

Wards Affected:

Loughton and Shenley

ITEM 4(c)**STRATEGIC PLACEMAKING SCRUTINY
SUB-COMMITTEE****23 AUGUST 2018****DAUBENEY GATE, SHENLEY CHURCH END DEVELOPMENT BRIEF**

Decision Taker: Councillor Legg, Cabinet Member for Customer Services

Report Sponsor: Tracy Darke, Service Director, Growth, Economy & Culture
Tel: (01908) 252394

Author: David Blandamer, Urban Designer, Tel: (01908) 254836

Executive Summary:

This Development Brief provides planning and design guidance to inform the future development of the land at DaubeneY Gate, Shenley Church End. It has been the subject of public consultation, and changes are proposed to the Brief as a result.

This report seeks approval of the DaubeneY Gate, Shenley Church End Development Brief.

1. Recommendation

- 1.1 That the proposed changes to the DaubeneY Gate, Shenley Church End Development Brief arising from the public consultation be agreed and the Development Brief be approved.

2. Issues

Background

- 2.1 DaubeneY Gate is one of the sites that transferred from the Homes and Communities Agency (HCA) to the Milton Keynes Development Partnership (MKDP). The Council has adopted a protocol for the preparation of development briefs. This requires Cabinet to approve a Development Brief before MKDP can market/sell any of the sites under its control.
- 2.2 Development Briefs are the key documents which will influence what a site is eventually used for and therefore engagement with key stakeholders and citizens of Milton Keynes to establish their issues, views and aspirations is essential to the process of preparing and adopting Development Briefs.
- 2.3 The primary purpose of the draft Development Brief is to provide prospective developers with planning and design guidance to enable them to submit informed and high quality proposals for the development of this site. The draft Development Brief will reflect best practice guidance as well as local stakeholder aspirations for the site. A key aim of the draft Development Brief is therefore to streamline and speed up the process of submitting and determining planning applications.

- 2.4 The draft Brief has been informed by a desk top analysis of the site and a resulting understanding of the strengths, weaknesses, opportunities and threats as well as an understanding of the existing policy position.

Consultation

- 2.5 Following a Delegated Decision on 19 December 2017, the Draft Development Brief was published and circulated to key stakeholders for a 6 week public consultation from the 4 January to 16 February 2018. Formal consultation was undertaken in accordance with the Council's Statement of Community Involvement, as well as the adopted protocol for preparing Development Briefs.

- 2.6 The consultation involved:

- Copies of Development Brief displayed in Central Library and Civic Offices
- Document published on the Council's website, in the Members Weekly News, Council's Consultation Finder
- Copies/web links of Draft Development Brief sent to Cabinet Members, Cross Party Planning Spokespersons, Loughton & Shenley Ward Councillors and Shenley Church End Parish Council
- Residents immediately abutting the site were also provided with letters informing them of the consultation
- All relevant Council officers were formally consulted

- 2.7 Comments were received from 11 respondents. A schedule of the comments received with officer response and proposed changes is contained at **Annex A**. The most significant representations concerned the following subjects:

Principle of development

Three respondents, including a local ward councillor and the parish council, stated that the site should be reserved for education purposes. Two respondents, including a local ward councillor, stated that the site should be brought forward for housing.

Response

The principle of development has been established through the Site Allocations Plan, which was adopted by Council on 18 July 2018. The Plan allocates the site for housing. Text within Section 2 of the Brief has been updated to reflect the adopted status of the Site Allocations Plan.

Scheduled Ancient Monument (SAM)

Historic England and Development Control Committee stated that the development brief should include a buffer zone to protect the setting of the SAM.

Response

A buffer zone around the SAM has been included on the Parameters Plan in the development brief. The Council's Senior Archaeology Officer has recommended a buffer of 15m from the site's boundary. This area should be kept free of development and maintained as public open space.

3. Options

- (a) Not to approve the Development Brief. This would be contrary to the MKDP agreement which require development briefs to be prepared and approved prior to the marketing and sale of the site. This option is not therefore recommended.
- (b) The preferred option is to approve the amended Development Brief as attached at **Annex B**. This will not only provide key planning and design guidance for the development of the sites but would allow MKDP to market and dispose of the sites. This will help meet Corporate Aims and deliver Core Strategy targets.

4. Implications

4.1 Policy

The Development Brief is not a Key Council Document, nor is it a Development Plan Document.

4.2 Resources and Risk

It is anticipated that the consultation process will be undertaken from within existing resources.

There are no known risks associated with the proposed consultation.

N	Capital	N	Revenue	N	Accommodation
N	IT	N	Medium Term Plan	N	Asset Management

4.3 Carbon and Energy Management

There are no known carbon and energy management implications associated with the proposed consultation.

4.4 Legal

Development Briefs prepared and adopted by the local planning authority are a legitimate tool to inform developers and other interested parties of the opportunities and restrictions of a site in planning terms. While it is possible to adopt a development brief as a supplementary planning document (“SPD”), it is not proposed that the Development Brief is adopted as an SPD in this instance. As such, it is not necessary to examine whether or not the document meets the legal requirements for SPDs.

Once approved the Development Brief, while not part of the Council’s Local Plan, is capable of being a material consideration in determining any forthcoming planning applications related to the site.

In the light of this advice, there is no real identifiable risk to the Council should it take the recommended action.

4.5 Other Implications

E-Government: The Development Brief will be made available on the Council website.

Stakeholders: Consultation with a wide range of stakeholders will be undertaken in accordance with statutory requirements and the MKC Statement of Community Involvement.

Equalities: This decision is not relevant in regard to equality issues.

N	Equalities/Diversity	Y	Sustainability	N	Human Rights
Y	E-Government	Y	Stakeholders	N	Crime and Disorder

Background Papers:

Annex A: Comments Table and Officer Response

Annex B: [Daubeney Gate, Shenley Church End Development Brief Annex B](#)