

MILTON KEYNES COUNCIL RESPONSE TO INSPECTOR'S QUESTIONS FOR EXAMINATION HEARINGS – STAGE ONE

MATTER SIX: CENTRAL MK, RETAIL AND LEISURE

QUESTIONS: Q6.1 – Q6.11

Q6.1 Does Plan:MK set out a positively prepared strategy for viable centres and the provision of shopping, which is justified, effective and in line with national policy?

6.1.1. Criterion 1 of Policy DS4 in Plan:MK sets out Council's retail and leisure strategy, which is to grow and develop the Borough's retail, leisure entertainment and cultural offer with main town centres uses developed within town centres. The policy approach and strategy is considered to be positively prepared and broadly consistent with paragraph 23 of the National Planning Policy Framework (NPPF) in that the Council is:

- Seeking to ensure the viability and vitality of its town centres by focusing development within them.
- Has defined a network and retail hierarchy of centres.
- Has a range of sites to meet future retail, leisure and other needs particularly within CMK.
- Has defined the extent of town centres and primary shopping areas.
- Has recognised that residential development can play an important role in ensuring the vitality of centres and has set out policies to encourage residential development there.
- Has used its evidence base to assess the need for new retail and leisure development (NPPF para 161) and is also planning for the delivery of retail and other development in new strategic urban extensions.

6.1.2. Additionally, the Council is seeking to regenerate central Bletchley and promote mixed-use development around Bletchley Railway Station. In conclusion, the Council considers it has a positively prepared strategy for viable centres and the provision of shopping, which is justified, effective and in line with national policy.

6.2 Is the retail and leisure strategy (Policy DS4), as articulated through Policies SD2, SD3 and SD4 for CMK justified and effective? Is it broadly consistent with the CMKAP? Has the evidence base for Plan:MK evolved since the CMKAP?

a) Is the retail and leisure strategy (Policy DS4), as articulated through Policies SD2, SD3 and SD4 for CMK justified and effective?

6.2.1. Policies SD2–SD4 follow on from Policy DS4, with these policies taking forward the growth and development of the city centre of Central Milton Keynes (CMK), defined in Policy DS4 as the area of land between the West Coast main railway line, the Grand

Union canal, H5 Portway and H6 Childs Way, an area that includes Campbell Park. This area is illustrated in the plan at Figure 1: City Centre Boundary Map.

- 6.2.2. Policy SD2 (Central Milton Keynes - Role and Function) refers to CMK being promoted as the focus for retail, office, residential, cultural and leisure activity within the context of the wider aspiration to provide a high quality environment and visitor experience. It refers to new development making a positive contribution to improving the vitality of the city centre and the overall mix of uses there. Specific parts of the city centre are identified within the policy for specific purposes with the focus for retailing being the primary shopping area (PSA) the boundaries of which are defined in the policy. This policy also refers to small-scale convenience Class A3/A4 retail and food and drink uses being provided as part of mixed use development throughout CMK. New leisure uses are promoted to support the diversification of Milton Keynes' offer as a visitor destination and to increase the amount of time that people spend in the city centre. As main town centre uses, uses like leisure, recreation and entertainment can locate anywhere within the city centre.
- 6.2.3. The city centre is a major hub for business and the knowledge economy and the main location for additional office development is defined as the area between Saxon Gate, the railway, Childs Way and Portway.
- 6.2.4. Policy SD3 (CMK - Growth and Areas of Change) identifies the scale of residential, office and retail development within CMK. This is covered in more detail in the Council response to Question 6.8. The policy refers to how this and other types of development will be accommodated. Policy SD4 (Connectivity) as amended (29AddM) supports measures to improve accessibility to and within CMK including smart, shared, sustainable mobility and an enhanced and high quality network of pedestrian/cycle routes, public open spaces and squares and green infrastructure.
- 6.2.5. Policies SD2 – SD4 are considered to be justified and effective in taking forward the Council's overall retail and leisure study outlined in Policy DS4.

b) *Is it broadly consistent with the CMKAP?*

- 6.2.6. In comparing the contents and policies of Plan:MK and the CMKAP there are many similarities and consistencies between what both plans propose for CMK. Key to both plans is a recognition that with the amount of vacant land available in CMK there are significant opportunities to accommodate all types of development:

- 1) Both plans seek to develop more retail, leisure and office floorspace in CMK.

- 2) Both plans aim to develop additional housing and community facilities.
- 3) Both plans promote mixed use development within CMK.
- 4) Both plans seek to develop high quality, well designed development within the city centre.
- 5) Both plans aim to enrich the cultural 'offer' of CMK.
- 6) Both plans reserve a key site for a university.

However, there are some important differences:

- a) Within the developable areas of Campbell Park (outside the park area) Plan:MK proposes housing development on land allocated in the CMKAP for offices.
- b) Plan:MK expands the Primary Shopping Area (PSA) of the city centre to include the area around the Xscape building. The PSA is defined in the Core Strategy and the CMKAP as the area between Silbury & Avebury Boulevard, Saxon & Marlborough Gate.
- c) The definition of 'edge of centre' for retail purposes in Plan:MK is consistent with the definition in the NPPF of 300 metres from the PSA and not the definition in the CMKAP¹.
- d) Plan:MK allocates all of Block B4 in CMK (the block between the Sainsbury's and Toys R'US/Argos stores) rather than part of it as a location for further and higher education (MK:U) together with student accommodation and associated uses.
- e) Plan:MK seeks to develop major mixed use office-led development with active ground floor uses in a Central Business District around the railway station. This is to capitalise on the opportunities created by the arrival of east-west rail services and to grow the local knowledge economy.

Many of the differences between Plan:MK and the CMKAP are a consequence of:

- a) More detailed evidence about future requirements e.g. housing, office and retail floorspace which was unavailable at the time the CMKAP was made three years ago.
- b) Decisions by this Council, for example following the expiry of an outline planning permission for 127,000m² of office and other development in Campbell Park (Ref 04/00586/OUT) in March 2017, Plan:MK proposes housing on land in Campbell Park previously proposed for offices, which means that the scope to accommodate offices elsewhere in the city centre is more limited.

