

Agenda item: LD 26/23 a)

**WOUGHTON COMMUNITY COUNCIL**

**Planning, Licencing & Development Committee**

**Monday 6<sup>th</sup> February 2023**

**PURPOSE OF REPORT:**

To consider **Application no:** 22/03184/FULM

**Proposal:** Variation of condition 1 (approved plans) of permission ref. 22/00809/FUL seeking minor amendments to the approved development relating to the erection of a new radiotherapy centre.

**At:** Milton Keynes General Hospital Standing Way Eaglestone Milton Keynes MK6 5LD

**RECOMMENDATION:**

- 1. That the committee notes this report and associated documents**
- 2. That the committee offers any views on this application, considering the rules around ‘material considerations’ only.**
- 3. That if the committee considers there are any valid objections, that these are provided and passed to the planning authority by the Council Manager before 7<sup>th</sup> March 2023**

**MAIN ISSUES AND CONSIDERATIONS:**

This application is to request some changes to the approved plans for a new radiotherapy centre at MK Hospital, previously examined by this committee, who had no objections (other than the standing ‘contractor parking’ issue).

They are mainly changes that would be considered minor – changes to a retaining wall, a mound being left and made into a wildflower space (rather than being removed and flattened) and some changes to paths. The biggest change is to the external appearance, noted below in the ‘before’ and ‘after’ pictures. The approved scheme included the ‘wood paneling’ effect exterior, with the proposed new design suggesting a more muted approach, with a plain white visual.

As has been seen in previous adaptations to previously agreed applications, the changes whilst not considered major, do have a significant impact on the overall scheme. Committee is encouraged to assess the new proposals on their merit and with ‘material considerations’ in mind, rather than comparing to the previously agreed scheme – whilst some may feel that the new approach is less visually appealing, is the new design one which is suitable for the purpose and location suggested?



**OTHER IMPLICATIONS:**

None.

**BACKGROUND PAPERS:**

<https://publicaccess2.milton-keynes.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=RNC4YEKWMAR00>

**AUTHOR**

Steve McNay – Council Manager

Agenda item: LD 26/23 b)

**WOUGHTON COMMUNITY COUNCIL**

**Planning, Licencing & Development Committee**

**Monday 6<sup>th</sup> March 2023**

**PURPOSE OF REPORT:**

To consider **Application no:** 23/00152/CLUE

**Proposal:** Certificate of Lawfulness for the existing use as two separate flats/dwellings (Class C3) and the retention of the additional front entrance door for independent access to flats and a single storey rear extension

**At:** 7, Great Denson, Eaglestone, Milton Keynes, MK6 5AT

**RECOMMENDATION:**

1. That the committee notes this report and associated documents
2. That the committee offers any views on this application, considering the rules around 'material considerations' only.
3. That if the committee considers there are any valid objections, that these are provided and passed to the planning authority by the Council Manager before N/A

**MAIN ISSUES AND CONSIDERATIONS:**

This is an application to make lawful changes that have been made to this property over several years, with the application stating that the two flats have been in use since 2008. This is evidenced by MKC stating that there are two separate properties and charging council tax accordingly.

The application also aims to make lawful the extension to the rear of the property that has been agreed by building control in 2019.

This is an 'information only' consultation, provided to committee on this basis.

**OTHER IMPLICATIONS:**

None.

**BACKGROUND PAPERS:**

<https://publicaccess2.milton-keynes.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=ROTUCCKWMWP00>

**AUTHOR**

Steve McNay – Council Manager

Agenda item: LD 27/23

**WOUGHTON COMMUNITY COUNCIL**

**Planning, Licensing and Development Committee**

**Monday 6<sup>th</sup> March 2023**

**PURPOSE OF REPORT:**

To provide details of decisions issued since the previous meeting.

**RECOMMENDATION:**

To note the report.

**MAIN ISSUES AND CONSIDERATIONS:**

The following decisions have been issued by MKCC Planning Department:

Milton Keynes Council, under their powers provided by the above legislation, **Permit** the

**The erection of a detached seclusion suite to service adjacent wards (Use Class C2)**

**At: Eaglestone View Chadwick Drive Eaglestone - West Milton Keynes MK6 5LS**

Milton Keynes Council, under their powers provided by the above legislation, **Permit** the

**Erection of a garage type storage structure to replace existing shed**

**At: 95 - 97 Jonathans Coffee Hall Milton Keynes MK6 5DR**

**CERTIFICATE OF LAWFULNESS EXISTING - APPROVED**

**Application no: 22/03109/CLUE** 106 St Dunstans Coffee Hall Milton Keynes, MK6 5DZ – HMO for 10 years +

**Application no: 22/03069/DISCON** Milton Keynes City Council, under their powers provided by the above legislation, **approve** the

**Approval of details required by conditions 16 (Lighting) and 19 (Landscape management) of**

**permission ref. 21/03437/FUL**

**At: Former Arcadia Unit Merton Drive Redmoor Milton Keynes MK6 4AG**

The applications for the garage at No 95 and the depot site have also been agreed, with planning permission for the garage and a Certificate of Lawfulness for the depot site.

