MILTON KEYNES CORE STRATEGY EXAMINATION, STATEMENT OF COMMON GROUND AGREED BETWEEN DRIVERS JONAS DELOITTE, TURLEYS ASSOCIATES AND MILTON KEYNES COUNCIL.

Introduction

This statement of common ground between the parties named below reflects changes to the policies and text of the Milton Keynes Core Strategy, Revised Proposed Submission Version, October 2010 (Inquiry document B133) which agreed between the parties at the Core Strategy examination session on Wednesday 25th July 2012.

The parties to this statement of common ground are:

1. Drivers Jonas Deloitte (on behalf of Legal & General Assurance Ltd) (Owners of the Midsummer Place Shopping Centre in Central Milton Keynes)

2. Turleys Associates (on behalf of CMK Britel Nominees No 1&2 Ltd and the Prudential Assurance Company Ltd. Joint owners of the Milton Keynes Shopping Centre, the centre:mk) and

3. Milton Keynes Council

LIST OF CHANGES

Key to Changes

- Proposed new text in bold and underlined
- (Text to be deleted in brackets and italics)
- Text to be retained
- Notes and comments in red script are to explain what changes have been agreed.
Retail and Leisure provision

5.33 The retail hierarchy of centres set out within the Local Plan (2005) is carried forward:

Note: Add the words ‘Primary Shopping Area’ in Table 5.5 Retail Hierarchy before ‘Central Milton Keynes’.

### Table 5.5 Retail Hierarchy

<table>
<thead>
<tr>
<th>1: Regional Shopping Centre</th>
<th>Primary Shopping Area</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Central Milton Keynes</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>2: District Centres</th>
<th>A) Bletchley, Wolverton, B) Kingston and Westcroft</th>
</tr>
</thead>
<tbody>
<tr>
<td>3: Town Centres</td>
<td>Newport Pagnell, Olney, Stony Stratford and Woburn Sands</td>
</tr>
<tr>
<td>4: Local and Village Centres</td>
<td></td>
</tr>
</tbody>
</table>

5.34 This reflects the settlement hierarchy in Table 5.1 ‘Settlement Hierarchy’ with the largest concentration of shops and commercial uses in the city, followed by the more sustainable rural settlements, with the exception of Stony Stratford, which has been integrated successfully within the city.

The following changes to the text of paragraph 5.35 and accompanying bullet points were agreed. A link to the Milton Keynes Council, Retail Capacity Update, Final Report August 2011 (Inquiry document B136) will be added later.

5.35 The Milton Keynes Retail Capacity and Leisure Study 2010 (37) confirms the above mentioned hierarchy and deals with the future need and requirements for retail and commercial leisure facilities within the Borough and where it should be located. An update to the study in respect of retail capacity was published in August 2011. Insert link to document. The key findings and recommendations of (this) the 2010 study for the preferred strategy (strategy 1) were (are):

- The need for new large scale comparison shopping floorspace and commercial leisure development (including food and drink uses) should be met within Central Milton Keynes, with smaller scale requirements
for comparison retail and commercial leisure development provided within the district and town centres

- To cater for their growing populations, new convenience floorspace should be provided in the Eastern and Western Expansion Areas, at locations easily accessible to residents. Any residual requirement for further convenience floorspace after provision as above should be catered for by increases and extensions to existing facilities, where this is appropriate to the role of the centre it is located within. Since the MK Retail Capacity and Leisure Study was published in 2010, planning permission has been granted for new food stores to serve the WEA and EEA. The retail requirement for the SLA is being assessed through the Development Framework being prepared for the area.

- Text to be deleted (The size of food store provided within each Expansion Area should have an indicative floorspace of around 3,500 sq metres (gross) and should be related in scale to the amount of housing proposed within each growth area and phased alongside its delivery. The foodstore development is likely to have some smaller unit shops, service and food and drink uses associated with it. Additionally, local convenience stores may be provided elsewhere within the new areas of development. The 3,500 sq metre figure is a guideline figure and the consultant advises the Council to adopt a flexible stance on the size of new food store provision required reflecting the scale of development to be served.)

