HRA)
7. Relationship of Plan:MK to: (a) the examined Site Allocations Development Plan Document (DPD); and (b) existing, emerging and future Neighbourhood Plans (definition of strategic matters)
8. Policies Map – including alignment with Site Allocations DPD and any schedule of potential changes

David Spencer - Inspector.

**PLAN: MK EXAMINATION  
Matter 2: Spatial Strategy  
HEARING AGENDA**

**Tuesday 10 July 2018, starting at 1.30pm**

The agenda sets out the order of this session of the hearings and the main topics on which the discussion will be focused, taking account of the submitted evidence, representations (December 2017) and written statements (June 2018). Please note that the site-specific allocations for employment and housing will be considered in the Matters 4 and 5 sessions respectively.

1. Soundness of the proposed Plan period to 2031 and the mechanisms for review
2. Soundness of the approach to Plan:MK in light of:

(a) the strategic growth envisaged in positioning MK as a vibrant City hub on the Cambridge – MK - Oxford (caMKox) corridor as set out in MK Futures 2050 report; and

(b) the wider growth expectations for the caMKox corridor in the National Infrastructure Commission (NIC) reports

3. The justification for the settlement for the settlement hierarchy in Policy DS1, including (at a strategic level) the balance and delivery of growth across the four elements identified for Milton Keynes City
4. Soundness of the expectations for key settlements (including clarity on the role of Newport Pagnell, Olney and Woburn Sands) and sustainability implications of any alternative role
5. The justification and sustainability implications of the role and scale of development at tier 3 of the hierarchy in maintaining the vitality of villages and rural settlements
6. The relationship between the settlement hierarchy in Plan:MK and neighbourhood planning (NP) including existing NPs and providing a framework for future NP preparation
7. Soundness of approach to open countryside (Policy DS5) and Linear Parks (Policy DS6)

David Spencer - Inspector.

**Matter 3: Overall Need and Requirement for Housing**

Part 1: Issues 1-4

Objectively Assessed Need, Housing Requirement & Wider  
Accommodation Needs

HEARING AGENDA

Wednesday 11 July 2018, starting at 9.30am

(Please note earlier start time)

**PLAN: MK EXAMINATION****Matter 4: Meeting Employment Needs**

HEARING AGENDA

Friday 13 July 2018, starting at 9.30am



Town and Country Planning Act 1990 (As Amended)

Town and Country Planning (Development Management Procedure) Order 2015

**Application no: 18/01304/REM**

Proposal: Reserved matters application for internal access, appearance, landscaping, layout, and scale for 134 residential units, 100 sqm of A1 (retail use)

At: Land North And West of Wavendon Business Park Ortensia Drive Milton Keynes  
Wavendon Gate MK17 8LX

**Response from The Stables**

The Music Venue Trust is a UK registered charity which acts to protect, secure and improve the UK's grassroots music venue circuit. We provide advice to government, the cultural sector and the music industry on issues impacting on the network of venues and are the nominated representative that speaks on behalf the Music Venues Alliance, an association of more than 400 such venues from across the UK.

We write to offer comment on the development proposed under the above application, which impacts directly upon the grassroots music venue The Stables.

We have viewed the above application and relevant papers and urge you to deny it in its current format. Our objection is based on National and Local policies and guidance which are not addressed by the application in its existing format.

**1. National Policy and Guidance Conflicts:**

At a national level of guidance, the planning application lacks an appropriate supporting noise report and analysis to recognise the existence of the music venue, and the application in its current format would act against the NPPF in several significant areas of guidance. Specifically:

Paragraph 6 of the Planning Practice Guidance in the National Planning Policy Framework:

The potential effect of a new residential development being located close to an existing business that gives rise to noise should be carefully considered. This is because existing noise levels from the business even if intermittent (for example, a live music venue) may be regarded as unacceptable by the new residents and subject to enforcement action. To help avoid such instances, appropriate mitigation should be considered, including optimising the sound insulation provided by the new development's building envelope.