**STAFFING IMPLICATIONS:**

None.

**OTHER IMPLICATIONS:**

None perceived.

**BACKGROUND PAPERS:**

Previous papers relating to the above applications.

**AUTHOR**

Steve McNay – Council Manager

Agenda item: LD 28/23

**WOUGHTON COMMUNITY COUNCIL**

**Planning, Licencing & Development Committee**

**Monday 6<sup>th</sup> March 2022**

**PURPOSE OF REPORT:**

To consider licensing application(s) detailed below.

**RECOMMENDATION:**

1. That the committee notes this report and any associated documents.
2. That the committee offers any views on these applications, considering legislation and community concerns.
3. That if the committee considers there are any valid objections, that these are provided and passed to the licensing authority by the Council Manager before dates noted.

**MAIN ISSUES AND CONSIDERATIONS:**

**Milton Keynes Bowl, The National Bowl, Watling Street H7 To H8, Elfield Park,  
Milton Keynes, MK9 1PF  
New Premises Licence Application  
LICENSING ACT 2003**

The above application for a premise in or near your area was received by Milton Keynes Licensing Authority on **13/02/2023**. Brief details of the application are as follows:

**The application requests authorisation for the following licensable activities:**

**Provision of Plays; Films; Indoor Sporting Events; boxing or wrestling entertainment, live music; recorded music; performance of dance; anything similar to above**

**Monday to Sunday**

**0900-0300 indoors**

**0900-2300 outdoors**

**Late Night Refreshment**

**Monday to Sunday**

**0900-0300 indoors and outdoors**

**Supply of Alcohol on and off sales**

**Monday to Sunday**

**0900-0300**

**0900-2300 outdoors**

**Opening hours of the premises**

## **24hrs seven days**

Responses to be provided by 13<sup>th</sup> March.

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### **Boroughwide Street Trading Consent – Renewal**

We have received an application from Soft99Whip (Reg S99 WHP) on 21 February 2023 for 1 ice cream van to trade Boroughwide for the following times:

#### **Monday to Sunday 15:00 to 20:00**

Boroughwide consents allow for no more than 20 minutes trading in any 100 metre part of any one Consent Street on any one day.

Please note that Street Trading is prohibited within 250 metres of any school's entrances and/or exits, during main school hours and 30 minutes following a school's normal closing time. Main school hours means the normal opening times for any particular school, whilst the students are being educated including lunch breaks but does not include times when the premises are open for after school activities. The prohibition applies to all school types such as; Infant, Junior, Primary, Secondary, Academy, Special, College and applies to static street traders (i.e. kebab vans) and Boroughwide street traders (i.e. ice cream vans). The effective date of the prohibition is from the 26<sup>th</sup> April 2019.

#### **The existing conditions on the consent are:**

#### **The vehicle authorised by this Boroughwide consent shall not operate within 100 metres of the following schools between 15:00 and 16:00 hours:**

Glastonbury Thorn School - Pigott Dr, Shenley Church End  
Christ the Sower School - Singleton Dr, Grange Farm  
Oxley Park Academy (Oxley Park Campus) - Redgrave Drive, Oxley Park  
Oxley Park Academy (Shenley Wood Campus) - Merlewood Drive, Shenley Wood  
The Walnuts School - Admiral Drive, Hazeley  
Denbigh School - Burchard Cres, Shenley Church End

Hazeley Academy - Emperor Drive, Hazeley

If you have any observations to make then would you please advise in writing by the **21/03/2023**.

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**OTHER IMPLICATIONS:**

None.

**BACKGROUND PAPERS:**

None.

**AUTHOR**

Steve McNay – Council Manager



**Agenda item: LD 29/23**

**WOUGHTON COMMUNITY COUNCIL**

**Planning, Licencing & Development Committee**

**Monday 6<sup>th</sup> February 2023**

**PURPOSE OF REPORT:**

To update the committee on the Cripps Lodge development, following previous concerns / objections.

**RECOMMENDATION:**

- 1. That the committee notes the report and the comments from MKCC.**
- 2. That the committee adds any further commentary, on the understanding that this is NOT a statutory consultation and comments would be for MKCC information only.**

**MAIN ISSUES AND CONSIDERATIONS:**

At the committee meeting of 6<sup>th</sup> February, there was significant discussion around 'nonmaterial' changes being proposed for the new development on the Cripps Lodge site. These included concerns about loss of lifts, changes to design, reduction in size of flats, etc.

