

ITEM 7(a)

Application Number: 17/00838/OUT

Description Outline application for the development of 200 dwelling houses, with all matters reserved

AT Land to the East of, Eastfield Drive, Hanslope,

FOR SiteplanUK LLP

Target: 30th June 2018

Extension of Time: No

Ward: Newport Pagnell North And Hanslope

Parish: Hanslope Parish
Council

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1.0 RECOMMENDATION

It is recommended that planning permission is refused for the reasons set out in section 7.0 of this report.

2.0 INTRODUCTION

2.1 The site

2.1.1 The application site is located adjacent to the eastern settlement boundary of Hanslope and 11km from central Milton Keynes. The site itself is generally flat, low-lying, grassland used for pastoral grazing, denoted by well-maintained mature hedgerow, with trees along its southern, western and eastern boundaries. It is currently within agricultural use (Grade 3 classification).

2.1.2 The site lies outside the development boundary of Hanslope and therefore within the open countryside. The site is however immediately adjacent to existing residential properties along Eastfield Drive and Newport Road.

2.1.3 Hanslope is defined as a 'Selected Village' within the Milton Keynes Core Strategy 2013.

2.1.4 There are a number of routes within the locality, the main routes being Newport Road adjacent to the south-east and Gold Street/Park Road/Long Street Road to the west at approximately 200 metres. To the north-east, the M1 can be found at

approximately 1.2 kilometres. There are also a number of public rights of way that can be found within the vicinity of the site with the nearest being found within the site known as public bridleway BW010, and public footpaths FP044A, FP044 and FP009.

2.1.5 Part of the site is also within an Archaeological Notification Site. There is also a TPO Horse Chestnut towards the north western part of the site near Eastfield Drive.

2.1.6 Hanslope is served by a number of facilities including local shops, post office, primary school and doctor's surgery.

2.1.7 In addition, Hanslope benefits from a Conservation Area and a number of listed buildings including the Parish Church of St James the Great which is Grade I.

2.2 The Proposal

2.2.1 Outline planning permission is sought for the erection of 200 homes. All matters are reserved.

2.2.2 An indicative layout has been submitted for illustrative purposes only. It does however demonstrate potential access point locations and primary road network within the site. Access to the site is shown to be from Newport Road and Eastfield Drive on the indicative plans.

2.2.3 Amended plans and information has been submitted during the application process to deal with concerns relating to the following matters:

- Highway safety – Transport Assessment, including traffic data and plans
- Ecology report (and subsequent updated ecology report including additional surveys)
- Drainage – a Flood Risk Assessment
- An archaeological desk-based assessment
- Existing site levels
- Arboricultural report
- Agricultural land assessment
- Contamination Study
- Landscape and Visual Impact Assessment
- Indicative Layout Plan
- Travel Plan
- Hanslope Statement of Community Involvement

2.3 Reasons for determination at Committee

- 2.3.1 The application is referred to the Development Control Committee for determination as a result of the level of public opposition to the proposal, a departure from the local plan and at the request of Hanslope Parish Council.
- 2.3.2 The application was deferred at the July 2018 DCC to enable a cumulative impact assessment (of all permitted and this proposed development) on Hanslope. This work has now been carried out.

Since July 2018 DCC

- 2.3.3 It is also important to note that since that time, the Inspector dealing with the Plan:MK examination has indicated that there are no significant issues with the Council's submission. It is expected that Plan:MK will be adopted in March 2019 – this will be discussed later in this report.
- 2.3.4 Also of significance is that following a review of its 5 year housing land supply position, the Officers of the Council now consider that the Council can demonstrate 5.25 years supply of housing sites.

3.0 RELEVANT POLICIES

3.1 National Policy

National Planning Policy Framework (2018)

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

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

3.2 Local Policy

3.2.1 Neighbourhood Plan

In November 2015, Hanslope Parish Council applied to Milton Keynes Council, in accordance with the Neighbourhood Planning (General) Regulations 2012, to designate a Hanslope Neighbourhood Plan Area and this designation was approved by Milton Keynes Council on 9th December 2015. To date, however, the Parish Council a Neighbourhood Plan has not been made.

However, the Hanslope Neighbourhood Plan has been submitted for examination. The publicity period for the submission plan ended on 18th January

2019. The process of appointing an Examiner is taking place. Given this, it is considered that some (although limited) weight can be given to Plan.

3.2.2 Milton Keynes Core Strategy (Adopted 2013) – Policies:

CSA: Presumption in Favour of Sustainable Development
CS1: Milton Keynes Development Strategy
CS9: Strategy for the Rural Area
CS10: Housing
CS11: A Well Connected Milton Keynes
CS12: Developing Successful Neighbourhoods
CS13: Ensuring High Quality, Well Designed Places
CS14: Community Energy Networks
CS17: Improving Access to Local Services
CS18: Healthier and Safer Communities
CS19: The Historic and Natural Environment
CS21: Delivering Infrastructure

3.2.3 Milton Keynes Local Plan 2001-2011 (Adopted 2005) – Saved Policies:

S10: Open Countryside
D1: Impact of Development Proposals on Locality
D2A: Urban Design Aspects of New Development
D2: Design of Buildings
D4: Sustainable Construction
HE1: Archaeological Sites
HE5: Development Affecting the Setting of a Listed Building
HE6: Conservation Areas
NE2: Protected Species
NE3: Biodiversity & Geological Enhancement
T1-T5, T9, T10, T11 and T15: Transport
H3-H5: Affordable Housing
H8: Housing Density
H9: Housing Mix
L3: Standards of Provision (Open Space)
P04: Percent for Art
S14: Protection of the Best and Most Versatile Agricultural Land

3.2.4 Supplementary Planning Guidance/Documents

New Residential Development Design Guide (April 2012)
Parking Standards (January 2016)
Sustainable Construction (April 2007)
Affordable Housing SPD (March 2013)
Social Infrastructure Planning Obligations (September 2005)
Planning Obligations for Education Facilities (December 2005)
Planning Obligations for Leisure, Recreation and Sports Facilities (2005)

3.2.5 Emerging Plan – Plan:MK

Policy DS1: Settlement Hierarchy
Policy DS2: Housing Strategy
Policy DS5: Open Countryside
Policy HN1: Housing Mix and Density
Policy HN4: Access, Accessibility and Adaptability of Homes
Policy HN5: Self-Build and Custom House Building
Policy HN10: Rural Exception Sites
Policy CT1: Sustainable Transport Network
Policy CT2: Movement and Access
Policy CT3: Walking and Cycling
Policy CT10: Parking Provision
Policy NE1: Protection of Sites
Policy NE2: Protected Species and Priority Species and Habitats
Policy NE3: Biodiversity and Geological Enhancement
Policy NE5: Conserving and Enhancing Landscape Character
Policy HE1: Heritage and Development
Policy D1: Designing a High Quality Place
Policy D2: Creating a Positive Character
Policy D3: Design of Buildings
Policy D4: Amenity and Street Scene

