

**Application Number:** 21/00999/OUTEIS

- Proposal:** Hybrid planning application encompassing: (i) outline element (with all matters reserved) for a large-scale mixed-use urban extension (creating a new community) comprising: residential development; employment including business, general industry and storage/distribution uses; a secondary school and primary schools; a community hub containing a range of commercial and community uses; a new linear park along the River Ouzel corridor; open space and linked amenities; new redways, access roads and associated highways improvements; associated infrastructure works; demolition of existing structures and (ii) detailed element for strategic highway and multi-modal transport infrastructure, including: new road and redway extensions; a new bridge over the M1 motorway; a new bridge over the River Ouzel; works to the Tongwell Street corridor between Tongwell roundabout and Pineham roundabout including new bridge over the River Ouzel; alignment alterations to A509 and Newport Road; and associated utilities, earthworks and drainage works  
at Milton Keynes East, Land East And West of A509 London Road, Newport Pagnell, MK16 0JA
- Applicant:** St James Group Ltd
- Application type:** Hybrid (part outline application, part full application)
- Ward:** Olney/Newport Pagnell South Ward/Broughton Ward
- Parish:** Moulsoe Parish Council/Newport Town Parish Council/Campbell Park Parish Council/Broughton and Milton Keynes Parish Council/Great Linford Parish Council
- Statutory Target:** 21.07.2021                      **Extension of Time:** Yes – 07.12.2021
- Case Officer:** Elizabeth Verdegem  
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## **Supplementary Update Paper to Committee**

### **S1.0 Recommendation**

S1.1 That the recommendation as set out in the main report be updated to include the amended conditions (including the reasons) as reported in section U6.0 of the first update paper, with the additional amended reasons in section S6.0 of this Supplementary Update Paper.

### **S2.0 Introduction**

S2.1 Since the publication of the agenda, main report and update report, further responses have been received as summarised below in section S3.0 and are included in full at Appendix SA1.0.

### **S3.0 Additional consultations and representations**

All responses and representations received can be viewed in full, online at [www.milton-keynes.gov.uk/publicaccess](http://www.milton-keynes.gov.uk/publicaccess) using application ref. 21/00999/OUTEIS. The following paragraphs summarise the additional responses and representations received since the publication of the main report, and the first update paper. As these may have been received very recently, they may not yet have been processed so to appear on the website.

#### **S3.1 CLlr Scot Balazs (Newport Pagnell South Ward)**

Concern raised regarding traffic, and the impact of the new development on the existing roads (A422, A509 and London Road). Considers that new grid roads should be dualled from the outset.

#### **S3.2 Representations from interested parties**

##### *MK Forum*

Raises question regarding the detail of the highways works and whether these should be in outline requiring reserved matters submissions. Concern raised regarding function of the crossing over the M1 and junction with Tongwell Street, stating that connections between MKE and the wider area are limited, while focus seems to be on traffic between CMK and MKE. Raises concerns of not adhering to grid roads, citing concerns with other expansion areas. Does not support the closure of Carleton Gate, considers that concerns regarding rat-run through Willen are not supported by evidence, and that potential traffic solutions after Carleton Gate is closed shift the problem elsewhere. Considers reference should be made to the Council's Local Transport Plan (LTP4) and that a condition requiring assessment against the strategy should be included.

##### *Public representations*

2 further comments from members of the public have been received. Where these do not repeat matters already summarised in the main report, the matters raised are summarised below:

- Support for the proposal in relation to the impact of on the residents of Pyms Stables.