Paragraph 123 of the Framework which states:

recognise that development will often create some noise and existing businesses wanting to develop in continuance of their business should not have unreasonable restrictions put on them because of changes in nearby land uses since they were established

In both cases, we note that the applicant has failed to provide a Noise Report which specifically acknowledges The Stables as a potential noise source. Any mitigation proposed by the applicant within the existing application is therefore entirely inadequate to manage noise that it has failed to acknowledge.

## 2. Milton Keynes Local Policy

We draw your attention to the MILTON KEYNES CREATIVE AND CULTURAL STRATEGY 2018-2027.

The granting of this application as it currently stands creates a significant threat to an existing cultural asset and would significantly undermine all aspects of the Cultural Strategy.

We recognise that the Council has committed to housing development in this area. However, in respect of this application we specifically object to the siting of the two blocks dwelling numbers 93 -101 & 102 -110. These are located in the SE corner of the site layout drawing 1734/P/10.02 Rev A. The failure to undertake a suitable noise assessment that acknowledges the existing usage by The Stables means that residents of these dwellings will be subjected to occasional noise disturbance during & after performances.

To comply with National Planning Policy Framework guidance and Local Policy, the developer should undertake a Noise Impact study which acknowledges the existence of the grassroots music venue.

Additionally, we draw your attention to the revised National Planning Policy Framework consultation issued by MHCLG on 5 March 2018, and specifically paragraph 180, which states:

Planning policies and decisions should ensure that new development can be integrated effectively with existing businesses and community facilities (including places of worship, pubs, music venues and sports clubs). Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where an existing business or community facility has effects that could be deemed a statutory nuisance in the light of new development (including changes of use) in its vicinity, the applicant (or 'agent of change') should be required to secure suitable mitigation before the development has been completed.

In view of the imminent adoption of Agent of Change as a principle for consideration where music venues are impacted by development, we would suggest that the developer additionally bring forward a best practice Deed of Easement which limits the ability of future residents to complain about acceptable existing noise levels.

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**NALC ANNUAL CONFERENCE 2018**  
**DATE 30/31 October 2018**

NALC's Annual Conference 2018 is an essential event for councillors, council officers, county association members and officers as local councils join with other parts of the public sector (including the government and principal authorities), the private sector and voluntary sector to discuss the key policy issues of the moment. The event will promote the NALC's vision that local councils will be the focus of community effort, the natural locus of a range of public activity and service delivery; giving a democratic voice to those communities working in partnership with other agencies. This will be a brilliant opportunity for councillors, clerks, county officers and members, exhibitors and sponsors to network, share good practice and gain solutions to local issues from a platform which puts local councils at the heart of local government.

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Latest ..... Thank you for your email. Apologies for the further delay, I do appreciate that all parties are keen to have an outcome. Unfortunately, I cannot give an indication of the likely decision date at this time, except to say again that we aim to issue the decision as soon as possible. We will of course update you as soon as the decision is available.

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**Travellers** - In response to the government's consultation on unlawful developments and encampments, National Association of Local Councils (NALC) is calling for principal authorities and the police to have more powers.

NALC has requested the following from the government:

- Principal authorities and the police to have the power to evict illegal trespassers
- Principal authorities to be able to claim back costs incurred cleaning and repairing sites
- All unauthorised encampments to be criminalised on account of trespassing
- Unauthorised encampments that are taken to court to be treated as a priority and fast-tracked
- More funding to enable better use of planning enforcement powers



### Snippets for July

- **Woburn Sands / Wavendon Weight restriction** – The posts for the terminal signing have been installed. The Advanced direction signing for the restriction will be carried out in August/September along with the relining of Kingston roundabout.
- **Lower End Road/Newport Road traffic signals S278 works** – The works are still ongoing. Hopefully, the temporary traffic lights have been removed.

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## ***David Hopkins / Victoria Hopkins / Alice Jenkins***

### ***MKC Senior Staff List Corporate Core - MKC Senior Team 2018***

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