4.0 **MAIN ISSUES**

It is important to re-iterate that the application is in outline form, with all matters reserved. Although the main consideration in the determination of the application relates to the land use principle of residential development on the site, this issue requires some discussion on other matters which would normally be considered (in full) at reserved matters stage. The issues to consider are as follows:

- a) Principle of Residential Development on the Site
- b) Impact on the Character and Appearance of the Area
- c) Access and Highway Matters
- d) Best and Most Versatile Land
- e) Residential Amenity
- f) Ecology
- g) Surface Water Drainage / Flooding
- h) Contaminated Land
- i) S106 Contributions and Affordable Housing
- j) Cumulative Impact
- k) Sustainable Development

5.0 CONSIDERATIONS

5.1 Principle of Residential Development on the Site

Local Plan Policy

The Council's Spatial Strategy is set out in the Milton Keynes Local Plan, 2001-2011, the Milton Keynes Core Strategy 2013 and the Site Allocations Plan (2018). Emerging Development Plan Documents include draft Plan:MK, and the Hanslope Neighbourhood Plan. The Council have now received the Inspector's final report into Plan: MK and the inspector has concluded that Plan:MK, as amended by main modifications, is sound and provides an appropriate basis for the planning of the Borough up to 2031. The plan will now be taken to Cabinet (5 March) and Council (20 March) for approval and adoption. Given Plan:MK has now been found sound by the Inspector it can be afforded very significant to full weight. The emerging Hanslope Neighbourhood Plan has not progressed beyond approval of the Neighbourhood Plan area and so no weight can be attributed to it. Similarly (and for the avoidance of doubt), the Hanslope Parish Plan 2009 has not been adopted by Milton Keynes Council and it does not constitute a Neighbourhood Plan. However, the Hanslope Neighbourhood Plan has been submitted for examination. The publicity period for the submission plan ended on 18th January 2019. The process of appointing an Examiner is taking place. Given this, it is considered that some (although limited) weight can be given to Plan. It is important to note that the proposed Neighbourhood Plan allocates land (already granted on appeal – Long Street and Castlethorpe Road for example) for housing.

- 5.2 The application site comprises a roughly rectangular shaped area of agricultural land. Its western boundary fronts onto Eastfield Drive, and part of its southern boundary fronts onto Newport Road, to the north west and north east the site adjoins other parcels of agricultural land. The site is wholly outside the development boundary of Hanslope and in the open countryside, as defined by the Local Plan Policies Map and is unchanged within the Core Strategy and emerging Plan:MK.
- 5.3 Saved Policy S10 of the Milton Keynes Local Plan 2001-2011 states that planning permission will only be granted for development in the open countryside where it is essential for agriculture, forestry, countryside recreation and other development which is wholly appropriate to a rural area and cannot be located within a settlement. In addition, Core Strategy Policies CS1 and CS9 seek to focus development in the rural area within the development boundaries of the main and adjacent to the most sustainable towns or key settlements. The proposal would not be for any of the exceptions within Policy S10, and Hanslope is defined as a Selected Village (third tier), nor is it located in the top tier within the settlement hierarchy. Policy CS1 and CS9 confirm that no new housing allocations are to be sought outside the development boundaries of Hanslope. As such, the proposal is contrary to saved Local Plan Policy S10 and Core Strategy Policies CS1 and CS9. It is also contrary to Plan:MK policy DS5 in the same regard, and contains similar wording as the current policy S10.

- 5.4 Although Saved Policy S10 has previously been considered to not be entirely consistent with the NPPF insofar as it has a restrictive approach to the supply of housing land in the Open Countryside, it has been afforded moderate weight as its overarching objective is to protect the open character of the countryside, and therefore in accordance with the NPPF in this regard. However, conversely, given the similarity with wording in Plan:MK policy DS5, this suggests that more than moderate weight can now be given to policy S10. Perhaps significant to great weight given the imminent adoption of Plan:MK and therefore policy DS5.

Housing Land Supply

- 5.5 It is also noted within a recent appeal decision regarding a site in Woburn Sands (16/00672/OUT), it was deemed, by the Secretary of State, that the Council is able to demonstrate a 5 year housing land supply (5.25 years as reviewed and considered by Council officers since that decision). However, within the context of this appeal decision, the Secretary of State also suggested that Saved Policy S10 is out of date, although moderate weight may still be afforded to it as it sets out to protect the open countryside in line with the NPPF. A review by Council officers also concludes moderate weight can be afforded to policy S10 for the reasons given above. Given that the policy is to some extent out of date, it is therefore deemed necessary to consider paragraph 11 of the NPPF, which applies when, "*policies which are most important for determining the application are out-of-date*". In these instances, the NPPF states;

"planning permission should be granted unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole."*

- 5.6 Moreover, the Council will be able to demonstrate a further increased 5 year housing land supply upon the adoption of the emerging Plan: MK. Plan: MK has been found sound by the Inspector in his final report and is expected to be adopted in March 2019. The Inspector's report outlines that he finds sound both the Council's housing trajectory and the Council's calculation for the 5 year housing land supply (5.62 years) upon adoption of Plan: MK. Therefore, the policies and allocations within Plan:MK to justify the 5 year housing land supply can hold very significant to full weight in the determination of the application. The Council's reviewed and current 5.25 years supply of housing sites (alternative methodology) does not include new sites allocated within Plan:MK and is therefore considered a robust position until a time when it is adopted.

- 5.7 In addition, and of significant importance, policies CS1 and CS9 of the Core Strategy are considered to be up to date by reason of the Council being able to demonstrate a 5 year housing land supply. The over-arching objectives of Policy S10 of the Local Plan (and policy DS5 of Plan:MK) is to protect the open character

of the countryside and implicitly recognises the character and beauty of the countryside (consistent with the NPPF), and that policies CS1 and CS9 (and policy DS1 of Plan:MK) aim to direct development in the most appropriate locations (in terms of sustainable growth). It is therefore considered by officers that the Council's up to date policies and elements which show consistency with the NPPF carry the most importance when determining this application.

