

DEVELOPMENT CONTROL COMMITTEE

5 AUGUST 2021

COUNCILLORS' ADDITIONAL PAPERS

INDEX OF DOCUMENTS CIRCULATED AFTER PUBLICATION OF THE AGENDA

1. Speaking Commitment

Speaking Commitment (**Page 2**)

2. Item 6a - 20/03293/FUL - Land at : The Agora Centre, Church Street, Wolverton

Officer Update (**Pages 3 - 9**)

Comments from Future Wolverton (**Page 10**)

3. Item 6b - 21/00679/FULMMA - Land To The South of: Princes Way And West of Albert Street, Bletchley

Officer Update (**Pages 11 - 13**)

4. Item 7 - Hindhead Knoll Allocation

Comments from Walton Community Council (**Pages 14 - 17**)

Comments from Councillor Ferrans (**Page 18**)

SPEAKING LIST
DEVELOPMENT CONTROL COMMITTEE – 5 AUGUST 2021

ITEM NO.	TITLE	REQUESTS TO SPEAK IN OBJECTION	TIME ALLOCATED	RIGHT OF REPLY OR SPEAKERS IN FAVOUR	TIME ALLOCATED
Item 6a - 20/03293/FUL	Land at : The Agora Centre, Church Street, Wolverton	A Francis Ms J Deione Cllr A Moss (Wolverton and Greenleys Town Council)	3 Mins 3 Mins 3 Mins	Cllr Middleton (Ward Councillor) Mr J Cox and Mr N Murphy (Agents)	3 Mins 9 Mins
Item 6b - 21/00679/FULMMA	Land To The South of: Princes Way And West of Albert Street, Bletchley	No requests received			

Item 7 - Hindhead Knoll Allocation

Cllr Ferrans

Application Number: 20/03293/FUL

Description Redevelopment of the site of the Agora Centre, Wolverton and adjacent car park to provide 115 new homes (Use Class C3) and ancillary Cohousing Common House, nine ground floor commercial and community units comprising approximately 1,000 sqm (Use Classes E, F2(b) and Sui Generis); the reinstatement of Radcliffe Street between Church Street and Buckingham Street / The Square; together with associated areas of hard and soft landscaping, car and cycle parking, means of access and plant and equipment

At Land At The Agora Centre, Church Street, Wolverton

For Love Wolverton Limited

Statutory Target: 16.03.2021

Extension of Time: Yes – 26.08.2021

Ward: Wolverton

Parish: Wolverton and Greenleys

Report Author/Case Officer: Christopher Walton

Contact Details: 07795475586
christopher.walton@milton-keynes.gov.uk

Team Manager: Chris Nash
Development Management Manager
chris.nash@milton-keynes.gov.uk

UPDATE PAPER

1. RECOMMENDATION

- 1.1 Subject to the completion of a section 106 (s106) agreement/Memorandum of Understanding (MoU) securing the obligations and terms set out in both the committee report and this written update, permission be granted subject to the conditions set out in the report (as supplemented/modified in this written update and any accompanying verbal update to the Committee). The flexibility in respect of the legal mechanism arises from the possibility that ownership of the application site may transfer to the Council before any agreement is signed.
- 1.2 In the event that the s106 agreement/MoU 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. FINAL HIGHWAY RESPONSE

- 2.1. Further to the publishing of the committee report, a final written response was received from MKC Highways which confirmed no objection to the application subject to the implementation of conditions regarding details of estate roads and footways; closure of existing accesses not being utilised by the development; provision of car, cycle and ev charging; details alterations to existing drainage arrangements and a construction environment management plan (CEMP). The response also requested that several other highway related items be secured via the legal agreement associated with the application. The full response is appended to this update paper.
- 2.2. The conditions regarding closure of accesses, a CEMP and estate roads/footways have been referenced within the committee report, as have conditions related to car, cycle and ev charging, although the precise wording of these latter three conditions has been adjusted to ensure enforceability and, where necessary, compatibility with the proposed phasing condition (condition 5). Regarding the proposed condition concerning drainage arrangements, it is considered that this is already adequately covered by condition 31, as set out in the committee report.
- 2.3. The response also stated that the associated legal agreement needs to address the monitoring of parking within the locality and provision of a controlled parking zone (CPZ) in the event that additional parking controls are needed to address increased stress placed on on-street parking by the proposed development. These items are already covered within the committee report and are recommended to be included within the legal agreement linked to any planning permission, as is a requirement to enter into a S278 agreement to secure the reinstated Radcliffe Street link and to secure a Traffic Regulation Order to install the proposed car club spaces. Further to the comments from MKC Highways, it is recommended that the S278 works secured by the legal agreement also cover the alterations to the bus stop and shelter and any directional highway signage needed to facilitate the reinstatement of the Radcliffe Street link.

