

# **DEVELOPMENT CONTROL COMMITTEE**

**3 SEPTEMBER 2020**

**COUNCILLORS' FURTHER ADDITIONAL PAPERS**

**INDEX OF DOCUMENTS CIRCULATED AFTER PUBLICATION OF THE AGENDA**

- 1. Item 6(a) - 20/00133/OUTEIS - Tickford Fields Farm, North Crawley Road, Newport Pagnell**

Officer Update (**Pages 2 to 10**)



## Crichton, Jane

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**From:** Alan Mills <alanmillsmk@gmail.com>  
**Sent:** 27 August 2020 17:50  
**To:** Buckley, David  
**Cc:** Verdegem, Elizabeth  
**Subject:** [EXT] Tickford Fields Farm, Newport Pagnell 20/00133/OUTEIS

I have read the DCC report for 3 September meeting, and welcome the recommendation. However, further to my submitted comments, I have continued concerns about the wording of certain planning conditions.

C10 Noise.

I have already pointed out that the Noise Assessment, Appendix 7.1, para 5.1 and drawing SK09, proposes the installation of a 4m high acoustic fence along the entire southern boundary fronting North Crawley Road as part of the noise mitigation measures. Although the Assessment does acknowledge that alternative measures may arise at Reserved Matters stage to obviate the need for such a fence, none are proposed at this Outline stage, and the condition is worded to require compliance with the submitted Assessment. A 4m high fence along the North Crawley Rd frontage would be wholly unacceptable in urban design terms, so the wording of C10 needs to reflect the need for alternative noise mitigation measures in respect of this aspect.

C11 Ecology/ Biodiversity

In my previous comment, I stated the need for a comprehensive site wide review as part of the first Reserved Matters application, not a piecemeal approach for each phase of development. The proposed wording of C11 does not specify this, but leaves it to ANY Reserved Matters Application, not the first.

Following the example of C19 Design Codes, I would suggest a similar wording to require the submission of an updated survey and mitigation strategy for the whole site prior to the submission of the first RM application. Each subsequent RM application could then provide more detailed proposals for their phases.

C12 Bats and C 13 Otters & Badgers

As these have widespread territories, affecting more than one phase of development, these too should have mitigation strategies agreed prior to the first RM application, even if this gets further refined at later RM stages.

No condition is imposed regarding Great Crested Newts, which also have territories up to 500 m from the breeding ponds. Newts are not mentioned at all in Para 7.51 of the report. This appears to be an oversight in the report and conditions.

I also remind you of my previous comment that Pond 5, containing 65 newts, was shown in the traffic calming sketch totally surrounded by roads and cut off from the drainage channel connecting it to the other ponds containing newts. I will remind you again at RM stage if this has not been remedied.

Para 7.13 of the report quotes the Morello Way Management Committee objection that there are no land rights to access the TFF site from Morello Way. However, I suggest that you look at the S106 Agreement for 14/02799/FUL, Section 8.1a, giving the Council a right to serve notice that they require the transfer of the Highway Reserve Strip, secured to enable a highway connection into the TFF site.

I request that these comments are reported to the Committee and posted on the web site without the delay of my previous comments.

I note that the officer report is not yet added to the application file on the MKC web site, despite being on the Committee agenda. This makes it difficult for the public to track the progress of the application.

Alan Mills  
75 Wordsworth Ave  
Newport Pagnell



To: Development Control Committee

1 September 2020

**RE: Tickford Fields Development – A 21st century eco-village**

Milton Keynes Council will begin to play a central role in the delivery of new homes for our ambitious, diverse and growing city. Our Council's ambitious goal, as agreed by Full Council in the adopted Council Plan, is to deliver new homes based on individual needs, rather than ability to pay. By creating a disruptive local housing company, which holds and manages its own housing assets, the Council can ensure that the best interests of residents will once again become the touchstone of our city's housing delivery.