- No major changes to the existing retail hierarchy of centres were proposed by the consultant.

- Note: New text to be inserted at bullet point two. Large scale retail development will be resisted.

The retail capacity update reiterated that the retail needs identified in the report would best be satisfied along the lines of Strategy 1, which would involve:-

- Meeting most of the comparison retail needs in CMK.

- Allow for smaller scale comparison retail needs in the town and district centres in order to accommodate a locally derived need consistent with their role in the retail hierarchy. Large scale retail development will be resisted.

- Not to promote further convenience floorspace but to assess each application on its own merit and require that any application is able to demonstrate a localised need for additional floorspace.
Smaller incremental increases and extensions to existing facilities could be acceptable, where this is appropriate to the role of the centre it is located in.

The Council encourages development within its town centres. This is consistent with the National Planning Policy Framework (NPPF) which requires planning applications for the development of main town centre uses to be within town centres, then edge of centre locations and only if suitable sites are not available should out of centre sites be considered.

Text to be deleted (5.36 The Milton Keynes Retail Capacity and Leisure Study (February 2010) was prepared within the context of the housing growth figures of the now revoked South East Plan. It will need to be reviewed because the number of new dwellings over the plan period has been reduced to 28,000 and consequently, the amount of additional retail floorspace forecast to be required in Milton Keynes is likely to be less than that currently set out in Table 5.6 ‘Amount of additional retail floorspace required in Milton Keynes’. Another reason to review the study is to reassess how much convenience floorspace is needed in the Strategic Reserve Areas. Outline planning permission already exists for a 3,000 sq m (gross) food store in the Western Expansion Area. The retail capacity and leisure study suggests there would be capacity for additional convenience floorspace in the Eastern Expansion Area (39). It is very difficult to forecast retail requirements as far ahead as 2026, so longer term forecasts should be treated with caution, as a guide to the level of future retail floorspace. The Council will need to review the retail capacity study several times before 2026.)

Table to be deleted (Table 5.6 Amount of additional retail floorspace required in Milton Keynes)

<table>
<thead>
<tr>
<th></th>
<th>2008-2011</th>
<th>2011-2016</th>
<th>2016-2021</th>
<th>2021-2026</th>
</tr>
</thead>
<tbody>
<tr>
<td>Comparison Goods</td>
<td>-24,300</td>
<td>27,200-51,000</td>
<td>72,300-92,000</td>
<td>71,700-97,900</td>
</tr>
<tr>
<td>Central Milton Keynes (CMK)</td>
<td>23,200-43,300</td>
<td>61,400-78,200</td>
<td>61,000-83,200</td>
<td></td>
</tr>
<tr>
<td>Other district and town centres</td>
<td>4,100-7,600</td>
<td>10,800-13,800</td>
<td>10,700-14,700</td>
<td></td>
</tr>
<tr>
<td>Convenience Goods</td>
<td>-7,700</td>
<td>5,100</td>
<td>9,100</td>
<td>8,600</td>
</tr>
</tbody>
</table>

Figures in sq.m gross. Source: Milton Keynes Retail Capacity and Leisure Study (February 2010)
New Table 5.6a Estimated amount of additional retail floorspace needed in the Borough of Milton Keynes (after commitments) under strategy 1 in five year periods

<table>
<thead>
<tr>
<th>YEAR</th>
<th>Comparison Floorspace: Static retention</th>
<th>Comparison Floorspace Increasing retention</th>
<th>Convenience floorspace</th>
</tr>
</thead>
<tbody>
<tr>
<td>2011</td>
<td></td>
<td></td>
<td>915</td>
</tr>
<tr>
<td>2011-2016</td>
<td>0</td>
<td>15,605</td>
<td>-12,989</td>
</tr>
<tr>
<td>2016-2021</td>
<td>40,453</td>
<td>57,950</td>
<td>-7,543</td>
</tr>
<tr>
<td>2021-2026</td>
<td>41,563</td>
<td>56,776</td>
<td>-3,406</td>
</tr>
<tr>
<td>Total</td>
<td>82,016</td>
<td>130,330</td>
<td></td>
</tr>
</tbody>
</table>