In response to the letter that was sent in response to these concerns, Will Rysdale (Head of Housing Delivery) sent the following response (WCC concerns in black, responses in red):

*When the original application was presented, it was supported by the committee as an example of inclusive, high quality provision that sat within the overall estate. The proposed changes are felt to detract from this in the following ways:*

- Reduction of 'down pipes' from houses causes significant concern, especially given the issues that this has brought in other areas of the parish. With significant flooding having happened on several occasions over the past few years, the lack of downpipes was identified as one reason for surface water incursion. Reducing these at design stage seems to be short-termism – future costs are likely to exceed any savings if any future flood events occur.*

*The overall quantum of downpipes has been 'reduced' as the design has progressed through the detailed design phase where the sizes of the downpipes has been re-assessed. The rationalisation of the rainwater system has identified that several of the downpipes were no longer necessary, from both a drainage design requirement basis and an aesthetic basis. The submitted design still adequately provides sufficient capacity for the drainage of the roofs which all discharge into the same drainage system below ground.*

The drainage solution has been designed to reflect the requirements of the development which includes provision for certain flood events in accordance with the most current drainage criteria.

- *The removal of the lift from the flat blocks excludes large groups from being able to access anything above ground floor level. This includes people with disabilities but would equally mean that people with young families may struggle with prams / pushchairs, older people may struggle with access generally, the removal takes the inclusivity away and means tenants are more likely to need to move as life develops, rather than having a 'home'.*

The amended scheme proposes the omission of one of the two lifts that were originally proposed. The retained lift serves a range of wheelchair accessible (Category 3) apartments over the three floors plus the Category 2 dwellings served off this stair core.

Whilst a lift is proposed to be omitted, the overall development will deliver over 75% of the dwellings as Category 2, sustaining high levels of accessibility and adaptability and exceeding the policy requirements.

- *This links to the reduction in glazing and changes to the stairways. It is felt that the changes are likely to make these stairways less visible, more likely to be impacted by anti-social behaviour and feel less welcoming. Again, the committee felt that this alteration was unhelpful.*

The amendment to the glazing to the staircases seeks to remove the full height glazing replacing this with windows. The amendment reduces the quantum of glazing which will reduce the risk of overheating from solar gain to these spaces and offers improved environmental performance in accordance with the Regulations that came into effect in June 2022. The spaces will be well lit and continue to have a level of visibility with a good level of daylighting and outlook from these spaces for passive surveillance.

- *The reduction in size of the properties throughout was also felt to be detrimental to the overall feel of the development – whilst it is acknowledged that the dwellings meet the national standards, the reduction in size makes these homes less desirable, less flexible and the suggestion that the 'home working' space has moved appears to be less accurate and more 'spin' to allow this size reduction. The reduced size will further reduce accessibility, reducing further the inclusivity of the development.*

The proposed dwellings are required to meet or exceed the Council's space standards and all the proposed dwellings are fully compliant. The developed design for the dwellings has required the floor areas to be slightly reduced, principally to offset the increased external wall thicknesses that have been incorporated to improve the environmental performance of the dwellings.

With the changes to the improved thermal design criteria and the offset in the floor areas, the dwellings have not increased in overall footprint size avoiding significant changes to the site layout and the approved dwelling arrangement on the site.

- *The changes that have been made to the 'boundary strategy' are unclear but appear to suggest an approach that will create a development akin to a 'gated community', with large fencing surrounding the vast majority of the properties*

*and potentially cutting off from the remainder of the estate. The loss of the boundary walls, the removal of the trellis (which allows visual contact, whilst retaining a notable boundary) and the imposition of a solid wall of wood is felt to be hugely detrimental to the overall development. This is the case whether this applies to boundaries of individual properties OR the boundary of the development as a whole.*

The principal changes to the boundary treatment involves the simplification of the boundaries to the rear gardens of the houses which reflects a Borough wide preference for providing and maintaining such boundaries on Council managed properties. The boundaries to the site perimeter and the enclosures to the parking areas and other areas of the public realm have only marginally changed in layout using the approved boundary treatments.

*Further concerns were noted about other aspects of the new approach (such as the removal of Juliet balconies) whilst other changes were acknowledged as either neutral (removal of the decorative chimneys, brickwork, etc.) or, in some cases, positive (e.g. brickwork under windows on the bungalows, rather than panelling). Whilst the notification stated that this was NOT a formal consultation and that it was information only, given the size and impact of this development, the committee was eager to pass feedback on regarding these proposed changes and hope that the views of Woughton Community Council and the councillors who represent the estate of Netherfield at both parish and ward level, will be considered within the decision making process.*

A range of smaller amendments are incorporated into the NMA application that pick up various non-material items that were no longer essential for the development to meet the Council's exacting requirements. These items were carefully considered against expenditure of the Council's resources to prioritise the best value delivery of the new housing. It is recognised that some of the amendments represent a betterment to the scheme whilst others may be looked upon less positively. The overall balance of the changes continues to preserve the design intent captured within the planning permitted scheme.

The various amendments to the development were extensively explored with the Council and, in particular, its planning officers in advance to ensure that the fundamentals of the consented development were preserved and retained and that only items of a non-material nature were included within the NMA application. The artistic impressions were specifically updated to illustrate the amendments sought to demonstrate that the development fully respects the planning permission already granted.



The picture above details the fencing plan – Mr Rysdale has been clear that this is NOT intended to be a gated community and that some places will see a reduction in fence heights as a result of the proposed changes.

**STAFFING IMPLICATIONS:**

None.

