

**Application Number:** 20/03080/FUL

**Description:** Full planning application for 46 no. dwellings comprising a partial re-plan of details approved under reserved matters to include an uplift of 7 no. dwellings and a revised mix across the relevant development parcels and associated development works

**At:** Site South East of Elmswell Gate, Towergate, Milton Keynes

**For:** Crest Nicholson Chiltern

**Statutory Target:** 24<sup>th</sup> February 2021

**Extension of Time:** Yes - 11<sup>th</sup> June 2021

**Ward:** Danesborough & Walton

**Parish:** Walton Parish and Wavendon

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## **1.0 RECOMMENDATION**

- 1.1 Subject to the completion of a section 106 (s106) agreement securing the obligations and terms set out in this report, permission be granted subject to the conditions set out below (as may be supplemented/modified in any accompanying written or verbal update to the Committee/Panel).
- 1.2 In the event that the s106 agreement is not completed within 28 days following the Committee's resolution, the Head of Planning be delegated authority to extend the period for completion of the s106 agreement, or, in consultation with the Chair and Vice Chairs, refuse permission.

## **2.0 INTRODUCTION**

### Reason for referral

- 2.1 The application has been referred to the Committee at the request of Walton Community Council, raising material planning concerns in respect of the impact of the development on the highway network.

## The Site

- 2.2 The application site contains a parcel of land forming part of the wider development known as 'South of Elmswell Gate', also referred to as Morton Park (a Crest Nicholson site). This parcel is predominantly located centrally and to the south-west of the wider site. A small element of the site is located along an identified 'primary street' leading onto Stockwell Lane. This parcel contains 39 dwellings approved under application ref. 17/03283/REM along with associated parking, highway network, landscaping and associated provisions.
- 2.3 The site is accessed via Elmswell Gate, off Groveway, which is located to the north west of the site. Stockwell Lane is located to the east of the site. To the north-east is the Vauxhall dealership. Surrounding the site are further dwellings associated with permission ref. 17/03283/REM, which are in the process of being constructed.

## The Proposal

- 2.4 The application seeks planning permission for 46 dwellings, of which 7 dwellings are referred to as an 'uplift' within the development description. The wider parcel of land has reserved matters approval (ref. 17/03283/REM), and this is associated with an outline application for up to 240 units within this parcel of land (ref. 15/02768/OUT).
- 2.5 This application seeks to provide an additional 7 units (the 'uplift' units) above the 240 dwellings approved at the outline stage. As the total number of dwellings would exceed the scope of the outline consent, this proposal cannot be dealt with under a reserved matters application. As such, full planning permission is sought for a partial re-plan of the area located within the south west and south east area of the approved layout under application 17/03283/REM, so to facilitate the provision of a further 7 dwellings.
- 2.6 The proposal also seeks to amend other elements of the previously approved parcel, updating matters such as the drainage scheme and the access route provided.
- 2.7 The application has been revised to address concerns in respect of drainage and housing mix. Additional plans have been submitted incorporating Micro Drainage details and final tenures.

2.8 A summary of the previously approved accommodation as it relates to the whole site is as follows:

Type of house	Number of Units	Number of Market Units	Number of Affordable Units
1 & 2-bed flats	46 (18.6%)	12	34 (47%)
2-bed house	35 (14.5%)	14	21 (29%)
3-bed house	88 (36.6%)	75	13 (18%)
4-bed house	64 (17.2%)	60	4 (5.5 %)
5-bed house	7 (2.9%)	7	-
<b>Total</b>	<b>240 dwellings</b>	<b>168 market (70%)</b>	<b>72 affordable (30%)</b>

2.9 A summary of the proposed accommodation as it relates to the development across the site is as follows:

Type of house	Number of Units	Number of Market Units	Number of Affordable Units
1 & 2 bed flats	46 (18.6%)	12	34 (47%)
2-bed house	31 (12.5%)	10	21 (29%)
3-bed house	82 (33.19%)	67	15 (20%)
4-bed house	75(30.3%)	71	4 (5.5%)
5-bed house	13 (5.2%)	13	-
<b>Total</b>	<b>247 dwellings</b>	<b>173 market (70%)</b>	<b>74 affordable (30%)</b>

Scope of debate/decision

2.10 This proposal is a full planning application and so all matters are to be considered.

2.11 Whilst it seeks planning permission for 46 units, 39 of these units benefit from an existing and partially implemented approval. However, the reserved matters application has not yet been implemented insofar as it relates to land contained within the current application boundary. The outline consent is a substantial material consideration in the assessment of this application, noting that the impact of 39 of the dwellings proposed now has already been found acceptable. As such, assessment should focus on the effect of 7 additional units above and beyond the impacts previously considered.

## **3.0 RELEVANT POLICIES**

### **National Policy**

#### **3.1 National Planning Policy Framework (February 2019) (NPPF)**

Section 2 - Achieving sustainable development  
Section 5 - Delivering a sufficient supply of homes  
Section 8 - Promoting healthy and safe communities  
Section 9 - Promoting sustainable transport  
Section 11 - Making effective use of land  
Section 12 - Achieving well-designed places  
Section 14 - Meeting the challenges of climate change  
Section 15 - Protecting and enhancing the natural environment

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

### **The Development Plan**

#### **3.2 Plan:MK (March 2019)**

Policy DS1 Settlement Hierarchy  
Policy DS2 Housing Strategy  
Policy SD1 Place-Making Principles for Development  
Policy SD7 Strategic Reserve Areas  
Policy SD9 General Principles for Strategic Urban Extensions  
Policy SD10 Delivery of Strategic Urban Extensions  
Policy HN1 Housing Mix and Density  
Policy HN2 Affordable Housing  
Policy HN4 Amenity, Accessibility and Adaptability of Homes  
Policy CT2 Movement and Access  
Policy CT3 Walking and Cycling  
Policy CT6 Low Emission Vehicles  
Policy CT10 Parking Provision  
Policy FR1 Managing Flood Risk  
Policy FR2 Sustainable Drainage Systems (SUDs) and Integrated Flood Risk Management  
Policy D1 Designing a High Quality Place  
Policy D2 Creating a Positive Character  
Policy D3 Design of Buildings  
Policy D5 Amenity and Street Scene  
Policy SC1 Sustainable construction  
Policy INF1 Delivering Infrastructure  
Policy NE1 Protection of Sites  
Policy NE2 Protected Species and Priority Species And Habitats  
Policy NE3 Biodiversity and Geological Enhancement  
Policy NE4 Green Infrastructure  
Policy L4 Public Open Space Provision in New Estates  
Policy SC1 Sustainable Construction

### 3.3 Supplementary Planning Documents/Guidance

Parking Standards SPD (January 2016)  
New Residential Development Design Guide (April 2012)  
Affordable Housing SPD (January 2020)  
Sustainable Construction Guide SPD (April 2007)  
Milton Keynes Drainage Strategy - Development and Flood Risk SPG (May 2004)  
Strategic Land Allocation Development Framework (November 2013)  
Milton Keynes Urban Development Area Tariff (November 2007)

### 3.4 Human Rights Act 1998

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

### 3.5 Equality Act 2010

Due regard, where relevant, has been had to the Milton Keynes Council's equality duty as contained within the Equality Act 2010.

## 4.0 **RELEVANT PLANNING HISTORY**

### 4.1 Application Site

15/02768/OUT

Outline application for the construction of up to 240 dwellings with garaging; parking; public open space; landscaping; new vehicular and pedestrian accesses; highway works, foul and surface water drainage infrastructure and all ancillary works  
Approved 14<sup>th</sup> September 2017

17/01190/DISCON

Details submitted pursuant to discharge of condition 7 (archaeology) attached to planning permission 15/02768/OUT  
Condition discharged 20<sup>th</sup> October 2017

17/03283/REM

Reserved matters application for the construction of up to 240 dwellings with garaging; parking; public open space; landscaping; new vehicular and pedestrian accesses; highway works, foul and surface water drainage infrastructure and all ancillary works and the discharge of conditions 6 (phasing), 9 (levels), 14 (parking and manoeuvring), 15 (construction and delivery plan), 18 (open space specification), 19 (landscaping scheme), 22 (species survey reports), 23 (boundary treatment), 24 (lighting), 25 (crime prevention), 26 (sustainability), 27 (construction management plan), 30 (landscape and ecological mitigation plan) and 32 (broadband connections) pursuant to outline planning permission 15/02768/OUT.  
Application approved 28<sup>th</sup> February 2018

## **5.0 CONSULTATIONS AND REPRESENTATIONS**

### **5.1 Wavendon Parish Council**

No comments received at the writing of this report.