5.8 However, the NPPF asserts a presumption in favour of sustainable development, even when an Authority is able to demonstrate a sufficient supply of housing. It is therefore relevant to consider whether the site is sustainable and suitable for new homes. The NPPF identifies that there are 3 dimensions to sustainable development: social, economic and environmental. This assessment will be addressed at the close of the considerations section of this report. It should be noted at this stage that given the Council can demonstrate a 5 year housing land supply, and the consistency of its policies most important to the determination of the application with the NPPF, that this significantly weighs against the application.

5.9 Impact on the Character and Appearance of the Area

Landscape

The application site is not within any other designation than open countryside.

Layout, scale, appearance and landscape (amongst other issues) would be assessed at the reserved matters stage. Whilst the design and layout of the development can be assessed at that point, clearly the introduction of 200 homes and ancillary works into open countryside will have a visual impact on the locality. Given the location of the development the proposal would have an urbanising effect on and detract from the rural character of the countryside. There are a number of public footpaths within and nearby the site which will also be affected by the proposal in visual terms. Given the harm caused would be irreversible and permanent, it's therefore important to discuss the level of harm caused to enable adequate judgement when considering the planning balance.

5.10 The submitted Landscape and Visual Impact Assessment (LVIA) states that landscape is considered to have a Medium Landscape Sensitivity overall. The LVIA concludes that there would be a medium adverse impact within the locality, although a negligible impact on the wider landscape. Whether through the design process or mitigation over time this would be reduced further. Whilst the proposed development would clearly be harmful to the rural character of the locality, considering the flat topography of the site, close proximity to the settlement of Hanslope, and that the site does not benefit from any special landscape designations, it is considered that this is a reasonable assessment. However, the case officer considers that the visual impact on the site itself would be significant as much of the site would become urbanised where it is currently open farmland.

5.11 Given the above, it is considered that the proposal would cause moderate harm to the character of the local area, with particular reference to the setting of Hanslope and the impact on the immediate open countryside adjacent. In this respect it would conflict with the objective of Local Plan Policy S10 to protect the countryside. In

terms of the environmental arm of any sustainable development assessment, this clearly weighs against the application.

- 5.12 Concerns have been raised by the Council's Landscape Architect that the application does not appear to demonstrate that the proposal would include the required quantity of open space in accordance with Saved Local Plan Policy L3 and the associated appendix L3 and SPD, as well as adequate space for buffer landscaping. Although noted, the application is in outline form and such matters can be agreed at the reserved matters stage.
- 5.13 There is a TPO Horse Chestnut towards the north western part of the site near Eastfield Drive, and other landscape features considered to be imported within the existing rural character of the area, including other trees and hedgerows. Detailed landscape matters including retention and protection of existing landscape features can however be dealt with at the reserved matters stage if outline permission is granted.

Heritage

- 5.14 Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 place statutory duties on local planning authorities to pay special regard to the desirability of preserving listed buildings or their setting or any features of special or architectural or historic importance which it possesses and special attention to the desirability of preserving or enhancing the character or appearance of a conservation area. Saved Policies HE5 and HE6 of the Local Plan and Policy CS19 of the Core Strategy also seek to protect designated and non-designated heritage assets from adverse impacts of development. The NPPF attaches great weight to the conservation of heritage assets, detailing that the more important the asset the greater the weight should be attributed and that significance can be harmed through development within its setting. The NPPF also outlines where proposals lead to less than substantial harm to the significance of a heritage asset, this harm should be weighed against the public benefits of the proposal.
- 5.15 The application site is around 170 metres from the Hanslope Conservation Area at its closest point, and around 350 metres from the Grade I Listed Parish of St James Church.
- 5.16 The Council's Conservation Officer considers that there will be some marginal harm to the setting of the grade I listed church of St James the Great as a result of development in the foreground approach along Newport Road. Although much of the approach along Newport Road is buffered by existing residential development which is closer to the Church, and the site is relatively flat, the Case Officer agrees that to some extent the site and therefore the proposed development forms part of the visual approach to the village which includes some views of the Church (spire) itself. The Case Officer considers that the harm would be negligible and it follows that the development would also have negligible harm on the setting of the Conservation Area as the Church is located within it (amounting to less than substantial harm). Clearly any harm to the setting of historical assets weigh against the application.

- 5.17 Any harm to the setting of a Listed Building however, needs to be weighed and assessed against the public benefits of the scheme, and will be dealt with later in this report. The Conservation Officer's comments that the harm to the historic environment could be mitigated by careful use of materials and detailing, layout and scale, and in particular close attention should be paid to dwelling heights, are noted. These matters would be dealt with at the reserved matters stage.
- 5.18 Part of the site is also located within an Archaeological Notification Area. However the Council's Archaeologist raises no objection subject to a condition to secure an archaeological trial trench evaluation. The Case Officer agrees.
- 5.19 Access and Highway Matters
- Access is a reserved matter and can only be assessed in full detail at any reserved matters stage. Detailed assessment of issues relating to layout, road hierarchy, roads, footways, parking, visibility splays, would be considered then. However, in assessing the principle of the development, it is considered to be appropriate to consider the general location of any proposed access points to the site, as well as likely impacts relating to traffic generation within the locality, and cycle and public transport connections. With the aid of amended and additional information, this assessment has been carried out by the Council's Highway Engineer.
- 5.20 Saved Policy T5 of the MK Core Strategy states that all new development should be within 400m of the nearest bus stops. The Highway Engineer states that the whole of the development meets the policy requirement. The Case Officer agrees.
- 5.21 Footpaths exist along Newport Road and Eastfield Drive which provide access into the village centre. Other rural footpaths also exist within the site itself and it is acknowledged that the character of these sections would inevitably be altered to a more urban setting. Securing these routes could be dealt with at the reserved matters stage.
- 5.22 In terms of cycling connections, the submitted Transport Assessment explains that Hanslope is linked to Milton Keynes via route 6 of the National Cycle Network. Whilst the route has a number of shortcomings including surface quality and a lack of lighting in places, this could be mitigated and improved as a public benefit through s106 contributions (which the applicant has agreed to).
- 5.23 In terms of traffic generation, the Highway Engineer is satisfied that the development would not lead to an over capacity within the existing local road network. The Case Officer has no reason to disagree with this assessment. It is important to note that the Transport Assessment submitted in support of this application, and subsequent additional information, has considered other consented developments such as the 150 dwellings on Castlethorpe Road (16/02106/OUT) in the calculations.
- 5.24 The submitted Travel Plan is noted as a means to reduce reliance on car journeys and to promote the use of alternative, more sustainable modes of travel. This can be secured by condition if permission is granted.