**OTHER IMPLICATIONS:**

None.

**BACKGROUND PAPERS:**

None.

**AUTHOR**

Steve McNay – Council Manager

Agenda item: LD 30/23

## WOUGHTON COMMUNITY COUNCIL

### Planning, Licencing & Development Committee

Monday 6<sup>th</sup> March 2023

#### PURPOSE OF REPORT:

To inform the committee of the New City Plan consultation and encourage submission(s).

#### RECOMMENDATION:

1. That the committee notes the communication below, the attached documents and consultation queries.
2. That the committee reads through the documents, considers responses and submits any views in advance of the meeting OR has responses prepared for discussion at this meeting, to enable a response to be prepared accordingly, in a timely manner.
3. That if the committee considers that there are responses needed, that these are collated and submitted by the Council Manager, prior to the cut-off date (16<sup>th</sup> March 2023).

#### MAIN ISSUES AND CONSIDERATIONS:

##### ***Introduction***

*The New City Plan will take forward Milton Keynes City Council's Strategy for 2050 which set out a bold and ambitious vision for MK over the next 28 years, including equal opportunities for all, 'lifelong' homes that suit people at all stages of their life, and a pioneering mass rapid transit system.*

*The role of the New City Plan is to deliver on the vision set out in the Strategy for 2050 and to do so sustainably. It will also build on the award-winning previous Plan:MK from 2019 and will plan the city's development until 2050.*

*Delivering on the Strategy for 2050 is also a key part of the Council Plan to build an environment that is able to thrive, is progressive and delivers a sustainable future for new and existing residents.*

*The City Council wants to work with local people, businesses and organisations on the New City Plan, which it intends to be ambitious and innovative with a focus on high-quality sustainable growth, genuinely affordable housing and new job opportunities.*

##### ***Ambition & Objectives and Sustainability Appraisal Scoping consultation***

*Milton Keynes City Council is holding a consultation on the Ambition & Objectives of the New City Plan; as well as on the Sustainability Appraisal Scoping report. The consultation opens on Tuesday, 31st January 2023 and will close at 5pm on Thursday, 16th March 2023.*

*You can provide your feedback on one or both documents by filling out the form accessed via the link below. You should be aware that copies of all representations, including the name of the respondent, will be made available for the public to view and therefore cannot be treated as confidential. When making a representation, you should try to support your comments with evidence wherever possible. The option to make a representation on behalf of a group, company or organisation is available and is preferred over individuals from the same group, company or organisation submitting identical or*

*nearly identical representations. In such cases, the group should indicate how many people it is representing and how the representation has been authorised. All representations will be given equal weight regardless.*

**This is the basic information regarding the proposals around the MKCC Strategy for 2050. There are several documents that provide additional information and a fairly detailed response questionnaire that can be completed (links in the 'background papers' below).**

From a WCC perspective, there are options for an organisational response, but equally councillors may choose to provide individual responses as residents. The documents are considerable and councillors are encouraged to read these in advance of the Planning Committee meeting, so that they are in a position to comment accordingly. However, the following elements are highlighted:

### **Our New City Plan – Ambitions and Objectives Consultation 2023**

#### **Development Plans, Planning and Placemaking.**

This is an overview of this project covering the following items which are stated as 'big issues'.

- Movement. Focus on a mass rapid transport system and other approaches that reduce the need for car ownership and usage, plus walking, cycling and highways improvements.
- Housing growth and regeneration. 1900 new homes per annum, high quality and 'lifelong', with additional focus on replacing property that isn't 'high quality'.
- Economic growth. Development sites, focusing on good transport links and changes as a result of work practices following pandemic.
- Green city. Carbon neutrality by 2030, plus focus on green / blue infrastructure, providing access to open spaces for everyone in the city.
- Beautiful city. Protecting the historic, accepting the developments but with a new 'design code' to promote high quality and innovative design.

- Central Milton Keynes. Highlighted within the plan as the ‘economic driver’ for the wider city. The growth of residential, raised height of developments and need to continue with an open and attractive centre are also mentioned.
- Infrastructure. The priority for many residents is that infrastructure is in place prior to expansion – this paper notes the need for planned infrastructure development.
- National Planning Reform. Acknowledgment that the government demands local plans meet their standards, whilst it is likely that these standards and planning rules will change.

The document goes on to discuss what all this means – whilst further development is unavoidable, how this happens is up for consultation. This is followed by a number of ‘themes’, with specific objectives included. These themes are:

- Economic and Cultural Prosperity
- Healthy Places
- High quality homes and neighbourhoods
- Climate and environmental action

There is then further detail about how the consultation will take place, how the plan will be prepared and so on.

### **Milton Keynes New City Plan – Sustainability Appraisal Scoping Report.**

This is another significant document of 77 pages and, unlike the document noted above, is quite dry, wordy and more ‘academic’ in approach. Given this, those who want a full picture will need to build in time to look through this document in detail.

The document is part of the process for developing local plans, as laid out in legislation. The document aims to promote sustainable development, judging the plan in terms of reaching relevant environmental, economic and social objectives.

