

**Wards Affected:**

*Central Milton Keynes .*

**ITEM 6**

**DELEGATED DECISION**

**19 APRIL 2016**

**REVOCATION OF THE CENTRAL MILTON KEYNES DEVELOPMENT FRAMEWORK SUPPLEMENTARY PLANNING DOCUMENT**

Responsible Cabinet Member: Councillor Legg (Cabinet member for Public Realm)

Report Sponsor: Anna Rose (Service Director, Planning & Transport)

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**Executive Summary:** The Central Milton Keynes (CMK) Development Framework Supplementary Planning Document (SPD) was adopted in 2013 in order to provide additional guidance for new developments in CMK. Following the adoption of the CMK Business Neighbourhood Plan in 2015 the SPD is no longer required and this report recommends that, in the interests of clarity, the SPD should be revoked.

**1. Recommendation(s)**

1.1 That the Central Milton Keynes Development Framework Supplementary Planning Document 2013 be revoked.

**2. Issues**

2.1 The CMK Development Framework SPD was adopted in 2013 replacing the original 2002 Development Framework Supplementary Planning Guidance. The SPD provided a flexible strategy for development in CMK, and provided up to date planning and design guidance on the interpretation of the policies for CMK in the Milton Keynes Local Plan.

2.2 The Development Framework was prepared alongside the early stages of the CMK Business Neighbourhood Plan and acknowledges that the Business Neighbourhood Plan, once made, would take precedence over existing planning policies for CMK with which it is in conflict. The CMK Business Neighbourhood Plan was made a part of the Development Plan for Milton Keynes in June 2015.

2.3 In the planning policy hierarchy, SPDs sit lower down than documents that form part of the Development Plan and so the CMK Business Neighbourhood Plan carries more weight than the SPD. Given this, revoking the CMK Development Framework SPD will simplify the planning policy situation in CMK and reduce the risk of confusion. .

2.3 Section 15(2) of the Town and Country Planning (Local Planning) (England) Regulations 2012, permits a local planning authority to revoke any supplementary planning document. If the recommendation in this report is agreed reference to the CMK Development Framework SPD will be removed from the Council's website and ward councillors, parish councils and other

relevant parties will be contacted to draw their attention to the revocation of the SPD.

### 3. Options

3.1 There are two options – whether to revoke the CMK Development Framework SPD or retain it.

(a) Option 1 - revoke the CMK Development Framework SPD: The SPD sets out planning and design guidance for the growth and development of CMK. Much of the guidance is replicated by the made CMK Business Neighbourhood Plan, which, as a part of the Development Plan carries more weight in decision making. Where there is divergence between the two documents, the Neighbourhood Plan's policies take precedence and so, in the interests of clarity for applicants and decision makers the SPD should be revoked. This is the recommended option.

(b) Option 2 – retain the CMK Development Framework SPD. As noted above, the SPD provides design guidance for CMK. The National Planning Policy Framework (para 153) advises that supplementary planning documents should be used where they can help applicants make successful applications or aid infrastructure delivery. Whilst the SPD therefore provides useful guidance, much of this is addressed in the made CMK Business Neighbourhood Plan. Retaining the SPD would require applicants and decision makers to continue using both documents and to identify differences between them. This is considered to be unnecessarily burdensome and could lead to confusion as to which areas of guidance or policy need to be applied. This option is not therefore recommended.

### 4. Implications

4.1 Policy

The Development Plan for CMK comprises the CMK Business Neighbourhood Plan, 2015, the Core Strategy, 2013 and the remaining saved policies of the Milton Keynes Local Plan, 2005. The CMK Development Framework SPD provides guidance to supplement the policies in the Milton Keynes Local Plan. Revoking the CMK Development Framework SPD will simplify the planning policy and guidance framework for CMK.

4.2 Resources and Risk

Any follow-up work associated with the revocation of the SPD (e.g. the removal of references to the SPD from the Council's website) will be undertaken by officers in the Development Plans team from current resources.

There are no financial implications of this decision.

N	Capital	N	Revenue	N	Accommodation
N	IT	N	Medium Term Plan	N	Asset Management

#### 4.3 Carbon and Energy Management

The revocation of the SPD would be neutral to the Council's Carbon and Energy Management Policy.

#### 4.4 Legal

- (a) Section 15(2) of the Town and Country Planning (Local Planning) (England) Regulations 2012, permits a local planning authority to revoke any supplementary planning document.
- (b) Following the revocation of the SPD, the Council will cease to make available copies of the CMK Development framework SPD and will draw the revocation to the attention of those living and working in the relevant area.
- (c) The revocation of the SPD will make decision making more straightforward and will remove the risk of confusion between the SPD and the CMK Business Neighbourhood Plan.
- (d) There is no foreseeable risk to the Council should the recommended action be followed.

#### 4.5 Other Implications

No other Implications

N	Equalities/Diversity	N	Sustainability	N	Human Rights
N	E-Government	N	Stakeholders	N	Crime and Disorder

Background Papers:           CMK Development Framework SPD  
  National Planning Policy Framework