

## **Non-Technical Summary**

This report concludes that Plan:MK provides an appropriate basis for the planning of the Borough, provided that a number of main modifications [MMs] are made to it. Milton Keynes Council has specifically requested me to recommend any MMs necessary to enable the Plan to be adopted.

The MMs all concern matters that were discussed at the examination hearings. Following the hearings, the Council prepared schedules of the proposed modifications and carried out an update of sustainability appraisal. The MMs were subject to public consultation over a six-week period. In some cases I have amended their detailed wording and/or added consequential modifications where necessary. I have recommended their inclusion in the Plan after considering all the representations made in response to consultation on them.

The Main Modifications can be summarised as follows:

- A policy commitment to undertake a review of Plan:MK in light of the emerging plans for transformational growth along the Cambridge-Milton Keynes-Oxford corridor and strategic growth ambitions for the Borough. The Plan review shall be submitted for examination by the end of 2022;
- To positively allocate land at Milton Keynes East (east of the M1) for at least 5,000 homes of which at least 1,475 dwellings will be delivered within the plan period and potentially more (some 3,000 dwellings) if early infrastructure funding can be secured;
- To include a housing trajectory for the plan period and clarity on the sources of deliverable and developable housing land supply;
- To reaffirm the significance of Campbell Park as a strategic housing site within Central Milton Keynes in Policy SD3 and remove potential duplication by deleting Policy SD18;
- Amend the Primary Shopping Area designation in Central Milton Keynes;
- Include further specificity within the policies for South East Milton Keynes and Milton Keynes East on the requirements and criteria to guide these strategic developments;
- Include further clarity and comprehension within various development management policies;
- Include a new policy encouraging innovative design and construction on proposals of 50 dwellings or more; and
- Greater clarity on the strategic policies against which neighbourhood plans will be considered.

## Introduction

1. This report contains my assessment of Plan:MK in terms of Section 20(5) of the Planning & Compulsory Purchase Act 2004 (as amended). It considers first whether the Plan's preparation has complied with the duty to co-operate. It then considers whether the Plan is sound and whether it is compliant with the legal requirements. The National Planning Policy Framework (NPPF) 2012 (paragraph 182) makes it clear that in order to be sound, a Local Plan should be positively prepared, justified, effective and consistent with national policy.
2. The revised National Planning Policy Framework was published in July 2018. It includes a transitional arrangement in paragraph 214 whereby, for the purpose of examining this Plan, the policies in the 2012 NPPF will apply. Unless stated otherwise, references in this report are to the 2012 NPPF.
3. The starting point for the examination is the assumption that the local planning authority has submitted what it considers to be a sound plan. Plan:MK (the Council's strategy for meeting the Borough's needs to 2031), submitted in March 2018 is the basis for my examination. It is the same document as was published for consultation in November 2017.
4. During the examination the Council received the report into the separate examination of the Site Allocations Development Plan Document (SADPD), which was duly adopted on 18 July 2018. The SADPD supports the implementation of the adopted 2013 Core Strategy by allocating a number of sites for development. These allocations are factored into the land supply considerations although Plan:MK does not supersede or replace the SADPD.

## Main Modifications

5. In accordance with section 20(7C) of the 2004 Act the Council requested that I should recommend any main modifications [MMs] necessary to rectify matters that make the Plan unsound and thus incapable of being adopted. My report explains why the recommended MMs, all of which relate to matters that were discussed at the examination hearings, are necessary. The MMs are referenced in bold in the report in the form **MM1, MM2, MM3** etc, and are set out in full in the Appendix.
6. Following the examination hearings, the Council prepared a schedule of proposed MMs and carried out an update of sustainability appraisal. The MM schedule was subject to public consultation for six weeks. I have taken account of the consultation responses in coming to my conclusions in this report and in this light I have made some amendments to the detailed wording of the main modifications and added consequential modifications where these are necessary for consistency or clarity. None of the amendments significantly alters the content of the modifications as published for consultation or undermines the participatory processes and sustainability appraisal that has been undertaken. Where necessary I have highlighted these amendments in the report.

