

**Representations to the  
MK City Plan 2050  
Regulation 19 Draft**

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Land at Winterhill Retail Park,  
Milton Keynes

On behalf of AW James

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December 2025

Ref: 1228

# 1 Introduction

- 1.1 These representations have been prepared by Smith Jenkins Planning & Heritage on behalf of AW James in response to the Milton Keynes City Plan Regulation 19 consultation in respect of their site at Winterhill, Milton Keynes. They should be read alongside, and in continuation of, the detailed Regulation 18 representations (October 2024), which accompany this submission as **Appendix 1**.
- 1.2 The Regulation 18 representations set out the background to the site, its planning history and the emerging development proposals for the redevelopment of the Winterhill Retail Park for a mixed use development on a sustainable, brownfield site.
- 1.3 The representations stated that there is a significant amount of underutilised land within striking distance of both the City Centre but also existing transport hubs (MK Central Station and bus routes) such that AW James' site represents an opportunity to utilise well connected brownfield land for both residential and employment uses.
- 1.4 One of the key purposes of the Regulation 19 stage is to assess whether the draft City Plan is sound, as defined by Paragraph 36 of the National Planning Policy Framework (2024). Accordingly, our representations are structured to address the four tests of soundness:
- **Positively prepared** – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
  - **Justified** – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
  - **Effective** – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
  - **Consistent with national policy** – enabling the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant
- 1.5 These representations:
1. Identify whether the Regulation 19 draft addresses the matters raised at Regulation 18;
  2. Assess whether the Plan is sound against the tests in Paragraph 36 of the NPPF; and
  3. Set out the modifications needed to make the Plan sound where deficiencies remain.

- 1.6 We trust that these representations will assist the Council in finalising the Plan and ensuring that it proceeds to examination in a sound form. We would welcome continued dialogue with officers on any of the matters raised.

## 2 Representations

- 2.1 Policy GS9, Supporting transit-oriented development and estate regeneration, sets out to guide development within a set of criteria as listed in the policy (paragraph 82 of the draft Plan). The premise is that growth within the Metro route and its buffer zone (as identified on the Policies Map) will benefit from access to the new public transport service. Paragraph 80 states that development proposals within 600 metres of the interchange hubs will be encouraged to achieve higher densities that exploit site's higher accessibility location by virtue of access to the Metro services. Paragraph 80 goes on to state that densities, and the associated housing mix, will need to take into account the immediate context of the development proposal to strike an appropriate balance between maximising efficient use of land and achieving good design and placemaking.
- 2.2 Part B of Policy GS9 goes onto state that major development proposals within 600 metres of existing or proposed interchange hubs within the Metro Corridors will be supported subject to assessment against 2 criteria. It is clear from the Council's Transport and Movement Topic Paper that the 'interchange hubs' have yet to be identified. The Paper states:
- 3.1 Integral to the three-tiered approach to a revised public transport provision across the city are two key additional elements – the careful design and siting of interchange locations where our three tiers of public transport intersect with each other and with other modes, and the introduction of a ticketing system that allows seamless transfer between both bus services and potentially other modes too.*
- 3.2 We are currently mapping our MK Metro routes, our future re-shaped supporting local bus services and our demand-responsive bus services to identify the optimum locations for these interchange locations to connect with one another and with other modes, predominantly our Redway walking, cycling, scooting and wheeling network.*
- 2.3 The 2 criteria in part B require making efficient use of land and making provision for improvements to Metro infrastructure. Limiting the density of development within the Metro Corridor will not make the most efficient use of land in these highly sustainable locations. This assessment should be made on a site specific basis, taking into account the context of the development proposal (as per the supporting text at Paragraph 80). The limitation on the density of development is contrary to the provisions in Paragraph 129 and 130 of the NPPF which state that developments should make an efficient use of land, taking into account the identified need for different types of housing; local market conditions and viability; availability and capacity of infrastructure and services; and the desirability of promoting regeneration and change. The NPPF does not provide a maximum development density but advocates for either minimum density or a range of densities that reflect the accessibility and potential of different areas within a plan area.
- 2.4 Limiting the density of sites that are already highly sustainable reduces the plan's ability to make efficient use of land, taking into consideration policies in the NPPF. The Plan does not reflect these policies and will therefore under-deliver housing in the most sustainable locations. This would be a wasted opportunity, particularly in locations like Winterhill.

- 2.5 Sites such as AW James’ proposals for Winterhill are located within the Metro corridor and provide an opportunity to deliver real change by re-using previously developed land in a sustainable location. The Winterhill site is already sustainable, without the benefit of being within the Metro corridor. Given the site’s context in close proximity to shops, services, transport and employment opportunities, advantage should be taken of the potential to regenerate an unattractive part of Milton Keynes. The site can deliver residential development in excess of the capacity identified in Policy GS9, and the policy should not limit this opportunity but provide the support required to bring forward development.
- 2.6 It is also unclear about how sites which do not share a common boundary with the Metro corridor will make provision for improvements to the infrastructure. The Policy should be clear as to the Council’s intention in this regard. If they intend for developers to make proportionate contributions, this should be clear.
- 2.7 The requirements for a health food environment are repetitive, as this is set out in detail in Policy PFHP4, Delivering a healthier food environment.
- 2.8 Furthermore, given the highly sustainable nature of the identified Metro Corridor, where there is good access to forms of transport other than the private car, the Council should amend the car parking standards and specifically the car parking accessibility zones to provide a new car parking standard to sites located within the Metro Corridor.
- 2.9 The restriction on density and lack of clarity within the policy makes the plan **unsound** for the following reasons.

### **Soundness**

#### ***a) & b) The Plan is not Positively Prepared or Justified***

- 2.10 There is no justification for the density limits in Policy GS9, specifically when read in the context of the supporting text which seeks a contextual analysis of individual sites to make the best use of land within the City boundary. This is an internal conflict in this approach.

#### ***c) The Plan is not Effective***

- 2.11 The limitation placed on sites within the Metro corridors will prevent making the best use of brownfield land in sustainable locations.

#### ***d) The Plan is not Consistent with National Policy***

- 2.12 The National Planning Policy Framework (NPPF) recognises the importance of achieving appropriate densities taking into account the specific context of sites, and that development make optimal use of potential sites (NPPF paragraph 129 and 130).

### **Requested Modifications**

- 2.13 Policy GS9 should be revised, and we suggest the alternative wording below (note we have no comments in respect of Part C of the Policy):

A. Major development proposals within the Metro Corridors, and/or those associated with the regeneration of a residential estate(s), will be supported where they comply with the criteria below:

1. There would be a net increase in the number of both market and affordable homes;
2. They maintain or create safe, inclusive and direct active travel routes to Metro or public transport stops, interchange hubs and community facilities;
- ~~3. They improve access to a healthy food environment through the on site provision of, or contributions to nearby, allotments and communal, urban food-growing areas; and~~
- ~~4. They protect, and where possible, enhance, the nature, green and blue infrastructure network through the conservation and enhancement of biodiversity and habitats networks.~~

Growth within Metro Corridors

B. Major development proposals within the Metro Corridors (as identified on the Policies Map) ~~600 meters of existing or proposed interchange hubs within the Metro Corridors~~ will only be supported where they:

1. Make efficient use of land within these highly accessible locations through higher-density development. **An assessment of each site location should be provided to support the density rationale, having regard to the site's surrounding, contribution to townscape and character of the site of up to 80 dwellings per hectare; and**
2. Make provision for improvements to Metro infrastructure, **either on-site or through developer contribution (subject to viability appraisal);**
3. **Deliver sustainable buildings and support high-quality, innovative and forward-looking design, informed, where appropriate, by area based character assessment;**
4. **Reduce the dependency on the private car including adopting site derived car parking requirements dependant on accessibility to a range of alternative transport modes.**

**Name of the Local Plan to which this representation relates:**

Milton Keynes City Plan 2050

Please return by **5.30pm** on **Monday 22<sup>nd</sup> December 2025** to Development Plans, Milton Keynes City Council, Civic, 1 Saxon Gate East, Milton Keynes MK9 3EJ, or via email at [ncp.engagement@milton-keynes.gov.uk](mailto:ncp.engagement@milton-keynes.gov.uk)

This form has two parts –

**Part A** – Personal Details: need only be completed once.

**Part B** – Your representation(s). Please fill in a separate sheet for each representation you wish to make.

**Part A**

**1. Personal Details\***

**2. Agent's Details (if applicable)**

*\*If an agent is appointed, please complete only the Title, Name and Organisation (if applicable)*

*boxes below but complete the full contact details of the agent in 2.*

Title

Mrs

First Name

Jennifer

Last Name

Jenkins

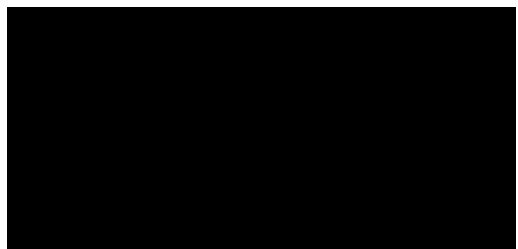
Job Title  
(where relevant)

Director

Organisation  
(where relevant)

Smith Jenkins Planning & Heritage

E-mail Address



Address Line 1

Line 2

Line 3

Line 4

Post Code



Telephone Number

**Part B – Please use a separate sheet for each representation**

Name or Organisation:

**3. To which part of the Local Plan does this representation relate? – General comments**

Paragraph  Policy  Policies Map

**4. Do you consider the Local Plan is: (Please tick as appropriate)**

4.(1) Legally compliant	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
4.(2) Sound	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
4.(3) Complies with the Duty to co-operate	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

Policy GS9 does not comply with either Paragraph 80 of the plan (which states that development proposals should be developed on a contextual basis) or Paragraphs 129 and 130 of the Framework which does not place a limit of the density of development, specifically on brownfield sites. As such, the policy is unsound.

(Continue on a separate sheet /expand box if necessary)

6. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 5 above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will

make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

TO be sound, the Policy should reflect the supporting text, and accord with paragraphs 129 and 130 of the Framework. It should remove the elements of the Policy that are repetitive from other parts of the Plan:

A. Major development proposals within the Metro Corridors, and/or those associated with the regeneration of a residential estate(s), will be supported where they comply with the criteria below:

1. There would be a net increase in the number of both market and affordable homes;
2. They maintain or create safe, inclusive and direct active travel routes to Metro or public transport stops, interchange hubs and community facilities;
- ~~3. They improve access to a healthy food environment through the on-site provision of, or contributions to nearby, allotments and communal, urban food-growing areas; and~~
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2. Make provision for improvements to Metro infrastructure, either on-site or through developer contribution (subject to viability appraisal);
3. Deliver sustainable buildings and support high-quality, innovative and forward-looking design, informed, where appropriate, by area based character assessment;
4. Reduce the dependency on the private car including adopting site derived car parking requirements dependant on accessibility to a range of alternative transport modes.

(Continue on a separate sheet /expand box if necessary)

**Please note** your representation should cover succinctly all the evidence and supporting information necessary to support/justify your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

**After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he or she identifies for examination.**

7. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

**No**, I do not wish to participate in hearing session(s)

**Yes**, I wish to participate in hearing session(s)

8. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

The matters under Examination directly affect my client's interests and the soundness of the Local Plan. Participation in the hearings will allow me to explain the representations in person, respond to questions from the Inspector and clarify technical or site-specific issues that cannot be fully addressed through written submissions alone. Engaging in the Examination process will assist the Inspector in understanding the practical implications of the Plan's policies and evidence base, help resolve any points of disagreement, and contribute to a robust and effective Examination of the Local Plan.

**Please note** the Inspector will determine the most appropriate procedure to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

### **Sharing your personal details**

Please be aware that, due to the process of having an Independent Examination, a name and means of contact is required for your representation to be considered. Respondent details and representations will be forwarded to the Inspector carrying out the examination of the Local Plan after the Proposed Submission period has ended. This data will be managed by a Programme Officer who acts as the point of contact between the Council and the Inspector and respondents and the Inspector.

