

Your ref: North Crawley Neighbourhood Plan
Our ref: NCNP
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Date: 08/03/2019

North Crawley NP Submission Consultation
Neighbourhood Planning,
c/o UDLA, Milton Keynes Council,
Civic Offices, 1 Saxon Gate East,
Milton Keynes, MK9 3EJ

Dear Sir/Madam

NORTH CRAWLEY NEIGHBOURHOOD DEVELOPMENT PLAN REGULATION 14 CONSULTATION

I write on behalf of my client, the North Crawley Estate in response to the above consultation in order to comment on the Draft North Crawley Neighbourhood Plan "NCNP".

General

We welcome the identification of housing allocations as part of the Neighbourhood Plan. By allocating land for residential development, the Neighbourhood Plan Area – i.e. the parish - would be protected by the stipulations set out under paragraph 14 of the National Planning Policy Framework (NPPF), whereby, if a Neighbourhood Plan is less than 2 years old, contains policies and allocations to meet its identified housing requirement, the LPA can demonstrate a 3-year housing supply and the LPA's housing delivery test was at least 45% of that required over the previous 3 years, North Crawley could resist development not in accordance with the Neighbourhood Plan.

Our client land interests at Orchard Way (Policy H4) and part of the land South of High Street (Policy H5) are identified for housing allocations within the NCNP which principle is fully supported. We are pleased that the Estate's previous comments in respect of the specific site areas have been considered and acted upon. The Estate also welcomes the deletion of the Local Green Space designation from 'The Slype'.

Basic Condition D

We consider the proposed allocations meet Basic Condition D of neighbourhood planning as set out in para 8(2) Schedule 4b of the 1990 T&CP Act as applied by Section 38A of the 2004 P&CP Act, which requires a neighbourhood plan to seek to achieve sustainable development. Both the Estate's sites are available for development and there are no technical reasons to prevent delivery within the Neighbourhood Plan period to 2033.

They can provide a variety of housing to meet a range of identified needs, such as those for families and for the ageing population to help sustain the village. Our client would engage with the Parish Council on the detailed proposals for the sites as they emerge.

Basic Condition A

Overall, we are supportive of the vision, objectives and draft policies of the NCNP. However, we would recommend minor changes to the wording of the following policies to ensure that they are sufficiently flexible and sound.

Paragraph 11 of the NPPF states that *'plans should positively seek opportunities to meet the development needs of their area and be sufficiently flexible to adapt to rapid change'*. (our emphasis underlined). In order to comply with national policy guidance and meet Basic Condition A, we comment as follows:

Policy H4 - Land North of Orchard Way

Policy H4 states that the site is allocated for '*residential development of between 11 and 15 dwellings*'. We consider this overly restrictive at this policy making stage. The evidence base does not include any methodology or detailed site assessment criteria to justify the density assumptions made. The policy expressly excludes 5-bedroom properties and to ensure that the land is developed efficiently, the policy should not set a specific range, but instead allow for detailed site assessment and layout considerations to dictate the overall number of units for the site.

Recommended change:

*"Site H4 as outlined on the Policy Map is allocated for residential development of ~~between 11 and 15~~ **approximately** 15 dwellings"*.

The fourth limb has the effect of controlling dwelling heights to 1-1.5 storeys. The first limb requires 3-4-bedroom family homes which makes this later criterion difficult to justify. Further, the existing separation gap between the existing properties along Orchard Way and the site boundary is significantly more than the widely accepted distances for determining planning applications. The wide verge along the site frontage creates a suitable separation gap. To overcome this issue, we recommend additional wording:

Recommended change:

*"The site layout should avoid overlooking of other properties on Orchard Way. Single-storey or 1.5 storey dwellings will be encouraged **if appropriate/necessary** to minimise **any identified** landscape impacts **and/or** harm to the outlooks of existing properties. Applications should be supported by a full landscaping strategy."*

The final limb requires a 15m offset between the pumping station and the '*boundary of the curtilage of a dwelling*' to provide a buffer. This is overly prescriptive. Whilst we would not expect a building to be located within 15m, a garden area/driveway associated with a dwelling is capable of being located within that zone without adverse harm to the occupier's amenity. We recommend a minor change in emphasis, as follows:

Recommended change:

"Consider the proximity of the foul pumping station in the design and layout of the scheme and allow for a distance of 15 metres from the ~~boundary of the curtilage of the~~ dwellings to reduce the risk of nuisance/loss of amenity associated with the operation of the pumping station".

Regarding the Site Assessment for this land parcel (reference NC4 in Appendix 1 of the Site Assessment Summary document) we offer the following comments:

- Proximity to village centre - This Site scored 'amber' on the basis that it was 'not particularly close to the village centre'. In terms of acceptable walking distances of 400m-1km, the site is within this zone and the existing path network around Orchard Way provides a safe and accessible route to the main village facilities. This criterion should be changed to green.
- Site Area – the site assessment concluded that this site should be 'part' allocated for development. In response to previous objections raised at the pre-submission stage, we support the proposed allocation covering the whole of the site. The proposed configuration follows defined field boundaries and it represents a logical rounding off for the built form of the village to this northern edge.

Policy H5 - Land South of High Street

Policy H5 allows for up to 15 new homes to be provided. As with the Orchard Way policy referred to above, the final dwelling number should not be artificially constrained in the NCNP. We recommend a similar change to that proposed for Policy H4 above, to state 'approximately'.

Recommended change:

*"Site H5 as outlined on the Policy Map is allocated for residential development of ~~up to~~ **approximately** 15 dwellings".*

The second limb of Policy H5 states that '*Proposals should include an enhanced affordable housing offer with tenures that are secured in perpetuity*'. The housing policies of Plan:MK include a target of 31% affordable housing provision, subject to viability and other material considerations. We raise concern that this criterion is not in general conformity with the strategic policies of Plan:MK. The text does not give any clarity for decision-makers as to what the definition of 'enhanced' constitutes in this case.

Recommended change:

Deletion of text: ~~*Proposals should include an enhanced affordable housing offer with tenures that are secured in perpetuity*~~

The penultimate limb of Policy H5 reads '*Consideration should be given to appropriate demarcation of this important entrance to the village. A mini-roundabout or other bespoke junction design may assist with this*'. We consider this policy text confusing and difficult to apply to planning decisions. Any new or altered highway infrastructure will be designed to mitigate the transport impacts of a scheme will be borne out of the transport assessment for the site. If a gateway feature if desired, this should form part of a design-based policy requirement.

Recommended change:

The issue should be clarified and alternative wording should then be substituted.

Conclusion

Should this Neighbourhood Plan be made in its current form it will be seeking to unduly restrict the delivery of these two sites on the edge of the village.

In summary, we consider that policies H4 and H5 of the Draft NCNP do not meet the requirements of Basic Condition A as is required to pass an examination. Basic Condition A stipulates that a Neighbourhood Plan must have regard to national policies and guidance. Minor changes are sought which would help to overcome the issues identified above and would be consistent with other policies of the plan.

Should you have any queries in respect of my client's representation, please do not hesitate to contact us directly. Our contact details are included in the letterhead.

Alternatively, we look forward to receiving your written confirmation of my client's representation to the NCNP Consultation.

Yours sincerely,

Stacey Rawlings, MRTPI
Director