

Report considered by Cabinet – 24 November 2009

Key Decision	Yes
Listed on Forward Plan	No
Within Policy	Yes
Policy Document	Community Strategy

MILTON KEYNES LOCAL DEVELOPMENT FRAMEWORK CORE STRATEGY: SUBMISSION DOCUMENT AND CONSULTATION

Accountable Cabinet Members: Councillor Galloway
(Environment, Planning and Growth)

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1. Purpose

- 1.1 To approve the Core Strategy Development Plan Document for the purpose of consultation and subsequent submission to the Secretary of State.

2. Recommendations

- 2.1 That Council be recommended to approve the Core Strategy (**Appendix B – not attached**) for the purposes of pre-submission consultation and subsequent submission to the Secretary of State, subject to:
- (a) delegation of authority to the accountable Cabinet Member to agree the detailed consultation arrangements on the Core Strategy prior to submission to the Secretary of State; and
 - (b) delegation of authority to the Corporate Director Environment to agree any updates, clarifications or factual corrections to the Core Strategy, prior to the pre-submission consultation period and submission to the Secretary of State or in the lead up to the Public Examination.

3. Issues

- 3.1 The Cabinet resolved to withdraw the Submission Core Strategy at their meeting held on 2 June to allow the Local Development Framework Advisory Group to consider comments made at the meeting prior to consideration of a revised document. It is useful to refer to this former report as that outlines the background to the Core Strategy and this is appended at **Appendix A**.

- 3.2 Meetings of the Advisory Group were held on 18 June, 19 August and 3 September to go through the comments made at the Cabinet meeting and also a number of subsequent suggestions made at the meetings of the Advisory Group. A further advisory visit with the Planning Inspectorate was held in July.
- 3.3 The Advisory Group completed their consideration of the Core Strategy after a series of meetings in 2009 concluding with their meeting on 3 September which was then reconvened, completing business on 29 September. The comments received from Councillors were set out in tables with an officer response against each comment. Most of the councillor comments were agreed and the Core Strategy was revised to incorporate these comments.
- 3.4 During the discussions after the June Cabinet it was agreed that an independent review of the Core Strategy (once revised to take on board councillors' comments), would consider:
- (a) An assessment of how the work undertaken to date stands against the tests of soundness;
 - (b) Observations on the clarity and internal consistency of the document in planning policy terms and its readability as Plain English;
 - (c) Recommendations on actions considered necessary to deal with any areas of weakness or where clarification is desirable; and
 - (d) Advice on approaches to the finalisation of the publication core strategy which are considered important in making it likely that it they be found to be sound.
- 3.5 The independent review was carried out by Planning Officers Society Enterprises Ltd (POSe) and this involved a full day workshop held on 13 October. It was attended by the Development Plans team and an officer from the Legal services.
- 3.6 Following the workshop a report was received on 26 October. This has a covering report and an Annex. The Annex contains the suggested changes to the Core Strategy as recommended by the POSe together with covering notes.
- 3.7 This report together with the Core Strategy (revised in accordance with the recommendations from POSe), was considered by the Local Development Framework Advisory Group on 17 November. Should there be any further changes recommended by the Advisory Group, they will be included in an addendum to this report.
- 3.8 Almost all of the changes to the Core Strategy have been incorporated into the document which is attached to this report as Annex A.
- 3.9 The key messages in the report from POSe are:
- (a) The scale and complexity of development covered in the Milton Keynes Core Strategy dwarfs most other local development frameworks in the country. The development plans staff is commended for impressive progress in preparing this plan. The PINS advisory visit revealed no significant flaws in the soundness of the plan's preparation and this was confirmed in the strategic research by the POSe consultant.

- (b) However, more work was recommended prior to the publication of the submission document and this included self assessment tests, checking the delivery of development and infrastructure and rigorous editing of the submission document.
- (c) That work has been carried out by the Development plans team and the document appended to this report incorporates the revisions as suggested by the consultant.

3.10 Should the Council decide to defer or not approve the Submission Core Strategy the implications would be far-reaching:

- (a) The Secretary of State can use default powers under section 27 of the Planning and Compulsory Purchase Act 2004 and must hold an independent examination. The Secretary of State may also prepare or revise and approve the document and charge the authority for the costs incurred.
- (b) Some of the background work (the evidence base) will become out of date and it will take more time and more money to update
- (c) The Council's performance in producing the Core Strategy is monitored through national indicators, with good performance rewarded through HPDG
- (d) Other statutory planning policy documents would be delayed - for example, the update of Development Control policies which will address (amongst other things) the need for a new policy on Houses in Multiple Occupation
- (e) The development industry may decide to progress sites by planning application and appeal; these sites may not be consistent with the Council's strategy for the Borough.

4 **Implications**

4.1 Policy

The Core Strategy will help meet the following council priorities by including policies which address:

- (a) delivering development that will make better places and places better through good design and planning;
- (b) creating conditions for increasing the commercial potential for the public transport network;
- (c) providing a planning framework for the regeneration of priority estates and neighbourhoods and
- (d) ensuring the provision of affordable housing.