For more information on how we use your data – please see our privacy notice by using the following link: <https://www.milton-keynes.gov.uk/milton-keynes-council/privacy-notice/milton-keynes-city-council-corporate-privacy-notice>

**Representations cannot be treated as confidential and will be published on our website alongside your name.** *If you are responding as an individual rather than a company or organisation, we will not publish your contact details (email / postal address and telephone numbers) or signatures online.*

An aerial site plan of the 4636 Winterhill Site in Milton Keynes. The plan shows a large rectangular site with a central road and several smaller rectangular plots. The site is surrounded by a dark blue area, likely representing the surrounding urban environment. The text '4636 Winterhill Site, Milton Keynes' is overlaid on the right side of the plan.

**4636 Winterhill Site, Milton Keynes**

Feasibility Study

September 2024

# Introduction

The Winterhill Retail Park is located approximately 1km south east of Central MK train station.

AW James, a national property developer and building manager with a number of interests in central MK, own several buildings located within the retail park.

In 2020, AW James completed a speculative mixed use commercial development adjacent to the station. 100 Avebury Boulevard has proved to be a commercial success, is fully let and can be seen as a positive contribution to the MK skyline.

AW James would like to build on the success of 100 Avebury Boulevard and bring forward proposals for the development of the their Winterhill site for a residential led mixed use scheme to support the growth of Milton Keynes, and potentially serve the anticipated growth in student numbers resulting from the construction of the anticipated new university campus on the site to the east of the train station.

An initial feasibility study has been undertaken for the land currently occupied by Dreams and Tapi Carpets. AW James have subsequently acquired the adjacent site currently occupied by Wickes, and this feasibility study seeks to provide proposals for the combined site ownership, but more importantly with a view to how these proposals can influence a wider masterplan which can help shape the wider area.

The report includes a feasibility study which assesses the suitability of this type of development for the site, and to illustrate the likely quantum of development to assist in the financial appraisal. The feasibility study extends beyond the AW James ownership and provides visual information to help inform the Council's understanding of the future potential of the site.



**Combined Redline Boundary**



**Ownership 1  
Dreams Title**



**Ownership 2  
Tapi Carpets Title**

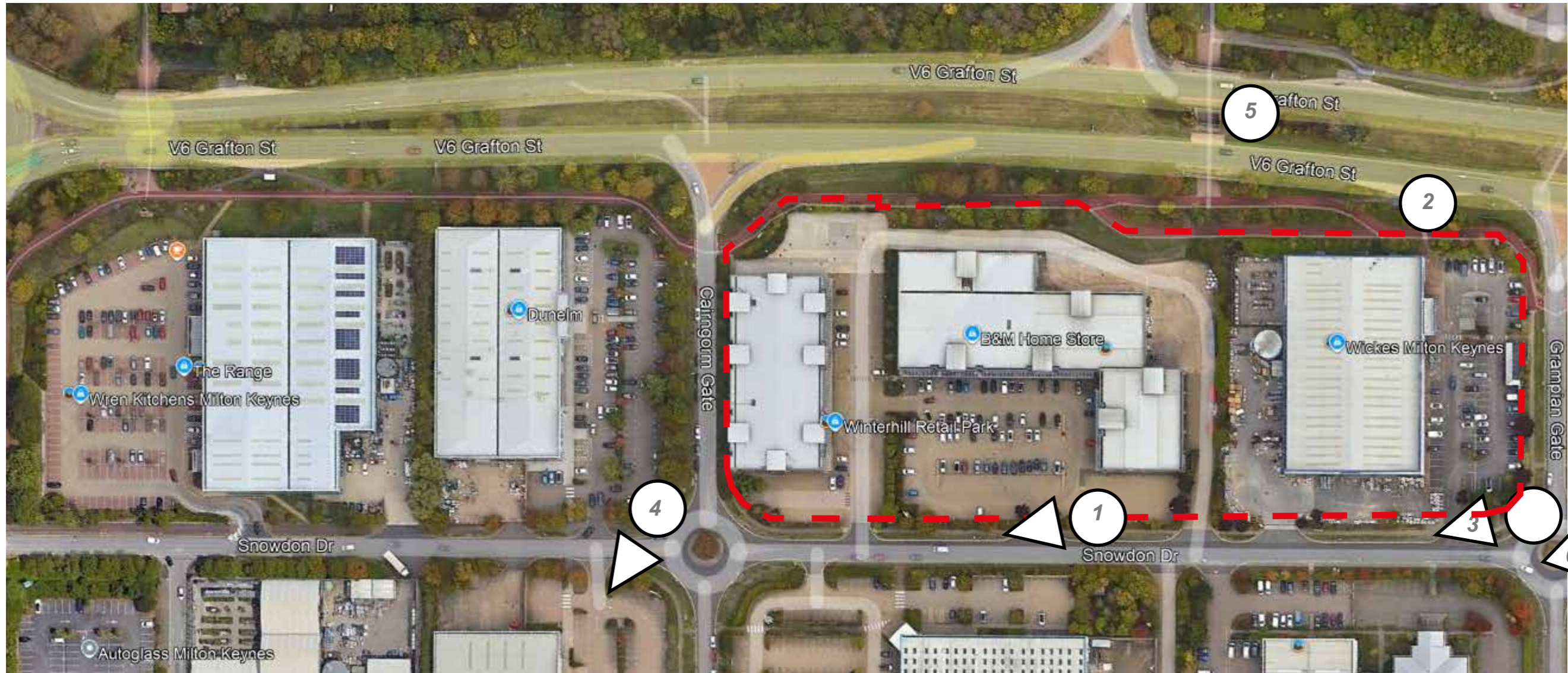


**Ownership 3  
Wickes Title**

# Site



# Site



# Vision

Winterhill is a retail park located in close proximity to the city centre, approximately 500m from Milton Keynes train station. The park is made up of a number of different retail units, generally 2 storeys in height, with an emphasis on surface car parking for retail users.

The site is flanked to the north, east and west by carriageway, and to the south by the mainline rail line from Birmingham to London Euston.

AW James own 3 adjacent sites within the Winterhill development, currently occupied by several retail operators focusing on DIY and home furnishings.

Looking to the future, specifically the changing habits of retail and the continuing rise of online shopping, AW James are constantly re-evaluating their land holding with a view to maximising the potential of the site.

AW James have asked pHp to explore the potential for different uses on the site, to safeguard the future viability of the site.

This study initially looked at options for the site occupied by Dreams and Tapi Carpets, with a view to providing a mixed use residential led scheme which would contribute to the growing need for housing in the city, whilst maintaining the active ground floor uses essential for creating a vibrant extension to the city centre.

Subsequently, AW James have acquired the adjacent Wickes site, opening up the opportunity for a more comprehensive feasibility study for the 2 combined sites.

This feasibility study has highlighted the enormous potential Winterhill offers as a newly imagined neighbourhood within the central MK masterplan, offering the opportunity for place making with an emphasis on a public realm focused on people rather than cars. Changing the scale of development will create a more efficient use of land more befitting of its central location.

To achieve the goal of an urban regeneration project with a focus on high quality architecture and public realm and improved connectivity the wider neighbourhood, it is felt a joined up approach is required to establish the long term vision for the site and help achieve a long term sustainable neighbourhood.

The study therefore extends beyond the redline ownership and identifies the need for a re-imagining of the scale of buildings and the relationship of built form to achieve a vibrant and exciting public realm which can mesh with existing pedestrian and cycle connections.

The site offers the opportunity to achieve high quality housing at a density which supports the needs of the city, whilst creating a vibrant street environment through the introduction of active street frontages and spaces flexible enough to adapt to fluctuating demands.

Key to achieving a high quality public realm will be the careful integration of car parking to refocus the public realm towards people rather than cars.

This feasibility study aims to achieve 2 things:

1. Explore the potential for redevelopment of the land under the ownership of AW James
2. Explore the wider vision for the Winterhill Site.

Masterplan

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## Ideas for the wider masterplan



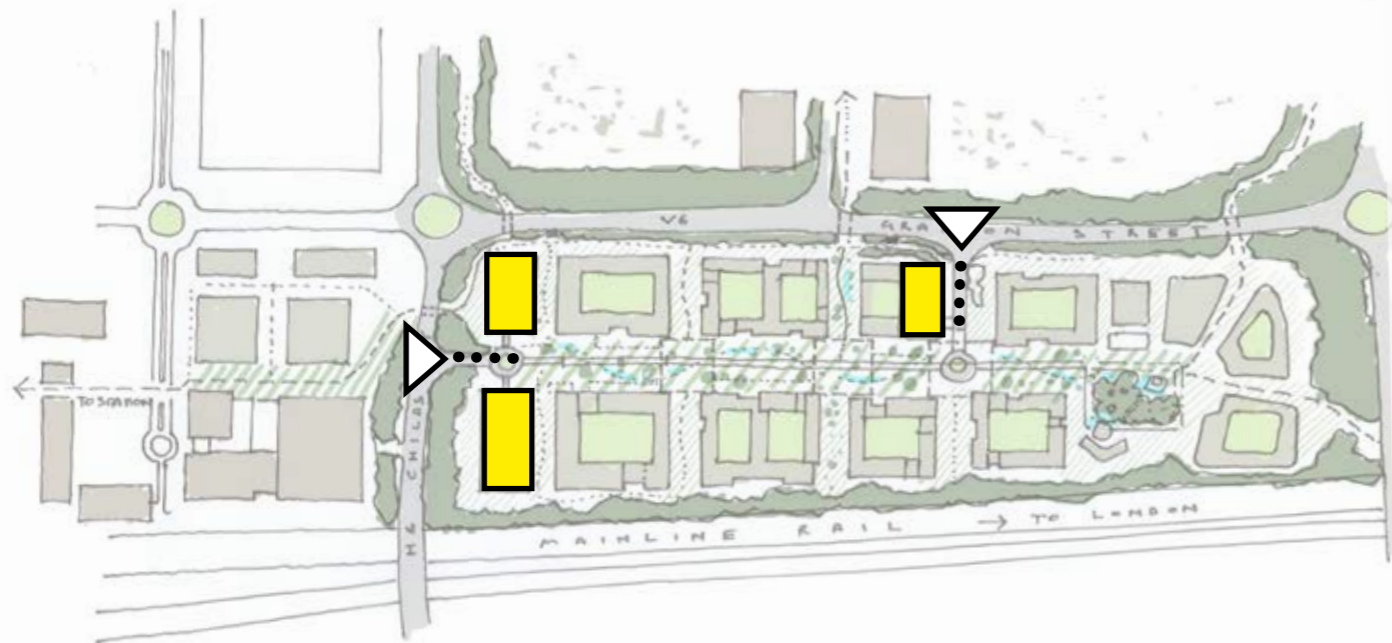
# Strategic approach to wider masterplan



1. Retain green edges



2. Reduce the number of vehicle access points

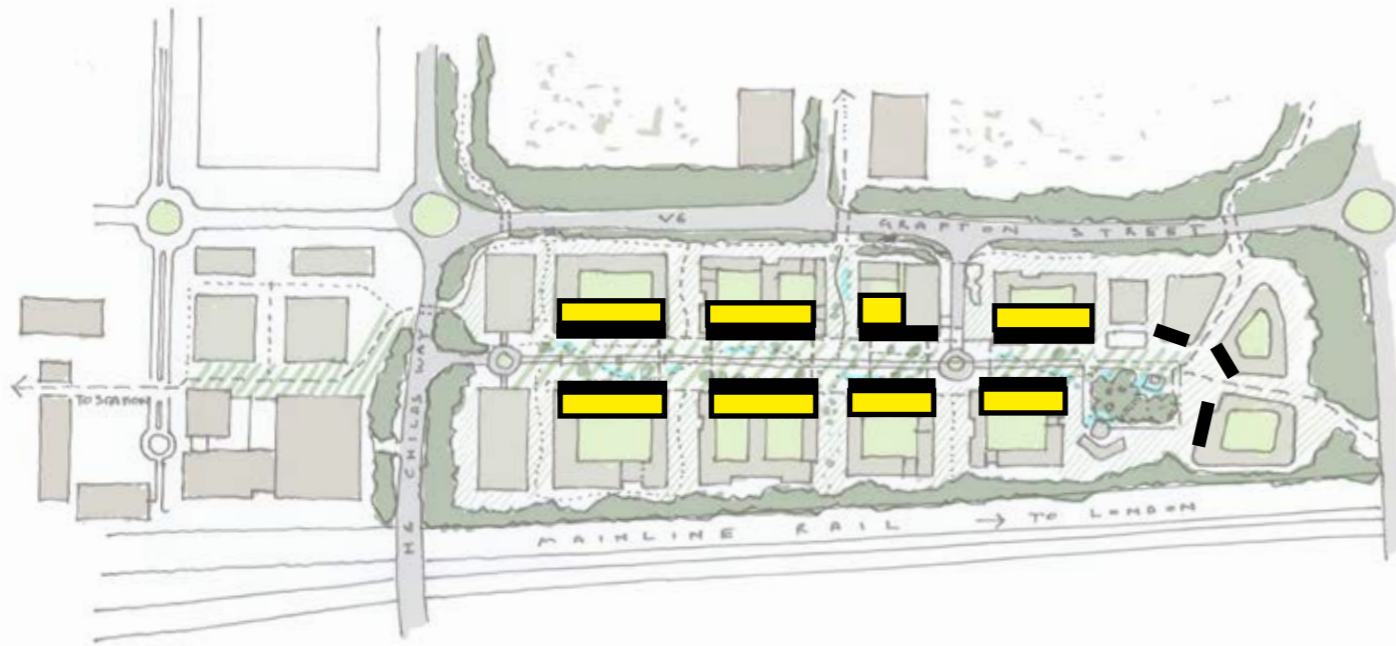


3. Provide public parking close to main site access - reduce vehicle movement within the centre of the masterplan



4. Provide development parcels

# Strategic approach to wider masterplan



5. Create active uses and frontages at ground floor



6. Creating an internal environment with an emphasis on people and landscape [Shared surfaces able to accommodate vehicles]