3. AMENDMENT TO CONDITIONS 5, 6 AND 7

- 3.1. Following further consideration of the conditions proposed in the committee report, it is recommended that conditions 5, 6 and 7 be amended to remove the wording 'including any works of demolition'.
- 3.2. This wording had previously been included to clarify that the applicant, with respect to the requirement to submit a phasing plan (condition 5), construction environmental management plan (condition 6) and discovery strategy (condition 7), should do so prior to the commencement of any part of the development including any demolition works. However, given that demolition of structures is considered to constitute 'commencement of development' in any case, it is reasoned that this additional wording is unnecessary and can therefore be removed.

3.3. Accordingly, it is recommended that conditions 5, 6 and 7 read as follows:

Condition 5

No development shall commence until a site-wide phasing programme including the proposed sequence of providing:

- (a) housing blocks, including associated parking and boundary treatments;
- (b) public and private highways including footways and street lighting;
- (c) car parking, including passive and active EV charging provision;
- (c) sustainable drainage systems and associated infrastructure;
- (d) open space and pedestrian circulation areas; and
- (e) any off-site works required under this permission, a planning obligation or agreement under the Highway Act 1980

has been first submitted to and approved in writing by the Local Planning Authority. The details shall be provided with reference to plan(s) and a Gantt chart and define the extent and location of individual development phases or sub-phases and any associated interim access or drainage arrangements. Where changes to the approved phasing programme are required in order to adjust the strategy for the delivery of the site as a whole, a revised phasing programme shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the latest approved programme.

Reason: To ensure that the impacts of the development are appropriately mitigated at all stages of the construction phase, and so occupiers of the development are able to reach and access services and facilities at an appropriate time, in the interests of achieving sustainable development.

Condition 6

No development shall take place until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include site procedures to be adopted during the course of construction including:

- o routes for construction traffic
- o method of prevention of mud being carried onto the highway
- o location of site compound
- o methods for suppressing dust
- o loading and unloading of plant and materials
- o the erection and maintenance of security fencing/hoardings and lighting
- o proposed temporary traffic restrictions
- o parking of vehicles of site operatives and visitors

The development shall be carried out in full accordance with the approved CEMP.

Reason: To ensure there are adequate mitigation measures in place, in the interests of highway and pedestrian safety and in order to protect the amenities of existing

and future residents in accordance with Policies SD1, D1 and CT2 of Plan:MK (2019).

Condition 7

No development shall take place until a Discovery Strategy has been submitted to and approved by the Local Planning Authority. The Strategy shall be employed in order to ensure the examination and appropriate reporting of the areas of the site not covered in the scope of the original intrusive site investigation into potential ground contamination.

Should any unforeseen contamination be encountered, the Local Planning Authority shall be informed immediately, whereupon any additional site investigation and remedial work that is required as a result of unforeseen contamination shall be carried out to the written satisfaction of the Local Planning Authority.

Reason: To ensure that the site is fit for its proposed purposes and any potential risks to human health, property, and the natural and historical environment, are appropriately investigated and minimised in accordance with Policy NE6 of Plan:MK.

4. ADDITIONAL CONDITION REGARDING ELEVATIONAL TREATMENTS & MATERIALS

4.1. It is recommended that a further condition be applied if planning permission is granted. The condition relates to the submission of details of the proposed elevational treatments and materials.