5.25 As such it is considered that the proposed development complies with saved Policy T10 of the Milton Keynes Local Plan 2001-2011 in terms of general highway safety and capacity matters.

5.26 Best and Most Versatile Land

Paragraph 112 of the NPPF advises that Local Planning Authorities should take into account the economic and other benefits of the best and most versatile (BMV) agricultural land.

5.27 The application site is the same agricultural land classification as found at the Long Street appeal site (16/02937/OUT) on the Council's GIS system (Grade 3), which is not considered to be of the best and most versatile (BMV) agricultural land, as outlined in the NPPF. The Inspector did not place significant weight on the grade of the land in the Long Street appeal considering the benefits of that scheme. Considering the similar Grade of land on the current application site and type of development proposed, the Case Officer has no reason to come to a different conclusion on the matter here.

5.28 Notwithstanding the agricultural land classification, the proposal would include the loss of greenfield land. This would weigh against the proposed development.

5.29 Residential Amenity

As previously mentioned, layout and scale, amongst other matters, are not under consideration in this application.

5.30 Saved policy D1 of the adopted Local Plan and the guidance in the New Residential Design Guide seek to ensure that the amenity of both existing and future residents will not be compromised, thus reflecting the requirements of the NPPF. The impact that the proposal would have on residential amenity is an important consideration of this planning application. Residential amenity includes noise, odour, vibration through construction and overshadowing and overlooking from the dwellings once built. No residential property has the right to a view, however, outlook from a residential property that would normally be considered to be expected in a residential area, in accordance with New Residential Design Guide would be a material planning consideration.

5.31 The nearest properties to the site are located on Newport Road, Eastfield Drive, Warwick Road, Manduit Close and Kitelee Close. Stocking House is located to the north of the site.

5.32 The indicative masterplan does not provide an indicative layout of individual housing units. However there is nothing to suggest that satisfactory standards of residential amenity could not be achieved for both the proposed and the existing neighbouring residents. A suitable layout can be achieved that would protect the amenity of neighbouring properties in accordance with both national and local policy at the reserved matters stage. The application is for 200 units but it is standard practice to consider this to be the upper limit in this outline application.

5.33 Ecology

Following an initial request from the Council's Countryside Officer, a Preliminary Ecological Appraisal and subsequent update ecology report was submitted and all necessary ecology surveys have now been undertaken, and form part of the submitted information.

5.34 The Case Officer has not received further comments from the Countryside Officer. However it can be confirmed that the findings of the updated ecology report suggest that no evidence of bat roosts in existing trees or buildings, and no evidence of badgers on the site. However, the report does suggest a number recommendations to be carried out during and demolition of existing buildings and construction of the new development. As indicated within the report, these matters can be adequately dealt with at the reserved matters stage, and the findings of the current report used to inform that process.

5.35 The Countryside Officer has requested a Biodiversity Enhancement Scheme and lighting scheme to be submitted with the application. However given the outline nature of the application, it is considered to be premature to do so, as any biodiversity enhancements or lighting schemes, would be dictated by reserved matters such as layout, design and landscaping. Given that the outline and reserved matters applications form part of the same planning permission, it is appropriate to include a condition to secure these under the current application.

5.36 Given the above assessment and subject to the future requirements of any reserved matters, the proposed development is considered to be in accordance with Policy NE3 of the Milton Keynes Local Plan and the NPPF in ecology terms.

5.37 Surface Water Drainage / Flooding

The Flood and Water Management Officer has confirmed that sufficient information has been provided for the outline planning application to demonstrate meeting the requirements of the NPPF, the Non-Statutory Technical Standards for Sustainable Drainage Systems (2015), the drainage requirements of the Milton Keynes Core Strategy (2013), and the MKC Surface Water Drainage Local Guidance for Planning Applications. The Case Officer has no reason to disagree with this advice.

5.38 A Detailed Drainage Strategy will be required to be submitted to the Lead Local Flood Authority for approval as part of any reserved matters stage, but no further information is required at this time.

5.39 Contaminated Land

The Council's Environmental Health Officer agrees with the conclusions of the submitted Phase 1 (contamination) report that the risk of contamination on the site is low and the site is suitable for its proposed purpose. It is not deemed necessary to carry out an intrusive investigation or provide further detail.

5.40 The Environmental Health Officer does however recommend that a condition be placed on any planning permission in relation to unforeseen contamination (becoming apparent during works). Whilst the Case Officer understands this request, it is in relation to public health matters and would not constitute a planning matter. If any unforeseen contamination were to be found at the construction phase, then it could be more efficiently dealt with by mechanisms within environmental health legislation, and therefore by Environmental Health Officers of the Council (or the Environment Agency).

5.41 S106 Contributions and Affordable Housing

Saved Policy H4 of the Milton Keynes Local Plan 2001 – 2011 and The Affordable Housing SPD seeks 30% Affordable Housing (25% Affordable Rent of which 5% of the development should be at levels broadly equivalent to Social Rent and 5% Shared Ownership in Accordance with the Affordable Housing SPD. This has been agreed and forms part of the heads of terms for the Section 106 agreement.

5.42 In addition to Affordable Housing, Section 106 contributions are required to mitigate the impact of this development in accordance with relevant Supplementary Planning Documents/Guidance. These contributions are set out in section A3.13 of this report.

5.43 Any site specific requirements including Public Transport and Highways works –

- Contribution towards improvements to National Cycle Network Route 6
- Contribution towards improved bus stop/shelter x2 and annual bus pass pack to each dwelling
- Bus Voucher/travel pack

5.44 The Case Officer can confirm that they meet the tests for obligations as outlined at paragraph 204 of the NPPF and are in accordance with CIL Regulations 122 and 123. These have also all been agreed and form part of the heads of terms for the Section 106 agreement.

5.45 If Members are minded to grant permission it should be noted that a decision will not be issued until the Section 106 has been completed in accordance with the above requirements. However, if members decide to refuse planning permission, given the necessary S106 agreement has not been signed, a suitable refusal for refusal has been recommended.

5.46 Cumulative Impact

The Parish Council and a large number of the third party objectors raise concerns regarding the cumulative effect of this development and other developments recently approved in Hanslope. In particular the Parish Council details that if this planning application was to be approved, when taking together with planning application 16/02106/OUT on Castlethorpe Road, the total increase in population would be in excess of 30% on 2011 census figures (988 households) causing a stress on local infrastructure and changing the character of the village.