This new local housing company will play a leading role in supporting the growth ambitions of the emerging Futures 2050 Strategy and the proposed Housing Deal with Central Government. This company will need time to develop, but once established will be a valuable addition to the city's housing economy.

Our development at Tickford Fields marks the first in a series of developments over the coming years. For Tickford Fields itself, the Council plans to ensure housing is delivered based on need.

The Council has submitted a 31% affordable scheme for outline planning approval. A developer partner will be procured to support delivery. A place based approach to house building will be a priority, as well as innovative and sustainable alternative energy solutions, creating an eco-village for the 21st century. The council will set out how Tickford Fields will likely interface with potential future developments. In line with the councils' devolution and localism agenda, the amenity land and associated assets created through the development will be transferred to Newport Pagnell Town Council.

As a council we intend to support Newport Pagnell's local educational needs by funding in full a 2FE Primary School on the site. The Council will also look to support local residents with an integrated community, sports and wellbeing facility. Both of these elements will be delivered in the initial phases of the project.

In procuring a developer partner, the Council intends to seek contractual options to retain the 31% affordable homes, with the option of purchasing an additional 19% (up to 50% of the total units on site). We will review a range of tenures when considering the type of housing for the site that will include social rented, a range of affordable, cooperative and rented.

The Council plans to work in partnership with the developer partner, or similar to build our own resources and development capacity. This will secure the longevity of the Council's emerging housing company, and importantly, provide a sustainable foundation upon which new social and affordable housing can be delivered by Milton Keynes Council for many years and indeed decades to come.

The timeline for procurement of the developer partner aligns with the next phase of scheme development, including detailed planning submission. It is anticipated that the housing company is planned to be in place in readiness to receive these assets once completed.

A handwritten signature in black ink, reading "Emily Darlington". The signature is written in a cursive style with a prominent initial 'E'.

Councillor Emily Darlington

A handwritten signature in black ink, reading "Robert Middleton". The signature is written in a cursive style with a prominent initial 'R'.

Councillor Robert Middleton

Development Management  
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**Our ref:** AC/2020/129112/02-L01  
**Your ref:** 20/00133/OUTEIS

**Date:** 2 September 2020

**FAO: David Buckley**

Dear Sir/Madam

**OUTLINE PLANNING APPLICATION (ALL MATTERS RESERVED EXCEPT ACCESS) FOR THE DEMOLITION OF THE EXISTING FARM BUILDINGS ON SITE AND THE DEVELOPMENT OF UP TO 930 DWELLINGS (INCLUDING AFFORDABLE DWELLINGS), PRIMARY SCHOOL, LOCAL CENTRE, OPEN SPACE, SPORTS PITCHES, PLAY AREAS, PAVILION/WELLBEING CENTRE AND OTHER ASSOCIATED WORKS.  
TICKFORD FIELDS, FARM NORTH CRAWLEY ROAD, NEWPORT PAGNELL, MK16 9HG**

We have reviewed the information as submitted and wish to make the following comments. Further information for the applicant can be found in the attached appendix.

We are **able to remove our objection** and consider that the National Planning Policy Framework (NPPF) policy, to ensure the development is safe and will not increase flood risk elsewhere is met, if the following planning condition is included:

#### **CONDITION**

The development hereby permitted shall must not be commenced until such time as a scheme to define the flood zones onsite and to ensure that there is no loss of floodplain storage has been submitted to, and approved in writing by, the Local Planning Authority.

The scheme shall be fully implemented and subsequently maintained, in accordance with the scheme's timing/phasing arrangements as agreed, in writing, by the Local Planning Authority.

#### **Reason(s)**

To ensure that there are no detrimental impacts to flood storage or flood flow routes and to reduce the risk of flooding to the proposed development and future users.

