



Planning Update: 20/12/18

Following the application for housing development by Abbey Development on the Western boundary of The Stables site earlier this year, The Stables was grateful for the overwhelming level of support shown by our customers, artists and stakeholders with over 3000 letters of objection received by Milton Keynes Council.

Since that time, The Stables has worked with Milton Keynes Council and the developers to encourage a revision to the plans that would ensure our activities are not compromised in the future. The Stables has enjoyed 48 years of successful operation in line with its Premises Licence and is keen to ensure that it is not subject to restrictive licensing conditions that may be imposed subsequent to housing development on our border.

We are grateful to the developers for their efforts to improve the noise separation from The Stables to the proposed housing development, and had hoped that all of our concerns would have been resolved before the next round of public consultation.

The developers have now submitted revised plans and Milton Keynes Council has sent out notification of the amended proposal for comment with a deadline of the **26th December 2018 (Boxing Day)**. Unfortunately, despite many improvements to the scheme, we still have a number of residual concerns that we hope can be addressed early in the New Year and before the Council's Development Control Committee / Panel meet on the **6th February 2019**.

Milton Keynes Council has advised that documents can be viewed on their planning portal, however we have found it very difficult to access the documents on the portal and accordingly, we are making public the key documents which have been sent. We would advise however, that if you can access the portal to view the documents, please do so via www.milton-keynes.gov.uk/publicaccess. The Reference is 18/01304/REM.

Below is a summary provided in blue text by Milton Keynes Council of the actions that have been taken to date. We have added our comments in black italics where applicable:

Dialogue with all interested parties

Milton Keynes Council has now had 4 meetings with all interested parties to seek changes to an approved outline and reserved matters scheme to help address the concerns.

The Stables has met with Milton Keynes Council on 3 occasions, once on site to review our concerns in the landscape and twice with the developers. At the last meeting on the 18 October we acknowledged and thanked the Council and the developers for their progress but raised some residual concerns which we asked for clarification on and hoped that these would be resolved prior to any resubmission or public consultation. Unfortunately, we have not yet had a satisfactory resolution to some of our concerns but remain hopeful that we can get this prior to the Development Control Committee meeting on 6 February 2019.

The key concerns

The key issue was the size of the buffer and the orientation of the dwellings. The original layout had a buffer which was 24m at its widest and 12m at its narrowest. In addition, the dwellings and flats were directly facing the Stables and works encroaching the buffer.

The original Strategic Land allocation stated in paragraph 3.4.28 that “An extensive landscape buffer is to be retained in order to provide clear separation between Wavendon and the new development” (see fig 4.3 below which shows the green buffer zone outlined by the Government Inspector and set out in the Strategic Development Framework– the dark grey area marked ‘Existing Use’ is The Stables site). The Stables reminded Milton Keynes Council of this at Outline Planning Stage.

