

CENTRAL MILTON KEYNES GROWTH OPTIONS

HERITAGE IMPACT ASSESSMENT

SEPTEMBER 2025



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1.0 INTRODUCTION

- 1.1 In 2024 Milton Keynes City Council (MKCC) consulted on its 'Regulation 18' draft MK City Plan 2050. The evidence base for the draft City Plan included an April 2024 draft Central Milton Keynes Growth Opportunity Study and Development Framework, which identified opportunities for tall buildings within Central Milton Keynes (CMK), informed by a draft CMK Tall Buildings Strategy prepared on behalf of MKCC by Montagu Evans.
- 1.2 Historic England in its consultation response to the draft City Plan recommended the preparation of a heritage impact assessment of the development proposed for CMK with its recommendations reflected in local plan policy. Montagu Evans has been appointed by MKCC to undertake this heritage impact assessment in relation to the proposed growth options and tall building strategy for CMK. Our work has been informed by site visits undertaken on 11 and 26 March, and 30 April 2025.

HERITAGE ASSETS

- 1.3 CMK contains the following designated heritage assets:
- Secklow Hundred (Scheduled Monument)
 - Campbell Park (Grade II Registered Park and Garden)
 - Shopping Building (Grade II listed building)
 - Central Library (Grade II listed building)
 - Former Bus Station (Grade II listed building)
 - Octo Sculpture and Reflecting Pool (Grade II listed building)
- 1.4 MKCC has also identified a number of non-designated heritage assets within CMK. On 17 September 2024 MKCC established Milton Keynes' first local list, known as 'The New Town Heritage Register', and 132 non-designated heritage assets were added to the Register, including the following in CMK:
- Magistrates Court
 - County Court
 - Norfolk and Ashton Houses
 - Regency Court
 - Fred Roche Gardens
 - Church of Christ the Cornerstone
 - Northgate and Southgate Houses
 - Sentry House (former) and Saxon Court
 - Lloyds Court
 - The Point
 - South Ninth Street housing
 - Civic Offices
 - North Eleventh Street housing
 - Eaton Mews
 - Black Horse

CONTENT AND STRUCTURE OF THIS REPORT

- 1.5 In this report we first in Section 2.0 establish the statutory provision and framework for the assessment, providing a methodology and approach that identifies the appropriate weight that should be given to different factors such as designated and non-designated heritage assets.
- 1.6 We then in Section 3.0 consider the heritage assets identified above, particularly the contribution made to the significance of the heritage assets from their settings. This work is undertaken in accordance with Historic England published guidance on the assessment of the setting of heritage assets, 2017.
- 1.7 In recent years the City Council and the Planning Inspectorate have reached decisions on tall buildings within Central Milton Keynes. Section 4.0 provides a commentary on this decision-making informed by a review of planning reports and appeal decisions, providing further context for the assessment of the growth options.

- 1.8 Having regard to our analysis of the setting of the heritage assets and previous decision-making, Section 5.0 provides an overview assessment of the following aspects of the draft Masterplan Framework provided within the draft Central Milton Keynes Growth Opportunity Study and Development Framework :
- Placemaking principles associated with the movement strategy (MRT) and phased reduction in parking;
 - Placemaking principles associated with the blocks and grid structure, particularly in relation to building lines;
 - Place making principles associated with public realm, gardens, parks and city squares;
 - The potential height thresholds as set out in the tall building strategy.
- 1.9 National planning policy requires an assessment of development proposals to be undertaken on a balanced basis (with the appropriate weight accorded to different matters), including taking into account any mitigation delivered by application proposals. In Section 6.0 we consider potential mitigation in more detail as this is likely to be a key element of any tall building policy that might form part of the development plan in the future.
- 1.10 Section 7.0 provides our conclusion.

2.0 STATUTORY PROVISION AND FRAMEWORK FOR ASSESSMENT

LEGISLATION

PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS ACT) 1990

- 2.1 No conservation area has been designated in CMK and therefore there is no statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of the area.
- 2.2 Campbell Park is a Registered Park and Garden within CMK. The Planning (Listed Buildings and Conservation Areas) Act 1990 does not currently place any special duty in relation to this type of heritage asset. However, the national policy set out below relating to the setting of heritage assets applies to registered parkland.
- 2.3 Four statutorily listed buildings are located within CMK. With regard to the listed buildings when considering planning applications, the applicable statutory provision is Section 66(1) of the Planning (Listed Building and Conservation Areas Act) 1990 (the 1990 Act), which relates to applications for planning permission affecting listed buildings, and states:

In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural and historical interest which it possesses.