4.2. It is considered that this condition is necessary to secure the high-quality design of the scheme. The condition is recommended to be worded as follows:

Prior to the commencement of development, details of the proposed elevational treatments and materials in accordance with pages 46 to 47 in the Design and Access Statement shall be submitted and approved in writing by the local planning authority and thereafter implemented.

Reason: To ensure that the proposed development is of high-quality design and sustains and enhances the significance of heritage assets in accordance with Policy D3 and Policy HE1 of Plan:MK.

5. UPDATE TO NATIONAL PLANNING POLICY FRAMEWORK PARAGRAPH REFERENCES

5.1. On the 20th July 2021, the National Planning Policy Framework ('NPPF') was updated. Whilst this is acknowledged in the committee report, the report refers to paragraphs 109 when outlining the circumstances whereby applications can be refused on highway related grounds, and paragraph 175 when noting the need for

local planning authorities to incorporate biodiversity improvements in and around developments.

- 5.2. However, the numbering of these paragraphs was amended in the updated version of the framework. Paragraph 109 was changed to 111 and paragraph 175 was changed to 179. Despite the amendment to the numbering of the paragraphs, their content is fundamentally consistent across both the 2019 and 2021 versions of the framework. Accordingly, the adjustment to the numbering does not have a material impact on the conclusions reached within the committee report.

6. ADDITIONAL REPRESENTATIONS

- 6.1. Following the publication of the committee report, a representation was received from Future Wolverton regarding the application. The representation was made in support of the development. The representation stated that that the development meets the aspirations of the Wolverton Neighbourhood Plan (WNP). An assessment of the application against the WNP has been carried out within the committee report.
- 6.2. The representation also sought to convey the importance of the redevelopment of the Agora to the local community. Whilst this is not a material planning consideration within and of itself, it is noted that the significance of the site and its redevelopment is expressed through its designation within the development plan and its site-specific supplementary planning document. Due regard has been given to the development plan, including the site-specific supplementary planning document, within the committee report.

A1.0 FINAL MKC HIGHWAY COMMENTS

“Further to the Highway Observations dated 14th January and 21st April, the application has been further amended and discussions have taken place regarding the implementation of a Controlled Parking Zone (CPZ) in Wolverton town centre. It is understood that subject to the implementation of the CPZ the proposals are now considered to be acceptable in highway terms. The CPZ and a trigger for its implementation would need to be written into the S.106 agreement, it is understood that a contribution of £250k is being sought to cover this.

The previously proposed loading bay has also been removed from the proposals and the only remaining works to the highway are minor alterations to the existing bus shelter and lay-by, to provide an ‘in-line’ bus cage on the carriageway.

These works would need to be the subject of a Section 278 agreement and should also be listed in the S.106 as a requirement.

The 2 Car Share bays, or rather the amendment to the TRO, will also need to be written into the S.106 agreement.

The connection of the new (Radcliffe) street to Church Street and its connection to Buckingham Street will also be covered by the S.278 agreement and the precise details can be audited and agreed at that stage. If required, the new street, even

though it is private, can be covered by TROs controlling parking, one-way movement and so on.

A condition requiring submission and approval of the details of the internal streets should be imposed on the planning consent which will cover the junctions as well. The existing town centre directional signs will need to be amended to take into account the new street. Again, these will need to be approved through the S.278 agreement and the requirement to change the signs should also be included in the S.106 highway requirements.

In addition to the S.106 requirements, the following conditions are appropriate:

1. 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: To minimise danger, obstruction and inconvenience to users of the highway and of the development.

2. Within one calendar month of the new accesses being brought into use all other existing access points not incorporated in the development hereby permitted shall be stopped up in accordance with the details to be submitted to and approved in writing by the Local Planning Authority.

Reason: To limit the number of access points to the site for the safety and convenience of highway users.

3. Prior to the occupation of any of the dwellings hereby permitted, the proposed bicycle parking for that dwelling, shown on the approved drawings, shall be provided and shall be retained thereafter.

Reason: To ensure that adequate cycle parking facilities are provided to serve the development.