4.2 Resources and Risk

The preparation of the Core Strategy will be funded largely from the existing Development Plans budget. Further consultants' studies may need to be commissioned as part of the evidence base to support the Core Strategy in the run up to examination. Housing and Planning Delivery Grant (HPDG) has been used to fund some of these studies in the past. Some studies have also been jointly funded with Milton Keynes Partnership (MKP) and opportunities will continue to be explored. The 2008 study on the Strategic Development Areas (SDAs) was jointly funded by all of the affected local authorities (Bucks and Beds county councils, Aylesbury Vale and Mid Beds district councils, MKC and MKP). Joint working on the SDAs is ongoing and may result in jointly funded technical work to support the preparation of more detailed planning for these areas.

The timetable for producing the Core Strategy is set out in the revised Local Development Scheme (LDS) approved by Cabinet on 17 March 2009. In terms of future grant settlements HPDG will be based on (amongst other things) the delivery of new housing rather than just related to performance against the LDS.

The new examination process will involve more frequent Public Examinations but they should be shorter and more focussed. An annual Planning Inquiries budget is in place to fund Public Inquiries / Examinations. This position will be kept under review.

The preparation of the Core Strategy involves considerable officer and member time. It is the key service priority of the Development Plans team. Internal promotions, secondments and staff departures meant that the Development Plans team was short staffed between September 2007 and summer 2008. This had an inevitable impact on the original timetable for the Core Strategy. The team is now close to full strength and has been able to progress the Core Strategy in line with the revised timetable in the LDS.

Risk is set out under the alternative options heading above.

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

4.3 Carbon and Energy Management

In order to minimise the impact of new development, the Core Strategy includes a chapter and policies for Building Sustainable Communities. It sets high standards for sustainable construction, the use of renewable energy and sustainable design.

4.4 Legal

The Planning and Compulsory Purchase Act 2004 has changed the statutory basis for drawing up development plans in England and Wales. The Milton Keynes Local Plan and associated Supplementary Planning Guidance will eventually be replaced by the Core Strategy and other Local Development Documents.

4.5 Other Implications

Equality: Consultation on the Core Strategy has been and will be in line with the Council's Statement of Community Involvement, including an Equalities Audit to help target under-represented or hard-to-reach groups. Equality issues have been considered through the Sustainability Appraisal that accompanies the Core Strategy and also in preparing policies in the document itself.

E-govt: The Core Strategy will be available via the Council's website. People will be able to comment online and read other people's comments using the Limehouse system. The documents that make up the evidence base, including the MK Growth Strategy documents (including the report on consultation) are available on the Council's website.

Sustainability: The Core Strategy is subject to Sustainability Appraisal (SA) and Strategic Environmental Assessment (SEA) under statutory regulations. SA and SEA are iterative processes that run throughout all stages of Core Strategy production. The work is combined into one Sustainability Appraisal report which assesses the environmental, social and economic impacts of the policies and proposals developed for the Core Strategy. A Sustainability Report encompassing all of the work to date will be published alongside the submission document. It is not a formal consultation document but its scope has been agreed with the relevant statutory consultees.

Users, partners and stakeholders: The Local Strategic Partnership and other key MK stakeholders have been involved throughout the stages for the preparation of the Core Strategy. MKP and the neighbouring local authorities have also been involved in shaping the submission document.

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

Background Papers:

- The Town and Country Planning (Local Development) (England) Regulations 2004, as amended.
- PPS12: Local Spatial Planning (CLG, 2008).
- Regional Planning Guidance for the South East (RPG9) (March 2001).
- Milton Keynes and South Midlands Sub-Regional Planning Guidance (March 2005)
- MK2031: draft Growth Strategy (June 2006).
- Milton Keynes Local Development Scheme (2009 – 2012) (as amended March 2009).

- Report on the consultation on the Growth Strategy for Milton Keynes (Ubiquis, December 2006).
- Delegated Decision report - 10 November 2006. MK Local Development Framework Core Strategy: Issues and Options consultation paper.
- Cabinet report – 16 January 2007. Regional Spatial Strategy 9: Consultation on the MK Growth strategy and further statements to the South East Plan Examination in Public.
- Cabinet report – 07 November 2006. Regional Spatial Strategy 9: The South East Plan Examination in Public & the response to consultation on the MK Growth Strategy.
- Cabinet report - 27 June 2006. Regional Spatial Strategy 9: The South East Plan – Response to the consultation on the submission plan.
- Cabinet report – 7 October 2008 the South East Plan: the Government’s Proposed Changes to the Regional Spatial Strategy
- Technical Background Papers: Housing Land Supply and Delivery (Milton Keynes City); Rural Area Spatial Options; Landscape Character.
- The full South East Plan is available to view through the South East England Regional Assembly website at: www.southeast-ra.gov.uk/southeastplan
- Documents relating to the MK2031: draft Growth Strategy are available at: <http://www.mkweb.co.uk/mk2031>
- LDF Advisory Group minutes available at: <http://www.milton-keynes.gov.uk/CmisWebPublic/CommitteeDetails.aspx?committeeID=2139>
- The Core Strategy evidence base available at: <http://www.milton-keynes.gov.uk/planning%2Dpolicy/DisplayArticle.asp?ID=61306>
- The POSe report - 25 October 2009 on the draft Core Strategy pre-submission document