ANCIENT MONUMENTS AND ARCHAEOLOGICAL AREAS ACT 1979

- 2.4 The Secklow Hundred scheduled monument is located within CMK in green space to the rear of Central Library.
- 2.5 The 1979 Act sets defines scheduled monuments and the protection framework that relates to this type of designated heritage asset.
- 2.6 It does not include specific protections relating to the setting of scheduled monuments. However, as for registered parkland, the national policy set out below relating to the setting of heritage assets applies to scheduled monuments.

NATIONAL POLICY

NATIONAL PLANNING POLICY FRAMEWORK (2025)

- 2.7 Chapter 16 of the National Planning Policy Framework (2025) ('NPPF') considers the historic environment.
- 2.8 The Annex 2 glossary defines heritage assets, distinguishing between 'designated' and 'non-designated' heritage assets:

A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. It includes designated heritage assets and assets identified by the local planning authority (including local listing).

- 2.9 In CMK, Campbell Park, a Registered Park and Garden, the Secklow Hundred scheduled monument, and the listed buildings present, are designated heritage assets. The New Town Heritage Register comprises non-designated heritage assets.
- 2.10 We discuss how the NPPF treats each asset type below.

DESIGNATED HERITAGE ASSETS

- 2.11 Paragraph 212 of the NPPF sets out that:

When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

- 2.12 Under Paragraph 213 any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.
- 2.13 Paragraphs 214 and 215 of the NPPF have regard to harm, which can either be considered substantial harm (total loss of significance) (paragraph 214) or less than substantial harm (paragraph 215). In the case of less than substantial harm, paragraph 215 states that this must be weighed against the planning benefits of a proposal. Planning benefits include heritage benefits. In other words, if there is harm to the significance of a heritage asset, a balanced judgement is required as to whether that harm is outweighed by the benefits which are offered by the development proposal as a whole.
- 2.14 If a proposed development is held to cause harm to the significance of a designated heritage asset, the NPPF stipulates it be categorised as either 'less than substantial' or 'substantial'.¹ The NPPF does not define 'substantial', and national guidance simply states it is a 'high test'.² Lord Justice Lindblom, in the Court of Appeal, stated: 'what amounts to "substantial harm" or "less than substantial harm" in a particular case will always depend on the circumstances', based on 'matters of fact and planning judgment'.³
- 2.15 The NPPF stipulates that 'great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.' The great importance and weight is consistent with the provisions set out under the 1990 Act.
- 2.16 The Court of Appeal confirmed that where a development would affect a listed building or its setting in different ways, some positive and some negative, the decision maker may conclude that although each of the effects has an impact, taken together there is no overall adverse effect on the listed building.⁴ This approach was upheld by Lord Justice Lindblom who stated that the NPPF policies 'do not preclude a balancing exercise as part of the decision-making process'.⁵ Where public benefits - including heritage benefits - outweigh the identified harm, then permission may be granted subject to a proportionate assessment being undertaken.

NON-DESIGNATED HERITAGE ASSETS

- 2.17 In contrast to the 'great weight' and 'clear and convincing justification' requirements relating to designated heritage assets, and the need to demonstrate countervailing public benefits to outweigh harm, NPPF Paragraph 216 states the following with regard to non-designated heritage assets:

The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

- 2.18 This requirement relating to non-designated heritage assets is clearly less demanding than the paragraphs that discuss designated heritage assets, and reflects that designated heritage assets are in most cases statutorily protected and protected nationally, whereas non-designated heritage assets are of more local interest.

SETTING

- 2.19 In terms of the setting of heritage assets, paragraph 219 of the NPPF states in part that:

Local planning authorities should look for opportunities for new development ... within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.

- 2.20 The National *Planning Policy Framework* requires an 'applicant to describe the significance of any heritage asset affected by a proposed development, including any contribution made by their setting'.⁶ Setting is defined as:

¹ DLUHC and MHCLG, *National Planning Policy Framework*, rev. edn (London: HMSO, 2023)

² DLUHC and MHCLG, *National Planning Policy Guidance: Historic Environment* <<https://www.gov.uk/guidance/conserving-and-enhancing-the-historic-environment>> [3 May 2023]

³ *Bramshill v SSHCLG* [2021] EWCA Civ 320

⁴ *Palmer v Herefordshire Council & ANOR* [2016] EWCA Civ 1061.

⁵ *Bramshill v SSHCLG* [2021] EWCA Civ 320.