4. Prior to the first occupation of any part of the development hereby permitted, EV Charging points shall be provided in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The EV points shall be retained thereafter.

Reason: To ensure that EV Charging facilities are provided to serve the development.

5. Prior to the occupation of any of the dwellings hereby permitted the car parking area for that dwelling, 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 dwelling 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 safe free flow of traffic on the neighbouring highway.

6. Prior to the commencement of the development, details of the alterations to existing highway drainage, proposals for private drainage and the interception of surface water between the two shall be submitted to and be approved in writing by the Local Planning Authority. No dwelling shall be occupied until the drainage systems have been constructed in accordance with the approved details.

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

It is also recommended that a further condition is imposed to cover the submission and approval of a Construction Management Plan. The Plan should include:

- Construction access to the site;
- HGV routes;
- Wheel washing facilities;
- Site compound details.

(It is assumed that other requirements will be added to this condition for amenity or environmental purposes.)

It is assumed that the Transport Policy team will/have provide their requirements for the Travel Plan and how that should be approved, implemented and monitored. It is also assumed that the Passenger Transport Team will/have made their own requirements known separately.

In summary, the highway elements that the S.106 should cover are:

- The CPZ / contribution;
- Alterations to the bus stop and shelter;
- Provision of the Car Share bays;
- Alterations to existing directional signs.”

Written submission - Agora redevelopment planning application - 20/03293/FUL

Behind every planning application is a story of the efforts by an individual, organisation or company to realise a vision for a home, project or development.

The story behind this application is the story of a community – my community - seeking to “right the wrong” of a planning and development decision that went badly wrong.

The redevelopment of the Agora Centre in Wolverton has been a long-held community aspiration for over 30 years, and huge efforts have been made over many decades by people in Wolverton to ensure that it was also an ambition of MK Council and other strategic partners.

It is an aim that I have personally been working towards for over 20 years, first as a volunteer, then as Convener of Wolverton Steering Group (established by MK Partnership Committee), and latterly as a Director and CEO of Future Wolverton.

Future Wolverton was responsible for delivering the Wolverton Town Centre Neighbourhood Plan (on behalf of Wolverton & Greenleys Town Council) which paved the way for developer interest in the site, and ultimately led to the sale to development company TOWN, in whose name this planning application is made.

As a front runner Neighbourhood Plan area, we pioneered a community consultation and involvement approach which was described by an independent Examiner as “exemplary”.

Whilst there may be differences of opinion on detail, I am in no doubt that the planning application you have before you today meets the aspirations of the community as contained within the Neighbourhood Plan. I am also in no doubt that it is the desire of the vast majority of Wolverton residents that the issue of the Agora is finally resolved and that redevelopment takes place.

Milton Keynes Council are to be commended for making the decision in July to lead the redevelopment, and we are delighted that the time and resources TOWN have put into securing the site, consulting with the local community and putting the planning application together are being recognised in their ongoing involvement in delivering the development.

The Micro Grid and community workspace (supporting the training of young people and post COVID changes to work) will deliver genuine community owned assets, and go some way to acknowledging the huge efforts made by the community to get the Agora redeveloped.

We urge members to support this planning application, and to enable Wolverton to move forward into a post-Agora era.

Marie Osborne
Director, Future Wolverton

Application Number: 21/00679/FULMMA

Description Variation to condition 1 (approved plans) of planning permission related to 16/02451/FUL (Demolition of all existing buildings and replacement with the erection of 184 residential dwellings comprising 172 one and two bedroomed apartments and 12 townhouses, community use (D1) and flexible use across A1, B1a or D2, provision of private open space and landscaping, provision of an internal vehicular network and associated highway works and car parking) for amendments to overall floor plans, apartment types, communal spaces and other associated alterations. Minor amendments to heights to suit structural grid, parapet support, floor to ceiling heights and the addition of lift overruns.