7. Improve pedestrian connectivity



8. Provide residential accommodation with private amenity space

# Proposals / aerial view - future vision - wider context



1. Potential redevelopment of the Argos site to create a new gateway to Winterhills and University Campus



2. Proposals for a new university campus

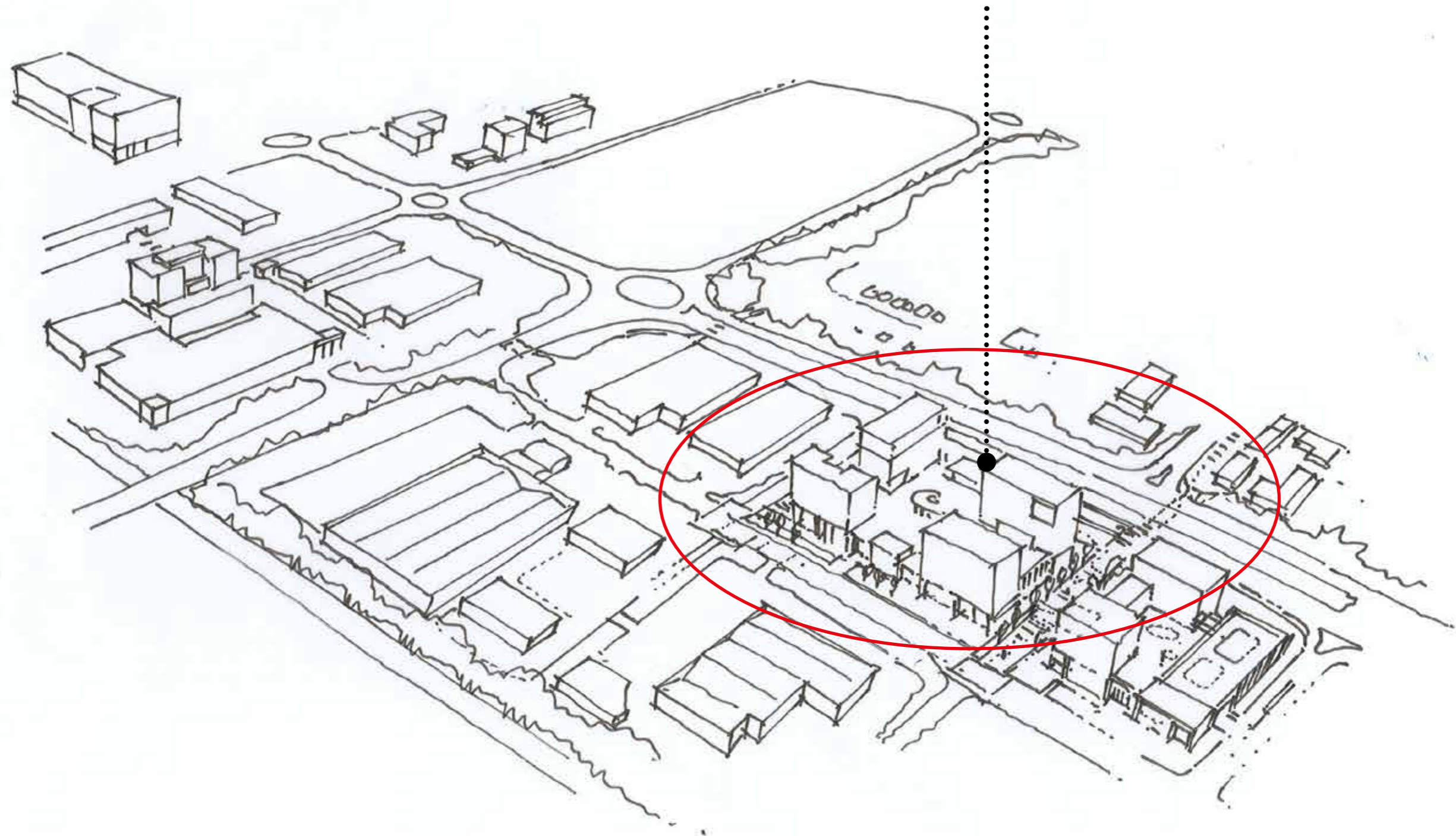


3. 100 Avebury Boulevard

Plot Testing - Ownership 1+2

# Plot testing / aerial view - AW James owned site

*Dreams/ Tapi Carpet Site*



# Plot testing / future vision - new public realm



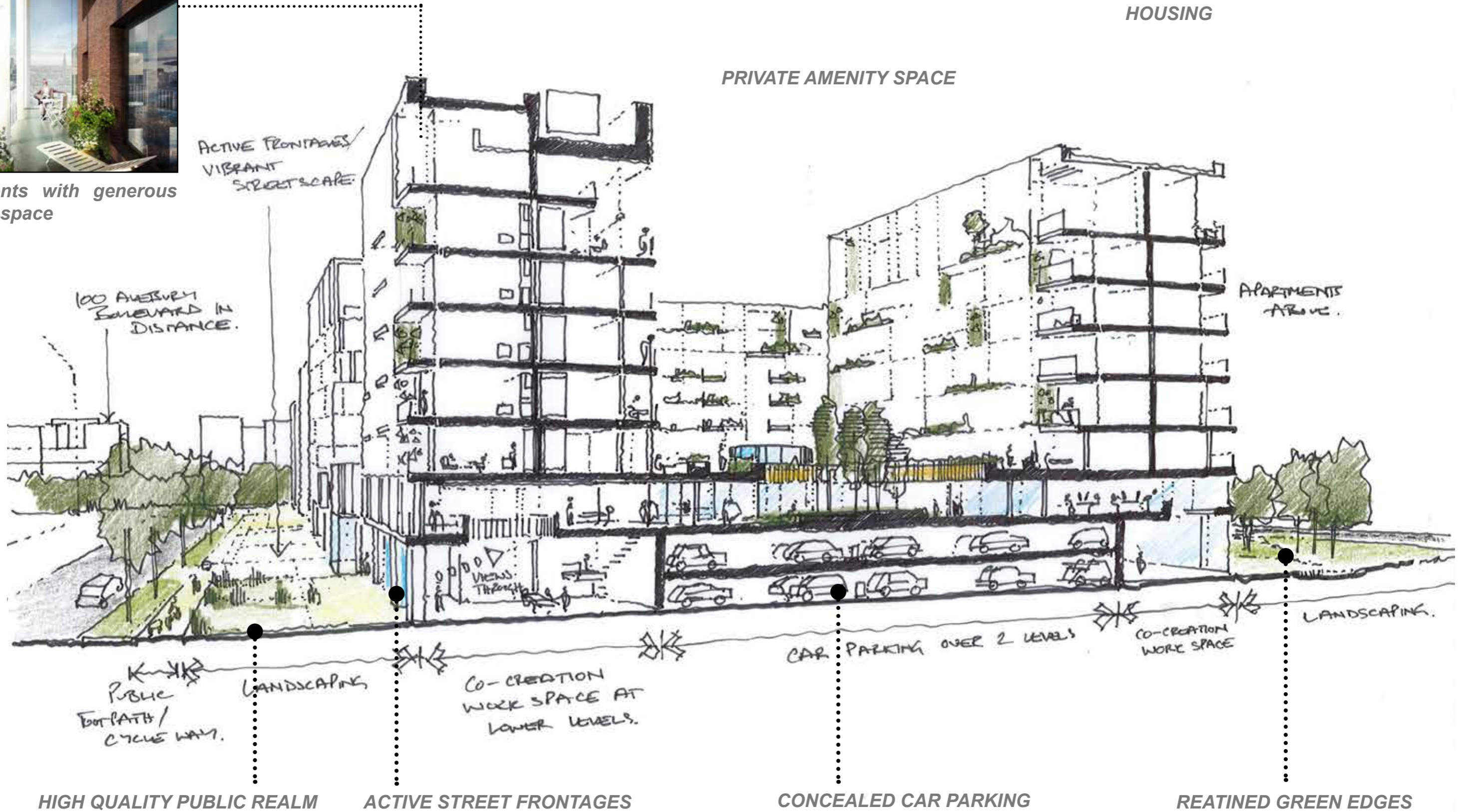
# Massing Study / street view - grafton street



# Plot Testing / cross section



Apartments with generous outdoor space



# Plot testing / street view - internal street

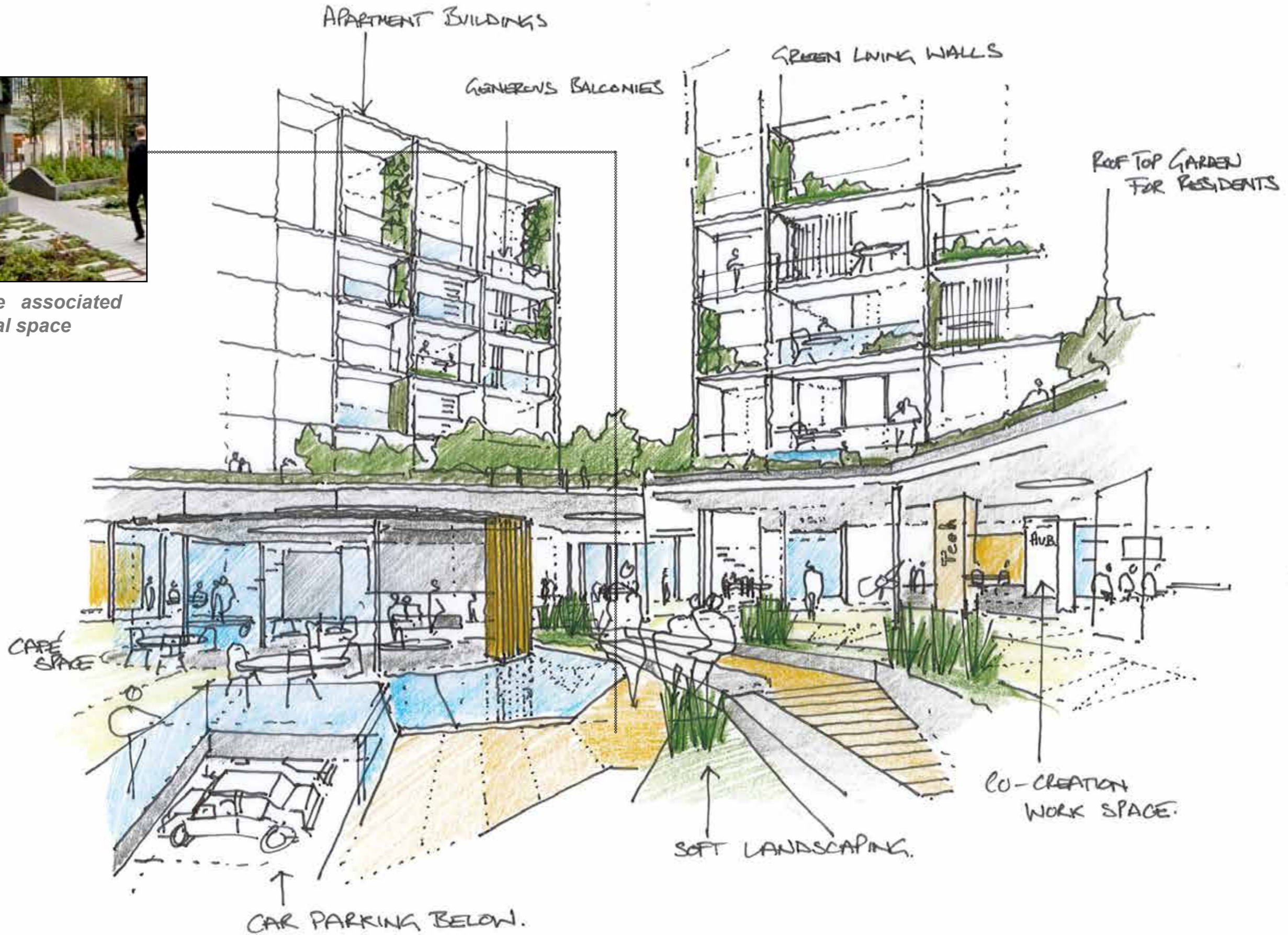


*Create activity and interest at ground floor through different uses and embracing the art of making things. Flexible space which can adapt*