Figures in sq.m gross. Source: Milton Keynes Retail Capacity Update (August 2011) produced by Roger Tym and Partners, part of Peter Brett Associates LLP

Note: The range of floorspace for comparison floorspace is due to the two scenarios used in the study. Under the static retention scenario Milton Keynes share of catchment spending remains unchanged. The increasing retention scenario assumes Milton Keynes increases its market share of the available catchment area expenditure from an estimated 25.8% at the start of the Plan period to 30% by 2026. As the Borough attracts more expenditure it can support more additional retail floorspace.

Table 5.6a illustrates forecasts produced by the Council’s consultants (Roger Tym and Partners) on the quantity of net additional comparison (non-food) and convenience (food) floorspace, which could be supported by available expenditure within the Borough over time. At the time the retail capacity update study was produced sites with planning permission totalled over 16,000 sq.m for convenience floorspace and over 44,000 sq.m of comparison floorspace. Once all the convenience floorspace commitments are assumed to have been developed by 2016, the Borough goes from having a positive requirement for an additional 915 sq.m (gross) of floorspace in 2011 to an over supply of convenience floorspace of 12,989 sq.m (gross) by 2016. This oversupply of floorspace is forecast to continue throughout the remainder of the study period up to 2026. The amount of comparison floorspace the Borough is forecast to require in the future has been calculated using two scenarios. The quantitative assessment shows that committed development, has outstripped expenditure growth in the period up to
2011 and under the static retention scenario this remains the case until after 2016. After 2016 on both scenarios used there is a sharp increase in the floorspace requirements of between 40,453 to 57,950 sq.m (gross) from 2016 to 2021. In table 5.6b most of the requirement for additional comparison floorspace (85%) is assumed to be located within CMK with the remainder (15%) provided in other district and town centres.

Table 5.6b Breakdown of estimated comparison floorspace needed in CMK and other district and town centres from 2011 to 2026 in five year periods.

<table>
<thead>
<tr>
<th></th>
<th>2011-2016</th>
<th>2016-2021</th>
<th>2021-2026</th>
<th>Total to 2026</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total requirement</td>
<td>0-15,605</td>
<td>40,453-57,950</td>
<td>41,563-56,776</td>
<td>82,016-130,330</td>
</tr>
<tr>
<td>Comparison Goods</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Central Milton Keynes (CMK) (85% of total floorspace)</td>
<td>0-13,264</td>
<td>34,385-49,257</td>
<td>35,329-48,260</td>
<td>69,714-110,781</td>
</tr>
<tr>
<td>Other district and town centres (15% of floorspace)</td>
<td>0-2,341</td>
<td>6068-8693</td>
<td>6,234-8516</td>
<td>12,302-19,550</td>
</tr>
</tbody>
</table>

Notes: Figures in sq.m gross. Source: Milton Keynes Retail Capacity Update (August 2011) produced by Roger Tym and Partners, part of Peter Brett Associates LLP

Note: New paragraph to be inserted below.

Of the identified requirement for additional comparison floorspace, 85% should be directed to the primary shopping area of CMK. The 15% directed to other Town and District centres should be of a scale consistent with their role in the hierarchy. There is no policy support for retail development in out of centre retail parks or other out of centre locations.

It is very difficult to forecast retail requirements for the Borough as far ahead as 2026, so longer term forecasts more than 5-10 years ahead should be treated with considerable caution. The Council will need to monitor and review figures on retail capacity study several times before 2026.

These figures on estimated retail need are not intended to restrict or prevent new retail floorspace coming forward in appropriate locations such as the primary shopping area of CMK. These figures are a snapshot (at a particular point in time based on certain assumptions) which indicates the level of future retail floorspace that can be supported within the Borough by the expected growth of retail expenditure.
5.37 The district centres in Policy CS 4 ‘Retail and Leisure Development’ have been split to distinguish the older town centres of Bletchley and Wolverton where the priority is regeneration from the purpose built self-contained centres of Kingston and Westcroft, where the priority is controlled expansion and diversification of the centre with service and leisure and community uses. Although the primary use in district and other centres is for retail (A1 uses), it is important to recognise that other important uses (community, leisure etc) often exist within such centres. Co-location of services and facilities in and around centres planned in the development frameworks for the growth areas can help to minimise trip lengths and promote linked trips.