### **5.2 Walton Community Council**

#### **Initial comments received**

Objection to proposal. The uplift to dwellings has been obtained through decreasing the ease of parking, resulting in changes to the arrangement of driveway parking likely to result in an increase in on-street parking, potentially causing problems for buses on a primary street. Density increase could also have impact on existing infrastructure and increase congestion on the Stockwell Lane junction. Request for application to be determined at Committee.

#### **Additional comments**

Following discussion at their Regulatory Committee, the Council do not wish to withdraw their objection.

### **5.3 Cllr David Hopkins - Danesborough and Walton**

No comments received at the writing of this report.

### **5.4 Cllr Victoria Hopkins - Danesborough and Walton**

No comments received at the writing of this report.

### **5.5 Cllr Alice Jenkins - Danesborough and Walton**

No comments received at the writing of this report.

### **5.6 MKC Highways**

#### **Initial comments**

Additional allocated parking provision has been provided in accordance with the Council's Parking Standards. Cycle parking is acceptable and on plot parking spaces are shown in parallel car parking bays to compliant dimensions. No objection to the layout of the re-plan area. Tracking for refuse collections vehicles, fire tenders and cars is acceptable with refuse vehicles able to service all dwellings with wheels contained within the carriageway areas. Junction and forward visibility is acceptable with no obstructions, whilst the submitted refuge strategy is considered acceptable.

No objections to the proposals subject to conditions requiring full details of estate roads and footways which must be laid out prior to occupation of the dwellings and the construction of car parking areas prior to occupation of the development.

## 5.7 MKC Urban Design

### **Comments**

Comments setting out that Plot 65 - Buckingham house type has a blank frontage to the secondary street and should provide an active frontage.

## 5.8 MKC Flood and Water Management Officer (Lead Local Flood Authority)

### **Initial Comments**

Initial objection to the application due to failure to provide updated calculations to demonstrate the performance of the additional impermeable area in the drainage scheme. Requirement to also demonstrate where the additional 7 dwellings will be accommodated within the site and their associated permeable areas.

### **Comments following re-consultation**

Further objection due to failure to provide updated calculations as set out above and failure to address the need to demonstrate where the additional 7 dwellings will be located within the development.

### **Further comments following re-consultation**

Following a review of additional documentation incorporating a drainage technical note, micro drainage details and layout; the objection is removed. Request conditions relating to surface water drainage and surface water run-off.

## 5.9 MKC Landscape Architect

### **Comments**

No objection, but to fully support the proposal amendments were sought in relation to the layout of visitor parking bays to eliminate small triangles of grass and to allow trees sufficient soil below ground. A request was also made to co-ordinate with the Highway Authority to ensure hard surface and street planting meets adoption standards, for provision of visibility splays, and for the design of lighting and tree planting to ensure planting is not compromised by lighting locations.

## 5.10 MKC Great Crested Newt (GCN) Licensing

### **Initial comments**

Initial objection. Proposals involve development within 250m of ponds and cause damage/loss of terrestrial habitats where Great Crested Newts may be present. GCNs are protected by national legislation and MK Council has duty to conserve biodiversity. Prior to determination evidence of mitigation license in respect of GCN is required or the District License scheme should be applied for.

## **Comments following re-consultation**

It is noted the applicant has produced evidence surrounding their extant GCN licence from Natural England, alongside the documentation they have submitted seeking an amendment to the same. This overcomes the objection. It is recommended that a pre-commencement condition is used to secure a copy of the final amended licence in order to satisfy the requirements of NE2.

### 5.11 MKC Ecology

The submitted Ecology Report outlines mitigation measures which are considered to be acceptable, and no objection is raised.

### 5.12 MKC Housing

#### **Initial Comments**

Objection to the proposals due to non-compliance with Policy HN2 (Affordable Housing) with an expectation for 15 affordable housing units. Requirements in terms of dwellings being built to comply with Building Regulations to ensure adaptability and accessibility. Request for a Housing Accommodation Schedule (HAS) correlating with detailed plans to cover whole site including all 240 or 247 dwellings if current application is to replace the existing approval. HAS required to assess affordable housing locations, mix and tenures in line with those secured within the s106 for the existing approval.

Full 31% affordable housing provision to be accounted for and, if not physically provided, any surplus amount will need to be calculated and accounted for as a financial contribution in accordance with the Affordable Housing SPD.

#### **Further comments following re-consultation**

Further request for Housing Accommodation Schedule in order to know what the proposed changes are, and how many and which units are affordable housing in the flat blocks, and which are M4 compliant. Objection based on lack of clarity of information submitted, and failure to comply with Plan:MK.

#### **Further comments following re-consultation**

Not opposed to two affordable housing dwellings, as objection is based on lack of clarity and provision of requested evidence of approved information. Further dissatisfaction in the mix proposed of two additional affordable dwellings as this is not in line with s106 on 15/02668/OUT.

Housing Accommodation Schedule provided only shows two affordable housing proposed as shared ownership. If the application is looked at as a revision, the mix, would need to have one affordable house as affordable rent and one as social rent rather than the shared ownership proposed.

## **Final comments following re-consultation**

Content with the changes and that the two additional Affordable Housing now have the Affordable Rent tenure.

### **5.13 Representations from interested parties**

No representations have been received.

## **6.0 MAIN ISSUES**

Principle of development;  
Housing mix and density;  
Highway matters and parking;  
Impact on character of the area;  
Residential amenity;  
Landscape;  
Ecology;  
Drainage and flood risk;  
Sustainable construction; and  
s106 matters.

## **7.0 CONSIDERATIONS**

### **Principle of development**

- 7.1 The current proposal seeks planning permission for 46 dwellings, 39 of which form part of the implemented permission for the provision of 240 residential dwellings across the wider site. The proposed additional 7 dwellings therefore present an uplift and re-plan of this part of the wider site. However, it must be noted that the outline permission was granted prior to the adoption of Plan:MK (March 2019) and in this regard the current application falls to be considered in accordance with the relevant adopted Plan policies.
- 7.2 The application site and wider development area is located on land within the Strategic Land Allocation of 'Land to north of Wavendon' and is identified under Plan:MK Policy SD7 as forming part of the Strategic Reserve Area between SR2 (Glebe Farm) and SR3 (Eagle Farm). The development site therefore forms part of the identified sustainable urban extension to Milton Keynes which aims to deliver in the region of 2,900 new homes. Development within the Strategic Land Allocation is permitted in accordance with the Development Plan and should be delivered in accordance with the adopted Strategic Land Allocation Development Framework SPD (SLADF) and the relevant adopted design codes for each phase or site.
- 7.3 Plan:MK Policies SD1, SD7, SD9 and SD10 are therefore of relevance to the current scheme. These seek to ensure proposals for new strategic urban extensions provide a safe and high-quality urban extension. This should demonstrate place making principles which, amongst other things, integrate well with the surrounding development in terms of design, character and connectivity, support energy efficiency and sustainable travel patterns and physical and mental health and be

shaped by the existing city grid road systems, linear parks and strategic flood water management. Further, development should provide the necessary social, green and grey infrastructure to support the development.

- 7.4 The SLADF provides further detail in relation to the development site and sets out guidance on layout, landscape, open space, highway access, street hierarchy and design.
- 7.5 These policies and the SLADF support the requirements of Policies DS1 and DS2 of Plan:MK which seek to deliver a minimum of 26,500 homes over the Plan period, taking account of the settlement hierarchy, with a focus firstly on the existing urban area of Milton Keynes and Strategic Land Allocations.
- 7.6 The site, offering additional residential provision on land forming part of an identified Strategic Land Allocation, therefore directs housing development in accordance with the identified settlement hierarchy and is thereby in conformity with Policies DS1 and DS2.
- 7.7 Further, as will be set out in more detail below, by virtue of the proposed layout and detailed design of the development the proposal would accord with best practice principles for creating a sustainable urban extension. The application would therefore be compliant with the SLADF and the detailed requirements of Plan MK Policies SD1, SD7, SD9 and SD10 and is therefore considered acceptable as a matter of principle.