At Land To The South of Princes Way And West of, Albert Street, Bletchley

For Winvic Construction Ltd

Statutory Target: 10.06.2021

Extension of Time: Yes – 12.08.2021

Ward: Bletchley Park

Parish: Bletchley and Fenny Stratford
Town Council

Report Author/Case Officer: Christopher Walton

Contact Details: 07795475586
christopher.walton@milton-keynes.gov.uk

Team Manager: Chris Nash
Development Management Manager
chris.nash@milton-keynes.gov.uk

UPDATE PAPER

1.0 RECOMMENDATION

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

2.0 AMENDMENTS TO CONDITIONS 5, 6 AND 8

- 2.1 Following further consideration of the conditions proposed in the committee report, it is recommended conditions 5, 6 and 8 be amended. It is considered that conditions 5 (finished floor and ground levels) and 8 (method statement for soft and hard landscaping works) be adjusted to alter the point at which details related to these conditions must be provided to and approved by the Local Planning Authority. It was previously proposed that the 'trigger' for submission of these details be prior to the commencement (construction) of the development. The wording of these conditions was carried over, verbatim, from the decision notice associated with the original planning permission (16/02451/FUL).
- 2.2 The amendments to these conditions have been made in light of the update to the relevant section of the Planning Practice Guidance in 2018, which stated that pre-commencement conditions should only be used where there is a clear justification, which is likely to mean that the requirements of the condition (including the timing of compliance) are "so fundamental to the development permitted that it would otherwise be necessary to refuse the whole permission." This update to the Planning Practice Guidance happened after the original application was referred to Development Control Committee, on 30th March 2017.
- 2.3 In light of this amended guidance, it is reasoned that details of finished floor and ground levels could be submitted to the Local Planning Authority prior to the commencement of any works other than the laying of the foundations of any part of the development, given that the levels could be adjusted after this process has been carried out.
- 2.4 Regarding condition 8, it is reasoned that a method statement for the hard and soft landscaping could be submitted prior to the commencement of works within the root protection areas of all existing trees and hedgerows that are to be retained, rather than being provided prior to the commencement of any part of the development, given that it is only within the root protection areas that construction and other preparatory works would impact upon existing trees and hedgerows.
- 2.5 Accordingly, it is recommended that conditions 5 and 8 be reworded as follows:

Condition 5

Prior to the commencement of any works other than the laying of foundations, the details of the proposed finished floor levels of all buildings and the finished ground levels in relation to existing ground levels shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved levels.

Reason: To ensure that development is carried out at suitable levels in accordance with policies D1 and D5 of Plan:MK.

Condition 8

Prior to the commencement of any works within the root protection areas of all retained trees and hedgerows, a method statement for soft and hard landscaping works within the root protection areas shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: To protect existing trees and hedgerows during the construction process in accordance with policies SD1, D1 and D5 of Plan:MK.

2.6 Turning to condition 6, the current wording suggests that the applicant needs to carry out a Phase II intrusive investigation of ground conditions in accordance with the details submitted to and approved with ref. 20/01487/DISCON. However, following further correspondence with the applicant, and having reviewed the content of the information submitted with ref. 20/01487/DISCON, it is apparent that the applicant has already carried out the Phase II intrusive investigation of ground conditions. The details of the findings were set out within the detail submitted and approved with ref. 20/01487/DISCON.

2.7 In light of this, it is recommended that condition 6 be reworded as follows:

Condition 6

Remedial works shall be carried out in accordance with the details submitted and approved under ref. 20/01487/DISCON prior to first occupation of any part of the development. Should any unforeseen contamination be encountered in that phase or part of the development the local planning authority shall be informed immediately. Any additional site investigation and remedial work that is required as a result of unforeseen contamination shall be carried out to the written satisfaction of the local planning authority.

Reason: To ensure that the site is fit for its proposed purposes and any potential risks to human health, property, and the natural and historical environment, are appropriately investigated and minimised in accordance with policy NE6 of Plan:MK.