¹ The CMKAP definition of 'edge of centre' extends westward from the PSA along Midsummer Boulevard to encompass all of the area around Station Square between Portway, Childs Way, the railway line & Grafton Street. This is illustrated on Figure 11 (p.80) in the CMKAP.

c) *Has the evidence base for Plan:MK evolved since the CMKAP?*

The evidence base for Plan:MK has evolved and significantly changed since the CMKAP was prepared. The Council would make the following points:

- 1) The context for CMK and the city has changed significantly with the publication of two reports, firstly the National Infrastructure Commission final report on the caMKox 'Partnering for Prosperity', which recommends the re-establishment of Milton Keynes as a development location of national significance and developing the economic importance of the corridor given its position at the heart of the UK's knowledge economy. Secondly, the publication of the MK Futures 2050 Commission report 'Making a Great City Greater' with its vision of where Milton Keynes should be in 2050 and what needs to be done to make the city greater. The Commission identified six big projects to realise its vision including a new university located in CMK and a Renaissance of CMK to (re)create an even stronger city centre fit for the 21st century.
- 2) The need to increase housing delivery within the Borough.
- 3) More detailed evidence about future requirements. For example the forecasted need for additional comparison (non-food) floorspace in the Borough is forecast by the Council's retail consultants to be significantly lower in the future than previously forecast. If existing retail commitments are taken up, the MK Retail Capacity & Leisure Study baseline forecast is that the maximum capacity for additional comparison floorspace by 2031 is 33,490m² but, as Table 16.3 (p.114) in the study illustrates, it is only in 2027 that there is a positive requirement for floorspace of around 1,800m². This is a significant reduction on the 82,000-130,000m² of floorspace up to 2026 identified in the Council's previous Retail Capacity Update published in 2011 (see figure 3.1, p.15). In terms of convenience floorspace, if all existing commitments are taken up there is no positive requirement for floorspace until after 2031.

Q6.3 Is the delineation of the CMK boundary and the broad zones within the CMK boundary (Figure 1 of Plan:MK) justified? In particular is the primary shopping area appropriately defined and is the inclusion of the Xscape complex and land bounded by Avebury Boulevard, Secklow Gate, Childs Way and Marlborough Street justified? Would the expansion of the PSA dilute efforts to redevelop sites and develop remaining blocks with the primary area of the City centre given the latest evidence on the capacity for additional non-food retail floor space?

- 6.3.1. Figure 1 on page 29 of Plan:MK illustrates the city centre of Central Milton Keynes as defined in Policy DS4. As previously mentioned in the Council's response on Q6.2, this area of land covers the area between the West Coast main railway line, the Grand Union canal, H5 Portway and H6 Childs Way. This definition of CMK is identical to that appearing in Figure 16 in the CMKAP (2015) (p.100-101) and Figure 7.1 of the Core Strategy (p.60) and on sheet 6 of the Proposals Map accompanying the Milton Keynes Local Plan (2005) so the concept of the city centre covering this area is one of long standing.
- 6.3.2. Four areas of the city centre are defined in Figure 1: Campbell Park, the Primary Shopping Area, and the Central Business District incorporating the Block B4 Further and Higher Education Allocation. The flank areas of Campbell Park bordering the park itself are largely in residential use with some offices such as the headquarters of the Parks Trust. Within Plan:MK this area is proposed for further residential development and other development appropriate to a residential area.
- 6.3.3. Policy DS3 criterion G defines the Central Business District (CBD) as the area between the West Coast main railway line, H6 Childs Way, H5 Portway and V7 Saxon Gate, an area proposed to be developed for mixed use office-led development with active ground floor uses focused around Milton Keynes Central Railway Station. Most of the business and professional office jobs in CMK are concentrated in the area to the west of Saxon Street including the headquarters of Network Rail, the largest office block within the city. Other uses in this area include two large superstores, leisure facilities such as the ice rink, pubs and restaurants in the Hub:MK and elsewhere and important civic uses such as the Police Headquarters and the law courts, and a growing number of hotels, residential flats and apartments, many of them in converted office blocks.
- 6.3.4. To develop the knowledge economy of the city, the plan promotes office development around the transport hub of MK Central Station, whose importance as a business location is expected to increase in future with the opening of East–West Rail services and HS2 services between London and Birmingham in 2026, which are expected to create additional slots for rail services to and from the city on the West Coast mainline.

As demonstrated in the Centre for Cities report *Milton Keynes: Where have we been? Where are we going?*, the city centre is a major centre for private sector jobs and is particularly attractive to knowledge based jobs in financial services, insurance, real estate and business services. The development of a university in the city centre is one of the six big projects recommended by the MK Futures 2050 Commission and the benefits of the university to the local economy are detailed in paragraph 4.43 of Plan:MK.

Is the primary shopping area appropriately defined and is the inclusion of the Xscape complex and land bounded by Avebury Boulevard, Secklow Gate, Childs Way and Marlborough Street justified?

6.3.5. The definition of a primary shopping area in the NPPF Glossary is as a ‘*defined area where retail development is concentrated (generally comprising the primary and those secondary frontages which are adjoining and closely related to the primary shopping frontage).*’ The currently defined PSA in CMK, the boundaries of which not changed in over 20 years, includes the centre:mk and Intu:Milton Keynes shopping centres, the largely vacant Point building and the Food Centre building, and the Theatre district/12th Street.

6.3.6. The proposal within the plan to expand the Primary Shopping Area to include the Xscape building and the area around it reflects the conclusions and recommendations by the Council’s retail consultants Carter Jonas. In their retail capacity report (MK/RET/001) they state:

“The primary shopping area (PSA) should be expanded to include the Xscape Entertainment Centre. In our judgement, Xscape forms an important element in the centre, and acts as a key attractor. Its offer complements and contributes well to the overall viability and vitality of the PSA, and provides an opportunity for linked trips and expenditure to other shops and businesses in the PSA and wider City Centre area.” (Source, third bullet point of paragraph 16.27, MK/RET/001.)

6.3.7. In response to representations on this proposal the Council has proposed an additional modification (27. AddM) reflecting the advice in the retail report inserting a new paragraph after para 5.13.