Note: Insert in paragraph 5.38 new text on Casino being provided in Xscape.

5.38 The Retail Capacity and Leisure Study (R Tym & Partners 2010) analyses leisure sector expenditure and in its summary of scope for additional commercial leisure facilities, expects a high proportion of forecast growth for eating and drinking establishments with better quality establishments needed in the city centre and other town centres in the Borough. The study recognises that historically this sector has been very market-led. It does look at additional leisure requirements and concludes that after the growth in eating and drinking demand, the remainder will go to a wide range of activities with no single activity capturing any significant market share. They identify a qualitative need for a Casino (February 2010) which is now being provided within the Xscape building in CMK.

Note: In paragraph 5.39 insert will delete (is likely to be) in first sentence. Add a full stop after ‘district and town centres’ in first sentence. Delete the following text after district and town centres. [for in special cases, elsewhere in the city, where good public transport is, or will become available (for example large sporting facilities such as the Stadium MK).]

5.39 Central Milton Keynes will be the main focus for the development of commercial leisure and entertainment facilities, especially those with a sub-regional catchment, but this does not prevent such facilities being developed elsewhere within other district and town centres. However, leisure proposals designed more for a local catchment will locate in the district and town centres(40).

5.40 A new leisure centre opened in 2010 for Bletchley. Another important attraction in this part of the Borough is Bletchley Park which has potential for more tourism and other employment opportunities. The development of secondary schools within the Borough provides other opportunities for the provision of shared leisure, sport and community facilities to serve their local catchment areas. Another important requirement will be the provision of new
allotments near to the homes they serve and these will normally be managed locally.

5.41 Text to be deleted (A regional sports facility should be developed as part of our growth, located at various venues across the Borough for example further development at the Stadium MK in Denbigh or in any sites to be identified through the Site Allocations DPD.)

Note: Insert new paragraph 5.41.

5.41 MK has the potential to operate as a regional focus for sport and leisure as part of its core economic offer. The International Sporting City concept, discussed in Chapter 16 ‘Delivering Infrastructure’ considers how this could be developed.”

Note: Changes to policy CS4

- After the words policy CS4, delete the words (and Leisure) in the heading Retail and Leisure Development. Revised text to read Retail Development.
- Delete the words (‘and leisure’) in the first sentence of policy CS4 between the words ‘additional retail’ and the word ‘floor space’.
- In the first sentence of policy CS4 insert the words ‘in accordance’ between the words ‘floor space’ and ‘with’.
- In the first sentence of the paragraph beginning ‘Regional Shopping Centre’ delete the words (Central Milton Keynes) and replace by The Primary Shopping Area and delete the words (and leisure development) after ‘comparison shopping’.
- In the second sentence of the paragraph beginning ‘Regional Shopping Centre’ after the words ‘Marlborough Gate insert (The Primary Shopping Area)
- Add the end of the policy insert the words. *There is no policy support for retail development in out of centre retail parks or other locations.*

Policy CS 4

Retail Development

The Planning Authority will grant planning permission for additional retail floorspace in accordance with the defined shopping centre hierarchy (in Table 5.5 ‘Retail Hierarchy’) to deliver the following objectives.

Regional Shopping Centre: The Primary Shopping Area will function and develop as a regional shopping centre for comparison shopping. Planning permission will be granted for additional comparison retail floorspace and other associated development in the area between Silbury and Avebury Boulevard, Saxon Gate and Marlborough Gate (The Primary Shopping
Area). Central Milton Keynes also serves as a local centre and caters for the daily convenience needs of its increased workforce, and the daily and weekly needs of its growing residential population and the surrounding estates.