3.0 UPDATE TO NATIONAL PLANNING POLICY FRAMEWORK PARAGRAPH REFERENCES

3.1 On the 20th July 2021, the National Planning Policy Framework ('NPPF') was updated. Whilst this is acknowledged in the committee report, section 8.41 of the report refers to paragraph 196 of the NPPF when discussing how to evaluate less than substantial harm to the significance of designated heritage assets. However, the numbering of this paragraph was amended from 196 to 202 in the updated version of the Framework. Despite the amendment to the numbering of the paragraph, its content is consistent across both the 2019 and 2021 versions of the framework. Accordingly, the adjustment to the numbering does not have a material impact on the conclusions reached within the committee report.

**Councillor Mick Legg
Chair of Development Control Committee
Milton Keynes Council
1 Saxon Gate East
Central Milton Keynes**

Date: 30 July 2021

Dear Councillor Legg and Members of the Development Control Committee

AGENDA ITEM 7 – INTERNAL INVESTIGATION – HINDHEAD KNOLL

I note that the internal investigation that has been conducted by Milton Keynes Council on the reasons and justification for the increased density at Hindhead Knoll has been placed on the Development Control Committee agenda for the meeting to be held on Thursday 5 August 2021. The investigation was carried out following a request made by Walton Community Council's Council Manager, Lesley Sung, at the Development Control Committee meeting held in July 2020.

The report addresses questions asked by Walton Community Council and I am disappointed that this report was not sent direct to me and instead, the report was highlighted to me by a member of the public.

Unfortunately, I am unable to attend the meeting as I am on annual leave and I am hoping that one of our Councillors will be able to attend. Please accept this as a request to make representations at the meeting.

I would also ask that all members of the Development Control Committee see a copy of the outcomes from the Local Government Ombudsman before considering the report at the meeting. Whilst the LGO found that Milton Keynes Council was not at fault, he did highlight some concerns about process. It is important that all the facts and information are provided to the Development Control Committee, some of which may not have been members of the Committee when the decision was made back in July 2020.

Walton Community Council would like to make the following points about the report and I would be grateful if these could be distributed to relevant officers and all members of the Development Control Committee prior to the meeting on Thursday 5 August:

Officer Recommendation

How very disappointing that the recommendation in this report is to note. There are several issues of concern in this report, not least the Local Government Ombudsman's

(LGO) view that some of your actions were 'questionable'. It is of concern that you have not referenced these matters raised by the LGO in your report. At the very least, I would have expected to see a section on 'lessons learned' with a recommendation for improved processes and procedures. To just note this report is rather dismissive.

Generally, our residents are extremely upset about the approval to develop 30 flats at Hindhead Knoll and this report does not acknowledge the immense feelings of disgust at the decisions and actions made by Milton Keynes Council in respect of this monstrous development.

Written Documentation and Justification for the Increase in Density at the Site

Paragraph 3.4 states that there is no auditable trail about the significant change in density at the Hindhead Knoll site. My question is why? Where, in this report does the author state that this is unacceptable as a practice and that due diligence was not carried out in this instance? Is this acceptable normal practice?

In paragraph 3.11, the report author justifies the planning section's errors by reporting that all the proposed changes were sent to the planning inspector. Unfortunately, these errors were not picked up by the inspector and our residents are paying the price. The Local Government Ombudsman questioned why this had not happened, adding that it was not within his remit to investigate the action of the Inspector. This is not highlighted anywhere in the report.

Density Changes in the Additional Modifications Schedule which was NOT subject to Public Consultation

The report states that versions of the Additional Modifications Schedule was provided to the Portfolio Holder at the time, members of the Working Group and the Inspector. It is not made clear in this paragraph that the additional modifications schedule was not subject to public consultation and was for minor and typographical errors only.

Surely then, the Committee must question, why this significant change was not picked up by any of the above. Has the Development Control Committee seen the additional modifications document which is clearly headed as 'minor modifications' and was most probably missed because, essentially, such a significant change would not be expected to be in a document of this kind in the first place.

The report author states in paragraph 3.12 that the LGO agreed with the Plan:MK Inspector about the decision to place the changes in the additional modifications document. This is rather disingenuous of the author. The LGO stated this as a fact. He did NOT agree with the action. In fact, the LGO said that some actions taken were

'questionable'. I would request that the Development Control Committee has access to the LGO report to see for themselves.