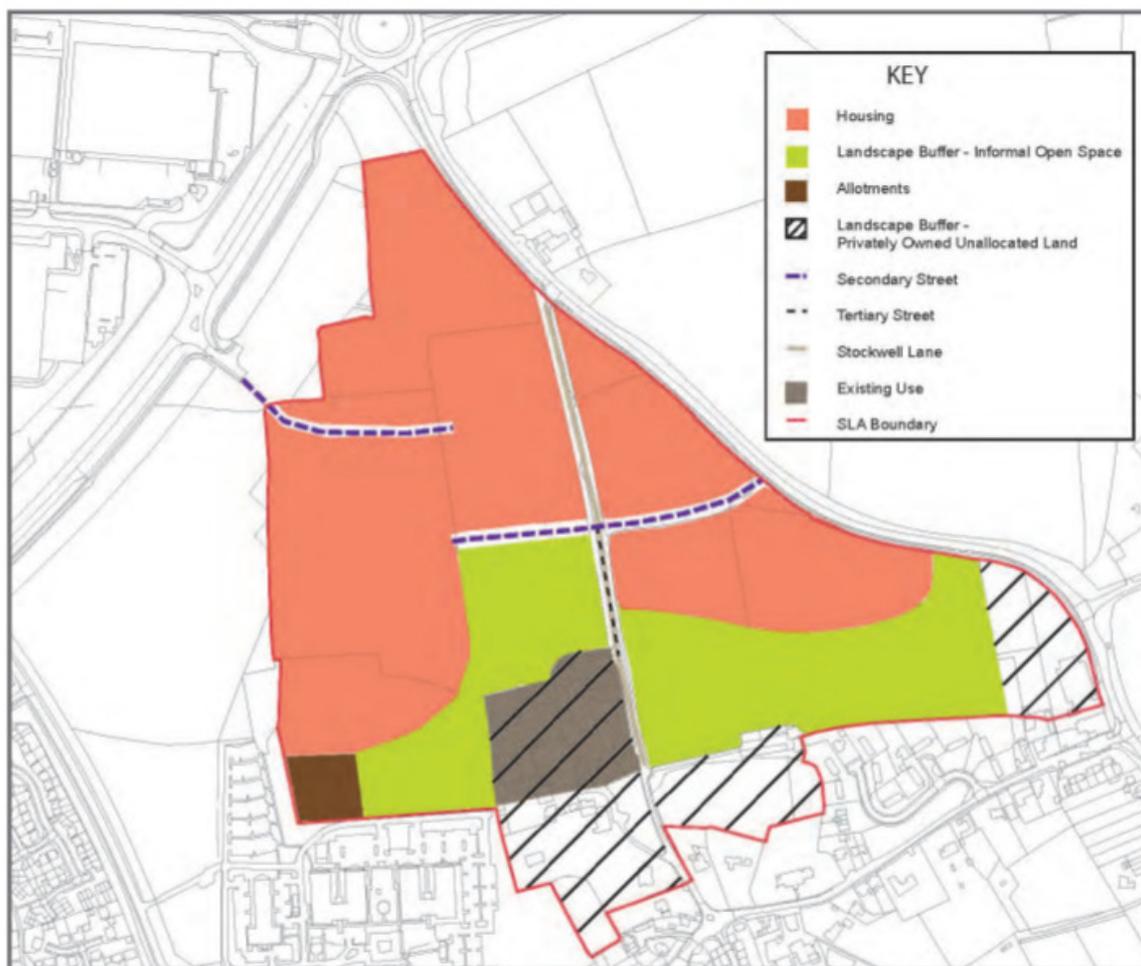
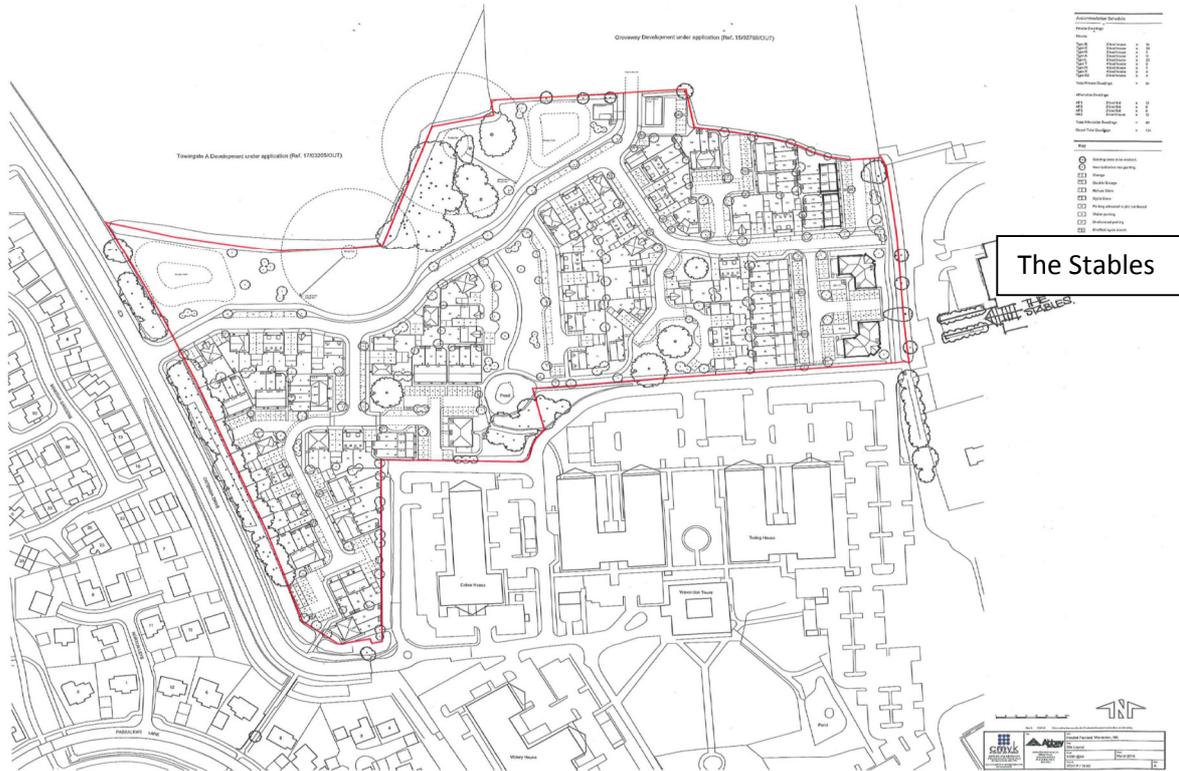