District Centres: The traditional District centres of Bletchley and Wolverton will cater for the weekly convenience shopping needs of their catchment populations, consistent with the particular objective of regeneration. The District centres of Kingston and Westcroft will cater for the weekly convenience shopping needs of their catchment populations, consistent with the particular objectives of controlled expansion and diversification.

Town Centres: The long established town centres of Newport Pagnell, Olney, Stony Stratford and Woburn Sands will function primarily as local shopping destinations catering for daily or specialist shopping needs and in recognition of the constraints placed on their development by conservation and allied considerations.

Local and Village Centres(41): The various local centres, existing and proposed, will provide convenience shopping and service facilities in order to reduce and minimise car dependency and to ensure ready access by non-car owning households and other people with limited or impaired mobility.

The Council will work with MKP or successor bodies to plan for the provision of a new food store of around 3,500 sq metres gross (together with associated smaller unit shops, service, and food and drink uses) in each of the Expansion Areas. These retail developments will be phased alongside the delivery of new housing.

There is no policy support for retail development in out of centre retail parks or other locations.

Delivery

5.42 The Council will continue to monitor retail completions and commitments. It will regularly review and report on retail capacity within the Borough to help determine the need for additional retail floorspace and where and when it should be delivered in sustainable locations. Retail capacity assessments will be undertaken at regular intervals, normally every 3-5 years, for the whole of Milton Keynes Borough.

5.43 The Council will ensure new retail development is phased alongside housing provision, of an appropriate size, and is in sustainable locations to ensure it is easily accessible to the residents. Any Development Framework will require individual retail assessments to establish the level and timing of
food store provision for each area. It will also consider what smaller unit shops, service, food and drink uses, community and leisure facilities should be developed with the food store. Additionally, a Development Framework will also consider the best location for any small scale local convenience stores or local centres provided elsewhere within the new areas. The Council will work jointly with its neighbouring planning authorities where a site is wholly or partly administered by the neighbouring authority.

Note: In paragraph 5.44 delete text referring to (the Development Management DPD) replace by text referring to PlanMK.

5.44 Policies in PlanMK (the Development Management DPD) will be prepared to ensure delivery of the policy requirements, including a review of the defined primary shopping areas across the Borough and policies on non-retail uses in town, district and local centres. The Retail and Leisure Study assessments of successful and unsuccessful aspects of local centres will be used to inform PlanMK (the new Development Management DPD) which will seek to identify and enhance the individual characteristics of each centre and assess whether their boundaries should be retained or revised. (District and Town centres are listed in Table 5.5 ‘Retail Hierarchy’ and defined in Policy CS 4 ‘Retail and Leisure Development’).

5.45 The Council will work with businesses, the public and other key stakeholders in Bletchley and Wolverton to assess the possibility of leisure and retail developments contributing towards the regeneration of these district centres.

Other changes sought

Policy CS7 Central Milton Keynes

In the first sentence to policy CS7 after ‘city centre’ insert the words “but needs to continue to evolve and change.”

In the second sentence to policy CS7 after ‘retail’ and before ‘office’ insert the words (within the defined Primary Shopping Area)

Policy CS7

Central Milton Keynes
Central Milton Keynes is a modern and carefully planned new city centre but needs to continue to evolve and change. It will retain and enhance its role as a sub-regional centre and the city’s focus for retail, (within the defined Primary Shopping Area) office, hotel, leisure and cultural development, together with new housing and related facilities. (See Policy CS 4 ‘Retail and Leisure Development’ and Table 5.6 ‘Amount of additional retail floorspace required in Milton Keynes’ and supporting text.)

