

<b>Wards Affected: All</b>
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## **CENTRAL MILTON KEYNES DEVELOPMENT FRAMEWORK SUPPLEMENTARY PLANNING DOCUMENT**

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### **Executive Summary:**

This report recommends that Cabinet adopt the Central Milton Keynes Development Framework Supplementary Planning document.

Note – Annex B circulated as a separate document

### **1. Recommendation(s)**

- 1.1 That the proposed changes to the draft Central Milton Keynes Development Framework Supplementary Planning Document arising from the public consultation, be agreed.
- 1.2 That the revised Central Milton Keynes Development Framework Supplementary Planning document be adopted.

### **2. Issues**

- 2.1 Cabinet had previously resolved to review the 2002 Central Milton Keynes (CMK) Development Framework Supplementary Planning Guidance (SPG). It was agreed that the Review would be based on a 'light touch' that seeks to primarily address the content of a 'Lessons Learnt Paper' prepared during 2011 as well as a consideration of all previous policy and planning guidance prepared for CMK since 1970.
- 2.2 The intention is for the new CMK Development Framework to provide further guidance for the ongoing sustainable growth and development of CMK and to provide increased certainty for investors and developers as to the Council's expectations for the future development of CMK.
- 2.3 The Development Framework also has a role in relation to the emerging CMK Business Neighbourhood Development Plan in that it provides some strategic level urban design principles within which the Neighbourhood Plan can propose more detailed and site specific policies. The preparation of the Business Neighbourhood Plan is being led by the CMK Town Council and a period of pre-submission consultation on a draft plan has recently concluded. If successful at an examination and referendum, the Business Neighbourhood Plan will be brought into force by Milton Keynes Council and will form part of

the Development Plan for the area. At that point, the CMK Alliance Business Neighbourhood Plan will supersede those parts of the site specific policies for CMK in the Milton Keynes Local Plan and in the CMK Development Framework within which it is in conflict.

- 2.4 The original intention at the start of the project had been for the new CMK Development Framework to be adopted as a Supplementary Planning Document (SPD) linked to the Core Strategy as the SPD needs to be linked to and be consistent with existing planning policy.
- 2.5 Currently, adopted planning policy for Central Milton Keynes is set out in the policies of the Milton Keynes Local Plan, specifically strategic policy S5 and the saved detailed policies in the Town Centres and Shopping chapter. On adoption of the Core Strategy, the local plan policy S5 will be superseded by the Core Strategy policy CS7, but the detailed Town Centres and Shopping chapter policies in the local plan will remain in place until replaced by either the emerging CMK Business Neighbourhood Development Plan or Plan MK (the new local plan for the borough).
- 2.6 Due to the delays that have been experienced in the adoption of the Core Strategy, it is recommended that that the CMK Development Framework SPD be adopted against the Milton Keynes Local Plan policies. This approach will mean that the SPD will be brought into effect much earlier than would otherwise be the case, but it will mean that the SPD will need to be slightly revised and 're-adopted' once the Core Strategy has been adopted in order to reflect the new strategic policy for CMK, Core Strategy Policy CS7.
- 2.7 Upon its adoption, the CMK Development Framework Supplementary Planning Document (SPD) will supersede existing supplementary guidance for CMK, namely, the 2002 CMK Development Framework SPG (also referred to as the EDAW plan); and the three SPDs/ SPGs that flowed from that document (Campbell Park SPD, the Sustainable Residential Quarter SPD and the Central CMK SPG).