#### Housing mix and density

- 7.8 Whilst the current application seeks the provision of 46 dwellings, taking into account the wider approved scheme, the proposal falls to be considered as a 'slot in' application, which, if implemented, would supersede the 2017 permitted reserved matters scheme insofar as it relates to land within the current site boundary. This can be secured by a clause within a s106 Deed of Variation. Further, the Deed of Variation would stipulate that the current application is to be treated as part of the development as a whole, so long as the permission is implemented, thereby resulting in an increase in housing numbers delivered across the wider site to 247 dwellings. In this regard, the assessment of mix and density is considered across the development site as a whole.
- 7.9 Parts A and B of Policy HN1 of Plan:MK outline the requirements regarding housing mix and density. In summary, development proposals need to reflect the housing mix as identified within the most recent housing need and market demand assessments and be of a density that is appropriate to the area in which the site is located.
- 7.10 In terms of market housing, the current application would alter the approved mix across the site to that outlined at paragraph 0 above. Whilst this would reduce the number of 3 bedroom units originally approved (75) and increase the 4 bedroom units proposed (60), the market housing mix is generally considered to comply with the Objectively Assessed Housing Need as set out in Plan:MK. This identifies a 57% need for three-bedroom dwellings, 25% need for four-bedroom dwellings and a 6% need for five-bedroom dwellings. The development would therefore not result in a significant over/under provision of a housing type. Further, the provision of 7

additional dwellings is not considered to be so significant as to result in an inappropriate density of development within the site area or the site as a whole.

- 7.11 In terms of the affordable housing provision, Policy HN2 requires that proposals for 11 or more homes should provide 31% affordable housing. The tenure and mix of affordable housing should comprise of approximately 25% of units under the affordable rent model, 5% of the total affordable housing provision should be at a level broadly equivalent to social rent, and 6% shared ownership. Further, the design, siting and phasing of affordable housing should ensure proper integration. In addition, Policy HN4 sets the requirements for developments of 11 dwellings or more to be delivered in accordance with Building Regulations Part M4.
- 7.12 As set out above, on the basis that the current application is considered as a 'slot in' application, the affordable housing provision is assessed across the site as a whole and not just in terms of the 46 units proposed.
- 7.13 To this regard the current application seeks to provides a further 2 affordable housing units which would increase the affordable housing provision across the site from 72 units to 74 units.
- 7.14 It should be noted that the 74-unit provision would result in a 30 per cent yield of affordable housing across the site. This would therefore fail to achieve the 31 per cent as required by Policy HN2. Nonetheless, the approved and implemented outline permission provides the fallback position which needs to be considered as a significant material consideration for this application. The approved application was determined in accordance with the former Milton Keynes Local Plan 2001-2011 (Saved Policies) and the requirements of Policy H4-H5 (affordable housing) which sought to deliver a 30 per cent affordable housing provision. As this permission is extant and the developer could continue to implement it, it would be unreasonable to reconsider the affordable housing provision across the whole site. In this regard, only the additional 7 dwellings are considered against to the current policy requirement. This would therefore result in a need to provide 2.17 dwellings as affordable units.
- 7.15 Whilst the preferred approach is for affordable housing to be provided on site, there is no requirement in policy HN2 that figures must be rounded up to the nearest whole figure. Further, in exceptional circumstances, it may be appropriate to accept an in-lieu off site contribution in accordance with the Affordable Housing SPD. In this instance, given that the development would result in a planning gain in terms of the additional affordable units being provided, the applicant has been asked to provide a monetary contribution to cover the affordable housing deficit of 0.17 units. The site is located on land identified by the Affordable Housing SPD as a high value area where the contribution is set at £125,000. A percentage of the 0.17 deficit would therefore generate a monetary value of £21,250. Further detail on this matter is set out within the s106 section on this report.
- 7.16 In terms of the mix of affordable housing proposed, concerns were raised by Housing Strategy in light of the two additional affordable housing units being provided as shared ownership dwellings. This was considered to be contrary to the affordable housing tenures agreed under the original s106.

- 7.17 In order to address those concerns, the tenure has been revised to offer both units as affordable rent. A comparison is provided below.

Approved Mix:

<b>Tenure</b>	<b>Number of Units</b>	<b>Percentage</b>
Affordable Rent	48	66.6
Social Rent	12	16.6
Shared Ownership	12	16.6
<b>Total</b>	<b>72 dwellings</b>	

Proposed Mix:

<b>Tenure</b>	<b>Number of Units</b>	<b>Percentage</b>
Affordable Rent	50	67.5
Social Rent	12	16.2
Shared Ownership	12	16.2
<b>Total</b>	<b>74 dwellings</b>	

- 7.18 The comparison shows that the development would result in a marginal increase in terms of the affordable rent housing provided. This would accord with the agreed percentages set out in the original s106 agreement. The development would also deliver the affordable housing in accordance with the tenure mix specified under Policy HN2(B) and as per the Milton Keynes Strategic Housing Market Assessment 2012-2031 which sets out the need for affordable housing within the Borough by size and tenure. The provision of social rent and shared ownership dwellings would be retained as per the original approval. The Council's Housing Strategy Team have confirmed their support of the revised affordable housing provision.

- 7.19 In light of the above, the development is considered to be in conformity with the requirements of Plan:MK Policies HN1, HN2 and HN4.

#### Highway matters and parking

- 7.20 Policy CT2 of Plan:MK seeks to ensure that development proposals provide safe, suitable and convenient access for all potential users and do not compromise the safety of the surrounding highway network. In addition, when considering the proposals against policy CT10 of Plan:MK, there is a requirement to meet the adopted car parking standards as presented within the Parking Standards SPD unless mitigating circumstances dictate otherwise.

- 7.21 Policy CT6 also requires that proposals for new residential developments provide electric vehicle (EV) charging points at a rate of 1 charging point per unit.

7.22 A summary of the car parking proposed is included below:

		Parking Standards – Zone 3					
		Required			Proposed		
Type	No. of units	Allocated	Unallocated		Allocated	Unallocated	
			Visitor	Tandem		Visitor	Tandem
3-bed house	13	2 per unit (2 total)	0.5 per unit (0.5)		In accord with the standards		
4-bed house	22	2 per unit (2 total)	0.5 per unit (0.5)				
5-bed house	11	2 per unit (10 total)	0.5 per unit (2.5)				
<b>Totals</b>		92	23		94 allocated	26 unallocated	
<b>Site total</b>		<b>115</b>			<b>120</b>		

7.23 For comparison the approved provision relating to the original 39 dwellings is detailed below:

		Parking Standards – Zone 3					
		Required			Proposed		
Type	No. of units	Allocated	Unallocated		Allocated	Unallocated	
			Visitor	Tandem		Visitor	Tandem
3-bed house	14	2 per unit (2 total)	0.5 per unit (0.5)		In accord with the standards		
4-bed house	19	2 per unit (2 total)	0.5 per unit (0.5)				
5-bed house	6	2 per unit (10 total)	0.5 per unit (2.5)				
<b>Totals</b>		78	19.5		78 allocated	51 unallocated	
<b>Site total</b>		<b>97.5</b>			<b>129</b>		

7.24 The overall layout of the site has been amended to provide both allocated and unallocated visitor parking for the 46 units in total. This includes two allocated driveway parking spaces for each of the residential dwellings. The parking arrangement incorporates both side by side bays and tandem parking. Concern has been raised by Walton Community Council in relation to the tandem parking and the implications of this in terms of roadside parking.

7.25 This form of parking is acceptable within the Council's adopted Parking Standards, provided the correct dimensions are met. In this instance, the provision meets the required number and dimensions, and no objection has been raised by MKC

Highways in respect of this. In addition, tandem parking is an established and character feature within the wider site of Morton Park, of which this parcel of land falls within. This type of parking arrangement was also approved under the existing reserved matters approval. As such, the use of tandem parking provision is considered to be acceptable.

- 7.26 The proposal incorporates a total of 26 visitor parking spaces, integrated into the highway network, avoiding parking provision which would otherwise obstruct the flow of vehicular traffic through the site. Whilst this is a reduction in terms of the approved scheme, the provision is in accordance with the unallocated parking provision specified within the Council's Parking Standards. Further, it is felt that this reduction would allow for more continuous areas of tree planting which would visually enhance the proposals. Electric vehicle charging provision is also provided in accordance with Policy CT6 of Plan:MK.
- 7.27 The proposed development does not result in additional primary or secondary streets and makes use of the existing, approved, highway network. Parking provision and access provides appropriate visibility splays, and the application has been supported by a swept path analysis. This demonstrates larger delivery vehicles and emergency vehicles can adequately access and manoeuvre around the site. No objections have been raised in respect of this.
- 7.28 A further objection from Walton Community Council related to the impact on congestion as a result of the 7 additional dwellings proposed. However, whilst the proposed development would result in a minor increase in traffic to and from the site, the submitted Transport Note demonstrates that this would only be likely to generate a maximum of 4 trips during the AM peak period, and 5 trips during the PM peak hours.
- 7.29 Paragraph 109 of the NPPF states that development should only be refused where the residual cumulative impacts on the highway network would be severe. This increase in traffic is considered to be minimal in the wider context of allocations and approved developments in the area, and would not result in an increase in traffic that would result in significant congestion or safety issues within Morton Park or on the surrounding highway network.
- 7.30 The issue of increased congestion has been reviewed by the MKC Highways who have confirmed that the highway implications were considered during the assessment of the original application. This slight increase in the number of dwellings is not felt to result in a significant impact on the highway network over and above that already approved. To this extent, no objections have been raised by highways officers in respect of an increase in traffic generation as a result of the development.
- 7.31 The proposed development is therefore considered to comply with Policies CT2, CT6 and CT10 of Plan:MK, and the Milton Keynes Parking Standards 2016.