Figure 3.4 Landscape Buffer

In assessing the original Outline application 15/02337/OUT submitted by the landowners Hewlett Packard Enterprise Services UK Limited in 2015, officers commented that: “when the matter or layout is brought forward as a reserved matters application for the proposals to be considered acceptable no development should be located within the green buffer.”

In June 2018 the following proposal was submitted by Abbey Development showing no regard for the green buffer with Development right to the boundary of The Stables / Wavendon Village.



Following discussions, the **CURRENT** Revised Reserved Matters planning application submitted by Abbey Developments in December 2018 now looks like this:



Changes achieved so far

The following changes have been achieved through this shared dialogue:

1. A 30m buffer zone which contains no dwellings(including gardens or parking) adjacent to the eastern boundary which is adjacent to the Stables.

The Stables is pleased that the developers have responded to our request for a minimum 30m green buffer zone, although we remind Milton Keynes Council that this falls significantly short of the green buffer zone intended by the Government Inspector and expressed in the Strategic Development Framework Figure 3.4 – see above

2. In order to create this 30m buffer zone:
 - 15 private houses have been converted to flats.
 - Relocated the flat blocks from the buffer zone to the western boundary (at the entrance to the site / opposite end).

(The Stables is pleased that the developers have worked to reduce the impact of the development on The Stables site by removing two blocks of flats from the area opposite The Stables entrance and moving one block of flats at the north end of the development behind the new 30m green buffer. However, we have a residual concern that the remaining block of flats will still overlook the Stables site. It was confirmed by a consultant from Waterman (appointed by the Council) during a meeting held with Milton Keynes Council and the developers on the 18th October 2018 that visual separation between the properties and The Stables would have a positive psychological effect on reducing perceived noise nuisance. We are concerned that this block will overlook The Stables and therefore ignores the recommendation of a visual separation. Additionally, we remain concerned that it will generate child protection / safeguarding concerns given the level of learning and participation work with young children and vulnerable adults that we carry out both inside and outside of the building.

3. The houses adjacent to the buffer zone have been designed so that they flank onto the buffer zone rather than front onto. These flank walls contain either non habitable room windows or they are secondary windows to habitable rooms on the ground floor, these windows would be conditioned so that they must be non-opening.
4. The flats adjacent to the buffer zone have been designed so that windows facing the buffer zone either serve non-habitable rooms or are secondary windows to habitable rooms which can be conditioned to be non-opening

With regard to points 3 and 4 The Stables welcomes the proposed conditions for non-opening windows, however our advisors suggest that noise could travel around the houses and in through open windows on the other side of the premises and / or through the development to other premises where this non-opening window is not prescribed. We remain concerned that noise insulation is restricted to the residential units located within the front row of the eastern boundaries and are seeking reassurance that these measures will be accommodated on all residential units within the development. Further to this the draft conditions proposed by Waterman also allow the developer to deviate from the prescribed specification if agreed with the council, thereby introducing the ability for noise insulation to the new properties to be eroded over time and potentially via adaptations from future residents. The noise insulation requirements specified by Waterman are generic requirements and do not appear to anticipate events at The Stables which would be well above the usual day to day ambient

noise levels. Noise mitigation measures included in the development should anticipate noise on a worst-case basis from The Stables and this is not clear from the draft condition wording which we have seen.