‘By virtue of Policy SD2, the Primary Shopping Area (PSA) in CMK is expanded to include the Xscape and Airkix buildings between Avebury Boulevard, Secklow Gate, Childs Way and west of Marlborough Street. This area is considered to be

an important element of the city centre and a key attractor of people to it. It complements and contributes to the overall vitality and viability of the PSA and provides an opportunity for linked trips to other shops and businesses in the PSA and the wider city centre. The Xscape building, with its ski slope, cinema, casino, and food and drink uses, is primarily a leisure and entertainment use with ancillary retail. Given its location and the activities in the Xscape building, the Council's preference is for development in the expanded PSA to be for leisure and entertainment uses.'

Would the expansion of the PSA dilute efforts to redevelop sites and develop remaining blocks with the primary area of the City centre given the latest evidence on the capacity for additional non-food retail floorspace?

- 6.3.8. As stated above the Council's reasons for expanding the PSA to include the area around the Xscape building are that this will complement and contribute to the overall vitality, viability and diversity of the PSA, and provides an opportunity for linked trips to other shops and businesses in the PSA and the wider city centre.
- 6.3.9. Retail development on sites around the Xscape building will only affect other retail schemes within the existing PSA if the existing committed/consented schemes in the PSA do not proceed as planned or if land within the current PSA is not developed for retail purposes.
- 6.3.10. There are no proposals to develop land around Xscape and, as Table 2 below illustrates, the only consented scheme for major convenience shopping that has not started in CMK is the Intu Midsummer Place scheme for around 11,000 sq.m of floorspace, other major comparison floorspace schemes are proceeding including for the Point site on block D3.3. No schemes have yet come forward for the redevelopment of the car park on block D3.4 or for the redevelopment of the Food Centre but Table 18.2 in Appendix A of Plan:MK suggests a figure of 250 dwellings could be developed on D3.4 and 298 dwellings could be delivered on the Food Centre site as part of mixed use development schemes.

Q6.4 Is criterion 5 of Policy DS4 sufficiently clear on the scale of development envisaged at new residential developments? What developments would it apply to and is this clear in the relevant policies for strategic sites? Is Policy ER15 sufficiently clear?

- a) **Is criterion 5 of Policy DS4 sufficiently clear on the scale of development envisaged at new residential developments?**

- 6.4.1. The wording of criterion 5 of Policy DS4 states that over the plan period Milton Keynes Council will '*Plan for the provision of new shops, services and facilities in new areas of residential development*'. A key principle of this strategic policy is the provision of shops, services and facilities in new areas of residential development, but the scale of provision in those areas is not specified in the policy. That level of detail is normally provided in comprehensive development frameworks prepared for individual strategic sites.
- 6.4.2. A characteristic feature of the development of the city is that new shops and facilities have been planned and provided as an integral feature of major new areas of housing development at locations easily accessible to residents. Preparing development frameworks to guide the development of major strategic developments is a long-standing approach of the Council and has been used to guide, for example, the development of the older expansion areas such as the Western and Eastern Expansion Areas and the Strategic Land Allocation, with the framework identifying the scale of shopping and facilities provision and their location. This approach is one the Council proposes to continue (see Policy SD12).
- 6.4.3. By preparing development frameworks the Council has sought to ensure that the scale of retail provision provided within these new residential areas meets the needs generated by those areas without undermining other centres elsewhere within the Borough. An additional point to make is that Policy SD11 on general principles for strategic urban extensions refers to the provision of retail uses within these sites consistent with the role of the site within the wider strategy, and many of the policies for new strategic sites such as SD14 and SD15 include principles about the provision of retail and other facilities.

b) What developments would it apply to and is this clear in the relevant policies for strategic sites?

- 6.4.4. The developments to which criterion 5 of Policy DS4 would apply include all strategic sites of over 500 dwellings. This would include the South East and Milton Keynes East Strategic Urban Extensions covered by Policies SD13 and SD14 and the Eaton Leys scheme (Policy SD15) which has received outline planning permission for up to 600 dwellings including a local centre with retail, community and health facilities. Additionally, the criterion would apply to the proposed residential development in Campbell Park (Policy SD18) and the Central Bletchley Urban Design Framework Area. Although the criterion would also apply to the Western and Eastern Expansion Areas and the Strategic Land Allocation, it would have limited application there as these sites are currently being built.

c) Is Policy ER15 sufficiently clear?

6.4.5. This policy refers to sites in seven locations being allocated for the provision of new local centres and new local centres also being required in new residential developments of 500 dwellings or more. Additionally, the centres should be located so that the majority of all new dwellings are within 500 metres walking distance of a local centre. The supporting text to this policy (para 6.58) cross-refers to Policy SD11 (General Principles for Strategic Urban Extensions) referring to the principle of the provision of local shops and community facilities in strategic urban extensions.

Q6.5 Are there consistency issues between Plan:MK and CMKAP on 'classic MK infrastructure' which would require resolving for the soundness of Plan:MK?

6.5.1. A number of representations have been made to Plan:MK from CMK Town Council suggesting it is not sound because it proposes development on 'classic CMK infrastructure' (PSPMK 53 and 127). In these representations the Town Council sought the removal of the CMK site "East of John Lewis Car Park" from the list of housing sites which appears in Table 18.2 as the entire site is on land designated as classic CMK infrastructure.

6.5.2. What constitutes 'classic CMK infrastructure' is detailed at great length in Policy G1 of the CMKAP (p.63) as including:

'The grid of tree lined Boulevards, Gates, Streets, tree lined North Row and South Row, and the space for one, two, or four rows of ground level car parking that flanks them, the associated grid of pavements, with underpasses, bridges and porte cocheres; the function and position of linkages to the adjacent grid squares; use of silver grey granite facings, granite quadrants, planters and kerbs; the use of silver grey stone chippings rolled into asphalt road surfaces on Gates and Boulevards and silver grey blockwork for streets; and the use of certain materials grey granite Breedon Gravel or similar in Boulevard medians.' Criterion (a) of Policy G3 also identifies that the structural tree planting and landscaping is part of the 'classic CMK infrastructure' protected by policy G1.