#### Impact on character of the area

- 7.32 One of the strategic objectives of Plan:MK is to embody place-making as an overarching design objective for new development. It requires the layout and design

of new developments to create safe, healthy, sustainably built environments with easy access to open space, public transport and facilities; delivering a high quality of urban design, architecture and public realm and creating places with identity. This is reflected in Policies D1, D2, D3 and D5 of Plan:MK and Section 12 of the NPPF.

- 7.33 In addition, Plan:MK Policies SD1, SD7 and SD9 set the requirements for development within strategic urban extension areas. These seek to ensure that such proposals integrate well with the surrounding built and natural environment, the structure and layout is based on the principles that have shaped the original city, and development enhances the character of the area, creating a positive identity through high quality and forward thinking architecture with housing arranged according to block principles with varied densities and quality landscaping.
- 7.34 These principles are in accordance with the New Residential Design Guide SPD (2012) and SLADF. These documents seek to ensure the provision of high quality residential development through informed design, which provide a hierarchy of street types, range of densities, demarcation of public and private space, appropriate landscaping, well designed pedestrian and cycle routes and informed housing typologies utilising high quality architecture and innovation.
- 7.35 The site covers an area of 2.36 hectares and its located to the southern end of the wider development site approved under the 2015 outline permission. The proposed dwellings follow a J-shaped arrangement with an eastern projection. The properties have been arranged to follow and directly address the surrounding road layout and are arranged as detached and semi-detached dwellings of two and two and a half stories with setback rear garages.
- 7.36 In terms of the layout and arrangement of the proposed dwellings, this largely follows that approved under the 2017 reserved matters application with no alterations to the road layouts or arrangement of the dwellings. The proposed dwellings would be situated within spacious plots which address the highway and follow a linear and consistent form.
- 7.37 In terms of the detailed design of the dwellings, this would follow the pattern of existing development throughout the wider site, being predominately of red brick with slate grey roof tiles and decorative detail incorporating bay window features, external render and panel boarding. The gentle repetition of features and materials helps to ensure a coherent approach throughout the wider site that will enhance quality of place and define the character area.
- 7.38 It is noted that concern has been raised by the Council's Urban Design Officer in relation to the failure of plot 65 to address the secondary street frontage. This is in accordance with Residential Design Guide SPD which specifies that corner buildings should provide an active frontage on both sides. However, in light of the scale of development across the site as a whole, which generally accords with this principle, it is not considered that the failure to meet this requirement on a single dwelling would cause material harm to the visual amenities of the area. Furthermore, the secondary street is well served by dwellings that front directly onto the street frontage which provide good levels of natural surveillance. This property would be set back from the frontage so not to have a direct visual relationship. Thus, on balance, the proposal is

not considered to result in demonstrable harm that would warrant a refusal of permission.

- 7.39 As such, the proposed development is considered to comply with Policies D1, D2, D3, D5, SD1, SD7 and SD9 of Plan:MK, section 12 of the NPPF and the general principles contained within the New Residential Design Guide and the Strategic Land Allocation Framework SPDs.

#### Residential amenity

- 7.40 Policy D5 of Plan:MK seeks to ensure that development proposals do not cause an unacceptable loss of light, loss of privacy or create a visual intrusion between residential buildings. Policy HN4 requires that residential units meet the Nationally Described Space Standard (NDSS) as well as other criteria regarding accessibility and flexibility of homes.
- 7.41 In respect of the proposed development, the proposed dwellings would meet the separation distances as specified within the New Residential Design Guide SPD. This would maintain a 22-metre rear to rear separation throughout all proposed dwellings and those dwellings lying outside the site boundary. Furthermore, all but one dwelling (plot 38) would achieve the 13.7 metre rear to side separation distance in terms of the proposed dwellings and those dwellings outside the site boundary.
- 7.42 The siting of plot 38, as now proposed, is similar to that previously approved, and, as this scheme could be implemented as an alternative, it would be unreasonable to require a greater separation to be achieved. Further, to reposition this dwelling would be materially harmful to the arrangement of the row of properties within which the property is sited as it would disrupt the consistent building line. In any case the two properties would have an off-set relationship with a 12m separation achieved and the impact in this regard is not considered to cause material harm that would warrant a reason for refusal. As a result, the overall site layout retains the privacy of future and existing occupiers of the development.
- 7.43 In respect of any loss of sunlight or daylight, or unacceptable visual intrusion, all dwellings are of a distance and orientation that ensures sufficient levels of sunlight and daylight to future occupiers of the development and does not result in any adverse visual intrusion. This is further enhanced by the separation distances between dwellings being adequate.
- 7.44 As such, the proposed development is considered to be in compliance with Policy D5 of Plan:MK. It has also been demonstrated, by way of the submitted floor plans, that the proposal meets the standards as outlined within the NDSS.
- 7.45 In addition, Policy HN4 requires that the relevant number of new dwellings should be built to Building Regulations Part M4 Standards, be of wheelchair accessible standard and include fire suppression measures. It should be noted, however, that both the outline approval and reserved matters consent were granted prior to the adoption of Plan:MK, and to this regard these requirements were not a necessary precursor to consent being granted. With this providing a fall-back position, it would be unreasonable to require that this policy criterion are met in relation to the site as

a whole. The applicant has however confirmed that 4 of the 7 'uplift' dwellings will meet Part M4(2), with the remaining dwellings readily adaptable to M4(3) standard.

- 7.46 The New Residential Development Design Guide (2012) provides guidance on the minimum level of private amenity space required for new dwellings. The required distance is 10 metres in depth for a family dwelling, although a reduction of this to 7 to 8m is deemed acceptable if the plot is considered to have a wide frontage. Whilst the definition of family housing is not set out within the document, for the purposes of this assessment, family housing is defined as any property of two bedrooms or more.
- 7.47 All the proposed plots provide for sufficient garden space in accordance with these standards. For each dwelling, a garden of a minimum of 7 metres in depth is provided which is appropriate on the wider frontage plots of which this is a feature. The remaining plots have gardens of between 9 and 10 metres in depth. Any shortfall from the 10-metre distance is therefore infrequent and minor and not considered sufficiently harmful in the round to withhold permission on this basis. The standards as outlined within the New Residential Design Guide are therefore considered to be met, providing sufficient private amenity space for occupiers.
- 7.48 The proposed development is considered to be in compliance with Policies D5 and HN4 of Plan:MK and the New Residential Design Guide 2012.

#### Landscape

- 7.49 Policy D1 of Plan:MK seeks to ensure boundary treatments and soft and hard landscaping elements are in keeping with the local area.
- 7.50 The submitted landscaping scheme has been amended to address comments made by the Landscape Architect. Whilst not objecting, concerns were raised in respect of small pockets of soft landscaping, predominantly in areas adjacent to visitor parking bays, that would not be adopted by highways and which would not allow sufficient soil for plants to become established, raising the risk of losing these or a lack of maintenance. The amended plans therefore omit the majority of these identified areas, providing either slightly amended parking locations or slightly larger parking dimensions so to result in larger areas of hard landscaping that would serve parking provision associated with the site.
- 7.51 As a result, the proposed scheme overall makes use of established soft landscaping and planting species/proposals and hard landscaping materials that are reflective of the wider Morton Park site. The proposed development therefore integrates well with the surrounding area. In addition, no significant areas of soft landscaping have been impacted by the addition of the 7 additional dwellings and, as such, the character of the wider area has been retained to provide a quality development with strong areas of soft landscaping and planting that is reflective of the wider design principles in Plan:MK.
- 7.52 The proposed development is therefore considered to comply with Policy D1 of Plan:MK.