## **S4.0 Discussion**

### Response to further comments

- S4.1 With regard to the level of detail in the highway infrastructure works, to clarify, the new roads and main junctions are proposed in full, meaning their layout, position, size and general construction is set out in the submission documents and included in the plans to be approved. Conditions are included for the final detail of the highway works to secure the exact layout of the works, including aspects such as redways, footpaths and crossings. Any further engineering and technical detail are only required under the technical consent granted by the Highway Authority (known as s278 or s38 consent), which is not a matter for determination as part of the planning application.
- S4.2 Concerns have been expressed regarding the revised junction at Tongwell Street/the M1 crossing, in relation to the layout of the junction and the closure of Carleton Gate. The revised junction in this area is considered acceptable by the Council's Highways Officers and represents an appropriate junction to accommodate the crossing of the M1 and retain Tongwell Street as two-way. Further consideration of the junction layout is included in the main report.
- S4.3 In relation to the reiterated suggestion of an additional condition to assess the proposal against the Local Transport Plan (LTP), a further condition requiring assessment against this document would fail to meet the 'necessary' test for a condition. Furthermore, as it does not form part of the development plan, such a condition would also not meet the 'relevant to planning' test. The aims and strategies of the LTP have been amply covered both through assessment of the proposal against Plan:MK and relevant NP policies, which will have had regard to previous iterations of the LTP, and the addition of conditions requiring submission of rights of way schemes, low emission vehicle technology, final details of footpath/cycles paths as part of the highway works, and the reserved matters submissions which will include the layout and footpath/cycleways within the areas covered by the outline submission. The conditions and reserved matters applications will work together to ensure the development provides an accessible community and supports sustainable travel.

## **S5.0 Conclusions**

- S5.1 In summary, the points of clarification and further information set out above are supplemental to the main report, which sets out the main assessment and balance of issues. The additional points contained in this update paper do not alter the assessment in the main report, and the conclusion and recommendation remain the same.
- S5.2 None of the other matters raised through the additional responses amount to material considerations outweighing the assessment of the main issues set out in the main report, as may be supplemented above, noting that conditions or obligations are recommended where meeting the tests for their imposition.

## **S6.0 Conditions**

S6.1 While the full set of conditions was included in the update paper with the reasons added, it is considered necessary to clarify and amend the reasons for conditions 1 to 6. To avoid replicating the full set of conditions, only the updated reasons are included below. No other changes are proposed to the conditions at this time:

Condition 1 Reason: For the avoidance of doubt and in the interests of securing sustainable development.

Condition 2 Reason: To prevent the accumulation of planning permissions, to enable the Local Planning Authority to review the suitability of the development in the light of altered circumstances, and to comply with section(s) 73 and 91 of the Town and Country Planning Act 1990 / section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

Condition 3 Reason: To prevent the accumulation of planning permissions, to enable the Local Planning Authority to review the suitability of the development in the light of altered circumstances, and to comply with section(s) 73 and 91 of the Town and Country Planning Act 1990 / section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

Condition 4 Reason: To deliver the areas covered by the outline permission as these matters have been reserved for the subsequent approval of the Local Planning Authority.

Condition 5 Reason: To ensure the detailed parameters for the character and design of the development is established at an early stage so to inform the assessment of subsequent applications and achieve a high quality design.

Condition 6 Reason: To ensure the character and design of each phase of the development is consistent and well related to adjoining phases across the wider site, in accordance with the site wide Design Code.

## **SA1.0 Full text of additional consultations and representations**

### **SA1.1 Cllr Scot Balazs (Newport Pagnell South Ward)**

Firstly please allow me to thank my conservative councillor colleagues for their comments this evening, especially my colleague Cllr Chris Wardle for Newport Pagnell North & Hanslope I wanted to take this opportunity to highlight one of the main concerns the residents of my ward, Newport Pagnell South, have regarding the MK East development, which mirror concerns raised by Newport Pagnell Town Council, some of which I know they have personally raised with Neil Sainsbury, Chris Nash and Elizabeth Verdegem

#### **Grid Roads & Traffic**

Residents of NP South are very concerned about the traffic issues that will be caused by the MKE development; currently, there is a very high build-up of traffic each and every weekday during rush hour, along the B526 (London Road) entering/exiting NP, along Willen Road and along H3 Monks Way (A422). The Tickford Roundabout on the A422 is the main “artery” with traffic flowing from Junction 14 along the A509, commuters entering/exiting NP and commuters travelling to/from Bedford and Northampton along the A422/H3 Monks Way. It is a headache attempting to navigate these roads at present, let alone with the addition of the extra homes and businesses within the MKE development.