6.5.3. Policy G1 states that *'The classic CMK infrastructure is widely recognised as part of CMK's heritage and as an important public asset that establishes a principle design framework for further development and future prosperity in CMK and its extent, layout and quality will be retained. The exceptional circumstances which might justify*

alteration of the extent and layout of classic CMK infrastructure are set out in policy G11.'

- 6.5.4. Policy G11 (p.77) says '*policy G1 may be applied with some flexibility if exceptional development is proposed.*' The policy then goes on to describe what constitutes an exceptional development, one that would demonstrably raise the profile of Milton Keynes nationally or internationally, would make a substantial contribution to the economic, employment, social, cultural and other key objectives of the Plan and city prosperity and would enhance CMK's distinctive identity.
- 6.5.5. To reiterate points previously made in the Council's response on Qu 2.17, Plan:MK is a plan which sets out the strategic policies for the area including CMK; it reflects the current evidence base and has much more detailed information about future requirements for housing, office and retail etc. than the CMKAP. Its plan period is up to 2031, whereas the CMKAP goes up to 2026 and was prepared to be in general conformity with the strategic policies of the Core Strategy adopted in 2013 and any relevant 'saved policies' of the 2005 Local Plan.
- 6.5.6. Neighbourhood plans must be in general conformity with the strategic plans of the Local Plan and Neighbourhood plans should reflect these [Local Plan] policies (NPPF para 184). Additionally where development plan policies conflict with one another the approach to be taken under section 38(5) of the Planning and Compulsory Purchase Act 2004 is if a policy contained in a development plan for an area conflicts with another policy in the development plan, the conflict must be resolved in favour of the policy which is contained in the last document to be adopted, approved or published. When Plan:MK is adopted and becomes part of the development plan, if there are conflicting policies in Plan:MK and the CMKAP then the policies in Plan:MK will take precedence.
- 6.5.7. A predictable consequence of Plan:MK making changes to the development strategy for CMK is, unfortunately, that it might conflict with aspects of the CMKAP and therefore supersede those elements of the Neighbourhood plan. Such conflict may be unavoidable and in the nature of plan-making if plans are to evolve and continue to address an area's needs. As the Local Planning Authority we are trying to promote and encourage more development in CMK to maintain economic growth and make the best use of urban land etc, in line with the NPPF.
- 6.5.8. The Inspector's report on Intu appeal decision (MK/RET/004) addresses classic CMK infrastructure and CMKAP policy G1 although it is acknowledged that in this specific appeal there were only very minimal elements of classic CMK infrastructure affected

as most of the affected public realm had already been altered in the building of Midsummer Place. The final three sentences of para 90, reproduced below are however considered relevant and demonstrate the need for flexibility and for plans to enable and not 'unreasonably stifle' new development:

- 6.5.9. 90. *'With regard to Policy CMKAP G1 the approach taken by MKC, and Intu, was to be preferred. The stock of classic CMK infrastructure must be viewed as a whole. The "principle design framework" in CMKAP G1 is the grid system. The loss of a small part of degraded infrastructure (i.e. a stub remaining after the original development of the shopping centre) will in no way impact upon the principle design framework of CMK for future development and future prosperity. Policy CMKAP G1 must be read in context in order not to unreasonably stifle development. Absolute protection for classic CMK infrastructure would be very prohibitive. The Neighbourhood Plan must be read sensibly and as a whole.*'

- 6.5.10. Policies to protect 'classic city centre infrastructure' form part of the Development Plan. The combination and interaction of CMKAP policies afford a high level of protection to buildings and the public realm features of CMK but there can be a conflict between retaining these buildings/features and accommodating the needs of businesses/developers in CMK to encourage and facilitate economic growth and development to maintain the vitality and viability of the city centre. This can cause uncertainty and an increased level of risk for investors. A balance needs to be struck between protecting classic CMK infrastructure and accommodating new development. In considering planning applications for development within CMK it is necessary to consider if the benefits of the new development outweigh the harm that might be caused by the loss of 'classic city centre infrastructure' in a specific location. In a city centre like CMK, it would be difficult for the LPA to justify refusal of a planning application for a new, high quality hotel or a new office block because their construction would involve the loss of surface car parking spaces. That would be stifling development unreasonably.

Q6.6 Is criterion 6 of Policy DS4 justified and consistent with national policy?

- 6.1.1. Criterion 6 of Policy DS4 refers to the Council taking the lead role in organising international design competitions for developments on major strategic sites within Central Milton Keynes. The full wording of the criterion is

Over the plan period Milton Keynes Council will:-

- 6.1.2. *6. Take the lead role in organising international design/development competitions for major strategic development sites, to ensure that Central Milton Keynes 20th century legacy of world class innovative civic design is carried forward into the 21st century.*
- 6.1.3. The genesis of the idea of an international competition stems from a suggestion in the Milton Keynes: Making a Great City Greater report (MK/MIS/001) by the Milton Keynes Futures 2050 Commission, which proposed six big projects to meet the primary challenges facing the city and to benefit local people and businesses. Project five for the Renaissance of CMK, (p.49) which is covered later in the Council's responses to question 6.7 proposed international design/developer competitions for strategic development sites. This was to demonstrate that just as in the 20th Century when CMK was an example of very successful civic design so CMK could be again in the 21st century. Additionally as noted in the Commission's report (p.49) such a competition would be part of the Milton Keynes approach to the creative and cultured city which is project six in the report
- 6.1.4. Milton Keynes Council is taking the lead role in organising an international competition to appoint an architectural team to develop the design concept for the new university MK:U on Block B4 in CMK. The Council is paying for the costs of this competition. The Council is working in partnership with Cranfield University who have been appointed as the lead Higher Education partner for this project following a Cabinet decision on 6 March 2018.
- 6.1.5. The Government does attach great importance to the design of the built environment with good design being a key aspect of sustainable development (NPPF para 56) and well-designed buildings and places can improve the lives of people and communities (para 8). One of the twelve key principles for planning (para 17) is 'always seeking to secure high quality design.'
- 6.1.6. Although international design competitions are not specifically mentioned in the NPPF, in promoting them the Council seeks to promote high quality, inclusive and well-designed buildings in keeping with its aspirations for a more successful city centre fit for the 21st century. They are an integral part of the process that can involve significant stakeholder engagement and a way to push for higher standards of design.