⁶ DLUHC and MHCLG, *National Planning Policy Framework*, rev. edn (London: HMSO, 2023)

*The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.*⁷

- 2.21 Section 66(1) of the *Planning (Listed Buildings and Conservation Areas) Act 1990* requires that for development which affects a listed building or its setting the decision maker shall have 'special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.' The effect of that provision is that the desirability of preserving the setting of a listed building must be treated as a matter of 'considerable importance and weight',⁸ with such a duty presenting a 'strong presumption' against a grant of planning permission where harm to a designated heritage asset is identified.⁹
- 2.22 The NPPF makes clear that some aspects of setting may be neutral. A *change* to setting, even a major one, may also be neutral, beneficial or harmful depending on the particular facts of any case. Case law has made clear that 'an impact is not to be equated with harm: there can be an impact which is neutral (or indeed positive).'¹⁰
- 2.23 Setting is not, however, an asset in its own right. 'Its importance lies in what it contributes to the significance of the heritage asset or to the ability to appreciate that significance.'¹¹ The guidance provided by Historic England in its Historic Environment Good Practice Advice in Planning Note 3: The Setting of Heritage Assets ("GPA3") provides information on assessing the significance of heritage assets and on how one assesses the effects of development in the setting of an asset on its significance or cultural value. Five steps are identified towards assessing the implications of development proposals which may affect the setting of heritage assets (it is consistent with other guidance):
- Identify the assets affected;
 - Assessing the contribution setting makes to significance;
 - Assessing the effect of the proposed development;
 - Maximising enhancement and minimising harm; and
 - Making and documenting the decision and monitoring outcomes.
- 2.24 Part e is incumbent on the decision maker, through the provision of conditions.
- 2.25 GPA3 is clear that visual perception matters a great deal. It is, after all, an objective measure. Historical and functional associations may be important on the facts of any case. It is clear from policy and guidance, however, and confirmed by the Courts, that impact on setting itself is not the consideration. Setting is important only to the extent it enables an appreciation of significance or contributes directly to it. Equally, visibility of a proposal does not in itself equate to a harmful impact, and it is the contribution setting makes to the importance (significance) of a heritage asset which is the appropriate consideration, including how that aspect of setting (that which contributes to significance) is affected by a proposed development.¹²
- 2.26 The guidance also recognises that changes to the setting of a heritage asset can enhance one's appreciation of significance, through better presentation, for example, or the creation of new views. Providing better public appreciation of a designated heritage asset, or some aspect of its significance is recognised to be desirable and an enhancement which can attract great weight in the planning balance. Equally, a setting improvement can arise if the experience of moving toward or from an asset is enhanced.

⁷ DLUHC and MHCLG, *National Planning Policy Framework*, rev. edn (London: HMSO, 2023)

⁸ *Barnwell v East Northamptonshire District Council* [2014] EWCA Civ 137

⁹ *South Lakeland District Council v Secretary of State for the Environment and Another* [1992] 2 AC 141

¹⁰ *Pagham Parish Council v Arun District Council* [2019] EWHC 1721 (Admin) (04 July 2019), as per Andrews, J DBE

¹¹ Historic England, *The Setting of Heritage Assets, Historic Environment Good Practice Advice in Planning Note 3*, 2nd edn (Swindon: Historic England, 2017)

¹² Edith Summerskill House Decision: 20/01283/FUL (Planning Application ref.) & APP/H.5390/V/21/3277137 (Appeal / Planning Inspector's Report ref.)

CENTRAL LIBRARY (GRADE II LISTED BUILDING)
SECKLOW HUNDRED (SCHEDULED MONUMENT)
CIVIC CENTRE (NEW TOWN HERITAGE REGISTER)
LLOYDS COURT (NEW TOWN HERITAGE REGISTER)
BLACK HORSE (NEW TOWN HERITAGE REGISTER)
OCTO SCULPTURE AND REFLECTING POOL (GRADE II LISTED BUILDING)
NORFOLK AND ASHTON HOUSE (NEW TOWN HERITAGE REGISTER)