I am aware Newport Pagnell Town Council have requested the additional roads being built within the development be dualled grid roads from the outset, but what reassurances do the residents of NP, existing residents of NP, have from MKC that their daily commute will not be made increasingly difficult and increasingly longer? The argument that MKC is trying to be an eco-forward council and thus reduce the use of the car simply does not wash here.

Unfortunately, the residents of Milton Keynes, especially those of NP South, have been massively let down by MKC, their elected officials and the Planning Department in recent years, and it is my belief that in light of this, at present, they should be doing everything in their power to regain the trust and the faith of the residents. MKE is going ahead, we can't change that now, but surely it is in everyone's best interests to work together with local parish and town councils and most importantly, local residents, within “Damage Limitation”, to work toward winning some of that faith and trust back?

### **SA1.2 Representations from interested parties**

#### *MK Forum*

On 4 November representatives of MK Forum had a most constructive and helpful meeting with representatives of St. James. During the course of the meeting it became apparent that many of the drawings listed in Condition 1 as approved drawings contain information that St. James intended to be finalised at reserved matters stage, rather than being approved now as part of this hybrid application.

This particularly applies to drawings containing information about proposed bridges, subways, highway and other structures where information is in sketch, or indicative form. In order to overcome this conundrum we believe that it would be advisable to include a suitably worded

condition to avoid St. James having to seek approval for the detail through a myriad of Section 96A TCPA applications, or Section 73 applications where the detailed changes required are more major.

Also, as a reserved matter, such changes would be more transparent, allowing for greater public participation.

The suggested wording of such a condition is as follows: -

In respect of information concerning proposed bridges, subways, highway and other structures, together with their approach works, shown indicatively on the drawings submitted and listed as approved drawings listed in Condition 1, approval of line, level, form, finish and general appearance shall be secured through reserved matters applications.

Does the Chair of DCC support our view?

We are writing to summarise our position following recent updates and further representations:

1. Whilst we accept the decision within the SPD to locate the M1 crossing in a location that we did not support, the SPD and documents connected with the HIF bid made it clear that the junction between the crossing and V11 was to be an all-movement one. The submitted plans do not follow the SPD in this key matter and we think that this calls into question the whole issue of how MK East connects with northern MK. In particular we feel that it alters the nature of the road through the Bloor site to Willen Road, which will potentially function as a Grid Road because it provides a more convenient route than the alternative – see plans below.

We feel that the new arrangement, with no northbound access to V11 from MKE, focuses too heavily upon moving traffic into CMK and mitigates against the freedom of choice for residents of MK East to connect to the rest of MK, contrary to the principles underpinning the city's overall design. We do not feel that this has been properly tested. Whilst we accept that the proposed M1 crossing is a solution, it is disappointing that it has not been demonstrated that it is the best solution – which should be our aspiration. We are disappointed that there has not been a proper cost benefit analysis that considered all of the alternatives for this matter.

2. There are two significant examples where new development in MK has taken place contrary to the principles underlying the original master planning of the city – the abandonment of Grid Roads in the two expansion areas and closing the underpasses around the Hub in CMK and building close to the roads. In both cases it has been subsequently widely accepted that the original plan was better and the changes have been regretted – in the case of the Brooklands “city street”, involving significant, unanticipated expenditure by the Council.

3. The closure of the Carleton Gate roundabout runs the risk of marooning Willen residents within their gridsquare during peak traffic times. Whilst we note comments about “rat running”, they seem to be based upon hearsay rather than robust data – as a consequence,

we suggest that they are of limited value. At present people leaving Willen gridsquare on V11 at peak times have the option of driving north to the Tongwell roundabout in order to come south again. Without access to V11 they will have a far longer journey along H4 to the Willen roundabout. There is no evidence that such an issue has been taken into account in the applicant's traffic modelling. Whilst we note the prospect of being able to install a traffic light on H4 at Millington Gate, this is "whack-a-mole" traffic planning whereby problems in one area are exported to another rather than dealt with at source. We presume that the cost of any remedial works to the H4 junctions will fall to the Council rather than the applicant.

4. We are disappointed that the submission by one of our members (Andrew Thomas) regarding LTP 4 seems to have been summarily cast aside – it is very much part of planning policy and his suggested amendment would seem, on the face of it, to be uncontroversial

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