- 5.47 In terms of the impact of the development on infrastructure, application 16/02106/OUT on Castlethorpe Road and the recently approved application on Long Street (16/02937/OUT), should planning permission be forthcoming for the current application, it would be subject to section 106 agreements to secure infrastructure improvements to offset the impact of the development such as junction improvements and contributions to schooling and other facilities.
- 5.48 Turning to the character of the village, whilst there are policies seeking to protect the countryside as addressed above, population growth of settlements in their own right is not a justifiable planning objection and would be contrary to the expectation in the NPPF for planning to seek to significantly boost the supply of housing. However, whilst limited in its own scope and therefore findings, the Council's own commissioned cumulative impact assessment has found that the recently consented schemes at Long Street (141 dwellings) and Castlethorpe Road (150 dwellings), together with the proposed scheme, would lead to an increase of some 55% of new housing within Hanslope. Although the report concludes that there would not be an adverse cumulative impact on various individual aspects, this is not an insignificant amount of new housing for a modest rural village. Given the policy context and the Council's current (and increased future) housing land supply position, does suggest or demonstrate that additional housing within Hanslope to this degree, challenges the sustainability objectives of both local and national planning policy. In this context, this does not weigh in favour of the application.
- 5.49 Sustainable development
- 5.50 Recent planning approvals for residential development in Hanslope establish the village as a sustainable location.
- 5.51 The NPPF identifies that there are 3 dimensions to sustainable development: social; economic; and, environmental.

Social Benefits

- 5.52 The social benefits of the scheme would include a significant contribution towards housing provision. Thereby it would facilitate the Government's aim of boosting significantly the supply of housing. This can be attributed significant weight in favour of the application in isolation.
- 5.53 In addition, under the terms of the section 106, 30% of the proposed units would contribute towards meeting the need for Affordable Housing in the District, in accordance with Local Plan Policy H4 and the aims of the NPPF. Substantial weight can be given in favour of the application to the provision made for Affordable Housing.
- 5.54 Although introduced as a mitigating measure, provision of contributions towards upgrading the route 6 of the National Cycle Network, would benefit the whole community.

Economic Benefits

- 5.55 The economic benefits of the scheme would include the creation of construction jobs and associated expenditure, albeit in the short term which is likely to be associated with the build out of the site. Whilst expenditure of future residents of the site would also be likely to boost the local economy, the Council has not been provided with evidence to show that it is necessary to secure the viability of local services. Under the circumstances, the case officer gives the economic benefits claimed by the applicant only limited weight.

Environmental Benefits

- 5.56 Given the nature of the application and limited matters to be considered, there has been indication that the scheme would include in a net gain to biodiversity. However, features such as new planting areas, bat and bird boxes, amongst other things, could lead to a net gain to biodiversity, in keeping with the aims of the Framework. These matters could be secured through the imposition of conditions related to landscaping and biodiversity and the reserved matters stage. Given the limited information available at this time, the Case Officer gives this limited weight.
- 5.57 However, overall, the Case Officer considers that the public benefits of the scheme weigh heavily in its favour.

Harm

- 5.58 The proposal would be likely to cause less than substantial harm to the significance of designated heritage assets, albeit negligible. The NPPF indicates that where a development will lead to less than substantial harm to the significance of a designated heritage asset, that harm should be weighed against the public benefits of the proposal. Notwithstanding that great weight is attributed to the assets' conservation, it is considered that negligible harm would be caused, and fairly limited weight therefore attributed to it. However, some harm would be caused to the setting of heritage assets (and any other harm caused) when the Council can demonstrate a 5 year housing land supply in more sustainable and appropriate locations than the application site. In this context, the public benefits of the scheme in further boosting the supply of housing are somewhat diminished.
- 5.59 Whilst the scheme would result in the loss of an area of agricultural land, it does not comprise the best and most versatile agricultural land, which the NPPF seeks to safeguard. Limited weight against the development can be given to the loss of agricultural land. However this further emphasises that there are more sustainable and appropriate locations than the application site which either have planning permission contributing to the Council's current housing supply, and to a greater degree once Plan:MK is adopted.
- 5.60 In addition to the harm to the significance of designated heritage assets and harm associated with the loss of agricultural land, the Case Officer considers that the scheme would harm the character of the local area and would conflict with the Council's spatial development strategy. With particular reference to these matters, the proposal would conflict with the Development Plan taken as a whole,

particularly given how much residential development has already been approved in Hanslope recently. Although limited weight can be afforded to it, this also appears to be reflected in the draft Neighbourhood Plan allocations.

- 5.61 Policies CS1 and CS9 are up to date, and very significant weight can be given to policy S10 and Plan:MK policy DS5. To reiterate there is not a shortfall in housing land supply to address but harm would be caused by the development.

6.0 CONCLUSIONS

- 6.1 Given that the Council can demonstrate a sustainable supply of housing in excess of 5 years, the context and rural location of the site away from larger more sustainable settlements, how much approved growth Hanslope has already experienced recently, and the harm caused to the character of the area, the Case Officer considers that the adverse impacts of the proposal would significantly and demonstrably outweigh the benefits in this case. Having regard to likely economic, social and environmental impacts and benefits, the scheme would not amount to sustainable development under the terms of national policy.

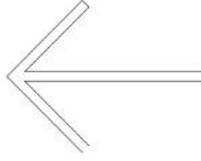
7.0 REASONS FOR REFUSAL

1. The site is outside of the settlement boundary of Hanslope and in the Open Countryside as defined by Saved Policy S10 of the Milton Keynes Local Plan 2001-2011 (adopted 2005). Policy S10 aims and objectives are to protect the open character of the countryside and implicitly recognises the character and beauty of the countryside, as does emerging policy DS5 of Plan:MK. The proposal would have a harmful impact on the open character of the countryside. In addition, Policies CS1 and CS9 of the Milton Keynes Core Strategy (Adopted 2013) seek to focus development in the rural area within the development boundaries of the main and most sustainable towns or key settlements of which Hanslope is not. The application site lies outside the settlement boundary of Hanslope and falls within land designated as 'Open Countryside'. This proposal would therefore detract from the rural character of the countryside and the proposal is therefore contrary to Saved Policy S10 of the Milton Keynes Local Plan 2001-2011 (Adopted 2005), Policies CS1 and CS9 of the Milton Keynes Core Strategy (Adopted 2013) , and emerging Plan: MK policies DS1 and DS5.
2. In the absence of necessary planning obligations being secured by a s106 agreement, the applicant has failed to demonstrate that the proposed development would not lead to a burden on or have an adverse impact on existing local social and sustainable infrastructure, education and leisure facilities. The proposal is therefore contrary to the guidance within Supplementary Planning Documents (SPDs) for Affordable Housing SPD (2013), Education Facilities SPG (2004), Leisure Recreation and Sports Facilities SPG (2005), Social Infrastructure SPD (2005), and Sustainable Construction SPD (2007) which support the Milton Keynes Core Strategy Policy CS21, Policy P04 of the Milton Keynes Local Plan 2005, and the aims of the National Planning Policy Framework (NPPF).