# Plot testing / co-creation space and internal courtyard

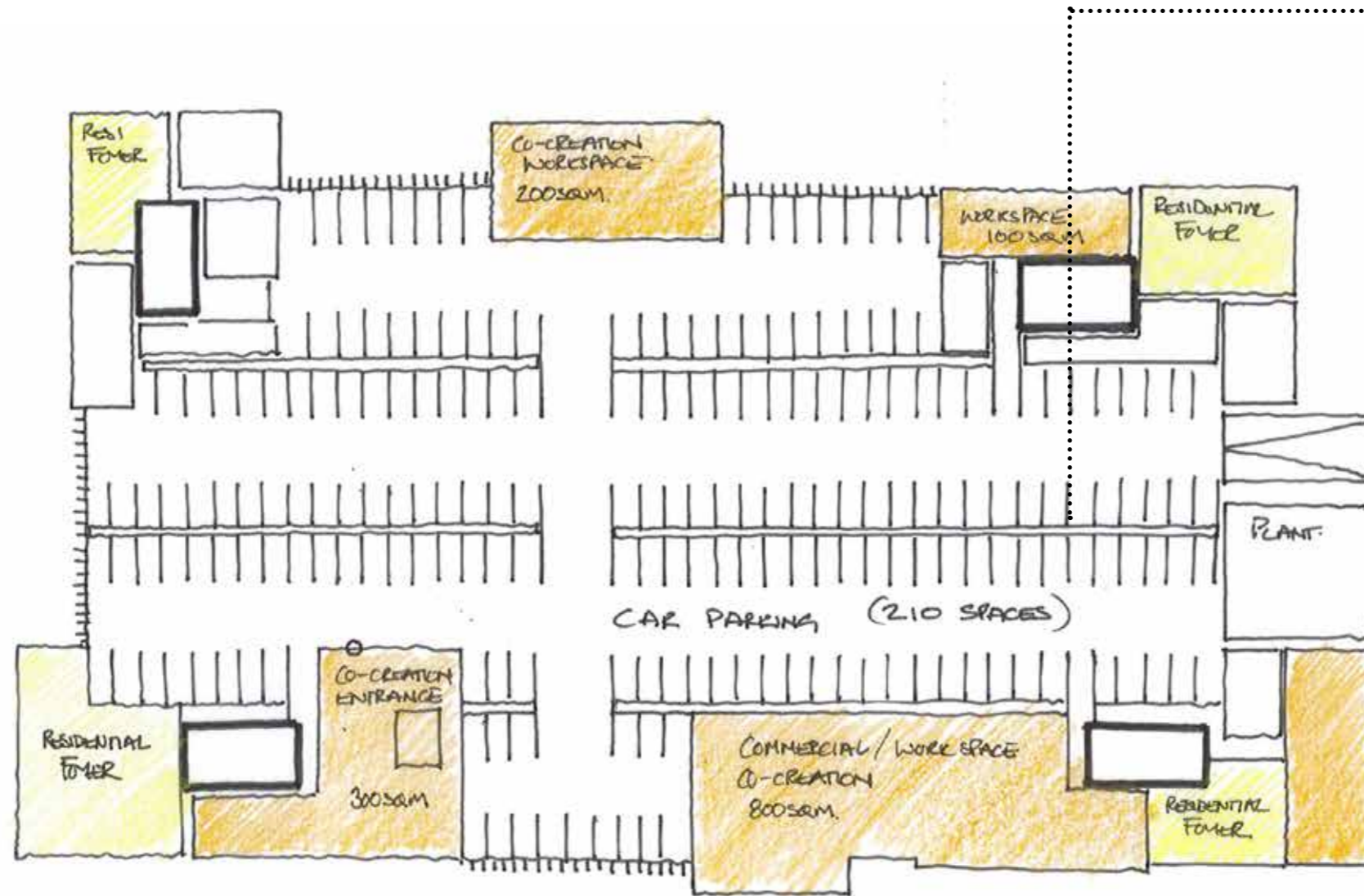


Outdoor space associated with commercial space



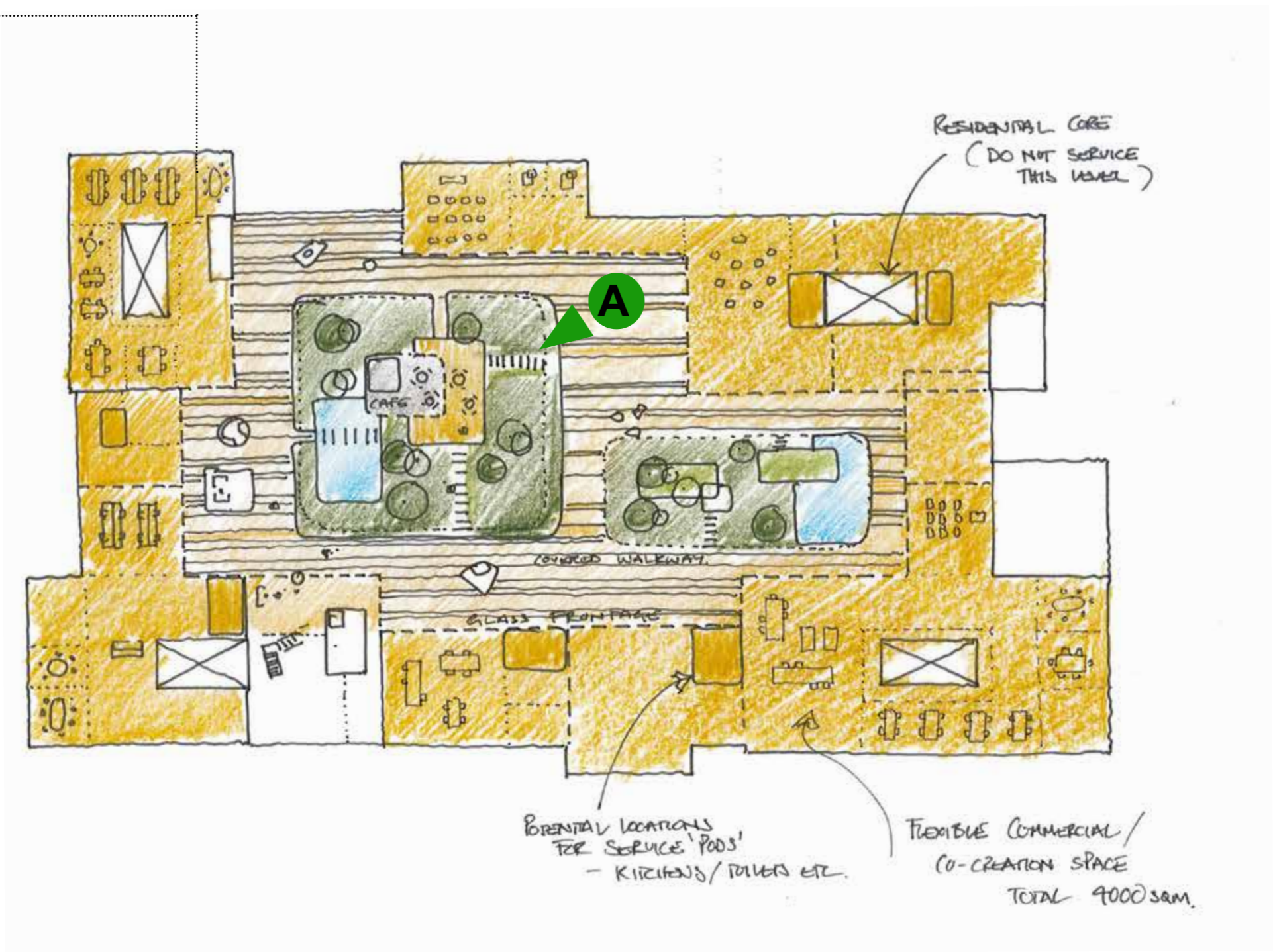


# Plot testing / level 1 plan



*Electric car charging - including the use of a car club*

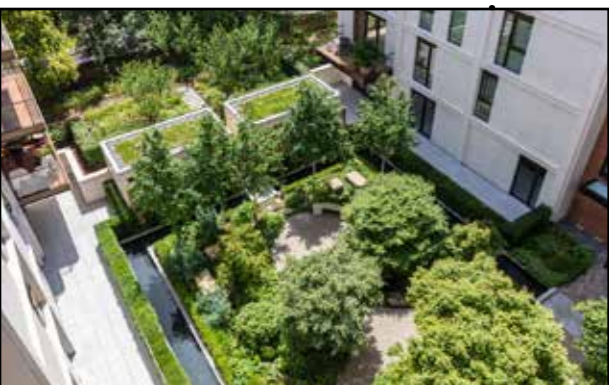
# Proposals / level 2 plan - co-creation space



# Plot testing / level 3 plan - residential garden



*Modern apartments with generous outdoor space*



*Communal garden for residents*

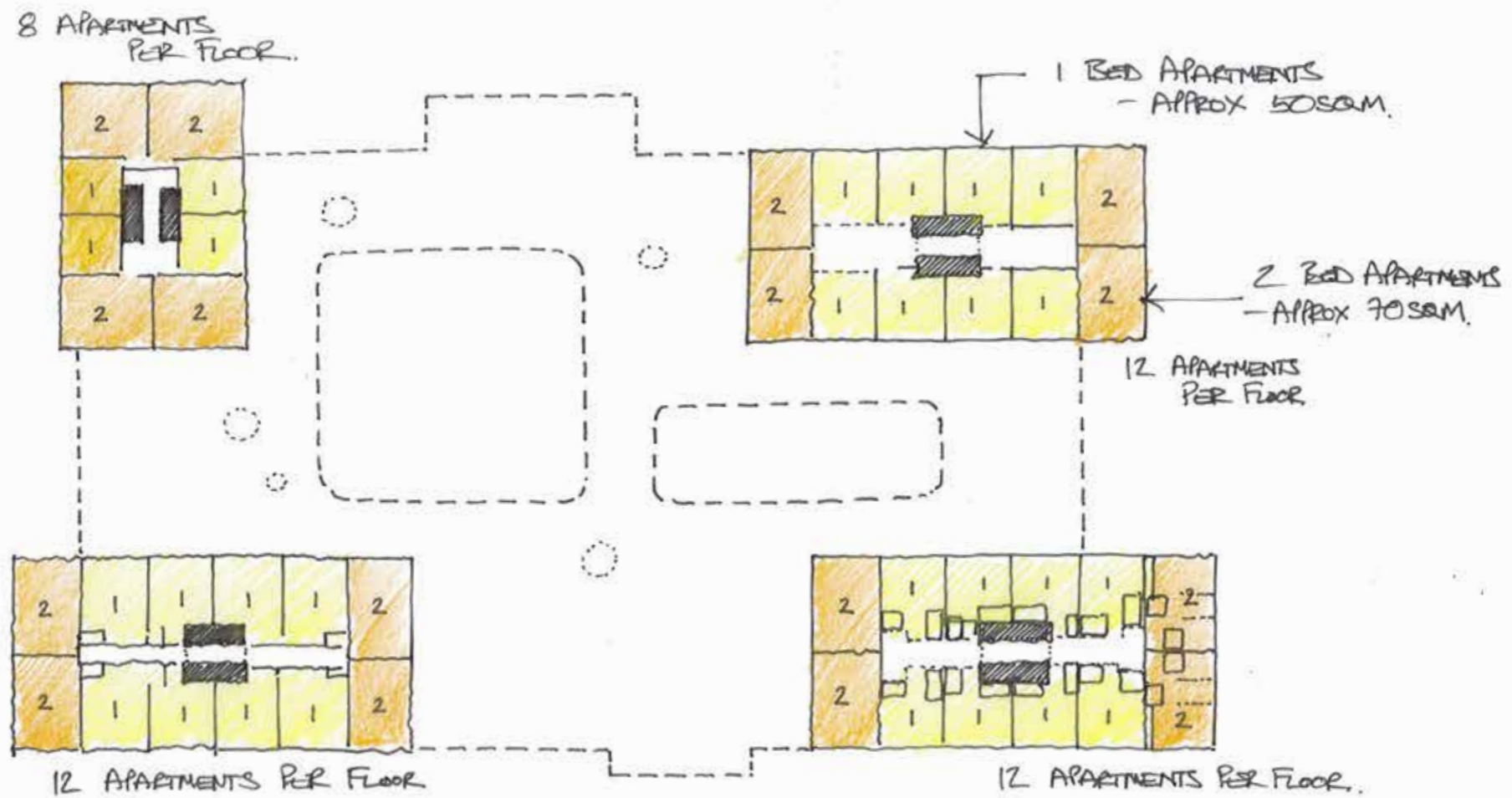
# Plot testing / Dreams + Tapi Carpet Site - aerial view