This is a scoping report (i.e. an initial, investigative report), with an aim to:

- Identify the objectives of plans, policies, and programmes (from an international to local scale) that are relevant to the MKNCP.
- Collect an evidence base, against which the sustainability of the plan can be assessed.
- Based on the evidence, identify the key social, environmental, and economic issues in Milton Keynes.
- Develop a framework for assessing the sustainability of the MKNCP. This will comprise social, environmental, and economic objectives, based on the objectives of national and local plans, policies or programmes and the issues identified from the baseline evidence.

The report covers a whole range of issues, from crime to transport, heritage to biodiversity. Different elements have differing levels of detail.

The document also covers relevant national and local policies and how they link, demographic information, heritage assets and a range of other information.

These are fairly comprehensive plans that cover the 'direction of travel' for the city over the coming decades.

*The documents are attached to this paper, alongside guidance notes and a document that details the questions that are to be asked within the consultation. Committee is encouraged to look through this, consider any responses and submit to the Council Manager either in advance of the meeting (so they can be agreed then) or at the meeting for discussion and agreement.*

*There will not be any further committee meetings prior to the cut off for submissions. This does not, however, prevent individual responses.*

**STAFFING IMPLICATIONS:**

None.

**OTHER IMPLICATIONS:**

None.

**BACKGROUND PAPERS:**

MK\_NEW\_CITY\_PLAN\_REPORT\_30.01.23.

MKNCP SA Scoping Report.

New City Plan - Ambitions and Objectives & Sustainability Appraisal Scoping Report Feedback.

Updated Ambitions and Objectives Consultation Guidance Notes.

Also attached is the Residents of Renewal Estates paper regarding the document.

**AUTHOR**

Steve McNay – Council Manager



Agenda item: LD 31/23

**Planning Service**



Cllr FullerC/o Milton Keynes CouncilOne  
Saxon Gate EastMilton KeynesMK9 3EJ

**Strategic  
and Placemaking**

**Paul Thomas  
Director, Planning,  
Transport**

**Jon Palmer MRTPI  
Head of Planning**

27th February 2023

Dear Sir/Madam,

**TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)**

**APPEAL BY CK Hutchison Networks (UK) Ltd**

**AGAINST REFUSAL FOR**

**Prior approval for the installation of an 18 metre high monopole supporting 6 no. antennas and 2 no. transmission dishes, 4 no. equipment cabinets and development works ancillary thereto.**

**AT Land At Barnfield Drive, Netherfield, Milton Keynes, ,**

**APPEAL START DATE: 27th February 2023**

The Secretary of State is conducting the above appeal.

I enclose a copy of the letter being circulated to the relevant occupiers and others who have shown an interest.

Yours faithfully,

**Planning Service**

The Occupier  
220 Beadlemead Netherfield Milton Keynes MK6 4HT

**Paul Thomas**  
**Director, Planning, Strategic Transport and**  
**Placemaking**  
**Jon Palmer MRTPI**  
**Head of Planning**

27th February 2023

Dear Sir/Madam,

**TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)**

**APPEAL BY CK Hutchison Networks (UK) Ltd**  
**AGAINST REFUSAL FOR**

**Prior approval for the installation of an 18 metre high monopole supporting 6 no. antennas and 2 no. transmission dishes, 4 no. equipment cabinets and development works ancillary thereto.**

**AT Land At Barnfield Drive, Netherfield, Milton Keynes, ,**

**APPEAL START DATE: 27th February 2023**

We are writing to advise you that the Secretary of State is conducting the above appeal.

The Council's reason(s) for refusing the above application(s) are as follows:

In accordance with Part 16 of Schedule 2 (Class A - electronic communications code operators) of The Town and Country Planning (General Permitted Development) (England) (Amendment) (No. 2) Order 2016 the works would be unacceptable by reason of its siting and appearance. The proposal is located within a prominent location near a main road, public footway and amenity open space. It would appear to be conspicuously tall and stand alone in an otherwise undeveloped part of the street scene. The proposal is also located close to residential properties which have a much lower height than the proposed mast, resulting in the proposal being very prominent. Limited information or justification to demonstrate alternative sites have been considered has been submitted with the application. The proposed siting is therefore an unsuitable location for the location of telecommunication equipment. The proposal is contrary to paragraph 113 and 115 of NPPF (2019), and the guidance set out in Milton Keynes Council Telecommunications System Policy 2005. In this instance the public benefit of providing improved telecommunications infrastructure is not outweighed by the visual harm to the character and appearance of the area.

The Planning Inspector has asked me to notify you about this appeal as it is considered that you may be affected by the proposed development.

It has been decided that this appeal will be dealt with on the basis of Written Representations and a Local Public Inquiry will not be held.

Any comments made by you at the application stage will be sent to the Planning Inspectorate and if you want to make any additional comments, **3 no. copies** must be sent

to **The Planning Inspectorate, 3/15 Eagle Wing, Temple Quay House, Temple Quay, Bristol BS1 6PN**, quoting reference **APP/Y0435/W/22/3306437**.