## **Policies Map**

7. The Council must maintain an adopted policies map which illustrates geographically the application of the policies in the adopted development plan. When submitting a plan for examination, the Council is required to provide a submission policies map showing the changes to the adopted policies map that would result from the proposals in the submitted local plan. In this case, the submission policies map comprises the set of plans identified as the Plan:MK Policies Map 2017 as set out in documents MK/SUB/015a-f.
8. The policies map is not defined in statute as a development plan document and so I do not have the power to recommend main modifications to it. However, a number of the published MMs to the Plan's policies require further corresponding changes to be made to the policies map. These further changes to the policies map were published for consultation alongside the MMs in a separate schedule (document (h) in the suite of October 2018 main modification consultation documents).
9. When the Plan is adopted, in order to comply with the legislation and give effect to the Plan's policies, the Council will need to update the adopted policies map to include all the changes proposed in the October 2018 schedule of proposed Policies Map Modifications.

## **Assessment of Duty to Co-operate**

10. Section 20(5)(c) of the 2004 Act requires that I consider whether the Council complied with any duty imposed on it by section 33A in respect of the Plan's preparation.
11. From the Duty to Cooperate (DtC) Statement [MK/SUB/008] there is evidence of active and ongoing engagement between Milton Keynes Council (MKC), its neighbouring authorities and other duty to cooperate bodies. There has also been cooperation through the SEMLEP (South East Midlands Local Enterprise Partnership) Planners' Forum as evidenced in the DtC Addendum document [MK/EXAM/003]. Memoranda of understanding (MOUs) have been signed with neighbouring authorities and with a number of public bodies, including notably Highways England, Historic England, Natural England and the Environment Agency affirming cooperation during plan preparation prior to the formal submission of Plan:MK.
12. Strategic objectives 3 and 4 of the Plan express MKC's support for the wider growth agenda along the Cambridge – Milton Keynes – Oxford (caMKox) corridor and for joint working where development comes forward close to the edge of Milton Keynes. This collaborative outlook is being further realised in the joint work on the Strategic Growth Study involving MKC, Aylesbury Vale and South Northamptonshire Councils. Ongoing co-operation will remain a high priority given that the National Infrastructure Commission (NIC) Report 2017 and Government response 2018 both seek further collaborative working along the caMKox corridor.
13. There has also been early cooperation in determining Housing Market Areas through the jointly commissioned study for parts of Buckinghamshire,

Bedfordshire and Hertfordshire [MK/HOU/001]. Plan:MK seeks to meet the housing and employment needs apportioned within its administrative boundaries. There are no requests for Plan:MK to accommodate any wider unmet needs.

14. There is a scale of growth coalescing around the existing A421 corridor through the Marston Vale, Milton Keynes and through to the Aylesbury Vale. This growth is aligning to the emerging east west corridor containing both East West Rail (EWR) and the Oxford to Cambridge Expressway. In relation to Central Bedfordshire, notwithstanding the signed MOU, there are some residual concerns about the planned directions of growth in Plan:MK. In my view these are soundness matters rather than the legal duty to cooperate given the MOU with Central Bedfordshire clearly recognises the strategic sites proposed to the east and south-east of Milton Keynes.
15. Additionally, concerns have been raised about cooperation on transport modelling between MKC and Central Bedfordshire and Aylesbury Vale to take account of respective planned growth. In response to this point, I am satisfied that MKC sought to take a cooperative approach (evidenced in document MK/EXAM/029). Given the different Plan preparation timetables I accept the reasoning why a cross-boundary growth scenario has not yet been plugged into the Milton Keynes Multi-Modal Model. This can be done for future plan reviews and there has been no failing on the statutory DtC in this regard.
16. In terms of strategic cross-boundary infrastructure the most significant projects are at a national level and include EWR and the proposed Expressway. The various MOUs before me indicate good levels of cooperation on these projects through plan-making. At a more local level, the full dualling of the A421 from Junction 13 of the M1, the upgrading of the M1 to smart motorway standard and the Bedford to Milton Keynes Waterway Park project are being cooperatively supported.
17. Overall I am satisfied that where necessary the Council has engaged constructively, actively and on an on-going basis in the preparation of the Plan and that the duty to co-operate has therefore been met.

## **Assessment of Soundness**

### **Main Issues**

18. Taking account of all the representations, the written evidence and the discussions that took place at the examination hearings I have identified 9 matters upon which the soundness of the Plan depends. Under these headings my report deals with the main issues of soundness rather than responding to every point raised by representors.