# Plot testing / Typical residential level

Residential building 1  
8 apartments per floor

Residential building 3  
12 apartments per floor



Residential building 2  
12 apartments per floor

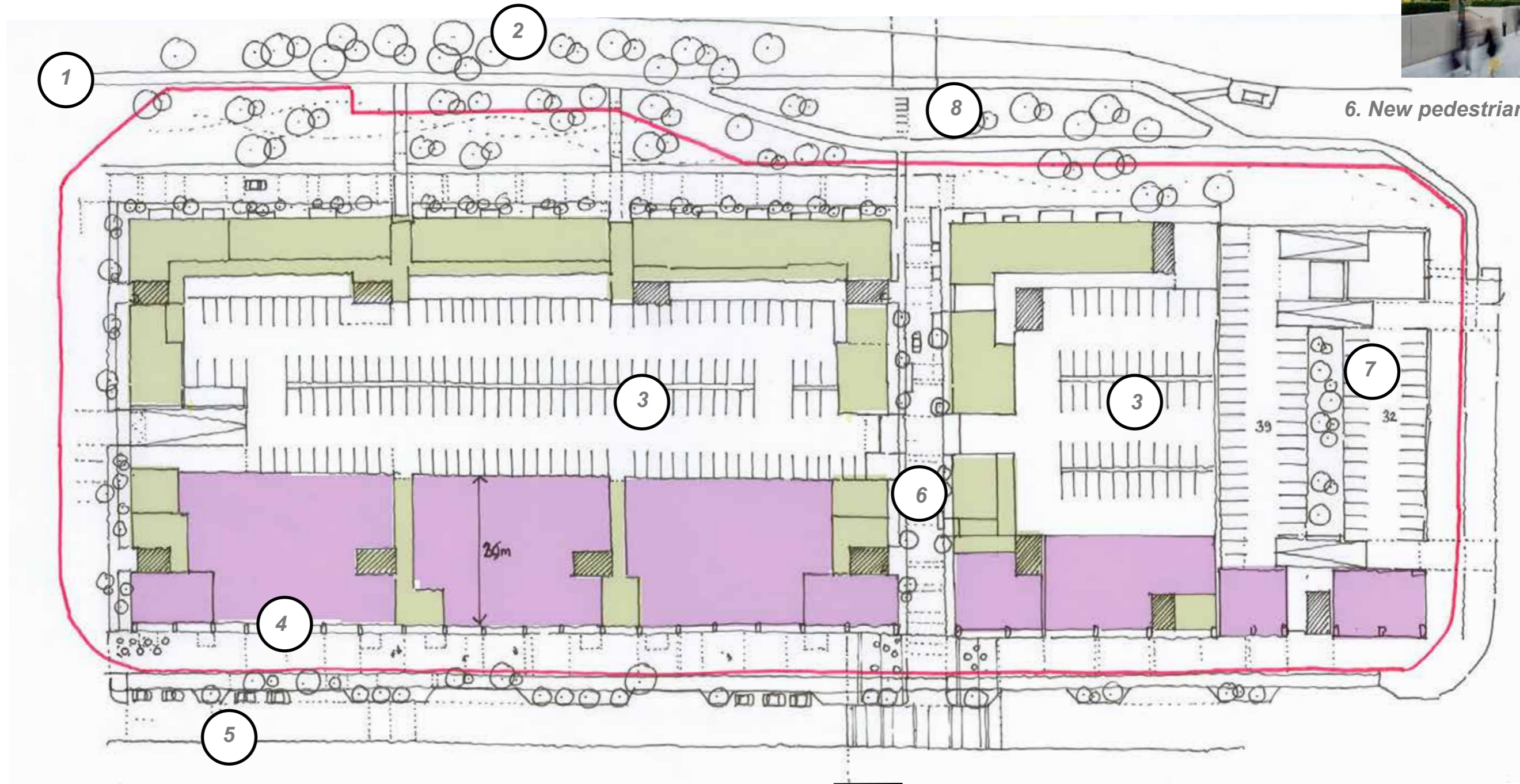
Residential building 4  
12 apartments per floor

**TOTAL 264 APARTMENTS**

*Note: Revised guidance on single stair fire escapes requires review*

Plot Testing - Ownership 1+2+3

# Plot testing / Combined Site Ownership



6. New pedestrian street

- 1. Existing cycle way
- 2. Existing green infrastructure
- 3. Private residential parking [ 2 levels]
- 4. Active Street Frontages
- 5. Shared Surface - pedestrian friendly
- 6. New pedestrian street with access for car parking only
- 7. Multi-level parking for E use class
- 8. Existing underpass

	Residential
	E use class/ Sui Generis

Note: Revised guidance on single stair fire escapes requires review

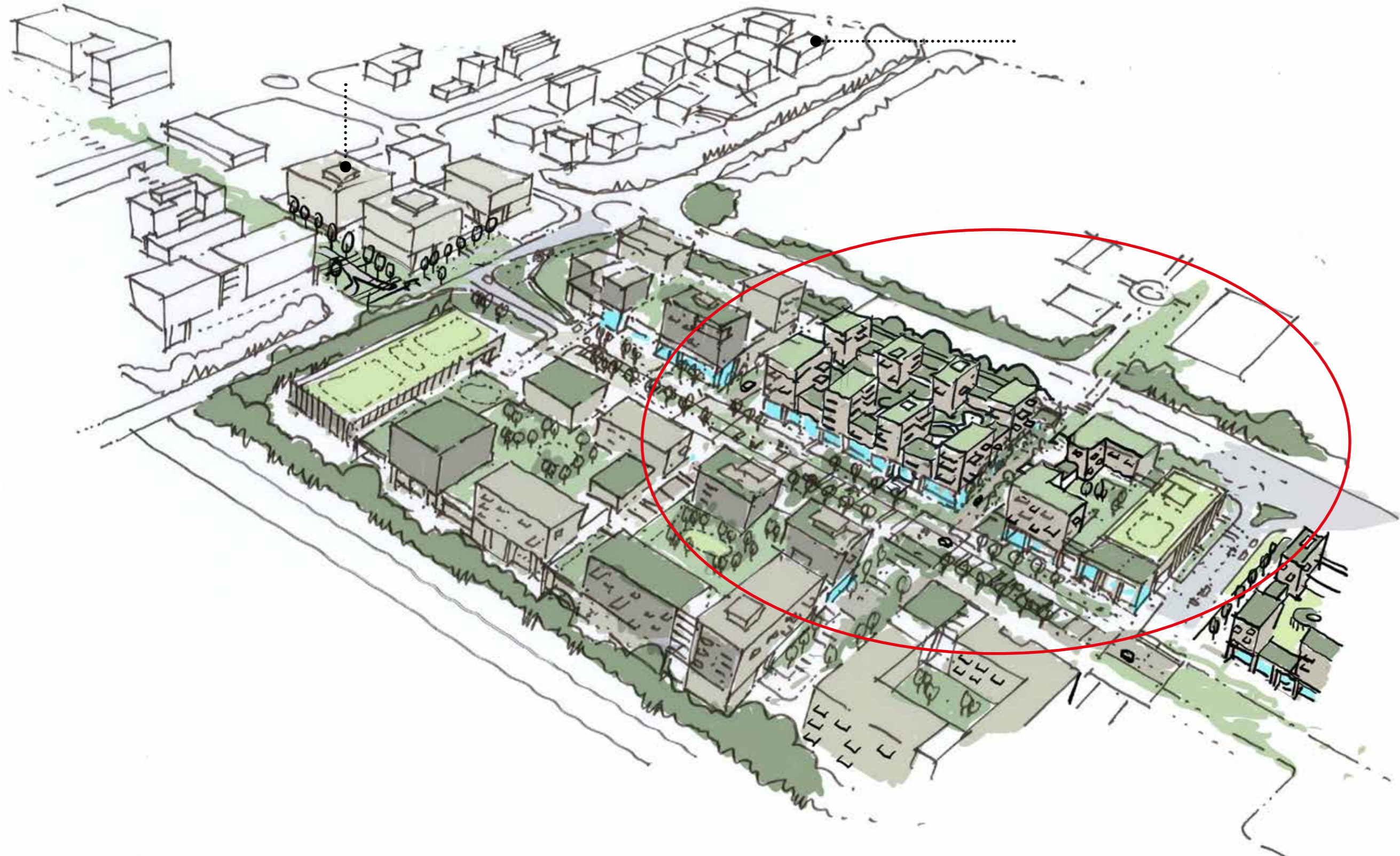
# Plot testing / Typical residentail level



*Building frontages addressing the street*

*Note: Revised guidance on single stair fire escapes requires review*

# Plot testing / aerial view and massing study



## Plot testing / Potential Development Area

The combined AW James land ownership equates to approximately **2.65 hectares/ 6.54 Acres**

Plot testing for the combined site ownership can potentially deliver:

Residential Accommodation - 35,000 sqm / 372, 434 sqft GIA

[Approx 450 apartments - mix of 1/2/3 bedrooms]

Residential parking at 1 space per dwelling. Consideration of car club to reduce numbers

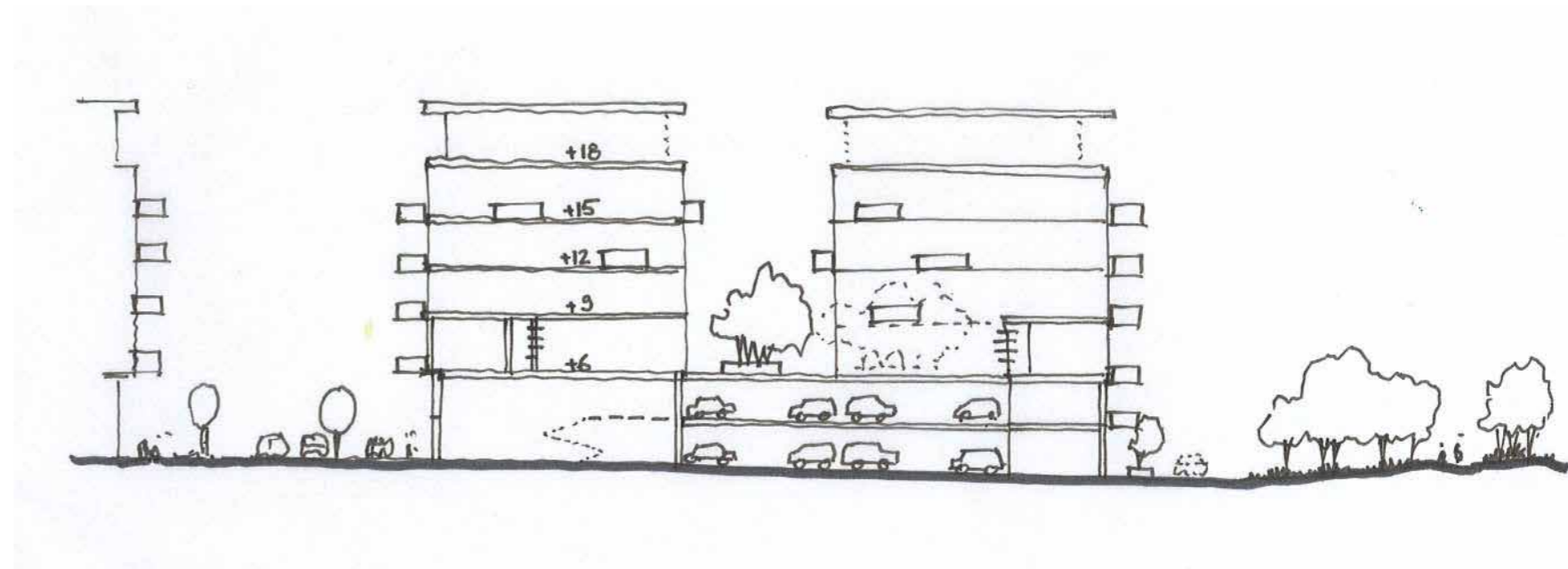
*[ Numbers based on 5 storeys of residential accommodation above podium level - final storey max 18m above FFL]*

E Class / Sui Generis - 4,000sqm/ 43,056 sqft

Flexible space suitable for predominantly retail - with potential to accommodate other uses which provide activity at street level.