## Ecology

- 7.53 Policy NE3 of Plan:MK requires development proposals to protect and, wherever possible, result in a measurable net-gain in biodiversity. In addition, Policy NE2 seeks the protection of protected species and their habitats. Furthermore, in accordance with Policy NE4, development proposals should provide green infrastructure and ensure that existing ecological networks are identified and wherever possible maintained to avoid habitat fragmentation. Policy L4 also requires that new housing development should contribute to improved open space and recreation facilities, and should place these at the heart of the development ensuring their management and maintenance.
- 7.54 The application is supported by an Ecological Note which sets out the ecological mitigation works that have been carried out in association with the previous approval, of which this site forms part of. These works have been informed by the ecology surveys and assessment work submitted in association with this scheme, as agreed under the Great Crested Newt (GCN) License obtained from Natural England.
- 7.55 An initial objection was submitted by the Council's GCN Licensing Officer stating that in order for the current scheme to be compliant with local and national legislation, prior to determination, evidence of the extant mitigation license of GCNs should be provided or the District License Scheme should be applied for.
- 7.56 In response, the applicant has provided details of the extant GCN License from Natural England along with materials submitted in seeking to amend this agreement. The Council's GCN Licensing Officer has reviewed this detail and stated that he is content on the basis that, if the application is approved, a pre-commencement condition is attached to secure the amended license in order to ensure the requirements of Policy NE2 have been complied with.
- 7.57 In terms of the wider implications of the development on biodiversity, the proposals have been reviewed by the Council's Ecologist who has raised no objection to the scheme on the basis that the proposed alterations to the scheme would not affect the ecological considerations of the development. They have recommended that the development continue to be implemented in accordance with the ecological recommendations set out in the outline and reserved matters applications.
- 7.58 The outline permission and reserved matters scheme were approved prior to the adoption of the current Local Plan, and therefore pre-date the requirements set out within Policy L4(A) for the provision of open space and recreation facilities in accordance with the Council's Adopted Standards. However, the wider development site incorporates a large area of open space to the south where provision has been made for a number of play and recreation facilities incorporating play areas, a informal kick about area and informal bike tracks. This is located amongst significant areas of newly planted trees, shrubs and wildflower. The current application makes no alterations to this element of the wider approved scheme.
- 7.59 Subject to conditions, the proposed development is considered to comply with Policies NE2, NE3, NE4 and L4 of Plan:MK.

### Drainage and flood risk

- 7.60 Paragraph 155 of the NPPF sets out the responsibility of planning authorities in relation to flood risk, which is, in part, to ensure that it is not increased elsewhere as a result of the development. Policies FR1 and FR2 of Plan:MK also support the provision of sustainable urban drainage systems.
- 7.61 The application site is located within Flood Zone 1, where fluvial flood risk is identified as 'very low'. The proposed development results in additional impermeable areas being created and an additional 7 dwellings connecting with the foul water drainage system.
- 7.62 An initial objection was received from the LLFA in respect of the failure to provide updated calculations demonstrating the performance of the additional impermeable area in the drainage scheme, and expressing a need for further detail in relation to where the additional dwellings would be accommodated within the site.
- 7.63 Additional information was submitted incorporating a drainage Technical Note and Re-plan Drainage Layout. This detail sufficiently demonstrates that surface water from the development can be managed utilising the already approved wider surface water drainage network. The LLFA have therefore withdrawn their objection, subject to conditions relating to the provision of full details of surface water drainage systems.
- 7.64 As a result the proposed development is considered to comply with Policies FR1 and FR2 of Plan:MK.

### Sustainable construction

- 7.65 Policy SC1 of Plan:MK seeks to ensure that development proposals provide resilience to the impacts of climate change and support the delivery of renewable and low carbon energy.
- 7.66 The application has been supported by a Sustainability Statement outlining a 'fabric-first' approach and the provision of solar panels and air source heat pumps. This is considered to be in accordance with Policy SC1 of Plan:MK. A condition securing that the development is carried out in accordance with this statement is recommended.
- 7.67 The proposed development has therefore demonstrated accordance with Policy SC1 of Plan:MK.

### s106 matters

- 7.68 The development site is located within the Strategic Reserve Area and, in accordance with Plan:MK Policy SD7, the delivery of development in the site allocation will be secured through the Milton Keynes Tariff which secures contributions towards on and off site strategic and local infrastructure. This must include financial contributions towards the improvement and extensions of infrastructure and facilities in nearby existing settlements which are made necessary by the development.

7.69 This requirement is supported by the SLADF SPD, subsection 4, which sets out that contributions will be sought for infrastructure and facilities including:

- Affordable housing;
- Highway infrastructure;
- Public transport services;
- Education;
- Recreation and open space;
- Community facilities;
- Public art and
- Management and maintenance of facilities.

7.70 As previously set out, the current application is considered as a 'slot in' application which will replace and update the existing permission insofar as it relates to land within the site boundary.

7.71 The 2015 outline permission was subject to a s106 Agreement to secure contributions under the Tariff Framework Agreement based on the provision of the 240 dwellings for that permission. It is however necessary to secure a Deed of Variation to the original s106 Agreement in order to ensure that tariff payments are secured for the full 46 dwellings under this 'slot-in' application, whilst ensuring there is no double payments for the 39 units as part of the 2015 outline permission and this slot-in application. The Deed of Variation will also ensure the delivery of the additional 2 affordable housing units proposed and the additional off-site affordable housing contribution to compensate for the slight shortfall as set out in 7.72 below

7.72 The Tariff Framework Agreement initially obligated developers to pay £18,500 per dwelling indexed linked from July 2005. This was based on the following breakdown:

<b>Contribution</b>	<b>Base (2005)</b>
Primary Pupils	£1722
Secondary Pupils	£1733
Post 16 Provision in Schools	£409
Early years provision	£349
MK University	£712
MK College	£287
Local/grid roads	£2,075
Major roads	£1,728
Public Transport	£1,963
Primary Health	£486

<b>Contribution</b>	<b>Base (2005)</b>
Acute Health	£1,082
Leisure and Community Facilities	£1,007
Open Space and Play Areas	£2,927
Libraries and Lifelong Learning	£248
Crematorium/burial grounds	£72
Heritage	£240
Waste Management	£268
Public Art	£66
Social Care	£365
Flooding and drainage	£188
Voluntary sector contribution	£188
Inward investment	£188
Carbon offset	£150
Emergency Services	£48
<b>Total per unit:</b>	<b>£18,500</b>

7.73 It should be noted, however, these figures are based on the 2005 Tariff Framework Agreement. Due to indexing, this figure has now increased to £27,592 per dwelling, which is based on the latest market activity.

7.74 The final breakdown of s106 contributions relating to this scheme is therefore as follows:

<b>Contribution</b>	<b>Provisional Cost</b>	<b>Maintenance Cost</b>
Tariff Payment per dwelling x 7	£27,592	Included
Tariff Payment per dwelling x 39	25% of per dwelling contribution has been paid under the 2015 outline permission. 75% of the £18,500 per dwelling contribution plus relevant indexation at the date of payment remains to be paid	Included

<b>Contribution</b>	<b>Provisional Cost</b>	<b>Maintenance Cost</b>
Off-site Affordable Housing Contribution	£21,250	N/A

- 7.75 The applicant has confirmed their agreement to enter into a s106 Deed of Variation.
- 7.76 In order to justify the provision of the contributions as set out above, s106 contribution requests were sent to the relevant consultees. The figures requested by those parties are broadly consistent with the required Tariff figure and therefore ensure that the contributions meet the tests for obligations as outlined at paragraph 55 of the NPPF and Regulation 122 of the Community Infrastructure Levy (CIL). They are considered necessary to make the development acceptable in planning terms, directly related to the development and fairly and reasonably related in scale and kind.
- 7.77 Subject to the applicant entering into a Deed of Variation, it is considered that the application would provide sufficient contributions and obligations to mitigate the impact of the proposed development on local infrastructure. It would also meet the requirements of Policy SD7 and the SLADF.

## **8.0 CONCLUSIONS**

- 8.1 In light of the above considerations, the proposed development would contribute to the delivery of additional housing within a strategically allocated site that would accord with best practice principles for creating a sustainable urban extension. In reaching this recommendation, due weight is also afforded to the approved outline planning consent for residential development across the site which establishes the site for residential use.
- 8.2 The proposed scheme would offer a mix of housing accommodation to meet the needs of Milton Keynes and would not result in any adverse impacts on the surrounding highway or residential amenity. Accordingly, it is recommended that permission be granted subject to the completion of a s106 agreement and the conditions outlined below.