KEY LEGEND

- Site Boundary 7.8HA
- A Existing Site Access
- B Existing Grazing Land
- C Existing Trees
- D Main Road

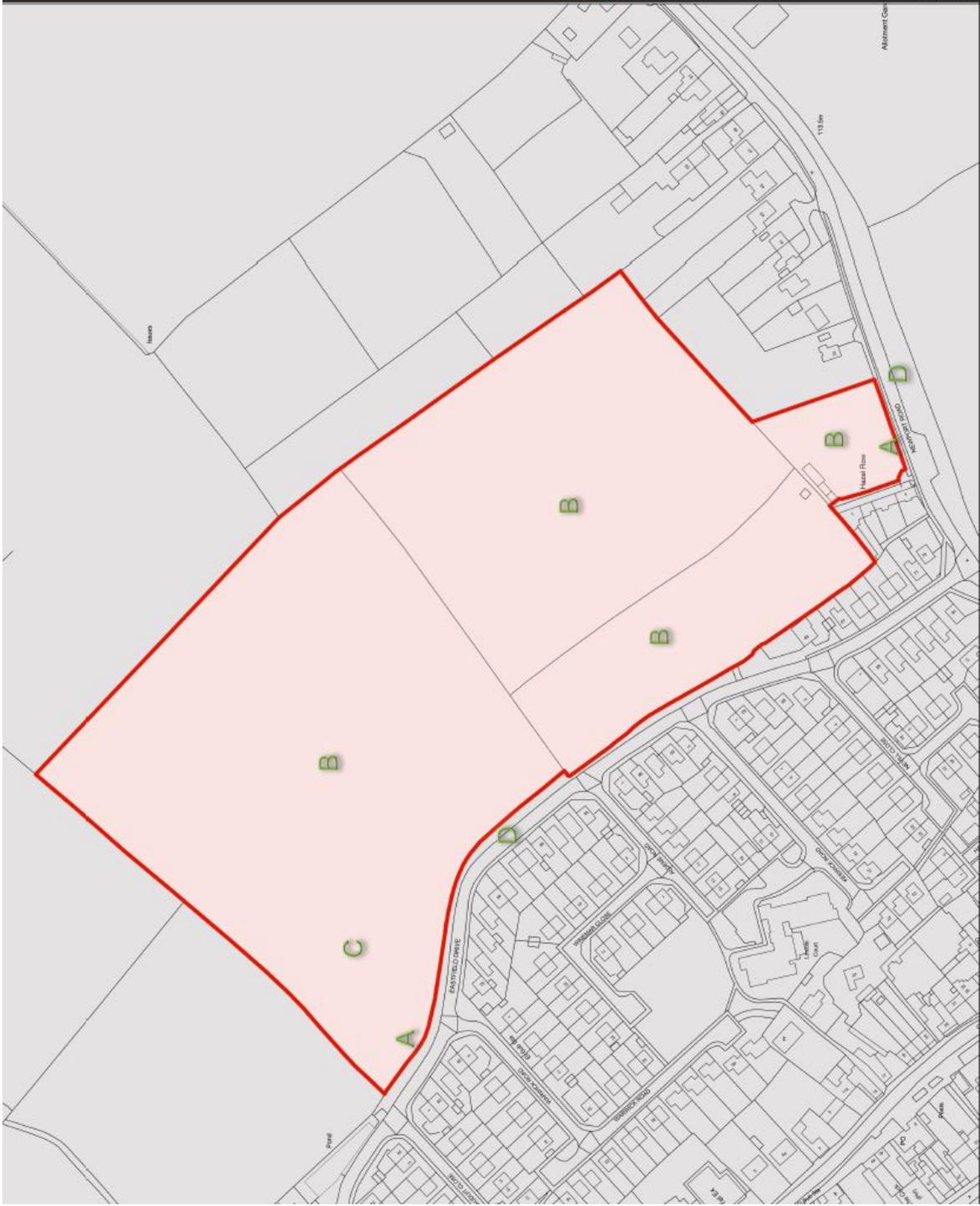
NORTH



10 0 10 20 30 40 50
metres



COMP	SITEPLAN LLP
PROJECT	Hemlocke (Land to the East of Eastfield Drive)
TITLE	Existing Location Plan
SCALE	1:1250 A2
DATE	21/03/2017
DRAWN	RA
CHECKED	RS
CAD	CAL010716
REV	02
APP	A



Appendix to 17/00838/OUT

A1.0 RELEVANT PLANNING HISTORY

None on the application site.

However, the following recent appeal decisions are considered to be material planning considerations in the determination of the current proposal:

Land at Long Street Road, Hanslope

16/02937/OUT - The development proposed is the erection of up to 141 dwellings. Allowed at appeal on 5th March 2018.

Castlethorpe Road, Hanslope

16/02106/OUT - Outline application (all matters reserved except access) for residential development of up to 150 dwellings, estate road, open space and associated works. Granted planning permission on 14.12.2017.

A2.0 ADDITIONAL MATTERS

(Matters which were also considered in producing the Recommendation)

None

A3.0 CONSULTATIONS AND REPRESENTATIONS

A3.1 Hanslope Parish Council

The Parish Council would like to object to planning application 17/00838/OUT for the following reasons:

- Cumulative effect: With the approval of planning application 16/02106/OUT Hanslope will be subject to an increase in population of approximately 15%. If this planning application was to be approved the total increase in population would be in excess of 30% on 2011 census figures (988 households). The cumulative effect of both planning applications being approved would cause an intolerable stress on the local infrastructure including:
 - Provision of schooling
 - Provision of medical facilities (Doctors surgery)
 - Roads / transport – see separate submission.

Without doubt, approval of this planning application would undermine the rural character of the village and adversely impact the ability of local services to cater for the community's needs. A sudden population increase resulting from the approval and delivery of the Castlethorpe Road site will take time to absorb into village life, for the schools and doctor's surgery to adjust to the new residents and increase capacity accordingly. There is inevitably a time-lag between housing being built and services being funded to accommodate the new population, and these are already services stretched by years of financial constraint. Almost doubling the number of new dwellings allowed in the village, should the Land to the east of Eastfield Drive development also be supported, would be disastrous.