### Consultation

- 2.8 Following a Delegated Decision on 21 August, 2012, the draft CMK Development Framework SPD was published for public consultation from 17 September to 12 November 2012. Comments were received from some 35 respondents, including MKC councillors, parish and town councils, commercial organisations and individuals. The comments received and officers' responses to them are set out in the table in Annex A.
- 2.9 A Members' workshop was held on 29 November 2012 where the key issues raised in the consultation responses were discussed and proposed changes to the SPD were discussed. The final version of the SPD which appears at Annex B to this report incorporates changes discussed at that meeting as well as other changes necessary to ensure that the SPD does not conflict with existing policy. Specifically with regards to the approach to be taken to allowing development on existing surface level parking, the SPD will acknowledge that local plan policy would permit this, but it goes on to note that the Lessons Learnt report, which provides much of the evidence base for the new SPD, has indicated that for a variety of reasons the council will not

encourage this any further particularly on public surface level parking unless a number of conditions exist (see new para 3.2.8 in Annex B).

### Adoption

- 2.10 On adoption, the SPD will be a material consideration in the determination of planning applications in Central Milton Keynes and, as explained in para 2.7 above, will superseded existing supplementary planning guidance for CMK. The adopted SPD will be made available to the public via the council's website, in public libraries and at the Civic Offices. Those who made comments during the public consultation period will be notified of the document's adoption.

## 3. Options

### 3.1

- (a) Do not adopt the SPD: This option would mean that the SPD would not be a material consideration in the consideration of planning application in Central Milton Keynes (CMK), and that the planning policy context for CMK would continue to comprise the Milton Keynes Local Plan policies and the 2002 CMK Development Framework. This option is not recommended as the new CMK Development Framework provides more up to date guidance based on the Lessons Learnt over the past 10 years, and tempers some of the guidance set out in the 2002 document.
- (b) Wait for the adoption of the Core Strategy before adopting the SPD: This option would result in a delay of approximately 6 months (based on the current draft timetable for the adoption of the Core Strategy) before the CMK Development Framework SPD would be adopted. This option is not being recommended as it is considered that such a delay is unnecessary, given that the SPD can be adopted against the Local Plan policies, and because it would delay bringing the SPD into use as a material consideration.
- (c) Wait for the emerging CMK Alliance Business Neighbourhood Plan to be brought into force and then consider if further guidance is needed. This option is not recommended as the neighbourhood planning process is still relatively new and untested, especially for an area as complex as CMK. Whilst the CMK Alliance Business Neighbourhood Plan is making good progress, there remains some uncertainty and risk around the process. This, together with the projected timescale for the completion of the plan, which could see a referendum in May this year, means that it would be preferable to have the CMK Development Framework SPG brought forward sooner.

#### 4. Implications

##### 4.1 Policy

The CMK Development Framework SPD supplements Policy S5 and Policies CC1-19 in the Milton Keynes Local Plan. The National Planning Policy Framework provides the national policy context and the local policy must conform with this.

##### 4.2 Resources and Risk

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

##### 4.3 Carbon and Energy Management

There are no known carbon and energy management implications associated with the proposed consultation.

##### 4.4 Legal

The Town and Country Planning (Local Planning) (England) Regulations 2012 set out the statutory requirements for the consultation and adoption of Supplementary Planning Documents (SPDs).

Once adopted in line with statutory requirements, the SPD will form part of the Council's Local Development Framework and will be a material consideration for the determination of planning applications.

##### 4.5 The measures for community involvement undertaken in relation to the draft SPD conformed to statutory requirements and the MKC Statement of Community Involvement

##### 4.6 Other Implications

**Sustainability:** A Strategic Environmental Assessment Screening Report was produced to assess the need for Strategic Environmental Assessment under the Environmental Assessment of Plans and Programmes Regulations 2004 and the SEA Directive. This was sent to the three statutory bodies (English Heritage, Environment Agency and Natural England). The Screening Report concluded that there was no need for a full SEA. A final Screening Statement incorporating the comments of the statutory bodies was made available alongside the draft SPD.

**E-Government:** The SPD will be made available on the council website.

**Stakeholders:** Consultation with a wide range of stakeholders has been undertaken on the draft SPD in accordance with statutory requirements and the MKC Statement of Community Involvement.

Equalities: This decision is not relevant in regard to equality issues.

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

Background Papers:        Lessons Learnt