- 3.11 This is a group of early (1970s) Milton Keynes Development Corporation buildings and sculpture that are sited within original 'classic infrastructure', which itself is considered a non-designated heritage asset. The group complements the listed Shopping Building and comprises a high concentration of heritage assets that warrant particular consideration in planning decisions. MKCC has reinforced the heritage significance of the area through the introduction of historic interpretation boards and original street furniture in the vicinity of Lloyds Court.
- 3.12 Lloyds Court is the earliest building constructed in CMK and dates from 1972-4 (project architects Stuart Moss crop and Ivan Pickles) Black Horse dates from 1978 and is located to the front of the building. It is in bronze and the artist was Elizabeth Frink. The Civic Centre dates from 1977-9 and is by Faulkner-Brown Hendy Watkinson Stonor. Central Library was built in 1979-81 as is by Buckinghamshire County Council. The Secklow Hundred scheduled monument is located in green space to the rear of the library and is the site of a moot or open-air meeting place set aside for use by courts and other bodies who were responsible for the administration and organisation of the countryside in Anglo-Saxon and medieval England. The site was discovered in 1976 and partially excavated in 1977 and 1978, so that the present earthworks are in part a reconstruction on the site of the original.
- 3.13 Although varying facing materials are used (granite to Lloyds Court, red brick to Central Library, and buff brick to the Civic Centre), the main buildings are considered to form a group given their similar scale and presence on Silbury Boulevard.
- 3.14 The public realm, including wide pavements, street trees and planters, the aforementioned sculpture and street furniture, and other elements of the street scene such as bollards and the porte cocheres that are typical features of CMK, all make positive contributions to the setting of the heritage assets and the appreciation of their wider design context. The green space to the rear of the library provides an appropriate and tranquil setting to the scheduled monument.
- 3.15 The buildings in this group all face toward or are in close proximity to the listed shopping building and the intervisibility between the heritage assets is important. The list description for Central Library notes its group value with the shopping building, being located directly opposite, and described as a contrasting and complementary composition designed as a prestigious addition to the civic and commercial town centre.
- 3.16 Longer views to the east and west enable an appreciation of the architectural character of the heritage assets and Central Library and the Civic Centre in particular can be appreciated in the same view. The openness to the rear of these buildings can also be appreciated in views north from Silbury Boulevard. Views along Lloyds Court emphasise the low horizontal elevations of and the regularly in its elevational treatment.
- 3.17 The Octo sculpture and Norfolk and Ashton House are appreciated as one approaches from the east using the underpass leading from the Civic Centre.
- 3.18 'Octo' is a stainless steel sculpture of 1979-80 by Wendy Taylor, mounted on a reflecting pool. Norfolk and Ashton House are office blocks that were built between 1975-9 and designed by Milton Keynes Development Corporation.
- 3.19 The list description for Octo notes that the sculpture was mounted on a reflecting pool in order to bridge the gap in scale between passers-by and the large office blocks, whilst echoing their mirror-glass surfaces. This clearly indicates that the buildings and sculpture were designed as and best appreciated as a group and that the intervisibility between the individual elements of the group is very important. The attractive green landscaping present on the site, and in the original planters within the car parking infrastructure, also make a positive contribution to the setting of the heritage assets.

dwellings at Campbell Park Northside would have an urbanising effect in an area immediately adjacent to the park, it was considered that, on balance, the public benefits in this instance outweighed the harm.

- 4.32 MKCC's planning committee on review of the application took a different view with regard to the balance of harm and benefit, and determined to refuse the application, using the following single reason for refusal:

The proposal would result in less than substantial harm, at the moderate level, to the Grade II Listed Register Park and Garden (Campbell Park). The public benefits arising are not considered to clearly and demonstrably outweigh the harm caused by the scale and massing, resulting in an incongruous, dominant, and isolated feature within key views and the experience of the lower park. The proposal is contrary to Policy HE1 of Plan:MK and Paragraph 215 of the National Planning Policy Framework (NPPF).

Comments:

Increasing activity within the setting of heritage assets is unlikely to be harmful in principle. The retention of classic infrastructure including the underpasses will ensure positive elements of the setting of heritage assets are preserved.

The underpasses within CMK do contribute to the experience of and approach to particular heritage assets such as station square and they form part of the original design context of the heritage assets within CMK. The removal of underpasses and creation of at grade crossings where they form part of the setting of heritage assets is likely to be harmful. Harm could potentially be outweighed by any countervailing public benefits delivered by the proposals.

GARDENS, PARKS AND CITY SQUARES

- Placemaking Proposal 1: Reconceive Midsummer Boulevard as a linear greenway promoting active travel, pop up uses, biodiversity, mental wellbeing and sustainable drainage.
- Placemaking Proposal 2: Incorporate some of the district level open space functions that are missing from CMK's Green Infrastructure network, in order to maximise accessibility to open space.
- Placemaking Proposal 3: Reconfigure Station Square as a civic place of arrival, and create a new amenity space adjacent to the former bus station / proposed MRT interchange, with potential for both spaces to be activated by new buildings.
- Placemaking Proposal 4: Provide an enhanced physical and visual connection to Campbell Park in the form of a 'green bridge'.
- Placemaking Proposal 5: Pepper local and neighbourhood pocket parks throughout CMK to serve local communities and provide enhanced north south green links.