Feedback from MKDP

Not only do MKC not keep documentary evidence of significant matters such as massive density changes, but it would seem, coincidentally, that neither do MKDP!

Paragraph 3.16 clearly shows that both Milton Keynes Council and Milton Keynes Development Partnership (of which one owns the other) cannot justify the increase in the density at the site, whether than be written documentation or verbally.

In paragraph 3.6, the report states that there was no discussions between officers and Grand Union Housing. Which officers are being referred to here? Does this apply to both MKC and MKDP?

Process and Procedure

In paragraph 3.18, it must be emphasized that this action was NOT agreed by the LGO. The LGO only mentioned this action as a statement of fact.

I am appalled by the comments in paragraph 3.20. The report author blames everyone else but MKC! He states that the change in density was not picked up by the Inspector, or Walton Community Council did not pick up that the density was not in the proposed modifications schedule and that we had opportunity to ask for the change to be made. The report author omits to mention that the additional modifications schedule was clearly identified as a document for typographical errors and not subject to public consultation and that the change was sufficiently 'hidden' because even the Portfolio Holder and the Working Group that should have scrutinized the report, did not pick this up.

It is clear Milton Keynes Council made an error that has had massive consequences on some of its residents and does not wish to admit their mistakes.

In paragraph 3.22 the report author states that the increase in density was agreed by more than a phone call between MKC and MKDP. He even mentions that there was a more comprehensive process in place. What process was in place? We have been asking this question for over a year. If the increased density at the site was not agreed in a phone call or say, verbally at face-to-face meeting, then where and what is the actual justification for the increase. Our residents are still waiting for an answer to this. So the Development Control Committee should surely question the planning sections 'comprehensive' actions.

In the report, the author states that there are new processes and procedures in place. There is no acknowledgement that the changes were made out of necessity or any recognition of the need to improve.

The report author sums up the situation in paragraph 4.2. He states that on the one hand, densities can differ from general density policy HN1, "based on site-specific information" and that "this appears to be the case with Hindhead Knoll". Yet, in the next sentence, contradictorily states "we accept that there is no audit trail or written justification for this available".

The reasons and justification for the increase in density at the Hindhead Knoll site has still not been answered, whether there is auditable written documentation or not. Milton Keynes Council continues to hide behind this statement which provides no explanation whatsoever.

Milton Keynes Council is blaming everyone else except themselves, when clearly it is their own lack of self-governance that has led to this awful and un-rectifiable situation. Where have the checks and balances been in this process?

Walton Community Council and its residents have little faith that the MKC planning section has any care about this disgraceful decision made at Hindhead Knoll. Rather than admit to its failings, it continues to disregard the views of our residents.

Unfortunately for them, our residents will forever have a constant reminder of MKC's planning incompetence.

Yours sincerely



LESLEY SUNG
COUNCIL MANAGER
WALTON COMMUNITY COUNCIL
Email: manager@waltoncommunitycouncil.gov.uk
Tel: 07726 533705

Comment in respect of Hindhead Knoll – Councillor Ferrans

My suggested recommendations for improving the process of handling changes to the local plan that arise in between local plans I will speak to them on Thursday.

1. That when officers log a capacity, density etc change to the advice given about a site that effectively recommends a change to a local plan policy, they annotate the record clearly to show whether the change logged is the result of a direct past public decision on that site (“prior decision”) or whether it is the result of an officer’s judgement, (“judgement”) albeit perhaps informed by other relevant decisions
2. That they add at least a phrase indicating the reasoning behind the change, and the prior decision reference if any.
3. That they also log their name (to be held internally) in case of future queries
4. That when such changes are submitted to future Cabinet member, CAG or other member advisory groups or for public consultation the types of changes be split up in separately headed tables so that it is clear which are new decisions to be consulted on and approved and which are the result of prior MKC decisions or typing errors or Inspectors decisions
5. That all changes marked judgements are submitted to the Local Plan CAG or equivalent for confirmation and then included at the earliest possible point in public consultation before being included in the Local Plan

Jenni Ferrans (Cllr)