

DELEGATED DECISIONS

22 OCTOBER 2013

AT 5.30 PM

BRONTE SUITE, CIVIC OFFICES

SCHEDULE

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1.	Appointment of Governor - Central And North West London Hospital Trust	Councillor A Geary (Leader)	3 to 4
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5.	Newport Pagnell Neighbourhood Plan - Area Designation	Councillor Hopkins (Cabinet Member for Economic Development and Enterprise)	15 to 18
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7.	Central Milton Keynes Alliance Business Neighbourhood Plan Revised Submission Version: Response of Milton Keynes Council	Councillor Hopkins (Cabinet Member for Economic Development and Enterprise)	65 to 81
8.	Introduction of a Resident Permit Parking Only Scheme to Church End, Wavendon.	Councillor Bint (Cabinet member for Transport and Highways)	82 to 84

Notice of Intention to Hold the Meeting in Private

That the public and press may be excluded from the meeting by virtue of Paragraph 1 (Potential Office Holder with the Authority) of Part 1 of Schedule 12A of the Local Government Act 1972 during consideration of the Annex to the report listed below.

The Proper Officer of the Council has determined that the Annex should be considered in the absence of the public and press by virtue of Paragraph 1 (Potential Office Holder with the Authority) of Part 1 of Schedule 12A of the Local Government Act 1972, as disclosure would not be in the public interest.

No representations have been received about why those matters referred to should be considered with the public and press present.

9.	Approval to Appoint Local Authority Representative Governors	Councillor Dransfield (Cabinet Member for Children's Services and Lifelong Learning)	85 to 87
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Wards Affected:

ALL WARDS.

ITEM 1

DELEGATED DECISION

22 OCTOBER 2013

APPOINTMENT OF GOVERNOR - CENTRAL AND NORTH WEST LONDON HOSPITAL TRUST

Decision Taker: Councillor A Geary (Leader)

Author: June Allen (Corporate Leadership Team Support Manager)
Tel: (01908) 254844

Executive Summary:

The Central and North West London Hospital Trust was recently appointed as the provider of Community and Mental Health Services in Milton Keynes. As a result the Trust has requested the appointment of a Governor from the Council.

The Cabinet at its meeting on 19 June 2013 agreed that the Leader should make appointments to the various Outside Organisations, Advisory Groups and Strategic Partnerships for 2013/14.

1. Recommendation(s)

- 1.1 That a Governor to the Central and North West London Hospital Trust be appointed.

2. Issues

- 2.1 The Central and North West London Hospital Trust was recently appointed as the provider of Community and Mental Health Services in Milton Keynes. The Trust as part of its governance structures seeks to ensure that its Board of Governors is drawn from the communities it serves and the stakeholders it works with.
- 2.2 As a result the Trust has requested the appointment of a Governor from the Council should be appointed by the Council
- 2.3 The Cabinet at its meeting on 19 June 2013 (Minute C19 refers), agreed that the Leader should make appointments to the various Outside Organisations, Advisory Groups and Strategic Partnerships for 2013/14.
- 2.4 Two nominations for the position were received, Councillor Brock (Cabinet member responsible for Adult Social Care, Health and Wellbeing) and Councillor P Williams. The Trust was approached to see if it would accept two Governors representing the Council; however, the request was declined. In accordance with the decision of the Cabinet the Leader accordingly needs to consider making an appointment.

3. Options

- 3.1 The Leader could choose not to make an appointment, but in so doing would deprive the Council and the community of Milton Keynes of representation on the Trust.

4. Implications

4.1 Policy

Not applicable.

4.2 Resources and Risk

Other than meeting the travel costs of the appointed governor, which can be met from existing budgets, there will be no financial implications.

N	Capital	N	Revenue	N	Accommodation
N	IT	N	Medium Term Plan	N	Asset Management

4.3 Carbon and Energy Management

None.

4.4 Legal

None.

4.5 Other Implications

None.

N	Equalities/Diversity	N	Sustainability	N	Human Rights
N	E-Government	N	Stakeholders	N	Crime and Disorder

Background Papers: Letter from Central and North West London NHS Foundation Trust

Wards Affected:

ALL WARDS

DELEGATED DECISION

22 OCTOBER 2013

APPOINTMENT OF HERITAGE CHAMPION – ENGLAND HERITAGE

Decision Taker: Councillor A Geary (Leader)

Author: June Allen (Corporate Leadership Team Support Manager)
Tel: (01908) 254844**Executive Summary:**

For over ten years now, local authorities across England have been appointing Elected Members to be Heritage Champions for their local areas. The previous Milton Keynes Council Heritage Champions were the Cabinet Portfolio holder for Communities.

The Council has been asked to nominate a further representative to role of Heritage Champion as the Milton Keynes post is currently vacant. The Cabinet at its meeting on 19 June 2013 agreed that the Leader should make appointments to the various Outside Organisations, Advisory Groups and Strategic Partnerships for 2013/14.

1. Recommendation(s)

- 1.1 That the Cabinet Member for Communities and Public Realm be appointed as Heritage Champion.

2. Issues

- 2.1 Heritage Champions can provide a powerful voice for heritage issues within their authority areas and they continue to play an essential role in unlocking the potential of the historic environment in many local communities across the country. This is especially important in the context of the national priority for promoting growth, and the importance of engaging local people in managing their own local places. Within Milton Keynes, there are 1100 listed buildings, 27 conservation areas and scheduled ancient monuments in addition to its heritage. The first Heritage Champion for Milton Keynes secured and advocated its first ever Heritage Strategy adopted in July 2008, which since then has brought in over £15m in external funding investment into Milton Keynes to deliver programmes, most noticeably Bletchley Park.
- 2.2 English Heritage has requested the appointment of a Heritage Champion or relevant Portfolio Holder. Milton Keynes is unique because of the scale of its designed New Town that was laid over the existing historic town and village environments. Heritage in Milton Keynes therefore has attracted specific English Heritage interest and would benefit greatly from such a role at national level. This would further strengthen the ongoing strategic relationship between English Heritage with Milton Keynes Council members and officers.