**TOTAL - 39,000 sqm/ 419, 796 sqft**

Multi - level parking - circa 200 spaces



**TOTAL 264 APARTMENTS**

*Note: Revised guidance on single stair fire escapes requires review*

**pHp** architects

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t.01604 858 916

**Representations to the  
MK City Plan 2050  
Regulation 18 Draft**

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Winterhill Retail Park, Milton Keynes

On behalf of AW James

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October 2024

Ref: 1228

Smith Jenkins Ltd



## **1 Introduction**

- 1.1 These representations have been prepared by Smith Jenkins Planning & Heritage to the current MK City Plan 2050 Regulation 18 consultation on behalf of AW James in respect of the Land at Winterhill Retail Park, 3 Snowdon Drive, Milton Keynes MK6 1BN (the site).
- 1.2 These representations set out the background to the site and the emerging development proposals for mixed use (residential led) development and follow the submission of the site as part of the Call for Sites at the start of 2024. The site continues to be deliverable for the mixed use development and can assist in the preparation of local plan up to examination and meeting objectives.
- 1.3 AW James, a national property developer and building manager with a number of interests in central MK. In 2020, AW James completed a speculative mixed use commercial development adjacent to the station. 100 Avebury Boulevard has proved to be a commercial success, is fully let and can be seen as a positive contribution to the MK skyline.
- 1.4 AW James would like to build on the success of 100 Avebury Boulevard and bring forward proposals for the development of the Winterhill site for a residential led mixed use scheme to support the growth of Milton Keynes, and potentially serve the anticipated growth in student numbers resulting from the construction of the new university campus on the site to the east of the station.
- 1.5 These representations are accompanied by a Feasibility Study (September 2024) prepared by pHp architects. These representations provide detailed plans for the immediate site under the applicants control and a wider masterplan that provides an indicative plan of what Winterhill could look like in the future.
- 1.6 We would welcome the opportunity to discuss the site with officers as the preparation of the new Local Plan continues.

## 2 Planning Policy Context

- 2.1 The Regulation 18 version of MKCC’s draft City Plan was published for consultation on 17th July 2024.
- 2.2 On the 30 July 2024, the Government published a new draft National Planning Policy Framework (NPPF) for consultation until 24th September 2024, alongside a Written Ministerial Statement (WMS) ‘Building the Homes We Need’, setting out the objective of delivering more housing over the life of the current parliament.
- 2.3 The publication of these documents has implications on the Plan, following the publication of the draft NPPF and WMS, the planning policy context is likely to change significantly prior to the Plan’s adoption.
- 2.4 The City Plan must be consistent with national policy. On publication, a new NPPF is likely to have fundamental implications on the policies contained in the Plan.

### *Boosting the Supply of Housing*

- 2.5 There are important points raised in the revised NPPF and WMS which demonstrate the Government’s intention to increase the emphasis on the benefits of housing delivery in plan and decision making. The WMS states:

*“We are in the middle of the most acute housing crisis in living memory. Home ownership is out of reach for too many; the shortage of houses drives high rents; and too many are left without access to a safe and secure home. That is why today I have set out reforms to fix the foundations of our housing and planning system – taking the tough choices needed to improve affordability, turbocharge growth and build the 1.5 million homes we have committed to deliver over the next five years.”*

- 2.6 The consultation website for the draft NPPF changes explains that:

*“We are clear that local planning authorities should identify opportunities for maximising the efficient use of land, especially in areas well served by transport and other infrastructure. By restricting density, the existing policy is likely to have longer term negative impacts on achieving sustainable patterns of development and on meeting expectations on future housing supply. Alongside this reversal, we propose strengthening expectations that plans should promote an uplift in density in urban areas.”*

2. To support the Government’s ambition to boost housing delivery to 1.5 million new homes over the next five years, provide more stable and predictable housing numbers and distribute homes across the country where they are most needed, one of the proposed changes is the introduction of a new mandatory standard method of calculating housing need. This will set a baseline at a percentage (0.8%) of existing housing stocks, apply stronger affordability multipliers to relieve price pressures and remove certain caps/additions.

- 2.8 Notably, the revised draft NPPF also restores at Paragraph 76 the requirement for LPAs to demonstrate a five year housing land supply, even when the adopted plan is less than five years old. This reflects the need for LPAs to adapt and respond to changes in delivery (or lack thereof) after the adoption of a plan, to ensure that needs continue to be met.

*Maintaining effective cooperation*

- 2.9 The consultation NPPF has emphasized the need for effective co-operation between neighbouring authorities in order to deliver sustainable growth. Proposed revisions to Paragraph 24 of the NPPF state that *“effective strategic planning across local planning authority boundaries will play a vital and increasing role in how sustainable growth is delivered”*.
- 2.10 Once matters requiring ‘collaboration’ have been identified, the proposed new Paragraph 27 sets out certain requirements for policy-making authorities to ensure their plan policies are consistent unless there is a clear justification to the contrary. Paragraph 27 encourages strategic policy-making on matters such as delivery of major infrastructure, unmet development needs from neighbouring areas and any allocation or designation which cuts across the boundary of plan areas.

*Summary*

- 2.11 The above demonstrates the clear recognition from Central Government that increasing the supply of housing, including by increasing densities on sites, will be essential to addressing the housing crisis and the importance of strategic cross boundary working between local authorities. The core message throughout the WMS and NPPF revision is that the Government will take a more pro-development approach to ensure the delivery of housing and will be updating policy to achieve this aim.
- 2.12 This representation refers throughout to the implications of the above emerging changes on the draft MK City Plan 2050.

### 3 The Site and Background

#### Site Description

- 3.1 The site is located in the central urban area of Milton Keynes. The site makes up part of the wider Winterhill Retail Park. Winterhill Retail Park is a commercial retail park that is currently occupied by various retailers; retailers within the site are all on short to medium term leases. Snowdon Drive provides direct access into the site from the west and Cairngorm Gate runs along the northern boundary of the site.
- 3.2 The site currently has 3 main commercial blocks, with double height ceilings. From satellite mapping systems, these sites approximately cover 6500m<sup>2</sup>. The site also benefits from a central parking court. There are some minor areas of soft landscaping at the site, medium hedgerows and trees. V6 Grafton Street is located to the east of the site.
- 3.3 A redway also is located between the site and V6. Given its central location within the city, the site is located in a highly sustainable area with opportunities to access various transport modes.



**Figure 1: Site Location**

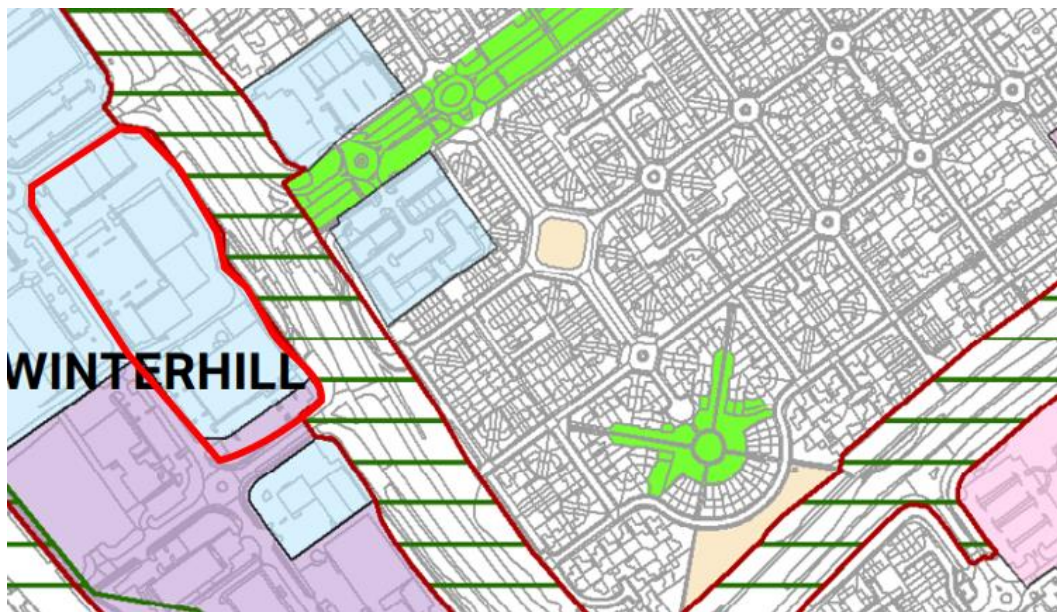
- 3.4 The site is within Flood Zone 1. Areas of the site are at higher risk of surface water flooding. These areas are at the northern end of the site.
- 3.5 There are no Tree Preservation Orders (TPO) that are located within the site. The site is not within a Conservation Area and there are no statutory listed buildings located nearby. The online mapping system shows a Potential Archaeological Site to the south-west of the site.

### Background

- 3.6 As stated above, this site was put forward as part of the Call for Sites. Confirmation is sought in to whether this site was considered by the Council as reference to this site is absent on the interactive mapping and SHLAA. These representations seek to confirm that the site has been, and will continue to be, considered during the preparation of the emerging plan.
- 3.7 While the proposal is for AW James there is clearly an opportunity for the regeneration and redevelopment of the wider retail area of Winterhill. This would be beneficial as it would result in a better use of sites and land, and create a new community close to the City Centre, existing residents and with access to facilities that meet the day to day needs of residents.

### Current Planning Policy

- 3.8 The currently adopted Plan:MK, designates the site as within the Development Boundary for Milton Keynes City and as an area for Shopping and Leisure – Existing. V6 Grafton Street to the immediate east is a designated Transport Corridor and Wildlife Corridor. Figure 2 from Adopted Policies Map Sheet 4 shows the relevant extract with the site edged in red.



*Figure 2: Extract of Plan:MK Policies Map*

- 3.9 This site and the wider retail park is allocated in the Campbell Park Neighbourhood Plan as an area for Non-food retail or B1 and B2 use-class. The area allocated is shown in Map 5: Winterhill of the neighbourhood plan.

## 4 Outline Representations

### Overview

- 4.1 AW James welcome the publication of the MK City Plan 2050 Regulation 18 Consultation and the opportunity to comment on its draft policies and wider ambitions. Effectively planning sites for the future development of Milton Keynes is deemed essential in order for the plan to achieve the objectives outlined.
- 4.2 The 28 year plan period (2022-2050) is ambitious and well exceeds the minimum 15 year requirement to anticipate and respond to long-term requirements and opportunities and is aligned with the 30 year requirement to allow for long term strategic planning as set in Paragraph 22 of the current 2023 National Planning Policy Framework (NPPF) which remains unchanged in the revised draft NPPF
- 4.3 Figure 3 shows an extract of the draft policies map and indicatively edges the site in a red line.