The key objectives for Central Milton Keynes are to:

1. Achieve higher quality buildings and spaces around them, with greater attention to human scale and more detail and variety of uses within proposals
2. Promote a higher density of development in appropriate locations
3. Achieve growing visitor numbers from outside the city to further enhance CMK’s status as a regional and national destination for shopping, culture and leisure
4. Offer a range of travel options which collectively will support an increase in visitor numbers to the city centre and increased average travel distances
5. Develop as an attractive focus for all the residents of the Borough, whilst recognising its role as a District Centre for most of the surrounding estates
6. Encourage greater access to and within the area by walking, cycling and public transport
7. Provide more pedestrian-friendly routes and spaces between new and existing buildings and public areas
8. Improve integration between the facilities and defined quarters of the area
9. Accommodate the expansion needs of tertiary Higher Education such as the University Centre Milton Keynes (UCMK)
10. Offer an attractive urban living environment for the residents of current and future dwellings

Overarching Development Strategy, Table 5.7 (page 41) CMK, column headed ‘Retail and Leisure’

In the first sentence under the heading Retail and Leisure on page 41 delete the following text

Text to be deleted (Milton Keynes primary retail centre with an emphasis on supporting and enhancing the role of CMK as a regional centre and European destination.) Replace by the following text but with the word European deleted and replaced by international.
Retail development within CMK will be focused within the defined primary shopping area. It will support and enhance the role of CMK as a regional centre and international destination.

Figure 7.1 (page 54)  Central Milton Keynes Location Plan.

Insert 'Primary' before the words Shopping Area in the key to figure 7.1 on page 54.

Amended Key to read: Primary Shopping Area

Page 45 para 5.7 currently says "(The stadium complex in Denbigh will continue as a leisure and retail destination and in the future regionally significant sporting facility ....... There is planning permission for more retail floorspace (12,544 sq.m) and restaurants (1,495 sq.m) to enable the continuing development of the stadium)

Delete all the above text referring to Denbigh North.

NPPF para 2 determination with development plan and para 23 highlighted.

Comment: It is not necessary to include paragraph 2 of the NPPF (planning applications must be determined in accordance with the development plan, unless material considerations indicate other wise). As this duplicates paragraph 1.11 on page 4 of the Core Strategy on the role of the Development Plan. It is therefore considered unnecessary to include this wording again. MKC have also sought to ensure the relevant sections of the CS are in conformity with the NPPF paragraph 23 about promoting positive competitive town centre environments.

No change to be made

Regional and sub-regional terminology needs clarifying at para 5.39 and table 5.5.

Comment; in its response on matter 4 question 4.6 the Council acknowledges there is some ambiguity about the status of CMK as a regional or sub-regional centre. This stems from the SE Plan definition of the Milton Keynes & Aylesbury Vale sub-region policy S1.
In MKC response on question 4.6 the Council indicated to the Inspector "If it helps to give greater certainty to major investors about the role of CMK and the Inspector agrees that the status of CMK would be clarified by highlighting and referring to the regional role of CMK rather than its sub-regional role. Then the Council would have no objection to this change in policy CS7 and other text within the CS document.

Other text to be changed as a consequence of changes above.

Para 1.9

Existing text at paragraph 1.9 to be deleted and replaced by amended text below but in the final sentence of the new text 'Central Milton Keynes' to be replaced by 'Primary Shopping Area'.

Text to be deleted (1.9 Currently, there is no short term requirement for new retail development to support growth. Longer term requirements after 2011 will be focused on Central Milton Keynes and the centres of Bletchley, Wolverton, Westcroft and Kingston. There is a need to set criteria for considering options for possible future sites, such as the state of the 'real' economy, progress on developments to date and economic growth. This is likely to require an update of the Retail Capacity Study and this will be assessed in the Development Management and Site Allocations DPDs.)

Text to be inserted. 1.9 There is considerable amount of retail floorspace, which is committed for development within the Borough but has yet to be developed. The continued population and expenditure growth in Milton Keynes will generate a need for additional retail floorspace. The long term need for comparison floorspace will be focused on the Primary Shopping Area but some retail development is expected to come forward within the centres defined within the Council's retail hierarchy (See table 5.5) to meet local needs.
Statement agreed on behalf of

a) For Deloitte LLP (trading as Drivers Jonas Deloitte)
   Name  John Adams
   Signature

b) Turleys Associates
   Name  Sid Hadjioannou
   Signature

c) Milton Keynes Council
   Name  Michael Moore.
   Signature

Amended at 16.30 pm, 30.6.2012 Final.