Q6.7 What is a "CMK Renaissance", is it justified for Plan:MK to reference it in Policy DS4 and how is it likely to come forward?

- a) What is a "CMK Renaissance",

6.7.1. The Inspector's attention is drawn to page 18 of the Council's letter to the Inspector dated 3 June 2018 (INS1a) which defines what is meant by a CMK Renaissance. It represents a programme of projects that aims to create an even stronger and more successful city centre that is fit for the challenges of the mid-21st century.

b) Is it justified for Plan:MK to reference it in Policy DS4

6.7.2. The Council considers it is appropriate to reference the CMK Renaissance in policy DS4, in part because renaissance literally meaning rebirth, revival and revitalisation are all words appropriate to what the Council is seeking to achieve in the city centre in partnership and in consultation with key stakeholders. The explanatory text to the policy in paragraphs 4.58 to 4.60 explains what the CMK Renaissance is and how it originated. The last sentence of para 4.59 referring to the MK Futures Commission recommending the Council to undertake work with key stakeholders on a CMK Renaissance Investment Programme will need to be amended as the programme of projects in the city centre is being taken forward in the 'Prospectus for CMK' mentioned below rather than an Investment Programme document. When the Prospectus is finalised and details of its contents become clearer the Council can update the explanatory text to the policy as a minor modification.

c) How likely is it to go come forward

6.7.3. As mentioned in the Council's letter to the Inspector dated 3 June 2018, work on the CMK Renaissance has already started with a stakeholder's workshop in December 2017 and a 'Prospectus for CMK' is being prepared. The CMK Prospectus will provide an ambitious and aspirational context for the types of developments considered necessary to promote the city centre towards the middle of the 21st Century. It is not intended to be a statutory planning document carrying planning weight in its own right.

6.7.4. The renaissance of CMK will be achieved by a mixture of private and public investment with the majority of investment coming from the private sector as new homes, shops and offices are delivered. As far as the public sector is concerned a bid for capital funds to enable the Council to improve the public realm along Midsummer Boulevard is currently being considered.

6.7.5. Renaissance CMK and the CMK Prospectus in particular, aim to help deliver aspects of the 2015 CMKAP as revised by proposals in Plan:MK. An outline programme of the ideal types of projects we consider may be required to deliver these ambitions will also

be produced as part of the process to create the CMK Prospectus but may not be published with the Prospectus itself. As a high proportion of the development required in Central Milton Keynes will originate from the private sector a prime purpose for the Prospectus will also be to build interest in investing in Central Milton Keynes within the developer community rather than to specify the detail of what is required. As far as the timetable for the prospectus is concerned a draft prospectus is intended to go to a meeting of the Council's Strategic Place-making group at its meeting on the 26 July and subsequently subject to agreement onto a Cabinet meeting in September.

6.7.6. In view of the Council's decision to prepare a prospectus and confirmation that it is not a planning document. It is suggested the last paragraph of policy SD3 be modified to delete the text referring to the preparation of a CMK Renaissance document as shown below. We would wish to retain the text in SD3 referring to the Council producing Supplementary Planning Documents and Development Briefs for CMK sites.

6.7.7. Amend last paragraph of Policy SD3 Delete "~~Following the preparation of a CMK Renaissance document~~ Supplementary Planning Documents and Development Briefs will be prepared to guide change and the development of CMK sites.

6.7.8. Paragraph 5.13 will also have to be amended as a consequence of this change.

Q6.8 Are the scales of development identified in Policy SD3 for CMK justified? Does it take account of extant permissions? Are there consistency issues between the policy and residential allocations in Appendix A, Table 18.2? Is the inclusion of land 'east of John Lewis Car Park' as a residential allocation justified?

a) Are the scales of development identified in Policy SD3 for CMK justified? Does it take account of extant permissions?

Policy SD3 refers to the Council accommodating the following in CMK:

- 1900 additional homes.
- 150,000-200,000 sq.m of office floorspace.
- Up to 40,000 sq.m of comparison retail floorspace.

6.8.1. As a minor modification to the plan additional text is proposed to be added after paragraph 5.14 that "*The figures for office and retail floorspace and the number of additional dwellings cited in Policy SD3 are indicative figures for development for the*

period until 2031. These figures are not intended to restrict any further development that may come forward in CMK.

- 6.8.2. Taking each point in turn Table 4.3 Plan:MK Housing Land Supply identifies that the 1,900 additional homes (now 2,128 additional homes, proposed modification figure) are the number of dwellings expected to come forward as a result of the allocation of land in CMK including Campbell Park and are in addition to the existing commitments of around 2000 dwellings in Campbell Park.
- 6.8.3. The 150,000-200,000 sq.m office floorspace figure in policy SD3 is based on the amount of office floorspace (208,500 sq.m) that could be accommodated within CMK on sites identified in Table 4 Indicative Land Uses of the CMKAP. This figure is not based on existing planning permissions. This figure in policy SD3 for office floorspace needs to be amended firstly because there is now an element of double counting in these figures.
- 6.8.4. Campbell Park is now identified for residential development in Plan:MK so the office development previously expected in the CMKAP of around 55,000 sq.m is unlikely to come forward there. Secondly, the 208,500 sq.m figure in the CMKAP included a provision totalling 49,500 sq.m for the Network Rail building on block A1.4 and Victoria House on Block B3.2 both of which have since been completed. If deductions are made for Campbell Park sites and completed sites and sites with planning permission or proposed for hotel development shown in Table 1 below, CMK has capacity for around 111,000 sq.m of office floorspace over the plan period including 30,000 sq.m on site B4 identified for the university and the office block at block A4.1 currently under construction.
- 6.8.5. However the scope for office development in CMK is potentially higher than this figure, if either existing sites for offices in CMK or existing office buildings and other buildings are redeveloped for offices at higher densities. For example the CMKAP assumed capacity for Block B3.3 of 3,500 sq.m of office floorspace. However a brochure for the 'New City Place' proposal (MK/MIS/005) demonstrates that this site could accommodate significantly more B1 floorspace (23,572 sq.m) within taller buildings.