## **9.0 CONDITIONS**

1. The approved development shall be carried out in accordance with the following drawings/details:

Received 7<sup>th</sup> May 2021

**Site Layout**, drawing reference: P20-0091\_07 revision R, prepared by Pegasus  
**Parking Plan**, drawing reference: P20-0091\_11 revision G, prepared by Pegasus

**Tenure Plan**, drawing reference: P20-0091\_12 revision G, prepared by Pegasus  
**Enclosures Plan**, drawing reference: P20-0091\_14 revision G, prepared by Pegasus

**Building Height**, drawing reference: P20\_0091\_17 revision G, prepared by Pegasus  
**Composite Layout**, drawing reference: P20-0091\_24 revision D prepared by Pegasus

Received 4 February 2021:

**Materials Plan**, drawing reference: P20-0091\_10 revision F, prepared by Pegasus.  
**Refuse Strategy Plan**, drawing reference: P20-0091\_18 revision E, prepared by Pegasus.  
**Replan Overlay**, drawing reference: P20-0091\_25 revision A, prepared by Pegasus.  
**House Type Pack**, reference P20-0091\_08E, prepared by Pegasus.  
**Hard Landscape Plan**, drawing reference: P20-0091\_13 revision D, prepared by Pegasus.  
**Planting Plan Overview**, drawing number: 6387.MPP.PP.1.0 revision D, prepared by Aspect.  
**Planting Plan 1 of 3**, drawing number: 6387.MPP.PP.1.1 revision D, prepared by Aspect.  
**Planting Plan 2 of 3**, drawing number: 6387.MPP.PP.1.2 revision D, prepared by Aspect.  
**Planting Plan 3 of 3**, drawing number: 6387.MPP.PP.1.3 revision D, prepared by Aspect.  
**Planning Replan Drainage Layout** – drawing number: 14800TA/3211, revision P8, prepared by Fairhurst.  
**Planning Replan Levels Layout** – drawing number: 14800TA/3307, revision P8, prepared by Fairhurst.  
**Planning Replan Visibility Splays** – drawing number: 14800TA/3805, revision P7, prepared by Fairhurst.  
**Planning Replan Swept Path Analysis – Cars** – drawing number: 14800TA/3806, revision P7, prepared by Fairhurst.  
**Planning Replan Swept Path Analysis – Refuse** – drawing number: 14800TA/3807, revision P7, prepared by Fairhurst.  
**Planning Replan Swept Path Analysis – Fire** – drawing number: 14800TA/3808, revision P7, prepared by Fairhurst.

Received 23 December 2020:

**Site Location Plan**, drawing reference: P20-0091\_15 revision D, prepared by Pegasus.

Reason: For the avoidance of doubt and in the interests of securing sustainable development.

2. The development hereby permitted shall begin 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 91 of the Town and Country Planning Act 1990.

3. The development hereby approved shall be carried out in accordance with the materials specified on the approved plans.

Reason: To ensure that the new work complements the existing building and to ensure the development does not detract from the character and appearance of the area in accordance with Policies D1, D2, D3, D5 and SD1 of Plan:MK

4. Prior to any development pursuant to this permission commences, the developer shall provide confirmation in writing to the Local Planning Authority as to which plots, roads and spaces will be constructed under this permission and which will be reliant on the previous planning approvals for the site as set out under permissions ref. 15/02768/OUT and 17/03283/REM.

Reason: In order for the Local Planning Authority to effectively monitor and exercise control over the form of development that is carried out within the location.

5. Prior to the commencement of the development details of the estate roads and footways shall be submitted to and be approved in writing by the Local Planning Authority. No dwelling shall be occupied until the estate roads and footways which provide access to it from the existing highway have been laid out and constructed in accordance with the approved details. The estate road and footways so laid out shall be retained thereafter.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the development.

6. Prior to the occupation of the development hereby permitted the car parking area shown on the approved drawings shall be constructed, surfaced and permanently marked out. The car parking area so provided shall be maintained as a permanent ancillary to the development and shall be used for no other purpose thereafter.

Reason: To ensure adequate parking provision at all times so that the development does not prejudice the free flow of traffic or the safety on the neighbouring highway.

7. The development hereby permitted shall be carried out in full accordance with the Energy Statement submitted on the 25<sup>th</sup> November 2020.

Reason; To ensure that the proposed development is carried out in accordance with Policy SC1 of Plan:MK.

8. No laying of services, creation of hard surfaces or erection of a building shall commence until a detailed design of the surface water drainage of the site has been submitted to and approved in writing by the Local Planning Authority. Those elements of the surface water drainage system not adopted by a statutory undertaker shall thereafter be maintained and managed in accordance with the approved management and maintenance plan.

The scheme shall be based upon the principles within the agreed Planning Drainage Technical Note prepared by Fairhurst (ref: 124381-002-P4) dated 20 November 2020 and shall also include:

- a) Full results of the proposed drainage system modelling in the QBAR, 3.3% Annual Exceedance Probability (AEP) (1 in 30) and 1% AEP (1 in 100) storm events (as well as 1% AEP plus climate change), inclusive of all collection, conveyance, storage, flow control and disposal elements and including an allowance for urban creep, together with an assessment of system performance;
- b) Detailed drawings of the entire proposed surface water drainage system, attenuation and flow control measures, including levels, gradients, dimensions and pipe reference numbers, designed to accord with the CIRIA C753 SuDS Manual (or any equivalent guidance that may supersede or replace it);
- c) Full detail on SuDS proposals (including location, type, size, depths, side slopes and cross sections);
- d) Details of overland flood flow routes in the event of system exceedance, with demonstration that such flows can be appropriately managed on site without increasing flood risk to occupants;
- e) Demonstration that the surface water drainage of the site is in accordance with DEFRA non-statutory technical standards for sustainable drainage systems;
- f) Full details of the maintenance/adoption of the surface water drainage system;

Reason: To ensure that the proposed development can be adequately drained and to ensure that there is no increased flood risk on or off site resulting from the proposed development and to ensure that the principles of sustainable drainage can be incorporated into the development, noting that initial preparatory and/or construction works may compromise the ability to mitigate harmful impacts.

9. No development, including preparatory works, shall commence until details of measures indicating how additional surface water run-off from the site will be avoided during the construction works have been submitted to and approved in writing by the Local Planning Authority. The applicant may be required to provide collection, balancing and/or settlement systems for these flows. The approved measures and systems shall be brought into operation before any works to create buildings or hard surfaces commence.

Reason: To ensure surface water is managed appropriately during the construction phase of the development, so as not to increase the flood risk to adjacent land/properties or occupied properties within the development itself; recognising that initial works to prepare the site could bring about unacceptable impacts.

10. The development hereby permitted shall be carried out in full accordance with the Construction Environment Management Plan submitted on the 25<sup>th</sup> November 2020.

Reason; To ensure that the proposed development is carried out in accordance with Policy SC1 of Plan:MK.

11. All mitigation and compensation recommendations set out in the Ecological Appraisal; submitted 25<sup>th</sup> November 2020; shall be implemented at the appropriate stage of the development and no later than one year after the final occupation of the

development. The mitigation and compensation measures shall be retained for the lifetime of the development.

Reason: To maintain and enhance local biodiversity and ecology in accordance with Policy NE3 of Plan:MK (2019).

12. Prior to the commencement of the development hereby approved, an updated NatureSpace License Certificate from Natural England shall be submitted to the Local Planning Authority. The development shall be carried out in full accordance with the details and any conditions associated with the License.

Reason: In order to ensure the protection of protected species in accordance with Policy NE2 of Plan:MK.





**SITE SOUTH EAST OF ELMSWELL GATE, TOWERGATE, MILTON KEYNES - PARKING PLAN**

PLANNING | CONSULTING | ECONOMICS | WWW.PAGETRAFFIC.CO.UK | TRANSPORT CONSULTANTS | APPROVED BY THE MCA | 01753 505001 | 10001 1000001 | 0100 100001 | 0010 100001 | 0001 100001

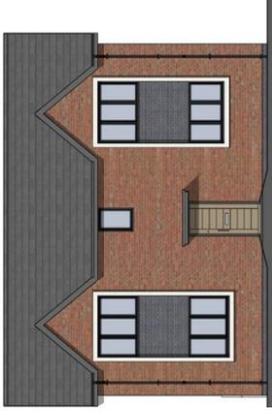




DARTFORD HOUSE TYPE



CHESHEM HOUSE TYPE

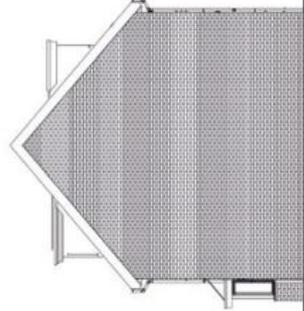


ROYDON HOUSE TYPE

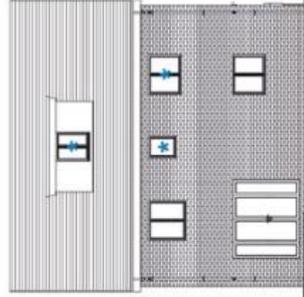


8110

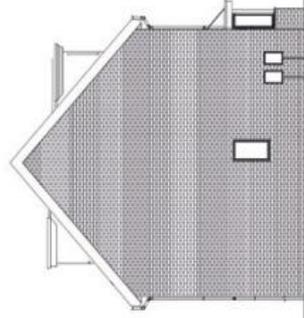
FRONT ELEVATIONS  
★ DISCRETE PLANNING



SIDE ELEVATIONS



REAR ELEVATIONS



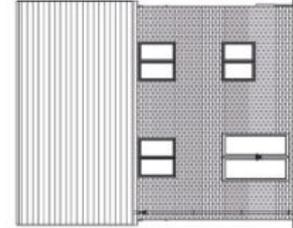
SIDE ELEVATIONS

WINDSOR HOUSE TYPE  
(2.5 STOREY)