**Figure 3:** Extract from Proposed MK City Plan Proposals Map

- 4.4 The site is shown to be located within Housing Viability Area 2, with no other designation. It is unclear whether this will continue through to the plan that will be submitted for examination or whether the policies map is being left purposefully vague. If left vague, there could be challenges on which policies apply as the existing land use is not identifiably clear. This needs to be addressed by the Council.
- 4.5 A review of a the draft plan on behalf of AW James has highlighted areas of policy that feel necessary for reconsideration. Given that this is a Regulation 18 draft, we are confident that they can be addressed, building on the work undertaken to date, to provide a positive plan for the area.

### Housing Need and Delivery

- 4.6 The housing crisis is well documented. To support the Government’s objective of ‘significantly boosting’ the supply of homes, NPPF Paragraph 60 highlights the importance of a sufficient amount and variety of land coming forward where it is needed. As set out in Section 2, the new Government’s

latest consultation proposes reforms to the NPPF and other aspects of the planning system to further boost housing supply.

- 4.7 Draft Local Plan **Policy GS2 Strategy for Homes** seeks to ensure the minimum housing requirement is met by delivering between 53,245 and 63,000 new homes over the plan period (2022 – 2050) or (1,902 – 2,250 homes per annum).
- 4.8 This range will meet both the identified local housing need, as confirmed in the Housing and Economic Development Needs Assessment (HEDNA) (2023) of 53,245 dwellings (1,902 per annum) and the emerging figure of 2,304 per annum as set out in the new Standard Methodology as outlined in Section 2.
- 4.9 However, it should be noted that providing only the ‘minimum’ housing requirement of 53,245 dwellings over the plan period will not deliver the Government’s clear objective of significantly boosting the supply of homes. Furthermore, there is no guarantee that the various proposed allocations, especially larger strategic scale development, will be delivered at all or to the extent projected within the proposed plan period.
- 4.10 As defined in the NPPF Glossary, to be considered ‘deliverable’, sites for housing should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years. A large proportion of the remaining capacity for the sites expected to be delivered in the plan period may not meet this definition. This is particularly pertinent to large outline sites where permission could expire prior to the submission of reserved matters. A thorough assessment of the deliverability of sites should be undertaken to provide an update to the housing trajectory.
- 4.11 The NPPF also seeks to focus redevelopment of previously developed or brownfield sites. For Milton Keynes, this will result in a need for focusing redevelopment towards the city centre and promoting redevelopment for mixed uses. It is welcomed that the strategy recognises the critical role that these sites play. The Government have recently published a consultation on ‘brownfield passports’, which further supports the regeneration and reuse of brownfield sites by increasing the presumption in favour of development in such locations. The New City Plan does not address this issue in any great detail, beyond a single objective in the Plan around community regeneration. The Plan should be more ambitious in this regard and seek to identify underused parts of the existing City that could benefit from regeneration and significantly boost the supply of housing, relying on the existing transport network but also benefiting from the emerging plans for the MRTN.
- 4.12 A benefit of utilising existing retail parks for redevelopment is the benefit of existing infrastructure. Utilities can be provided on sites from day one, in turn this can speed up the delivery of these sites at the beginning of the plan period. Large scale strategic sites do not offer the same benefits. Delivery of housing at Winterhill would able the Council to maintain a positive housing land supply position during the teething years at the start of a new plan.
- 4.13 Due to the above, understanding the contribution of different sized sites is important. The redevelopment at Winterhill Retail Park provides an opportunity to allocate a brownfield site for a residential mixed use scheme. The proposals will complement the existing surrounds, retaining

commercial units, while simultaneously boosting the supply of housing within sustainable urban areas.

### **Quarters**

- 4.14 Policy CMK2 divides the city into four quarters with the intention of each quarter to provide a distinct purpose and character. While Winterhill lies outside of the CMK boundary, the area is easily accessible by a range of sustainable transport methods. As such, developments in this location can aid in the vitality and growth of the city centre.
- 4.15 Part D of Policy CMK2 notes that proposals on sites adjacent to another quarter will be supported when proposals come forward that assist in the primary objectives of the quarter. It is not currently clear whether developments adjacent to but outside of any defined quarter would also benefit from this policy.
- 4.16 A redevelopment of Winterhill makes a sensible extension to the city centre, given the existing built form and accessibility to the train station. It makes an appropriate location to accommodate taller buildings. The site could easily provide residential accommodation to support the proposed university development, which would enable more space on Block B4 to be available for commercial or leisure development.

### **Density**

- 4.17 These representations welcome the draft plans inclusion of higher density developments within the urban areas. Particularly, part C(7) of Policy GS10 which supports proposals for increased density in areas that are connected to sustainable transport nodes. Milton Keynes train station offers regular connections across the country, allowing for high ease of movement. These representations encourage the Council to continue to promote proposals for higher densities within the zone surrounding MK's major transport hub.
- 4.18 However, we do not believe that this area should be constrained by a dwelling per hectare area designation. Having a broader wording, like part 4 of Policy GS4, is a much more appropriate pattern to follow. It is a matter of good planning to design proposals in the context of their surroundings. Placing a number on density can place limits on high quality design proposals coming forward.
- 4.19 The case study of the London Plan supports this when they sought to remove the density metric when developing the 2021 plan. This approach was justified through a 15 year assessment. The assessment judged assessing proposals through a density matrix consistently provided a poor benchmark assessment of proposals and that design-led assessments consistently proved to be a better case for assessment.
- 4.20 These representations support the Council's proactive inclusion of assessment of developments on a case by case basis outside of CMK. However, the use of a dwelling per hectare tool within CMK is discouraged. A similar, design-led assessment approach should be adopted instead.

### **Direction of Retail**

- 4.21 The proposed vision for this site is to replace the existing retail units with a residential led mixed use scheme. At ground floor level, the proposals include provision for flexible commercial units. These units would be adaptable to suit future needs. This kind of flexibility in planning use and floor plate is needed to ensure the future success of MK as a city. An example of inability to adapt is displayed by the demise of CMK. The focus on office meant that the vitality of the centre was severely impacted with the changes in office demand. The proposal offers a flexible commercial space that would assist in preventing this for the area.
- 4.22 The plan also supports redevelopment of these sites through Policy GS5. The retail hierarchy explains that such uses should be located in city, town, district and local centres. This approach is encouraged and deemed necessary to support the long term viability of these areas.
- 4.23 Successfully, focusing support into centres will inevitably reduce the need for larger retail parks. This will render sites like Winterhill redundant and therefore the allocation of such sites for mixed-use redevelopments is seen to be a sensible approach. These representations seek the Council to think proactively towards to how these sites can be utilised to meet core objectives.

### **Affordable Homes**

- 4.24 Winterhill and the surrounding land is recognised as Housing Viability Area 2, in these areas the draft plan seeks the delivery of 25% of new homes to be affordable. These representations welcome a zoning system approach to affordable housing and lowered levels in the viability sensitive areas.
- 4.25 Policy HQH2 sets a separate parameters for Build to Rent in respects of affordable housing. These representations acknowledge the need for this and welcome the specific nature of this. However, it is thought that a payment in lieu should not be restricted only for Build to Rent. Widening the opportunity for payments in lieu, subject to viability, across housing viability areas 1 and 2 could greatly benefit the delivery of housing (including affordable) across the plan period.

### **Heritage**

- 4.26 Policy ECP5 requires any application that would affect a heritage asset will need to be supported by a robust and objective heritage assessment. Assets on the New Town Heritage Register is recognised as one of these heritage assets. This has potential detrimental consequences for bringing forward development within the city. The New Town Heritage Register is only in draft form, with only some of the draft allocations made public. Smith Jenkins understand that many unpublished draft Non-Designated Heritage Assets (NDHA) are proposed to be added to the register. Without any certainty of what may, or may not, be included on this list it is hard to accurately assess the policy.
- 4.27 In any case, the publication of a policy that references a document not yet made publicly available is a dangerous stance. This could lead to many sites that are being promoted being rendered unviable due to unavoidable costs/design restrictions when looking to deal with heritage related matters.

**The National Planning Policy Framework**

- 4.28 Due to the timing, the emerging local plan will be required to be prepared in accordance with the National Planning Policy Framework in which consultation has just closed.
- 4.29 While the formal text has not been published, it is likely that the Framework will be very similar to the draft text for consultation. The draft text includes some very strong ambitions for growth across of the country. As a result, these representations question whether the plan has allocated a great enough buffer to meet future demands.
- 4.30 The proposed method for calculating housing delivery sets a target of 1,759 homes per annum for Milton Keynes. The plan proposes a housing requirement of 53,245 (at the bottom end), equating to 1,902 dwellings per annum. While this is a strong target, it could be higher to ensure targets are met. This will also assist the Council when reviewing housing targets and the plan.
- 4.31 The framework gives further priority towards the delivery of housing on brownfield land. This can be achieved in CMK but will inevitably lead to a redevelopment of office or other commercial buildings. This needs to be understood and referenced in planning policies for the city centre. Without the plan recognising and accepting the loss of these types of buildings, forthcoming applications to deliver valuable housing stock will face a policy challenge.

## 5 Detailed Response

### Overview

- 5.1 The MK City Plan 2050 Regulation 18 plan sets out the ambition, objectives and overall policy framework for delivering growth aligned with the Council’s vision contained within the Strategy for 2050.
- 5.2 The 28 year plan period (2022-2050) is ambitious and well exceeds the minimum 15 year requirement to anticipate and respond to long-term requirements and opportunities and is aligned with the 30 year requirement to allow for long term strategic planning as set in Paragraph 22 of the current 2023 National Planning Policy Framework (NPPF) which remains unchanged in the revised draft NPPF.
- 5.3 AW James welcome the publication of the MK City Plan 2050 Regulation 18 Consultation and the opportunity to comment.
- 5.4 Having reviewed the draft Plan, there are several elements which AW James feel should be reconsidered. Given that this is a Regulation 18 draft, we are confident that they can be addressed, building on the work undertaken to date, to provide a positive plan for the area.
- 5.5 The responses are set out in relation to the various policies are set out under the various topic areas below.

### Question 1(a) – Our Ambition And Objectives For Growth

#### *Do you agree with our ambition and objectives for growth?*

- 5.6 AW James partly agrees with the ambition and objectives for growth.

### Question 1(b) – our ambition and objectives for growth

#### *Please say why you gave the answer to 1(a) above.*

- 5.7 While we support the objective to provide high quality homes, the Plan needs to make provision for a choice and range of homes that meets the needs of the community as a whole. This needs to include sites for housing in villages as well as within and adjacent to the existing City of MK. Sites need to be made available for a range of developers, not just through the provision of strategic sites which are only open to national housebuilders to develop. A wider range of sites can be made available through the opportunity to build on sites in and adjacent to villages and through infill sites within Milton Keynes.
- 5.8 There should also be the opportunity for urban regeneration which should be embraced. Milton Keynes is almost 60 years old, and many parts of the original city plan are now dated. The Plan needs to be sufficiently visionary to enable changing land uses, patterns of living and access to transport to provide for the next generation. If the Plan is to live up the City’s ‘stap line’, ‘Better By Design’, the Plan needs to enable regeneration and growth in different ways, including embracing good quality, modern architecture, rather than relying on past patterns to guide future developments.

- 5.9 We would seek an amendment to Objective 10: “Support renewal and regeneration within neighbourhoods and communities that would benefit from it”, to enable everyone to benefit from regeneration, and that the benefits should be considered in the broadest sense, not just limited to those people who live immediately adjacent to a site or area.

**Question 1(c) – our ambition and objectives for growth**

***Do you have any other comments or suggestions for this topic?***

- 5.10 No.

**Question 3(a) – Policy GS2 Strategy for Homes**

***Do you agree with the draft policy?***

- 5.11 No.