Whilst the Parish Council have objected to the scale of new housing in the village, we accept that there is little that can now be done to prevent the Castlethorpe Road development from being built. However, 150 new dwellings into a village the size of Hanslope is as much as the village should reasonably be expected to take. This will be the largest expansion of the village seen in decades. It should therefore be recognized that the local housing needs within the Parish have been fulfilled for the foreseeable future. We hope that MKC will now support our view that the village should be protected from further speculative, developer led proposals.

- Loss of community feel: Hanslope has selected village status, culturally diverse but a close knit community. The increase in population of 30% will threaten the very heart of this community and the support systems that exist within it.
- The roads cannot take the extra number of vehicles which this development would generate.

- There are serious issues with the placement of the entrances to the site, in particular the entrance 20 meters away from a terrace of Victorian houses (Hazel Row), we urge Milton Keynes Council to ensure a full highways survey is carried out prior to any decision being made.

Finally, should a decision be made under delegated powers to recommend approval of this application then the Parish Council request that this decision be reviewed by the panel.

Further representations were received with the following comments:

Our objections and those of the wider local community are based primarily on planning policies relating to protection of the countryside and the role, size and settlement boundary of Hanslope in the existing and emerging Local Plans, although we are also very concerned about the environmental impacts of the proposed development on our quality of life and that of our neighbours.

A planning judgement still needs to be exercised about the balance between the need for housing, development plan policies and other material considerations. The new Local Plan still says the same as the old Policy S10 (it is now Policy DS5) and we would argue they are still consistent with the Framework.

- PLAN:MK has completed) the Examination stage, which is the last stage before formal adoption. It should therefore be given significant weight in consideration of planning applications. So whether you take the current Local Plan or the emerging one, the policy is still the same and is still valid.

Hanslope's Neighbourhood Development Plan is also well underway and has been modified regarding the responses to the Pre Submission document. It has now been finalised and will be submitted shortly to MK Council and hopefully will be adopted by January /February 2019.

This development of 200 houses will inevitably be associated with more commuting by car to the employment centres of Milton Keynes and Northampton and more car travel for other purposes. There is no justification for disregarding the settlement boundary and the countryside policies of the local plan, simply to compensate for shortages of housing land supply in other parts of the Borough. Policies of the existing and emerging local plans seek to manage the role and growth of existing villages through a settlement strategy. A recent committee report also included the misleading statement that 'recent planning approvals for residential development in Hanslope have established the village as a sustainable location for housing development.'

None of the criteria that are applied in the report are specific to Hanslope: the social and economic benefits of new housing (accommodation and construction jobs) could accrue on any site, anywhere, and the environmental 'benefits' claimed are only that 'there will be no adverse harm'.

The Development Control Committee report also gave sufficient weight to existing and emerging Local Plan policies, including:

- Saved policies of the 2005 Local Plan;
- Policies of the Core Strategy (2013);
- The Site Allocations Plan (SADPD) which supports the Core Strategy and was adopted on 18th July 2018;
- The new local plan, 'Plan:MK' that was submitted to the Secretary of State in April 2018 and is currently awaiting ratification .

The committee acknowledged that:

- Development outside the settlement boundary in the open countryside is contrary to saved Policy S10 (now policy DS5) of the Milton Keynes Local Plan.
- Policy CS1 of the Core Strategy (Development Strategy) seeks to focus development in or adjoining the existing urban area.
- Policy CS9 of the Core Strategy (Strategy for the Rural Area) seeks to focus development on the Key Settlements of Newport Pagnell, Olney and Woburn Sands.

Hanslope is identified as a 'Selected Village' where sites identified for housing development in the Neighbourhood Development Plan will remain as allocations, appropriate infill and conversions will be allowed, and village boundaries will be reviewed through the Site Allocations Plan and Plan:MK.

- No new housing development in Hanslope is proposed by the Core Strategy.
 - The recently adopted Site Allocations Plan (SADPD) contains no new proposals for additional housing in Hanslope.

Council officers now recognise that to continue to grant planning permissions for housing outside the settlement boundary of Hanslope, in addition to the 303 new dwellings already permitted, would make a complete nonsense of the approach under 'Plan:MK' and would undermine the plan-making process.

The Parish Council wish to bring to your attention the attached Transport Assessment commissioned by the Parish Council setting out our concerns regarding the information provided by AECOM in support of the application to MK Council.

Accordingly we would respectfully urge that MK Council refuse this application.

A3.2 Landscape

In summary:

Saved Policy S10 of the Milton Keynes Local Plan states that planning permission will only be granted for development in the open countryside where it is essential for agriculture, forestry, countryside recreation and other development which is wholly appropriate to a rural area and cannot be located within a settlement.

In addition, Policy CS9 of the Milton Keynes Core Strategy seeks to focus development in the rural area within the development boundaries of the main and most sustainable towns or key settlements. The application site lies outside the settlement boundary of Hanslope and falls within land designated as 'Open Countryside'.

Given the location of the development the proposal would have an urbanising effect on and detract from the rural character of the countryside. The proposal is therefore contrary to Saved Policy S10 and Policy CS9 of the Milton Keynes Core Strategy and the core planning principles in Paragraph 17 of the National Planning Policy Framework which recognise the intrinsic character and beauty of the countryside.

Concerns that the application does not demonstrate that the proposal would include the required quantity of open space in accordance with Saved Local Plan Policy L3 and the associated appendix L3 and SPD, as well as adequate space for buffer landscaping.

A3.3 Countryside Officer (Ecology)

Initially requested further information including a Preliminary Ecological Assessment, ecological surveys for any species identified in the Preliminary Ecological Assessment and reports including any necessary mitigation measures with regards to protected species, an assessment of the effect of the development on the biodiversity of the site using the DEFRA Impact Assessment Biodiversity Calculator methodology, a Biodiversity Enhancement Scheme in accordance with Policy NE3 of the Milton Keynes Local Plan and NPPF and a Lighting Scheme.

An updated ecology report including additional surveys was subsequently submitted. The case officer has not receive further comments from the Countryside Officer.

A3.4 Council's Highway Engineer

In summary following the receipt of amended and additional information:

Subject to the imposition of a S106 agreement to cover the financial contribution to National Cycle Network Route 6, no objections to planning permission being granted.

A3.5 Lead Local Flood Authority

No Objection - Sufficient information has been provided for the outline planning application to demonstrate meeting the requirements of the NPPF, the Non-Statutory Technical Standards for Sustainable Drainage Systems (2015), the drainage requirements of the Milton Keynes Core Strategy (2013), and the MKC Surface Water Drainage Local Guidance for Planning Applications.