At the meeting on the 18th October 2018 The Stables asked Milton Keynes Council to state its policy with regard to noise monitoring and whether measurements subsequent to any complaints about noise from licensed premises would be taken through OPEN or CLOSED windows. Milton Keynes Council has not yet provided clarity on this and The Stables remains concerned that complaints may be received from dwellings where noise is experienced through open windows and noise monitoring is carried out through open windows or those that have not received the recommended treatment to mitigate a potential noise nuisance.

5. Enhanced Landscaping is proposed to the existing boundary with the Stables.

The Stables would welcome further details on this - also notes reference to this in point 8 – to ensure that the height and density of the planting really does create an effective visual separation and noise screen. There is currently no suggestion that the buffer zone should be other than a ‘semi-natural area with enhanced planting to the natural hedgerow’ and it ignores the opportunity for significant mounding and substantial tree planting to help with the visual separation.

6. The LEAP (Locally Equipped Area for Play) can only be provided in the buffer zone due to having to relocate the flat blocks under point 2, minimum distance requirements from properties and the need for SUDS basins and badger set.

The Stables is concerned that the LEAP is currently shown right next to our boundary and within the buffer zone. This type of facility would be better situated nearer the centre of the scheme. Its removal from the buffer zone would cut down on the footpaths required in the zone and give better scope for the suggested landscape buffer. It would also ensure that the safety of young people using the scheme is better addressed, reducing the prospect of dark corners and anti-social behaviour which is more likely to be experienced on the edge of the development.

7. The landscape officer requested that the buffer zone adjacent to The Stables be predominantly used for biodiversity enhancement and be usable space i.e. bunding would not be appropriate for biodiversity.

The Stables appreciates the sensitivities of the biodiversities of the site and for that reason encourages the council to ask the developers to produce a natural play area within the buffer zone using mounding and planting instead of providing another concrete and metal play area, particularly considering that the other green buffer zone to the north of The Stables site will have two such play areas in it.

We also noted during at least one meeting with MK Council officers that they stated the outline planning was for a MAXIMUM of 134 dwellings. We would urge the developers and the Council to be bold enough to adapt the plans to meet the constraints of the site, which may mean fewer dwellings in order to accommodate the necessary biodiversity and ensure no noise, safety or anti-social behaviour problems are inadvertently ‘built-into’ the plans.”

8. Details of the proposed landscaping in this buffer is shown on the soft landscaping drawings however, further details can be negotiated.

Conclusion

We agree with Milton Keynes Council that we have made significant progress thanks to the positive engagement by all of us. We note that the council has offered more clarity and detail around the buffer zone and has also made reference to the potential for a high acoustic screening fence. They have agreed to share further details of the wording of conditions which we hope will provide further reassurance. We also require a clear statement of policy regarding the noise monitoring processes that will be used in the case of any challenges to our Premises Licence.

We will update this information if we have any further news on the matter prior to the Development Control Committee meeting on 6 February. We understand comments can be made to Milton Keynes Council at any point before the meeting, however we are acutely aware that the public consultation letters contain a deadline of 26 December 2018 (Boxing Day). The Development Control Committee meeting is a public meeting and interested parties are invited to attend.

The National Planning Policy Framework is clear that any planning decision for new development should “recognise that existing businesses wanting to develop in continuance of their businesses should not have unreasonable restrictions put on them because of changes in nearby land uses since they were established.” The NPPG cross refers this to paragraph 123 of the NPPF and confirms that the potential effect of new residential development located near to existing business should be carefully considered.

We continue to urge Milton Keynes Council to work with the developers to ensure that the future of The Stables is protected by ensuring that future residents will co-exist with The Stables without fear of noise nuisance and that The Stables will not be subjected to noise conditions in the future that it cannot meet because the planning process failed to address our residual concerns.

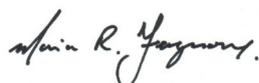
Any comments must be made in writing to the Council and should include your name and postal address in any e-mails or letters as anonymous comments cannot be taken into account. Any comments received will be published on the Council’s website.

Your continued support is much appreciated.

Best wishes for the Festive Season



Jim Rice
Chair



Monica R. Ferguson
Chief Executive & Artistic Director