**Question 3(b) – Policy GS2 Strategy for homes**

***Please say why you gave the answer to 3(a) above.***

- 5.12 Draft Local Plan Policy GS2 Strategy for Homes seeks to ensure the housing requirement is met by delivering between 53,245 and 63,000 new homes over the plan period (2022 – 2050) or (1,902 – 2,250 homes per annum) through a range of urban and brownfield sites and new Strategic City Extensions. The upper end of the range represents the Council vision for the growth of the city and also provides a buffer on the Local Housing Need of around 18%.
- 5.13 AW James does not agree with the housing target range as expressed in the policy. The housing target should be expressed a number and this should be taken as a minimum. The imprecision within the Policy will only lead to confusion, and misinterpretation. The policy should be clear that there is a minimum housing requirement, and that this should enable sufficient flexibility to meet the needs of a wide sector of the population, specifically those seeking homes such as BTR or specialist housing.
- 5.14 The housing crisis is well documented. To support the Government’s objective of ‘significantly boosting’ the supply of homes, NPPF Paragraph 60 highlights the importance of a sufficient amount and variety of land coming forward where it is needed. As set out in Section 2, the new Government's latest consultation proposes reforms to the NPPF and other aspects of the planning system to further boost housing supply.
- 5.15 The identified range will meet both the identified local housing need, as confirmed in the Housing and Economic Development Needs Assessment (HEDNA) (2023) of 53,245 dwellings (1,902 per annum) and the emerging figure of 1,759 per annum as set out in the new Standard Methodology as outlined in Section 2.
- 5.16 However, it should be noted that providing only the ‘minimum’ housing requirement of 53,245 dwellings over the plan period will not deliver the Government’s clear objective of significantly boosting the supply of homes. Furthermore, there is no guarantee that the various proposed

allocations, especially larger strategic scale development, will be delivered at all or to the extent projected within the proposed plan period.

- 5.17 This has been demonstrated by the existing allocations in Plan:MK, for example Land East of the M1 which is allocated for delivery of around 5,000 new homes and is expected to deliver 295 dwellings by 2026/2027 in the current Plan's trajectory. However, to date no reserved matters applications have come forward for residential development on the site and as such there is likely to be a delay in the expected delivery of homes against the trajectory.
- 5.18 In addition, the Milton Keynes South East Strategic Urban Extension (Policy SD11) is allocated for the delivery of around 3,000 homes and was expected to deliver 50 dwellings in the monitoring year 2023/24, 250 dwellings in 2024/25, 350 dwellings in 2025/26 and 450 dwellings in 2026/27. As the site does not yet have planning permission, there is very likely to be a delay in the expected delivery of homes at this site against the trajectory.
- 5.19 Strategic sites are important for the diversity in sources of supply. These sites often appeal to a different market to town centre and other urban sites providing flexibility and a range of housing products. However, with the number of sites and the important contribution they make towards the sources of supply, there is a need to ensure that 'deliverability' has been thoroughly assessed.
- 5.20 Paragraph 69 of the NPPF states that strategic policy-making authorities should have a clear understanding of the land available in their area through the preparation of a strategic housing land availability assessment. From this, planning policies should identify a sufficient supply and mix of sites, taking into account their availability, suitability and likely economic viability. Planning policies should identify a supply of: a) specific, deliverable sites for five years following the intended date of adoption<sup>35</sup>; and b) specific, developable sites or broad locations for growth, for the subsequent years 6-10 and, where possible, for years 11-15 of the remaining plan period. The New City Plan does not do this, and this is a failing of the Plan as currently drafted.
- 5.21 As defined in the NPPF Glossary, to be considered 'deliverable', sites for housing should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years. A large proportion of the remaining capacity for the sites expected to be delivered in the plan period may not meet this definition. A through assessment of the deliverability of sites should be undertaken to provide an update to the housing trajectory.
- 5.22 There is no demonstration in the draft Plan about how the strategic policies meet the needs to neighbouring authorities or how the Council have worked collectively with its neighbours. While acknowledging that the current NPPF removes the 'duty to cooperate', these requirements are reinstated in the draft NPPF 2024. NPPF 2023 Paragraph 11 requires that, as a minimum, strategic policies provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas unless:
- The application of policies protecting areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area; or

- Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole.

- 5.23 Similarly, NPPF Paragraph 61 requires that any needs that cannot be met within neighbouring areas should be taken into account in establishing the amount of housing to be planned for. As identified in Section 2, in revising the NPPF, the Government will require all areas to take a “cross-boundary strategic planning approach” in a bid to boost delivery of new homes.
- 5.24 Delivering the lower-range target of 53,245 dwellings over the plan period, as set out in draft Local Plan Policy GS2, will not address needs that cannot be met within neighbouring areas, such as Buckinghamshire and Bedford Borough. This is a matter that needs to be addressed, and indicates that the housing target should be increased.
- 5.25 The housing supply in Table 1 is vague and overly reliant on longer-term ‘broad locations’ for growth. For example, the assertion that 2,500 units will come from Transport Hubs is not evidenced in the Plan and no land is allocated. These units are currently based on an assumption (as stated in Paragraph 13 of the Plan). This cannot be a component of the housing supply if the figure is assumed and there are no allocations in the Plan.
- 5.26 Additionally, provision is made for 11,000 homes in Central Milton Keynes (CMK), which is welcomed however, this is based on broad assumptions and no specific sites are allocated. This figure is taken from a Land Availability Assessment (LAA) for CMK which is included in the Strategic Housing Land Availability Assessment (SHLAA). The LAA is a broadbrush assessment of capacity for residential development based on various assumptions. It is not based on a capacity resulting from available and developable sites submitted to the Council. We consider that sites in CMK should be identified to provide deliverable sites to meet the Council’s housing needs and the broader strategy to revitalise CMK. Both the Jaipur and Argos sites are available, and deliverable, and can be considered to meet the need within the next 5 years.
- 5.27 As such, we consider that the Council should re-assess the housing requirement and plan for more development across a broader range of sites, allowing SME developers to bring forward sites including those in the urban area, such as the redevelopment of Winterhill.

**Question 6(a) – Policy GS5 Our retail hierarchy**

**Do you agree with the draft policy?**

- 5.28 Yes.

**Question 6(b) – Policy GS5 Our retail hierarchy**

**Please say why you gave the answer to 6(a) above.**

- 5.29 AW James support the Council giving priority to focusing retail development within the relevant centres. Retail development being located strictly within centres across the borough are essential for the longer term vitality of these areas. Retail parks have led to the downfall of these areas. The plan

is seeking an ambitious effort for growth. To obtain this the Council must ensure that centres contain the appropriate facilities, which reduce the need for travel and provide facilities in accessible spaces.

- 5.30 Fulfilling this strategy would therefore allow for the release of retail parks across the city to be development for an alternative use. Ultimately, this would allow for additional brownfield land in sustainable locations to be allocated for residential and mixed use purposes.
- 5.31 To allow the focus of retail sites to be consolidated within their respective centres, a regulation 19 plan could include policy to encourage the redevelopment of retail parks outside of centres. This could take the form of a part of an overarching policy or this could be achieved by way of site allocation on the proposals map.
- 5.32 In conclusion, these representations support the Council's approach to targeting the vitality and viability of centres (city, town, district and local) to accommodate MK's retail needs. However, more information needs to be provided to ensure that redevelopment of surplus retail units outside of these locations are not restricted by planning policy.

**Question 6(c) – Policy GS5 Our retail hierarchy**

**Do you have any other comments or suggestions for this topic?**

- 5.33 No.

**Central Milton Keynes**

**Question 21(a) – Our ambition and objectives for Central Milton Keynes**

**Do you agree with our objectives for Central Milton Keynes?**

- 5.34 Yes.

**Question 21(b) – Our ambition and objectives for Central Milton Keynes**

**Please say why you gave the answer to 21(a) above.**

- 5.35 AW James support the creation of a thriving city centre, however this must be as a result of a mix of land use types across the whole City Centre, rather than through the creation of specific uses within 'zones'. Plan:MK and its predecessors have created a City Centre that is split into leisure, shopping, employment and residential zones with little over-lap between the uses. It has only been more recently, through the implementation of residential schemes secured through permitted development conversions, that has resulted in a greater mix of uses in CMK.
- 5.36 AW James welcome the acknowledgement at Paragraph 85 that the framework and policies for CMK need to be flexible, but to be implemented flexibly, the policies need to be written clearly to ensure they are interpreted in the determination of planning applications in the way they are intended, and to achieve the objectives of the plan.
- 5.37 However, AW James seek to understand how potential redevelopment sites adjacent to the city centre boundary will be able to benefit from the future successes of the city centre. The proposals

offer a deliverable mixed-use development that can co-exist with the city centre and offer benefits. AW James request that the Council reassess sites adjacent to the centre, particularly in the areas surrounding the train station, and how they can act as a benefit to the emerging plans wider ambitions.

**Question 35(a) – Policy HQH2 Affordable homes**

***Do you agree with the draft policy?***

5.38 No.

**Question 35(b) – Policy HQH2 Affordable homes**

***Please say why you gave the answer to 35(a) above.***

- 5.39 AW James support the provision of housing viability areas in the Policy. It has become apparent in recent years that the land values in the CMK and surrounding areas do not support the full provision of affordable housing, and this amendment is welcomed.
- 5.40 The Policy nor the supporting text acknowledge the availability of vacant building credit and this should be confirmed as being relevant, particularly where the Council seeks the delivery of regeneration of existing parts of Milton Keynes, and the re-use of buildings in CMK.
- 5.41 Equally, AW James do not support the tenure mix proposed for affordable homes. The absence of any shared ownership products from the list of acceptable tenures does not agree with the advice in the HEDNA nor does it reflect the experience ‘on the ground’ where RPs are able to utilise shared ownership dwellings to cross-subsidise the delivery of rented tenure affordable homes.
- 5.42 Where build to rent properties are proposed, AW James support the ability to make a financial contribution to off-site affordable homes. Whether these require a viability assessment in every case, or simply that the Council accept a standard payment for off-site provision if proposed by the developer (based on a tariff-style contribution) should be investigated further.
- 5.43 AW JAMES object to Part E of the Policy which prevents the development of more than 50% affordable housing on a single site. There are many circumstances where more than 50% affordable housing is beneficial, particularly where developments are being delivered in partnership with an RP.
- 5.44 Draft Policy HQH2 (part 5) also states that proposals resulting in the creation of more than 50% affordable homes will only be permitted where the number and mix of types and tenures is evidenced by an up-to-date housing needs assessment and will create or maintain a mixed and sustainable community within the wider neighbourhood. This part of the draft Policy overlooks the practicalities of delivering affordable housing for many Registered Providers and the benefits of bringing all (or a large proportion) of the affordable units under the control of one Registered Provider, rather than multiple Registered Social Landlords. Bringing the management of affordable housing under the control of one organisation enables that organisation to better manage the site and maintain the dwellings to the required standard.

**Question 35(c) – Policy HQH2 Affordable homes**

*The proposed tenure mix meets the identified requirement in our background evidence. Is the proposed tenure split likely to be deliverable in practice across various types of residential development? Would an alternative tenure split be better for certain types of residential development? Please state what this could be and why.*

5.45 Please see answer to 35(b).

**Question 35(d) – Policy HQH2 Affordable homes**

*Do you have any other comments or suggestions for this topic?*

5.46 No.

**Question 58(a) – Policy ECP1 Protecting Employment Land and Buildings**

**Do you agree with the draft policy?**

5.47 No.

**Question 58(b) – Policy ECP1 Protecting Employment Land and Buildings**

**Please say why you gave the answer to 58(a) above.**

5.48 The Policy amends Plan:MK Policy ER2 to extend the period of marketing from 6 months to 12 months. This does not allow for flexibility in the delivery of development, and creates an unnecessary burden on site owners to bring forward alternative developments. While an existing site use might be an 'employment' use in the traditional sense (falling within the old Use Class 'B' category), this does not mean that a new use could not employ an equal or greater number of people but not fall within that use. The loss of floorspace should not be considered 'bad' in every case, and should be assessed on a site by site basis.

5.49 Equally, part III of the Policy states that proposals will be refused if the site is not accessible by transport modes other than a car. If the traffic impact of a new development is equal to, or less than, the existing use of a site, this is beneficial. To state that sites will be refused in this case is unreasonable and contrary to the provisions in the NPPF.

## **6 Conclusion**

- 6.1 These representations have been prepared by Smith Jenkins Planning & Heritage to the current MK City Plan 2050 Regulation 18 Plan on behalf of AW James in respect of the Winterhill Retail Park, 3 Snowdon Drive, Milton Keynes MK6 1BN.
- 6.2 The emerging Local Plan should recognise the importance role in which the redevelopment of Winterhill Retail Park could have in achieving strategic objectives of the emerging local plan. Combining residential and commercial uses to create an environment that enhances the vitality and function of the city centre.
- 6.3 We trust that these comments will be duly considered as the preparation of the Plan progresses.