A Detailed Drainage Strategy will be required to be submitted to the Lead Local Flood Authority for approval as part of the full Application, in line with the MKC Local Guidance (Pages 6-9).

A3.6 Archaeology

Following submission of additional information:

No objection to the proposal subject to an archaeological trial trench evaluation being carried out. This requirement may be secured by condition.

A3.7 Conservation

Having had regard to the relevant national legislation and guidance and to local plan policies intended to protect historic buildings and places from insensitive change I advise as follows:

There will be some marginal harm to the setting of the grade I listed church of St James the Great as a result of development in the foreground approach along Newport Road.

The harm is marginal and would not amount to a strong objection on conservation grounds. You should weigh this marginal harm in the context of other harms and benefits of the scheme when determining the application. The harm to the historic environment could be mitigated by careful use of materials and detailing, layout and scale, in particular close attention should be paid to dwelling heights. House designs need not closely mimic historic styles but should recognise and reinforce local character within a broadly contemporary design language.

A3.8 Environmental Health (Contaminated Land)

I have read the Phase 1 report and walk over (AAH Planning Consultants, March 2017) submitted with the application and I agree with the conclusions of the report that risk of contamination on the site is low and the site is suitable for its proposed purpose. As it is not deemed necessary to carry out an intrusive investigation, but recommends that a condition be placed on any planning permission in relation to unforeseen contamination.

A3.9 Transport Planner

No objections subject to a condition relating to implementation of the Travel Plan.

A3.10 Anglian Water

No objection subject to a condition for a surface water drainage strategy.

A3.11 Urban Design

There is limited information at this stage in terms of the proposed design and layout of this scheme as all matters are reserved. Whilst I won't be commenting on the land use issues related to this site, I would like to make the following points regarding the illustrative layout that has been submitted as part of this outline application.

- It's important that all new developments are integrated into the existing built-form, whilst the illustrative layout does seem to connect Newport Road with Eastfield Drive there are a number of missed opportunities to connect streets / footpaths onto Eastfield Drive.
- There is an existing pedestrian route that connects the shops and the public house on Gold Street to Aldene Drive, this is a key pedestrian route and should continue ideally along the proposed streets, through the centre of the development and connect directly to the new open space.
- The proposed shared private drives should be public routes if they provide a connection that vehicles or pedestrians may wish to use.
- Careful consideration needs to be given to how the proposed built-form relates to Eastfield Drive in order to ensure the proposed development relates well to and enhances the surrounding environment.

A3.12 Housing

Initially requested additional information in terms of the need for a detailed breakdown of Affordable Housing by house size and tenure type in line with the above advice to assess policy compliance.

A3.13 Planning Obligations

Section 106 requirements for this scheme are to include compliance with the Councils SPD & SPGs as set out in the table below, plus 30% Affordable Housing (25% Affordable Rent of which 5% of the development should be at levels broadly equivalent to Social Rent and 5% Shared Ownership in Accordance with the Affordable Housing SPD

Any site specific requirements including Public Transport and Highways works –

- Improvements to National Cycle Network Route 6 – contribution of £10,000
- Improved bus stop/shelter x2 and annual bus pass pack to each dwelling – totalling approx. £144,728.00
- Bus Voucher/travel pack

Education:

	Contribution
Total Early Years	£141,690.92
Primary pupils	£700,119.84
Secondary pupils	£753,535.20
Post 16 pupils	£163,444.80

Leisure Recreation & Sports:

	Provision Cost	Maintenance Cost
Playing Fields	£105,225.00	£90,000.00
Local Play (WIK)	£157,500.00	£112,000.00
Neighbourhood Play (WIK)	£150,000.00	£192,000.00

Community Hall (WIK)	£46,436.00	n/a
Local Parks (WIK)	£20,000.00	£29,000.00
District Parks	£40,000.00	£58,000.00
Swimming Pool	£63,396.64	n/a
Allotments	£18,750.00	n/a
Sports Hall	£23,312.68	n/a

Social Infrastructure:

	Contribution
Library	£45,342.00
Adult Continuing Education	£21,526.00
Crematorium/Burial Grounds	£18,320.00
Museums and Archives	£32,060.00
Health Facilities	£313,730.00
Waste Management	£51,754.00
Waste Receptacles	£20,000.00
Social Care - Day Care	£10,992.00
Social Care - Older Persons Housing	£67,326.00
Emergency Services	£10,076.00
Voluntary Sector	£38,014.00
Milton Keynes College	£51,296.00
Inward Investment	£38,014.00
Public Art - 1% (Estimated)	£200,000.00

Carbon Offsetting:

	Contribution
Carbon Neutrality (Estimated)	£100,000.00

- A3.14 Berks, Bucks & Oxon Wildlife Trust
Requested further documents prior to commenting.
- A3.15 Public Rights of Way
Commented that there are several public rights of way in the proposed site and these should be given due consideration in assessing the application.
- A3.16 Natural England
No comments
- A3.17 Environment Agency

Flood Risk / Surface Water Drainage
Please consult the Lead Local Flood Authority (LLFA).
- A3.18 Other general advice to the developer.
Ward - Newport Pagnell North And Hanslope - Cllr A Geary (Member of Development Control Committee)

No representations were received at the time of writing this report.

A3.19 Ward - Newport Pagnell North And Hanslope - Cllr Green

No representations were received at the time of writing this report.

A3.20 Ward - Newport Pagnell North And Hanslope - Cllr Patey-Smith

No representations were received at the time of writing this report.

A3.21 Local Resident Representations

A total of 286 objections have been received from local residents and a petition including 77 signatures. The material planning considerations can be summarised as follows:

- Site is located in open countryside, outside the village envelope (and Green Belt)
- The village infrastructure cannot support a development of this size
- Traffic impact
- Highway safety
- Loss of wildlife
- Loss of trees
- Too many homes in the country
- Eastfield Drive is already a 'rat run'
- A new school and doctors surgery will be required
- Hanslope will become a town and no longer a village
- Surface water impact
- Foul drainage cannot cope
- Flood risk increased
- Loss of footpaths
- Cumulative impact of all the development in Hanslope
- Out of character with existing nearby bungalows
- Site is in conflict with local plan policies
- Noise and disturbance as a result of the additional units
- Effect on nearby listed buildings and conservation area
- Proposed scale at two storey is out of character with surrounding area
- Loss of views
- Loss of agricultural land
- Overlooking and over shadowing Eastfield Drive properties
- Parking impact
- Unsustainable development
- Contrary to Hanslope Parish Plan
- The Council has a 5 year housing land supply