Table 1: Remaining Office Development Sites in CMK.

Site	Size of indicative land B1 Use in sq.m in CMKAP Table 4	Alternative land Uses	Comments
A2.2	22,500	C1, D1/D2	Potential sites for offices and other mixed uses around Station Square
A2.3	8,000	C3	
A3.2	26,500	C1, D1/D2	
A4.1 Land northeast of Morrison's	0	15,000 sq.m of A1/A2/A3	Under construction 8 storey office block with 14,175 sq.m of B1a and 747 sq.m of A3 floorspace. (Ref 16/03068/FUL).
B3.1	2,500	C3	Proposed 10-storey hotel ref:18/01015/FUL (submitted Apr 18) McAleer & Rushe
B3.3	3,500	D1/D2	New City Place marketing brochure for 23,572 sq.m of offices with C3 & A3 uses
B4.1-4.4	30,000		Site for University and other mixed uses
C3.2	4,000	C3, D1/D2	Outline pp for hotel ref: 17/001375/OUT granted April 2018 Palmer Capital Partners
C3.2-3.3S	7,000	C3, D1/D2	Mixed ownership inc. MKDP.
Total capacity	111,675 sq.m		

- 6.8.6. The figure of an additional 40,000 sq.m of retail floorspace is based on figures for capacity in the Council's draft retail capacity report but in the final report previously described in the Council's response on question 6.2; by 2031 the forecast potential maximum capacity for additional comparison floorspace is 33,490 sq.m in the Borough area. This figure is on the assumption that the existing major comparison floorspace commitments of over a 1000 sq.m identified in Table 2 below are developed. All the forecast capacity for additional comparison floorspace is therefore concentrated in the last 5 years of the forecast period, 2027-2031.
- 6.8.7. The Retail Study identified the forecasted need for additional comparison capacity could be met in CMK (see pages 133-134) on the site of the Food centre on Midsummer Boulevard which is largely vacant or on the temporary car park between Lower Tenth Street, Secklow Gate , Midsummer and Avebury Boulevards. The Council would acknowledge this identified capacity could also be taken up in the future by other means such as the extension of existing buildings.

Table 2 : Status of major comparison floorspace commitments in Milton Keynes

LOCATION	DETAILS
The Point, Midsummer Boulevard, CMK Ref 13/01729/OUT	Outline planning permission for demolition of the Point and redevelopment of site to provide a range of retail (use classes A1-A5) and leisure (Use class D2) uses incorporating 20,600 sq.m GIA of floorspace. Status: Design code workshops underway.
17/01521/FUL Lloyds Court, Silbury Boulevard, CMK (Ref 15/01600/FUL)	Refurbishment and change of use to create 10,033 sq.m m of space, including Use Class A1 convenience retail (up to 2,892 sq.m m), Use Class A1 comparison retail (up to 6,004 sq.m m), Use Class A1 service (up to 454 sq.m m), Use Classes A2, A3 A4 and Sui generis space, Use Class D1/D2 space and Use Class B1 office (up to 2,600 sq.m m), with retention of the existing unit let to Lloyds Bank and the new units 18 and 5. Status: Under construction
116 Silbury Arcade The centre 17/01684/FUL	Extensions and alterations to former BHS unit to provide additional retail trading floorspace and associated rooftop plant and enclosures for Primark. 9000 sq.m of tradeable space Status: Under construction
Intu Midsummer Place, CMK Ref 15/1074/OUT	Redevelopment of parts of the existing Intu MK Shopping centre to create a maximum of 11,000 sq.m of additional floorspace for A1-A4 uses and D2 uses plus servicing areas and toilets Status: Not yet started

6.8.8. In conclusion it is considered that the scales of development identified in Policy SD3 for CMK are justified and this amount of development can be accommodated on identified sites within CMK. Although the figures for the number of dwellings (2128), office floorspace (around 110,000 sq.m) and retail floorspace (33,500 sq.m) are different from that previously published in Plan:MK. The Council would emphasise the point made earlier these figures for office and retail floorspace and the number of additional dwellings cited in Policy SD3 are indicative figures for development for the

period until 2031. They are not intended to restrict any further development that may come forward in CMK.

b) *Are there consistency issues between the policy and residential allocations in Appendix A, Table 18.2?*

6.8.9. The Council has partially answered this question in its response at (a) above. In response to this question and the representations received from CMK Town Council (MK65) and Xplain (MK141) the Council is proposing largely residential development in Campbell Park including the development of blocks F1.2-F1.4 previously identified in the CMKAP as a strategic site for a technology campus /University. This is on the grounds that the University is being developed on Block B4. The NPPF advises planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. (NPPF para 22). In the Council's view it is time to recognise that sites in Campbell Park have been available for employment development for many years but unfortunately have not come forward for development. It is time to move forward and recognise this reality and allocate this land for alternative uses. Retail development is being focused in the primary shopping area of CMK (Policy ER10) in line with policy in the NPPF. To make the policy more consistent on criterion 3 of policy SD3 the Council would have no objection after the words 'comparison retail floorspace' to the addition of the words '*in the primary shopping area of CMK*'.

c) *Is the inclusion of land 'east of John Lewis Car Park' as a residential allocation justified?*

6.8.10. This allocation with an estimated capacity of 93 dwellings (appendix A) is considered justified as the site is contained within the Site Allocations Plan (SAP) which the Inspector has now found sound and the plan is expected to be adopted at the Council meeting on 18 July.

Q6.9 *Is the approach to centres in the hierarchy in Policy ER10 soundly based and is Appendix G accurate and up-to-date?*

6.9.1. Policy ER10 (Character and Function of the Shopping Hierarchy) as amended sets out the role and function of the various centres in the retail hierarchy defined in Table 6.2. This policy does define a network and hierarchy of town centres within the Borough (NPPF paragraph 23) from the primary shopping area within CMK, identified as a regional shopping centre for comparison shopping reflecting its position at the top of

the Council's retail hierarchy via second tier Town and third tier District Centres to local centres at the bottom. The retail hierarchy in Plan:MK reflects the recommendations to at para 16.15 (p.135) in the MK Retail Capacity study. Second tier town centres are identified as Kingston, Westcroft, Bletchley and Wolverton. The district centres of Newport Pagnell, Olney, Stony Stratford and Woburn Sands include some of the oldest settlements within the Borough. In response to representations from Intu that table 6.2 has not clearly defined the local centres the Council would comment that a list of local centres including village shops in the Borough appears in appendix G. Modifications shown in the text below are proposed to criterion 4 and the final sentence of policy ER10 to address their other concerns.