**Advice to LPA / Applicant**

The final hydraulic model for the site should be submitted to and approved by the Environment Agency. It will need to define the 1 in 20, 1 in 100 and 1 in 1000 Annual Exceedance Probability (AEP) both now and in 100 years (assumed lifetime of the development). The modelling should utilise the current climate change allowances for flood flows at the time of approval and consider the impacts of any changes in the allowances at the time submission. The compensation scheme should demonstrate that the development does not result in no loss of floodplain storage through either maintaining existing ground levels or providing level for level, volume for volume compensation for all losses.

Please forward a copy of this letter to the applicant.

Should you wish to discuss this matter further please do not hesitate to contact me.

Yours faithfully

**Neville Benn**

**Senior Planning Advisor**

**Sustainable Places**

Direct dial 0203 0251906

Direct e-mail [neville.benn@environment-agency.gov.uk](mailto:neville.benn@environment-agency.gov.uk)

## **Appendix – Advice to Applicant**

### **Pollution Prevention**

- Any facilities, above ground, for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework should be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge into the bund.
- Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from lorry parks and/or parking areas for fifty car park spaces or more and hardstandings should be passed through an oil interceptor designed compatible with the site being drained. Roof water shall not pass through the interceptor.
- Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hard standings susceptible to oil contamination shall be passed through an oil separator designed and constructed to have a capacity and details compatible with the site being drained. Roof water shall not pass through the interceptor.
- Foul and surface water manhole covers should be marked to enable easy recognition, convention is red for foul and blue for surface water. This is to enable water pollution incidents to be more readily traced.
- The Environmental Permitting Regulations make it an offence to cause or knowingly permit any discharge that will result in the input of pollutants to surface waters or groundwater.
- Please find pollution prevention guidance at the following link:  
<https://www.gov.uk/guidance/pollution-prevention-for-businesses>

### **Water Quality**

We have no concern regarding capacity at the WRC, at Cotton Valley or the impact of the discharge on river quality. We notice that Anglian Water have raised concerns regarding the used water network in their document 'Planning Applications – Suggested Informative Statements and Conditions Report'. We support their proposed condition for the Used Water Sewerage Network and Suggested Planning Conditions.

### **Waste**

The applicant has produced an outline waste management strategy which covers both construction and operational waste and which should be adhered to should the planning be approved.

The Environmental Protection (Duty of Care) Regulations 1991 for dealing with waste materials are applicable to any off-site movements of wastes. The code of practice applies to you if you produce, carry, keep, dispose of, treat, import or have

control of waste in England or Wales. The law requires anyone dealing with waste to keep it safe and make sure it's dealt with responsibly and only given to businesses authorised to take it. The code of practice can be found here:

<https://www.gov.uk/government/consultations/waste-duty-care-code-practice-2016>

If you need to register as a carrier of waste, please follow the instructions here:

<https://www.gov.uk/register-as-a-waste-carrier-broker-or-dealer-wales>

In order to meet the applicant's objectives for the waste hierarchy and obligations under the duty of care, it is important that waste is properly classified. Some waste (e.g. wood and wood based products) may be either a hazardous or non-hazardous waste dependent upon whether or not they have had preservative treatments.

Proper classification of the waste both ensures compliance and enables the correct onward handling and treatment to be applied. In the case of treated wood, it may require high temperature incineration in a directive compliant facility. More information on this can be found here: <https://www.gov.uk/how-to-classify-different-types-of-waste>

If materials that are potentially waste are to be used on-site, the applicant will need to ensure they can comply with the exclusion from the Waste Framework Directive (WFD) (article 2(1) (c)) for the use of, 'uncontaminated soil and other naturally occurring material excavated in the course of construction activities, etc...' in order for the material not to be considered as waste. Meeting these criteria will mean waste permitting requirements do not apply. Where the applicant cannot meet the criteria, they will be required to obtain the appropriate waste permit or exemption from us. A deposit of waste to land will either be a disposal or a recovery activity. The legal test for recovery is set out in Article 3(15) of WFD as:

any operation the principal result of which is waste serving a useful purpose by replacing other materials which would otherwise have been used to fulfil a particular function, or waste being prepared to fulfil that function, in the plant or in the wider economy.