Comments:

We do not consider that improving existing green spaces and providing new green spaces with CMK would be harmful in principle to heritage assets. Works to green spaces that are identified as heritage assets should seek to conserve and enhance their significance. If harm to heritage assets is identified at the detailed design stage (including the proposed 'green bridge' to Campbell Park) this could potentially be outweighed by the public benefits of promoting active travel, biodiversity, mental wellbeing and sustainable drainage.

The reconfiguration of Station Square would likely have an impact on the setting of the station buildings and the former bus station, a grade II listed building. The existing Station Square is a largely unused space and new uses that activate the square may be considered enhancements to the non-designated heritage asset. If taller buildings were to be proposed these could potentially be considered to cause limited harm to the setting of the station buildings and the former bus station, and this would need to be balanced against any countervailing public benefits delivered by the proposals.

TALL BUILDING THRESHOLDS

- 5.4 The draft Tall Buildings Strategy prepared by Montagu Evans following an analysis of CMK in relation to the sensitivity and suitability of particular areas to tall buildings proposes the introduction of threshold heights within CMK. Developments exceeding the identified threshold heights would be considered against criteria within a tall building development plan policy.
- 5.5 The current proposed threshold heights are reproduced below.

- The introduction of active frontages and night-time uses;
- The introduction of new market rental homes in a sustainable location, contributing towards supply and delivery within the City;
- Public realm enhancements;
- Environmental benefits from the reuse of a vacant site;
- Economic benefits arising and jobs created through construction and subsequent operational uses.

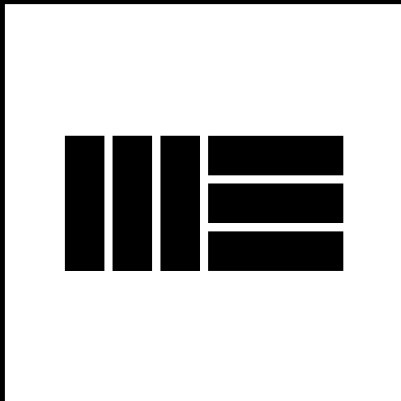
7.0 CONCLUSION

- 7.1 In this Heritage Impact Assessment Montagu Evans has considered the draft Central Milton Keynes Growth Opportunity Study and Development Framework, including the draft CMK Tall Buildings Strategy, in the context of all heritage assets within CMK, including those identified on the New Town Heritage Register.
- 7.2 We have set out the balanced approach that should be taken when assessing the impact of taller buildings on heritage assets, which is weighted in the case of designated heritage assets. Our research has also included a review of recent planning decisions on tall buildings and how impacts on heritage assets were considered. In many cases a balanced assessment has led to the approval of tall building proposals, as the benefits of the proposals were considered to outweigh any harm to the heritage assets affected. In some cases, it was concluded there was no harm to heritage assets.
- 7.3 Mitigation is an important factor when considering impacts on heritage assets. An example of appropriate mitigation in this case is the approach advocated in draft CMK Tall Buildings Strategy, which sets threshold storey heights within CMK, over which a tall building policy is engaged. Applicable development proposals should then accord with the policy. The benefits delivered by a development proposals are also mitigating factors.
- 7.4 Following the assessment undertaken for this report, we have recommended amendments to the tall building threshold heights in certain locations due to the proximity of heritage assets. Alternatively, the threshold heights could remain unaltered, and the tall building policy text could address potential impacts. We have also suggested additions to the proposed tall buildings policy set out in the draft CMK Tall Buildings Strategy, for example to ensure that development rooflines are sufficiently varied to minimize the visual and environmental impacts on smaller public open spaces that have been identified as heritage assets.
- 7.5 Having regard to our assessment and recommendations, and mindful of the balanced approach that will apply to individual development proposals, we conclude that the draft Central Milton Keynes Growth Opportunity Study and Development and the draft CMK Tall Buildings Strategy are consistent with the requirements of the NPPF in relation to heritage assets.

APPENDIX 1.0

SUMMARY OF MKCC AND APPEAL DECISIONS RELATING TO TALL BUILDINGS

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WE CONSIDER OUR CREDENTIALS, HOW WE HAVE STRUCTURED OUR BID AND OUR PROPOSED CHARGING RATES TO BE COMMERCIALY SENSITIVE INFORMATION.
WE REQUEST THAT THESE BE TREATED AS CONFIDENTIAL