6.9.2. *Criterion 4. Local centres: Existing local centres, as shown on the Policies Map and listed in Appendix G, will provide convenience shopping and service facilities in order to reduce car dependency and to ensure ready access by non-car owning households and other people with limited or impaired mobility.*

6.9.3. *Planning permission will be granted for retail and service uses to serve new areas of residential development. The scale of retail and service provision provided within new areas of residential development will be determined in Development Frameworks for those areas to cater for the day to day shopping needs of the resident population and not draw trade from a wider area.*

6.9.4. Appendix G as amended lists local centres including village shops within the Borough and was compiled from information supplied by the Council's resources and commercial development department in October 2017 and supplemented by other information on local and village shops held within the planning department. The information provided in the appendix is a snap shot of local centres at a particular point in time. Appendix G provides information on the number of shops and their location and in some cases the name of the main convenience shop in the centre. It is considered accurate and up-to-date.

Q6.10 Are the thresholds for impact assessments in Policy ER11 soundly based and supported by robust and credible evidence? Have alternative thresholds been considered?

6.10.1. The thresholds for impact assessments in policy ER11 as amended by proposed main modification MaM1 reflect advice to the Council from the Council's retail consultant Carter Jonas; see paragraphs 16.58 to 16.65 of the MK Retail Capacity & Leisure Study (MK/RET/001) part of which is reflected in paras 6.50 -6.51 of Plan:MK. In assessing the impact of retail and leisure proposals outside of town centres that are not in

accordance with an up-to date Local Plan, the Council has previously used the default 2,500 sq.m threshold identified in paragraph 26 of the NPPF. In Plan:MK the Council is now proposing a local threshold to assess applications for retail and leisure uses which exceed 900 sq.m (gross) for the city centre and exceed a 350 sq.m (gross) threshold for Town, District and Local centres rather than to continue using the alternative NPPF threshold.

- 6.10.2. In recommending these thresholds to the Council, Carter Jonas refer to the rise of convenience stores with a minimum gross floorspace of around 370 sq.m (gross). Where these smaller stores are proposed on the edge or outside of smaller local and village centres, often as part of petrol filling stations, they could have a significant adverse impact on their trading performance, and overall vitality and viability. The Consultants highlight the case (para 16.61) where smaller centres and villages are dependent on smaller supermarkets and convenience ('top-up') stores to anchor their retail offer and generate footfall and linked trips/expenditure to the benefit of other shops, services and facilities.
- 6.10.3. The consultants conclude in their report (para 16.63) that the 350 sq.m threshold for Town, District and Local Centres is a reasonable impact threshold as it will provide the Council with sufficient flexibility to assess the merits and implications of edge and out-of-centre foodstore applications that could potentially have significant implications for the viability and delivery of new or extended floorspace in existing centres and this threshold should be applied, where relevant, to change of use applications and applications seeking variations of conditions. Additionally, a 350 sq.m gross impact threshold is considered reasonable based on their experience of advising other local planning authorities, and also drawing on the minimum impact thresholds identified in recently adopted local plans (including, for example, Rother District Council, Rotherham Metropolitan Council, Stafford Borough Council, Warrington Borough Council and Norwich City Council).
- 6.10.4. For Milton Keynes city centre Carter Jonas recommended a higher threshold as the scale and range of its retail and leisure offer is greater than in other centres within the Borough. Rather than the Council continuing to use the default NPPF threshold of 2,500 sq.m in CMK, the consultants recommended the Council use a threshold figure of 900 sq.m. This figure is based on their review and analysis of current commitments proposed within the city centre, and the average size and mix of units proposed. This threshold will be applied to all future edge and out of centre applications for standalone retail/leisure units and/or retail/leisure parks that could impact on the city centre's overall vitality and viability.

6.10.5. We therefore propose a modification to paragraph 6.49 of the plan by which the reference to 2,500m² would be replaced by 900m².

Q6.11 Table 6.3 refers to the concepts of primary and secondary frontages in relation to non-retail uses in Policy ER19. Is the approach and content of the Table justified and are the frontages accurately defined on the Policies Map?

6.11.1. Primary and secondary frontages are defined in Table 6.3 for all the town centres that feature in the first three tiers of the Council's retail hierarchy defined in Table 6.2 including the city centre, the second tier town centres and third tier district centres. The Council is defining primary and secondary frontages in these centres following advice in the NPPF to do so. The third bullet point of paragraph 23 of the NPPF states that in drawing up Local Plans, local planning authorities should:

- Define the extent of town centres and primary shopping areas, based on a clear definition of primary and secondary shopping frontages in designated centres, and set policies that make clear which uses will be permitted in such locations.

6.11.2. The objectives of policy ER19 are to protect the retailing function in the main shopping areas of the Borough and to promote town centre vitality and viability during a turbulent period for the retail industry, when the number of shops and amount of retail floorspace in the country is diminishing. Additionally, under the Uses Classes Order 1987 as amended it is a permitted change for an A1 shop to be used for a variety of different purposes including A2 use and up to two flats.

6.11.3. However, as acknowledged in Plan:MK at paragraph 6.66 a balance needs to be struck between protecting the retail functions of town centres and allowing non-retail uses within them, which could assist in the process of diversifying uses within the centre and promote activity outside normal office hours.

6.11.4. Policy ER19 as amended by MM2 is linked to Table 6.3 (Non-retail Uses on Ground Floors in Town Centres) as amended by MM3 seeks to strike that balance. That Table illustrates that within the defined primary and secondary frontages of Central Milton Keynes and in the secondary frontages of the town centres and district centres, there are no restrictions on the proportion of units in non-retail use, which helps to facilitate the diversification and adaptation of these centres.