These should be sent by **3rd April 2023**. Any representations received after the deadline will not normally be seen by the Inspector and will be returned. I am obliged to point out that all representations will be disclosed to the appellant.

Representations can now be made on line at. <https://acp.planninginspectorate.gov.uk>

A copy of the Planning Inspectorate's booklet "Guide to taking part in planning appeals" may be obtained free of charge, on request from the Planning Department at the Civic Offices.

The appellants statement may be inspected at the Council's website at: <https://www.milton-keynes.gov.uk/planning-and-building/planning-apply-pay-view/view-and-comment-on-planning-applications/guidance-for-viewing-and-commenting-on-planning-applications>, using our reference 22/01234/PRIOR. The Council's statement is currently being prepared and you should check on its availability by visiting the website at the same location.

The Planning Inspectorate will send a copy of the decision to you provided you specifically ask for one.

If you are not the owner of this property to which this letter is addressed perhaps you would ensure that the owner is made aware of the contents of this letter.

Yours faithfully,

**Lucy Baxter**  
**Planning Officer**

On behalf of Head of Planning

## Agenda item: LD 32/23



Woughton Community Council Hub  
The Local Centre  
Garraways  
Coffee Hall  
Milton Keynes  
MK6 5EG  
TEL: 01908 395681

E-mail: [reception@woughtoncommunitycouncil.gov.uk](mailto:reception@woughtoncommunitycouncil.gov.uk)  
Website: [www.woughtoncommunitycouncil.gov.uk](http://www.woughtoncommunitycouncil.gov.uk)

Planning Department  
Milton Keynes City Council

Via Email

**15<sup>th</sup> February 2023**

Dear Planning

### **Re: Concerns regarding process, equity and consistency of approach**

Following a number of meetings, committees and contacts from residents, I am writing to express concerns about the perception that decisions made by the Planning Department are not as 'reasonable' as they should be. I use the term 'reasonable' in line with the 'Wednesbury unreasonableness' ruling. This is specifically with regard to the planning application 20/01877/FUL – the erection of a new property on land adjoining 4 Holmfield Close, but includes a number of issues around consistency, clarity and transparency.

This application was originally made on 29<sup>th</sup> September 2022. Our planning committee held an extraordinary meeting to discuss the application on 24<sup>th</sup> October and then, on 30<sup>th</sup> October, submitted a response objecting strongly to the application and detailing the reasoning behind this. At the time of writing that objection, the 'cut off' for responses was the 31<sup>st</sup> October. It is also notable that at this time, objections were in place from pretty much every respondent – Bucks Fire, Anglian Water, MKCC Flood Team, highways, landscape, environment – with the information that was in place at that time, it was clearly an application that didn't meet the necessary standard.

There was then a significant period where the applicant was able to adjust, rewrite, add new documents, change elements and generally alter the application, where objections and objectors were then invited to re-examine (with some objections then being withdrawn – notably, many remain!) whilst any further responses from the public, from stakeholders, neighbours or others were prevented.

I wrote to you in November pointing out that there were significant variances and requesting that this application should, therefore, go to committee. I was told that you had *'...not received a valid request for this item to be determined at Planning Panel/Committee, so officers will be determining this under delegated powers..'*

This was 4 weeks before any decision was made. Further documents and changes were made by the applicant during this time, but this was not a 'valid request', presumably because it wasn't within the agreed 'window' for responses.

This gives the impression that applicants are more important than the public, than elected members, than those impacted by developments such as this. The disparity between inviting the applicant to continue to alter the application (whether considered 'material' or otherwise) and excluding any further comment by anyone else is clear and, it is felt, falls below the standard of 'reasonableness' that is explicit in the Wednesbury judgement – would the average person on the Clapham omnibus consider this to be 'reasonable'?

This development and the decision reached leaves many questions – how can permission be granted when such significant concerns remain from key organisations, such as the Fire Service and flood teams? How can so many issues be left to 'conditions', including any access to the site being agreed, the disposal of any surface water,



Serving the estates of Beanhill, Bleak Hall, Coffee Hall, Eaglestone, Leadenhall, Netherfield, Peartree Bridge, Redmoor, and Tinkers Bridge

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the impact on nature, trees, and the environment? How can effective judgements be made about issues that have previously been flagged by an appeal judge as being of concern (the noise assessment being undertaken when the major road has been closed)? How can the rules be so flexible for one party and so inflexible for all others?

You will, no doubt, be aware of significant concerns around the process more generally;

- questionable information being provided, with a change of address halfway through the application process
- Maps that are different in different places
- Lack of clarity around suitability of reports / whether they are in date or not / cut off dates / requests for committee oversight.

The committee asked me to express their concerns about this situation. This came alongside discussions around an appeal against a decision for an extension with a dormer, whilst similar examples have been agreed. Consistency and clarity around process is wanted and the committee doesn't feel that this is current happening.