We have produced guidance on the recovery test which can be viewed at

<https://www.gov.uk/guidance/waste-recovery-plans-and-permits#waste-recovery-activities>.

You can find more information on the Waste Framework Directive here:

<https://www.gov.uk/government/publications/environmental-permitting-guidance-the-waste-framework-directive>

More information on the definition of waste can be found here:

<https://www.gov.uk/government/publications/legal-definition-of-waste-guidance>

More information on the use of waste in exempt activities can be found here:

<https://www.gov.uk/government/collections/waste-exemptions-using-waste>

Non-waste activities are not regulated by us (i.e. activities carried out under the CL:AIRE Code of Practice), however you will need to decide if materials meet End of Waste or By-products criteria (as defined by the Waste Framework Directive). The 'Is it waste' tool, allows you to make an assessment and can be found here:

<https://www.gov.uk/government/publications/isitwaste-tool-for-advice-on-the-by-products-and-end-of-waste-tests>

The circular economy is a concept designed to keep materials in use as long as possible, thus promoting resource efficient practice and deriving economic benefits. Adherence to the waste hierarchy and adoption of best practice in relation to site waste management planning will help you deliver against circular economy objectives.

## **Water Resources**

The development lies within the area traditionally supplied by Anglian Water. We note that the applicant has already approached the water company and state that there is capacity within their network but reinforcement works will be necessary. The location of developments should take into consideration the relative availability of existing developed water resources. The timing and cost of infrastructure improvements will be a consideration.

The water companies have recently produced water resources management plans (WRMP), which set out how the companies will maintain customer supplies over the period 2020- 2045. The assessments will show which companies have sufficient supplies to meet growth but also any strategic schemes that are needed to achieve this, along with reducing demands and leakage. We recommend that councils consider the long term viability of supplying new developments and how the phasing of growth links to the timings of the planned new strategic schemes.

The Anglian River Basin Management Plan

<https://www.gov.uk/government/publications/anglian-river-basin-district-river-basin-management-plan> considered the status of all rivers and aquifers in the Region.

This showed many waterbodies did not have the flow required to support the ecology and groundwater units not meeting good status. Given the pressure our aquifers face, we cannot rule out future further reductions in the supplies available to water companies to prevent deterioration of the water related ecology. The council should seek the water company's assurance that it can meet the needs of growth without causing deterioration.

The Environment Agency determines that current levels of abstraction are causing environmental damage. Any increase in use within existing licenced volumes will increase the pressure on a system that is already failing environmental targets. We recommend any proposed development considers water resources as a key issue and the council recognises the damage of long term increases in abstraction due to growth. We recommend this development takes into account the combined effect of growth in the area and the overall increase in demand for water.

We endorse the use of water efficiency measures especially in new developments. Use of technology that ensures efficient use of natural resources could support the environmental benefits of future proposals and could help attract investment to the area. Therefore, water efficient technology, fixtures and fittings should be considered as part of new developments.

All new residential developments are required to achieve a water consumption limit of a maximum of 125 litres per person per day as set out within [the Building Regulations &c. \(Amendment\) Regulations 2015](#). Due to the pressures on local water resources and the potential risk of deterioration as a result of increased levels of abstraction, we would advise that any new development in the area aims for the highest levels of water efficiency. The government allows Local plans to specify optional standards with regards to water efficiency targets in new homes.. It is recommended that the optional standard of 110 litres per person per day is adopted with the aspiration for the target to be even lower than this.

New developments should not detrimentally affect local water features (including streams, ponds, lakes, ditches or drains) this includes both licenced and unlicensed

abstractions. We are not aware of any licensed abstraction within the development boundary.

**Abstraction**

If you intend to abstract more than 20 cubic metres of water per day from a surface water source e.g. a stream or from underground strata (via borehole or well) for any particular purpose (e.g dust suppression) then you will need an abstraction licence from the Environment Agency. Due to the pressure on water resources in the area, there is no guarantee that a licence will be granted.