6.11.5. Policy ER19 states planning permission will be granted for non-retail uses within town centres provided certain criteria are met. One of these is that within the primary

shopping frontages of the town centres and district centres, with the exception of Kingston, the Council is seeking to avoid the creation of a continuous frontage of 3 or more units in non-retail use. At Kingston the largest district centre the Council proposes the number of units in non-retail uses should not create a continuous frontage of 5 or more units within the primary shopping frontage.

6.11.6. Table 6.3 reflects the Council's retail consultant's recommendations to the Council, it defines the Primary Shopping Frontage within the city centre as including all of the centre:mk and the Intu:Milton Keynes Shopping Building with the secondary frontages consists of the Milton Keynes Theatre District and the Xscape building. The Council considers these buildings/areas broadly correspond to the definitions of primary and secondary frontages in the Glossary to the NPPF which defines "*primary frontages are likely to include a high proportion of retail uses which may include food, drinks, clothing and household goods*" and "*secondary frontages provide greater opportunities for a diversity of uses such as restaurants, cinemas and businesses.*"

Are the frontages accurately defined on the Policies Map?

6.11.7. In their representation on this policy (PSPMK74) CMK Town Council do not consider that Plan:MK as submitted is sound in relation to the designation of primary and secondary frontages shown on CMK Inset Map 1 in the Plan:MK Policies Map. They are seeking the following:

- The removal of primary and secondary frontages within privately-owned buildings as they do not front the public realm from Plan:MK Policies Map document, CMK Inset Map 1.
- Add primary frontage designation to the Boulevard frontage of Lloyds Court and all frontages around the public realm of Station Square, and add secondary frontage designation next to the Hub on Avebury and Midsummer Boulevards.

6.11.8. In response this Council considers it is unnecessary and inappropriate to remove the primary frontages designation from privately-owned buildings in the centre:mk and the Intu:Milton Keynes Shopping Building because they do not front the public realm. These are the largest retail developments within the city and the majority of buildings there are privately owned. Likewise, the Council does not consider it appropriate to a primary frontage designation to the Boulevard frontage of Lloyds Court (particularly when the scheme for its redevelopment (Ref 15/01600/FUL has not yet been completed) and all frontages around the public realm of Station Square, and add designation next to the Hub on Avebury and Midsummer Boulevards. In respect of the secondary frontages the Council is erring on the side of caution and following the

advice to it in para 16.27 of the Retail Capacity report. Commenting on Secondary Shopping Frontages Carter Jonas advised *“that the definition of further shopping secondary frontages could come forward as part of future redevelopment of CMK’s key sites, once their impact has been monitored and fully understood.”*

6.11.9. In checking again the if the primary and secondary frontages are accurately defined on the Policies Map, the Council has noticed the final version of the retail report (MK/RET/001) did make some changes and plans for Bletchley, Newport Pagnell, Olney, Stony Stratford and Wolverton will need to be revised. Additionally Table 6.3 will need to be revised in respect of Bletchley, Olney, Stony Stratford and Wolverton.

Bletchley: Secondary Shopping Frontages have been amended to include 2-6 Brooklands Road, Chandos Place, 4-8 Duncombe Street, 2-3 Oxford Street, Woodward House, & 2a Cambridge Street.

Olney: Primary Shopping Area has been extended to include the Secondary Shopping Frontage at 2-16 High Street.

Newport Pagnell: The Town Centre Boundary has been extended to include the Secondary Shopping Frontages at 100-122, 122-129 High Street & 1 Station Road. The Primary Shopping Area has been extended to include the Secondary Shopping Frontages at 1-13 High Street, 100-122, 122-129 High Street & 1 Station Road.

Stony Stratford: Town Centre Boundary has been amended to exclude land to the south of Mill Lane. The Primary Shopping Area boundary has been extended to include the Secondary Shopping Frontage on Church Street.

The Primary Shopping Frontage has been deleted from Cofferridge Close and extended on the High Street to the Cock Hotel (north side) and Lloyds Bank (south side).

The Secondary Shopping Frontage has been deleted from 59-67 High Street and 64a-Cock Hotel High Street.

Wolverton: The Primary Shopping Area has been amended to exclude land to the north of Stratford Road. The Primary Shopping Frontages have been amended to delete the Tesco’s frontage. The Agora (Church Street) frontage has been changed from a Secondary Shopping Frontage to a Primary Shopping Frontage. The Secondary Shopping Frontages have been amended to include frontages on Glynn Square (eastern edge), Creed Street and Radcliffe Street.

Key Documents used in the Preparation of this Statement

1. MK/NAT/003 National Planning Policy Framework (March 2012).
2. MK/SUB/001 Proposed Submission Plan:MK (October 2017).
3. MK/RET/001 Milton Keynes Retail Capacity & Leisure Study Main Report (March 2018).
4. MK/MIS/001 MK Futures 2050 Commission report 'Making a Great City Greater;
5. INS1a MKC Response to Inspector's Preliminary Letter dated 3 June 2018.
6. MK/INF/004 National Infrastructure Commission: Partnering for Prosperity A new deal for the caMKox Arc.
7. MK/EXAM/001 CMK Alliance Neighbourhood Plan 2026.
8. Live Schedule of Main and Minor modifications to Plan:MK: Main Modifications MK/SUB/015, Minor Modifications MK/SUB/016, Policies Maps MK/SUB/017.
9. MK/RET/003 Milton Keynes Council Retail Capacity Update Final Report (August 2011) produced by consultants Roger Tym and Partners available at:
https://www.milton-keynes.gov.uk/assets/attach/9331/Final_Retail_Update_August_2011_includes_Appendix_1_and_2.pdf
10. MK/MIS/003 Milton Keynes Core Strategy available at:
https://www.milton-keynes.gov.uk/assets/attach/14954/FINAL_Core_Strategy_Adopted_July_2013_low_resolution.pdf
11. MK/MIS/004 Centre for Cities report Milton Keynes: Where have we been? Where are we going?
12. MK/MIS/005 Brochure for the 'New City Place'
13. MK/RET/004 Inspector's report on the Intu Appeal decision.