I would appreciate a response from whomever is best placed to provide it, so I am able to pass over to the committee. Anything that is able to explain the decision making processes, the reasons behind the 'flexibility' of dates for the applicant whilst objections and requests for committee oversight were denied and how consistency across what is a busy and demanding department, with a level of judgement needed within decision making, can be assured.

I appreciate your time in this matter and look forward to your response.

Yours sincerely,

Steve McNay  
Council Manager  
On behalf of Woughton Community Council

# **STATEMENT OF REASONS**

## **MILTON KEYNES CITY COUNCIL (VARIOUS ROADS, MILTON KEYNES) (PROHIBITION OF WAITING) ORDER 2023**

Milton Keynes City Council proposes to make the above Traffic Regulation Order, under sections 1(1), 2(1) and (2), 4(2), and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984.

The general effect of the Order will be to introduce no waiting at any time restrictions (double yellow lines) along parts of following lengths of road in Milton Keynes:

- **Buckland Drive, Netherfield**
- **Fen Street, Magna Park**
- **Leopard Drive, Great Linford**
- **Lloyds, Coffee Hall**
- **Maidstone Road, Kingston**
- **Michigan Drive, Tongwell**
- **Sovereign Drive, Great Linford**
- **Sutcliffe Avenue, Oldbrook**
- **Swanwick Lane, Broughton**
- **Tanners Drive, Blakelands**
- **Wedgwood Avenue, Blakelands**
- **Winchester Circle, Kingston**
- **Yeomans Drive, Blakelands**

The proposed restrictions will help to alleviate obstruction and encourage a safer environment for pedestrians and cyclists at the redway crossing points.

As the Highway Authority for the above lengths of road, Milton Keynes City Council is satisfied that the introduction of the above proposed restrictions will help encourage a safer environment throughout.

The Councils reasons for proposing the above Order are as follows: -

- 1) To maintain a safe environment throughout the road, particularly to encourage and facilitate pedestrian and cyclist movements along those parts of the road;
- 2) For avoiding danger to people or other traffic using the above roads, or to prevent the likelihood of any such danger arising.

The proposed restrictions will be operational at all times and will be marked out in accordance with Traffic Signs Regulations and General Directions 2016.

The Council will continue to monitor the way in which highway facilities are used and address any issues that come to its notice and following meaningful consultation with all stakeholders do what it considers necessary to facilitate the expeditious, convenient and safe movement of vehicular and pedestrian traffic.

**Dated: 16th February 2023**

# **PUBLIC NOTICE**

## **MILTON KEYNES CITY COUNCIL (VARIOUS ROADS, MILTON KEYNES) (PROHIBITION OF WAITING) ORDER 2023**

**NOTICE IS HEREBY GIVEN** that Milton Keynes City Council proposes to make the above Traffic Regulation Order, under sections 1(1), 2(1) and (2), 4(2), and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984.

The general effect of the Order will be to introduce no waiting at any time restrictions (double yellow lines) along parts of **Buckland Drive (Netherfield), Fen Street (Magna Park), Leopard Drive & Sovereign Drive (Great Linford), Lloyds (Coffee Hall), Maidstone Road & Winchester Circle (Kingston), Michigan Drive (Tongwell), Sutcliffe Avenue (Oldbrook), Swanwick Lane (Broughton), Tanners Drive, Wedgwood Avenue & Yeomans Drive (Blakelands).**

The proposed restrictions will help to alleviate obstruction and encourage a safer environment for pedestrians and cyclists at the redway crossing points.

As the Highway Authority for the above lengths of road, Milton Keynes City Council is satisfied that the introduction of the above proposed restrictions will help encourage a safer environment throughout.

The Council will continue to monitor the way in which highway facilities are used and address any issues that come to its notice and following meaningful consultation with all stakeholders do what it considers necessary to facilitate the expeditious, convenient, and safe movement of vehicular and pedestrian traffic.

Milton Keynes Council is now carrying out statutory consultation on the above proposal. Details on how to comment and of the proposed Order, together with plans showing the general arrangements and a statement of reason, may be inspected on the Council's website at: [www.milton-keynes.gov.uk/consultations](http://www.milton-keynes.gov.uk/consultations).

Any representations or objections to the proposals, together with the grounds upon which they are made, must be made in writing and sent to the Council's Highways Department at Milton Keynes City Council, Civic Office, 1 Saxon Gate East, Central Milton Keynes, MK9 3EJ, or by email to [TROteam@milton-keynes.gov.uk](mailto:TROteam@milton-keynes.gov.uk) quoting reference **TRO-350** and to be received no later than **9th March 2023**.

