

# Record of Officer Making an Executive Decision



## Consultation on the draft Development Brief for the CMK Theatre multi-storey car park site,

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<b>Date of decision</b>	23 09 2021
<b>Services affected</b>	Planning
<b>Cabinet Member consulted</b>	Councillor Pete Marland, Leader of the Council, Cabinet Member responsible for Planning
<b>Wards affected</b>	Central Milton Keynes

### 1. Decision/s to be made

This report seeks approval to undertake formal consultation on the, Draft Development Brief for the CMK Theatre Multi-storey car park site for a 6 week period during September / November 2021.

### 2. Reasons for the decision

The Council has adopted a revised protocol for the preparation of development briefs (delegated decision 13 January 2015), which sets out a process for stakeholder engagement for the development of council owned land where the site is likely to accommodate 10 or more homes. This decision complies with this requirement and process.

#### Background

Development Briefs are the key documents which will influence what a site is eventually used for and what the layout and design will be and therefore engagement with local stakeholders to establish their issues, views and aspirations is essential to the process of preparing and adopting Development Briefs.

The primary purpose of the draft Development Brief is to provide prospective developers with planning and design guidance to enable the submission of an informed and high-quality proposals for the development of this site. The Development Brief will reflect best practice guidance as well as local stakeholder views for the site. A key aim of the Development Brief is therefore to streamline and speed up the process of submitting and determining planning applications.

The draft Brief has been informed by a desk top analysis of the site and a resulting understanding of the opportunities and challenges as well as an understanding of the existing policy position. It has also been shaped by an initial informal consultation with a steering group including local ward members, and CMK Town Council.

The 0.2125ha site is located within CMK on the corner of Avebury Boulevard and Marlborough Gate. In planning policy terms guidance for the Theatre car park site outlines a favourable context that supports the Council’s aspirations for the site. This includes requiring new development to make a positive contribution to improving the vitality of the city centre as well as improving the overall mix of uses. Policy also supports residential, cultural and leisure uses as well as compact, higher density development that will bring more people into CMK for a variety of reasons.

**3. Implications of the decision**

Financial	No	Human rights, equalities, diversity	No
Legal	No	Policies or Council Plan	Yes
Communication	Yes	Procurement	No
Energy Efficiency	No	Workforce	No

**a) Financial implications**

It is anticipated that the consultation process will be undertaken from within existing resources.

**b) Legal implications**

Development Briefs prepared and adopted by the local planning authority are a legitimate tool to inform developers and other interested parties of the opportunities and restrictions of a site in planning terms. While it is possible to adopt a development brief as a supplementary planning document (“SPD”), it is not proposed that this Development Brief is adopted as an SPD in this instance. As such, it is not necessary to examine whether or not the document meets the legal requirements for SPDs.

Once approved, the Development Brief, while not part of the Council's Local Plan or being a Planning Document is, given the consultation undertaken and approval by the Council, capable of being a minor material consideration in determining any forthcoming planning applications related to the site.

In the light of this advice, there is no real identifiable risk to the Council should it take the recommended action.

### c) Other implications

**Carbon and Energy Management:**

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

**E-Government:** The Development Brief will be made available on the Council website.

**Stakeholders:** Consultation with a wide range of stakeholders will be undertaken in accordance with statutory requirements and the MKC Statement of Community Involvement.

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

## 4. Alternatives

The "do nothing option" is to not undertake formal consultation on the draft Development Brief. This is not an option if the draft Development Brief is to be adopted by Cabinet as it would not comply with the Council's Statement of Community Involvement and the adopted protocol for preparing Development Briefs for Council owned land.

## 5. Timetable for implementation

Formal consultation will be undertaken in accordance with the Council's current Statement of Community Involvement as well as the adopted protocol for preparing Development Briefs. The consultation will take place for a 6 week period during September - November 2021. Consultation will involve:

- Document published on Council's website, in the Members Weekly News, and Council's Consultation Finder.
- Copies/web links of Draft Development Brief sent to Ward Councillors, Parish Council, Cabinet Members, Cross Party Planning Spokespersons, relevant council officers as well as adjacent landowners.
- As per the approved protocol leaflet drop of immediate adjacent neighbouring properties informing them of the consultation on the draft brief.

- Presentations to Parish Council and ward members (if requested).

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## Annexes and Background Papers

### 1. Draft Development Brief

<b>Report Author Checklist</b>	
Key decision (if yes – was on forward plan?)	N
Cabinet Member aware and content with officer decision	Y/N
Any declaration of interest by Cabinet Member consulted	Y/N
Legal & Financial business partners consulted:	Y

<b>Democratic Services Use</b>	
Date decision published	
Exec/Non exec	
Date decision can be implemented	