## **MATTER 1: Planning for Growth**

**Issue 1 – With regards to the emerging strategic growth context is the Plan positively prepared? Is the Plan period consistent with national policy? Would the commitment to a plan review be justified and effective?**

### *Emerging Strategic Context*

19. The emerging strategic growth context is articulated in the MKFutures 2050 report (July 2016) [MK/MIS/001] prepared for the Council by an independent Commission in terms of its consideration of the future regional and national role of the City and the NIC report 'Partnering for Prosperity' (November 2017). The latter report addresses a potential new growth deal for the caMKox arc of one million additional homes by 2050 to support economic growth. Neither document has been subject to sustainability appraisal, detailed environmental or infrastructure capacity or independent examination. In broad terms, whilst a direction of travel for transformational growth is clearly emerging, neither report provides the necessary basis to significantly delay adopting Plan:MK in order to contemplate a higher, but as yet untested, growth strategy.
20. I recognise that there is government support for growth along the corridor, including investment for housing and strategic infrastructure. This will, amongst other things, provide valuable certainty for future plan-making along the corridor. However, the NIC report is unambiguous that transformational growth along the corridor (including the potential of new settlements) will require cross-boundary working and coordinated infrastructure delivery. The Government's response to the NIC report in November 2018 sets out a long list of what needs to be done next to achieve a collective ambition for the caMKox corridor. This includes, amongst other things, further work on strategic infrastructure corridors, a Joint Vision Statement to 2050, potential options for a pan-Arc spatial vision underpinned by a coordinated investment plan, further analysis around housing growth scenarios and looking at governance structures. Taking this into account, it would not be appropriate for future transformational growth to be pre-empted in a piecemeal way through additional strategic sites beyond those already identified in this round of plan making.
21. Turning to the MKFutures 2050 Report [MK/MIS/001] the document is clear that it is "a starting point for a constructive debate about the future of the City". It identifies six big projects for early action which Plan:MK appropriately responds to. Crucially, the report identifies that a new deal with Government "should be the starting point for further plans" and that "considerable further work will be required". The report identifies that there will be challenges in sustainably accommodating the City's growth to 2050. Consequently a growth strategy to 2050, as a successor report to MKFutures, is currently under preparation, which will be a key document to inform a review of Plan:MK.
22. In terms of providing appropriate foundations for transformational growth, it is important to recognise that Plan:MK does not disregard the MK Futures or

NIC reports. Plan:MK is predicated on meeting a full objectively assessed need (OAN) for housing which will result in a sustained level of significant annual housing delivery within the range identified in the MKFutures 2050 Report as providing a strong foundation for future growth. As submitted, the Plan presented a housing land supply that would exceed the requirement by some margin including laying the foundations for strategic growth east of the M1 (an option countenanced at page 37 of MKFutures 2050 report).

23. Overall, the submitted Plan:MK to 2031 proposes levels and strategic locations of growth that would not diminish the City's role as part of the wider caMKox growth ambitions and appropriately acknowledges the ambitions of the MKFutures 2050 and NIC reports.

#### *Plan Period*

24. The Plan on adoption would have a period of some 12 years expiring on 31 March 2031. The NPPF at paragraph 157 indicates that plans should preferably have a 15 year time horizon. It does not stipulate that plans should have a 15 year timeframe post adoption. Extending the Plan period, even on the basis of extrapolating the housing need over further years, would involve appreciable time and effort to update the evidence base, particularly on infrastructure and transport planning. Plan:MK is drawn up over an appropriate time frame so as to enable an up-to-date policy framework to be implemented and a deliverable supply of land. The Plan period is therefore justified.

#### *Plan Review*

25. Given the emerging strategic context and plan period of Plan:MK there would be a need to review Plan:MK sooner than the five year requirement. The submitted Plan:MK does not contain a review policy and I consider it would not be positively prepared was it to remain silent on this matter.
26. The timing of any review would need to be informed by the MK Futures growth strategy and wider dialogue with neighbouring authorities. It is not necessary that a review of Plan:MK must be a joint plan but it is sensible that this forms a reasonable option to be explored. Nor do I consider a binding MOU to prepare a joint plan would be necessary given the requirements of the DtC. The Government has set out its desire to see joint vision documents for the caMKox in 2019 and further evidence from the MKFutures growth strategy will also be available in 2019. With this in place, I see no reason why an expeditious review of Plan:MK cannot take place such that a new strategic plan could be submitted for examination by the end of 2022.
27. This would reflect that the Council itself recognises that Plan:MK is essentially an interim plan in the context of the emerging picture of strategic growth along the caMKox corridor. That is a realistic acknowledgement that Plan:MK serves as a critical bridge between the ongoing delivery of objectively assessed needs in the short to medium term and the need for the evidence base around transformational growth to be