Highways Department  
Milton Keynes City Council  
Civic Office  
1 Saxon Gate East  
Central Milton Keynes  
MK6 1LY

16th February 2023



**Graham Cox**  
Head of Highways

## **SCHEDULE 1**

### **NO WAITING AT ANY TIME**

#### **BUCKLAND DRIVE, NETHERFIELD**

##### **BOTH SIDES**

NW1 From a point 14.4 metres south-west of its junction with Marlborough Street, for a distance of 27.5 metres in a south-westerly direction

#### **FEN STREET, MAGNA PARK**

##### **THE NORTHBOUND CARRIAGEWAY**

##### **BOTH SIDES**

NW2 From a point 43 metres south of its junction with Crossley Drive, for a distance of 28.5 metres in a southerly direction

#### **FEN STREET, MAGNA PARK**

##### **THE SOUTHBOUND CARRIAGEWAY**

##### **BOTH SIDES**

NW3 From a point 43 metres south of its junction with Crossley Drive, for a distance of 28.5 metres in a southerly direction

#### **LEOPARD DRIVE, GREAT LINFORD**

##### **BOTH SIDES**

NW4 From a point 40.3 metres south-west of its junction with the centreline of Florin Close, for a distance of 20 metres in a south-westerly direction

#### **LEOPARD DRIVE, GREAT LINFORD**

##### **BOTH SIDES**

NW5 From a point 36 metres north-west of its junction with the centreline of Carolus Creek, for a distance of 19.3 metres in a north-westerly direction

#### **LLOYDS, COFFEE HALL**

##### **BOTH SIDES**

NW6 From a point 69 metres west of its junction with the centreline of Rochfords, for a distance of 20.2 metres in a westerly direction

#### **MAIDSTONE ROAD, KINGSTON**

##### **BOTH SIDES**

NW7 From its junction with Mandeville Drive, for a distance of 30.5 metres in an easterly direction

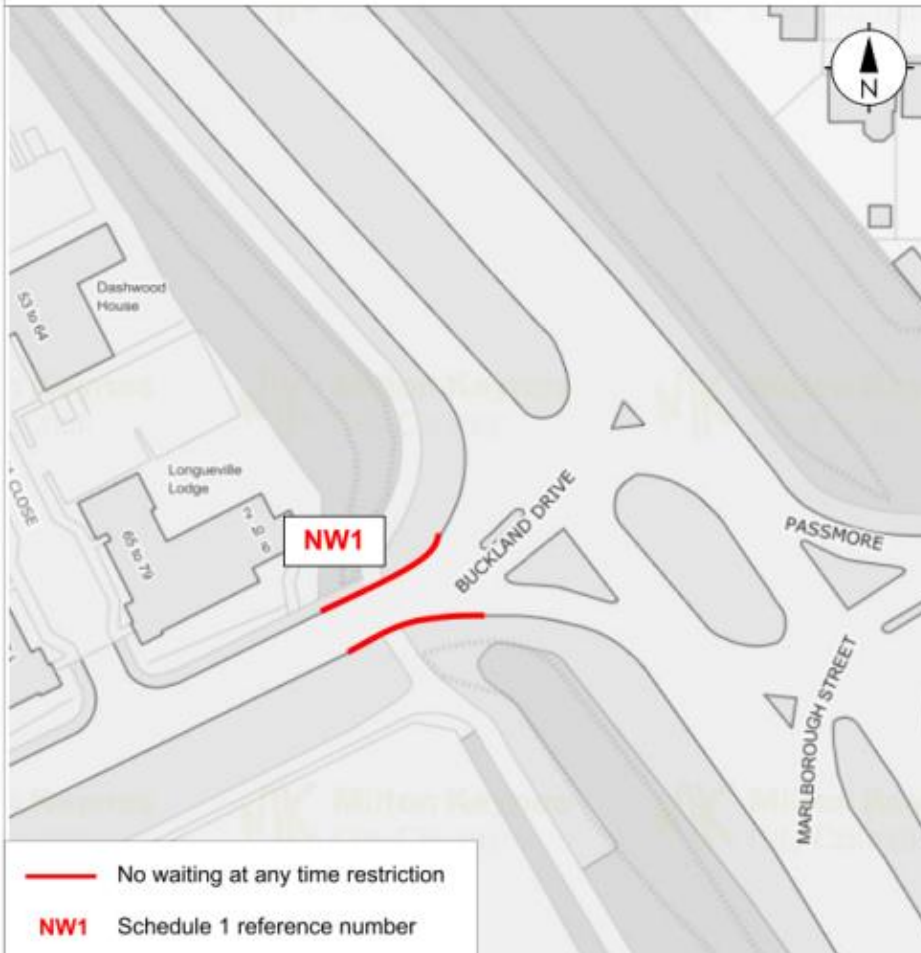
#### **MICHIGAN DRIVE, TONGWELL**

##### **BOTH SIDES**

NW8 From its junction with Delaware Drive, for a distance of 30.5 metres in an north-easterly direction



# MAP 1 FOR ORDER



Map referred to in "Milton Keynes City Council (Various Roads, Milton Keynes) (Prohibition of Waiting) Order 2023"

This Map not to scale

The Common Seal of Milton Keynes City Council was hereunto affixed in the presence of:

.....  
**Head of Legal Services**

# MAP 5 FOR ORDER



Map referred to in "Milton Keynes City Council (Various Roads, Milton Keynes) (Prohibition of Waiting) Order 2023"

This Map not to scale

The Common Seal of Milton Keynes City Council was hereunto affixed in the presence of:

.....  
**Head of Legal Services**