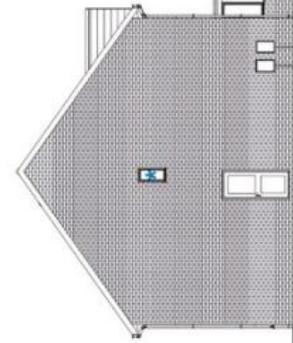


8120

FRONT ELEVATION



REAR ELEVATION



SIDE ELEVATION  
★ OBSCURE GLAZING

ROMSEY HOUSE TYPE  
(2 STOREY)



## **A1.0 FULL CONSULTATIONS AND REPRESENTATIONS**

### **A1.1 Wavendon Parish Council**

No comments received at the writing of this report

### **A1.2 Walton Parish Council**

#### **Initial comments received**

The uplift of the number of dwellings and increase in density has been obtained through decreasing the ease of parking, meaning people will have to park on their driveways back to back, rather than side by side as in the original plans. This will mean an increase in on street parking, which would potentially cause problems for the buses on the primary street. The increased density would also increase impact on the existing infrastructure and the increase directly next to the exit on to Stockwell Lane congestion at this junction. Walton Community Council ask that this application be referred to the DCC, and are willing to make representation at the meeting where the application will be decided.

#### **Comments following re-consultation**

Objection and call in request held

### **A1.3 Cllr David Hopkins- Danesborough and Walton**

No comments received at the writing of this report

### **A1.4 Cllr Victoria Hopkins – Danesborough and Walton**

No comments received at the writing of this report

### **A1.5 Cllr Alice Jenkins- Danesborough and Walton**

No comments received at the writing of this report

### **A1.6 MKC Highways**

#### **Initial comments**

This planning application is for a re-plan of part of the development permitted under planning application 17/03283/REM. It results in an additional 7 dwellings being constructed, an increase from 39 to 46 dwellings.

#### **Parking**

The parking has been amended to provide additional unallocated provision for the 7 dwellings and meets the council's parking standards. Allocated parking features as part of each dwelling and also meets the council's standards. For the overall re-plan area, a total of 92 allocated and 43 unallocated spaces are shown on the parking plan.

Cycle parking is shown either in garages where these are provided or in sheds in the rear gardens of the dwellings which is acceptable.

#### Parking layout

On-plot spaces are shown in accordance with guidance given in the council's 2016 Parking Standards document and unallocated spaces are all shown in parallel car parking bays to compliant dimensions.

#### Layout

Whilst not specifically shown, I have compared the re-plan layout to the approved layout to fully understand where the additional dwellings have been located. I have no objection to the layout of the re-plan area.

#### Vehicle Tracking

Plans have been submitted for refuse collection vehicles, fire tenders and cars. All three plans show that tracking is acceptable. Importantly, the refuse vehicle is shown as being able to service all dwellings and the plans show that the wheels of this vehicle can be contained within the carriageway areas.

#### Visibility

Drawings showing junction and forward visibility have been submitted. These are acceptable and there are no obstructions to visibility in either case.

#### Construction Environmental Management Plan (CEMP)

A statement on the CEMP has been included. The only change required to the CEMP is an acknowledgement of the change to the construction compound area (as from Feb/March 2021). As such the CEMP is acceptable from the highway perspective.

#### Refuse Strategy

The Refuse Strategy Plan shows that refuse operatives will have to carry refuse no further than the recommended distance of 25m and residents no further than 30m (maximum shown on the plan is 26m) which is acceptable.

### **Comments following re-consultation**

Nothing further to add

#### A1.7 MKC Urban Design

##### **Initial comments**

"Dwellings should provide an active frontage to the street".

Plot 65 - Buckingham housetype has a blank frontage to the secondary street.

## A1.8 MKC Flood and Water Management Officer (Lead Local Flood Authority)

### **Initial comments**

“1. Surface Water Network Performance The submitted application includes an additional 7 dwellings on top of the original planning permission at this site, raising the total number of dwellings to 247. The impacts of this increase in housing and associated impermeable areas should be clearly demonstrated within updated hydraulic calculations for the 100%, 3.3% and 1% Annual Exceedance Probability (AEP) storm events, including a suitable allowance for climate change. Until updated calculations have been submitted demonstrating the performance of the additional impermeable area in the drainage scheme, we are unable to support this application.

2. Clarity of Additional Dwellings It should be clearly demonstrated where the additional 7 dwellings are being accommodated within the site. The layout drawings should clearly denote the additional dwellings and associated impermeable areas. This will also aid in reviewing the amended hydraulic calculations. Until it is clear on the drawings where the addition 7 dwelling are accommodated within the development, we are unable to support this application”.

### **Comments following re-consultation**

We have reviewed the submitted documents and at present we still object to the grant of planning permission for the following reasons:

#### 1. Surface Water Network Performance

As stated in our previous response, the submitted application includes an additional 7 dwellings on top of the original planning permission at this site, raising the total number of dwellings to 247. The impacts of this increase in housing and associated impermeable areas should be clearly demonstrated within updated hydraulic calculations for the 100%, 3.3% and 1% Annual Exceedance Probability (AEP) storm events, including a suitable allowance for climate change. Until updated calculations have been submitted demonstrating the performance of the additional impermeable area in the drainage scheme, we are unable to support this application.

#### 2. Clarity of Additional Dwellings

It is still not clear where the accommodation of the additional dwellings is proposed, and which part of the surface water network may be affected. It should be clearly laid out what the approved layout was and where the additional dwellings are being proposed within the site. As stated previously, this will aid in the reviewing of the updated hydraulic calculations. Until it is clear on the drawings where the addition 7 dwelling are accommodated within the development, we are unable to support this application.

### **Final Comments**

We have reviewed the following documents:

- Planning Drainage Technical Note, Fairhurst, Ref:124381-002-P4, Dated: 20 November 2020
- Final Surface Network, Gary Gabriel Associates, Dated: 6 January 2021

- Planning Replan Drainage Layout, Fairhurst, Ref: 14800TA/3211 Rev P8, Dated: 22 January 2021

Based on these, as Lead Local Flood Authority (LLFA) we can remove our objection to the proposed development. The above documents demonstrate that surface water from the proposed development can be managed utilising the approved wider surface water drainage network, including permeable paving over the private shared access and parking areas and connection into a wider swale conveyance and open attenuation storage areas.

We request the following conditions are imposed:

No laying of services, creation of hard surfaces or erection of a building shall commence until a detailed design of the surface water drainage of the site has been submitted to and approved in writing by the Local Planning Authority. Those elements of the surface water drainage system not adopted by a statutory undertaker shall thereafter be maintained and managed in accordance with the approved management and maintenance plan.

The scheme shall be based upon the principles within the agreed Planning Drainage Technical Note prepared by Fairhurst (ref: 124381-002-P4) dated 20 November 2020 and shall also include:

- a) Full results of the proposed drainage system modelling in the QBAR, 3.3% Annual Exceedance Probability (AEP) (1 in 30) and 1% AEP (1 in 100) storm events (as well as 1% AEP plus climate change), inclusive of all collection, conveyance, storage, flow control and disposal elements and including an allowance for urban creep, together with an assessment of system performance;
- b) Detailed drawings of the entire proposed surface water drainage system, attenuation and flow control measures, including levels, gradients, dimensions and pipe reference numbers, designed to accord with the CIRIA C753 SuDS Manual (or any equivalent guidance that may supersede or replace it);
- c) Full detail on SuDS proposals (including location, type, size, depths, side slopes and cross sections);
- d) Details of overland flood flow routes in the event of system exceedance, with demonstration that such flows can be appropriately managed on site without increasing flood risk to occupants;
- e) Demonstration that the surface water drainage of the site is in accordance with DEFRA non-statutory technical standards for sustainable drainage systems;
- f) Full details of the maintenance/adoption of the surface water drainage system;

Reason To ensure that the proposed development can be adequately drained and to ensure that there is no increased flood risk on or off site resulting from the proposed development and to ensure that the principles of sustainable drainage can be incorporated into the development, noting that initial preparatory and/or construction works may compromise the ability to mitigate harmful impacts.

Condition

No development, including preparatory works, shall commence until details of measures indicating how additional surface water run-off from the site will be avoided during the construction works have been submitted to and approved in writing by the

Local Planning Authority. The applicant may be required to provide collection, balancing and/or settlement systems for these flows. The approved measures and systems shall be brought into operation before any works to create buildings or hard surfaces commence. Chief Executive Gillian Beasley

Reason: To ensure surface water is managed appropriately during the construction phase of the development, so as not to increase the flood risk to adjacent land/properties or occupied properties within the development itself; recognising that initial works to prepare the site could bring about unacceptable impacts.

#### Informatives

Pollution Control Surface water and groundwater bodies are highly vulnerable to pollution and the impact of construction activities. It is essential that the risk of pollution (particularly during the construction phase) is considered and mitigated appropriately. It is important to remember that flow within the watercourse is likely to vary by season and it could be dry at certain times throughout the year. Dry watercourses should not be overlooked as these watercourses may flow or even flood following heavy rainfall.

#### A1.9 MKC Landscape Architect

##### **Initial comments**

No objection, but for Landscape DM to fully support the proposal, amendments are sought to improve the hard and soft landscape amenity scheme for the street scene.

#### A1.10 MKC GCN Licensing

##### **Initial comments**

One of following options is required to be undertaken **prior to determination** of the application:

1. Evidence of the extant mitigation licence in respect of GCN (referenced in the Ecological Note (Aspect Ecology, Nov 2020) is required. Submission of the licence as evidence should be secured by a pre-commencement condition. **Or**;
2. The District Licence scheme (administered by the NatureSpace Partnership) should be applied for. Under MKC's district licence, development works that may cause impacts upon GCN can be authorised as part of the planning process. *N.B. The applicant is required to submit a NatureSpace Report or Certificate **prior to determination** if this option is pursued.*

##### **Comments following re-consultation**

The applicant has produced the materials surrounding their extant GCN licence from Natural England, alongside the materials they have submitted seeking an amendment to the same.

I recommend that a pre-commencement condition is used to secure a copy of the finalised amended licence sought in order to satisfy the requirements of NE2.

This satisfies my objection.

#### A1.11 MKC Ecology

1. The submitted ecological note (Aspect Ecology, Nov 2020) satisfactorily outlines that the proposed alterations to the already consented scheme will have no likely affect on the ecological considerations of the development (excluding GCN licences – which have been dealt with through other comments).
2. The development should continue to implement the ecological recommendations given at Outline and Reserve Matters stages as directed in the ecological note (Section 4).

#### A1.12 MKC Housing

Our response is a general response setting out what is expected, only, as this has been submitted as a FUL application and therefore is standalone from the OUTLINE planning permission and it's Reserved Matters applications. Therefore, this application must be assessed on its' own merits and current policy. It will need its' own Section 106 Agreement.

If you continue with this FUL application, we will need to receive the Housing **Accommodation Schedule**, example template as attached. It must correlate with a detailed **plan or plans** (for each floor if flats on site). This Accommodation Schedule and plan (s) once agreed will form part of Clause 1 in the Decision Notice.

Further, if you wish to continue with the full application, information to support the above 31 % will be required.

If you do decide to replace this FUL application for a Reserved Matters application to the OUTLINE permission 15/02768/OUT Housing Strategy will expect to receive the Housing **Accommodation Schedule and plan(s)** as above for the REM application and one for the whole site to include all 240 or 247 dwellings as appropriate so to assess the Affordable Housing on the Reserved Matters application against what is to be provided on the whole site in terms of mix, tenure and location within the whole site and to ensure it aligns with the Section 106.

The Accommodation Schedule and correlating plan for the whole OUTLINE will provide us with missing detail from the submission in order to make a proper assessment. It will indicate where the surrounding Affordable Housing is to be located, what the mix and tenure is to ensure the right mix and tenure is to be provided in line with the Section 106 and what we can except on a Reserved Matters application.

Please be reminded that Housing Strategy's first port of call is the policy requirement of minimum 31% Affordable Housing as appropriate in line with the policy requirement.

The full 31% must be fully accounted for. If agreed that it is not to be provided for physically, any small amounts of 'surplus' as a result of rounding down to a whole number of units will need to be calculated and accounted for monetarily based on the figures and indexation under *Payments in lieu of on-site provision* in the Affordable Housing SPD 2020. In this case 31% is 14.26 and therefore we will expect 15 dwellings or 14 dwellings plus will look to the .26 to be accounted for monetarily as prescribed.

### **Further comments**

As no response nor clarification was received in reference to the consultation response sent the 21st of December 2020, I am responding on the basis and assumption that this FUL application has been accepted as an amendment to both reserved matters applications; 17/03283/REM or 18/03056/REM. Further, that it accepts that it is adding 7 dwellings to the OUTLINE permission.

In the consultation response of the 21st of December 2020 we requested a Housing Accommodation Schedule with correlating Plan(s) to cover this application plus the same for the Reserved Matters permissions that this application looks to amend. These documents are not among the newly submitted documents.

We appreciate the newly submitted Composite Plan, P20-0091\_24, submitted as it appropriately shows the Proposed location of the Affordable Housing and it does show 72 Affordable Housing, the number approved on 17/03283/REM, plus the 2 proposed on this application. However, without the correlating Housing Accommodation Schedule requested and the formerly approved plan to refer to, we cannot know what the changes are nor how many and which units are the Affordable Housing in the flat blocks nor which ones are M4 compliant or not and therefore cannot assess this application fairly.

We need a copy of the approved plan 17-1330\_09 Rev B from the reserved matters application 17/03283/REM as it has the approved 72 Affordable Housing units on it to compare to ensure that the revisions requested still satisfy the mix and tenure in terms of the Section 106 and to show what the changes are.

In the Revised Design Statement on page 4 the plan on the left is referred to as 'APPROVED SITE LAYOUT (P17-1330\_02M)' whereas Clause 1 in the Decision Notice for 17/03283/REM terms the plan 'P17-1330\_09 REV B received on 22nd February 2018' as approved. Please provide evidence that this plan referred to in the Revised Design Statement, P17-1330\_02M, is approved. If this is the approved plan it would need to be submitted in a more readable format as at present this plan in the Revised Design Statement it is difficult to read and as it is not clear.

The Accommodation Schedule submitted, P20-0091\_07J does not correlate with any plans submitted, in particular, it is missing Plot numbers. I note that the two Affordable Housing proposed are Shared Ownership tenure.

Using the above from the Section 106 and the proposal for 74 Affordable Housing, it would mean the following tenures need to be provided.

66% x 74 = 49 as Affordable Rent

17% x 74 = 13 as Social Rent  
17% x 74 = 12 as Shared Ownership

On the Composite Plan, P20-0091\_24, I counted only 48 as Affordable Rent, 12 as Social Rent and 14 proposed Shared Ownership. Please revise your proposal accordingly.

We object on the basis of lack of clarity in the information submitted to assess the application proposed amendments.

### **Further Comments**

We are not opposed to the provision of 2 Affordable Housing dwellings; our objections have been the lack of clarity and the lack of provision of requested evidence of approved information. Further, dissatisfaction of the mix proposed of these 2 additional Affordable dwellings as they are not in line with the Section 106 on 15/02768/OUT.

As can be seen the mix would need to have one of the 2 Affordable Houses in 20/3080/FUL as Affordable Rent and one as Social Rent. However, we would be agreeable to the two proposed on 20/03080/FUL being changed to two Affordable Rent Dwellings rather than as Shared Ownership as proposed (the need is greater for Affordable Rent over Shared Ownership.

would like to see consideration of Building regulations M4 compliancy or at least a portion thereof. We do note that in the Housing Accommodation Schedule submitted 4 dwellings are to be built to M4(2) standards; we would request consideration of a number of dwellings at M4(3) and M4(3) readily adaptable standards.

Further, we still request confirmation of the **approved** mix and tenure on a Housing Accommodation Schedule for the whole site and that this Housing Accommodation Schedule, once approved, form part of Clause 1 of the Decision Notice along with correlating plan(s).

Housing Strategy's objection is as in our previous consultations; lack of clarified information and the Affordable Housing not being in line with the Section 106 Agreement.

### **Further Comments**

Thanks for the additional/amended information. We are content with the changes and that the two additional Affordable Housing now have the Affordable Rent tenure.

#### **A1.13 Representations from interested parties**

None received