2.3 The Cabinet at its meeting on 19 June 2013 (Minute C19 refers), agreed that the Leader should make appointments to the various Outside Organisations, Advisory Groups and Strategic Partnerships for 2013/14.

3. Options

3.1 The Leader could choose not to make an appointment, but in so doing would deprive the Council and the community of Milton Keynes of representation on this outside body. Past Heritage Champions for Milton Keynes have proved an asset for advocacy and championing issues at national level, for strategic discussions with English Heritage and other strategic Heritage agencies and for supporting external funding applications to deliver the adopted Heritage Strategy public programmes and outcomes to the advantage of the borough as a whole.

4. Implications

4.1 Policy

The Heritage Champion would assist in ensuring the Corporate Plan priority around recognising the distinctive heritage of the borough is delivered across Council agendas, policies and strategies including the Core Strategy. Additionally, the role would help inform the development of the emerging Heritage, Museums and Archives Strategy for Milton Keynes, its current public consultation, its final programmes and outcomes and once adopted in early 2014, would help raise its profile at local, regional and national levels.

4.2 Resources and Risk

Other than meeting the travel costs of the appointed representative, which can be met from existing budgets, there will be no financial implications.

N	Capital	N	Revenue	N	Accommodation
N	IT	N	Medium Term Plan	N	Asset Management

4.3 Carbon and Energy Management

None.

4.4 Legal

None.

4.5 Other Implications

None.

N	Equalities/Diversity	N	Sustainability	N	Human Rights
N	E-Government	N	Stakeholders	N	Crime and Disorder

Background Papers: E-mail from Dr Andrew Brown, Planning and Conservation Director South East, English Heritage, Guildford, GU1 3EH.

Wards Affected:

LINFORD SOUTH

ITEM 3**DELEGATED DECISION****22 OCTOBER 2013****LORINER PLACE DEPOT TRANSFER OF FREEHOLD OWNERSHIP TO GREAT LINFORD SCOUT GROUP**

Decision Taker: Councillor McLean (Cabinet Member for Corporate Services)

Authors: Neil Hanley (Community Solutions Programme Manager)
Tel (01908) 253632
Paul Sanders (Assistant Director [Community Facilities])
Tel (01908) 253639

Executive Summary:

It is proposed that Loriner Place Depot (as outlined in the Annex) is transferred to Great Linford Scout Group under the Community Asset Transfer programme. This future arrangement will, under the leadership of this group provide high quality provision of community activities for the people of Milton Keynes into the future.

1. Recommendation(s)

That the Freehold ownership of Loriner Place Depot to Great Linford Scout Group, on the basis of the agreed Heads of Terms be agreed.

2. Issues

- 2.1 Loriner Place Depot was historically used by the Council's Landscaping team as a storage unit. It now sits empty and contains a meeting room, a garage, toilets and entrance hall, a secure outdoor yard and unsecured open land. Despite the limitations on space, the Great Linford Scout Group would like to use the Depot where possible for small scale scout meetings and also consider use for a wide range of community groups, including youth groups and older resident groups
- 2.2 The asset transfer will impose covenants or restrictions on use and if these are breached the Council has the ability to restrain such use. In the event that the covenant restricting use is breached and claw-back is not paid, the Council will have a right to acquire the property for £1.
- 2.3 The Toolkit: 'Milton Keynes Council's Approach to Community Asset Transfer', adopted by Cabinet in July 2012 was applied to this asset. Through the two stage application process and subsequent assessment panels, Great Linford Scout Group demonstrated that they met the criteria in terms of being a locally run, locally controlled, non-profit distributing, inclusive, and democratic organisation. Great Linford Scout Group's subsequent business plan submission clearly demonstrated that as an organisation they meet the required requirements under the Community Asset Transfer (CAT) programme for the freehold transfer, and in the opinion of officers they have the relevant experience of delivering services to the local community.

2.4 Great Linford Scout Group has provided this statement from their business plan:

“It is anticipated that the wider community will be welcomed to use the facility. There are limitations in the space available at the property; however there are numerous opportunities that may be possible. Each case would be judged on its own merits. The depot would be available to provide power, toilets and catering facilities for open days in the orchard, organised by the Parish Council.”

In their business plan, Great Linford Scout Group sets out the firm commitment going forwards as follows:

The Scout Group intends to refurbish and secure the land and building to make it fit for purpose. The Scout Group say that this will include the redecoration of the meeting room, hall, windows and toilet facilities; refitting and secure the garage storage, and outside yard facility; clearance of the open space and neglected scrub area to make safe and make secure the outside perimeter through better maintained hedging and landscaping.

2.5 It is proposed to transfer the site, for the sum of £1, subject to restrictive covenants; claw back and a right of pre-emption to protect the Council's interests in ensuring that the asset continues to be used for community related purposes. The Council is able to transfer the properties at less than best value through the use of the well-being powers contained in the General Disposal Consent, which allows for such a disposal where it benefits the economic, social or environmental well-being up to a maximum of £2 Million. Loriner Place Depot has been valued at less than £50,000 well below £2 Million and at less than the State Aid threshold of 360,000 euros.

2.6 Controls would be centred upon property related restrictions. These will be in the form of restrictive covenants to ensure that the use of the Loriner Place Depot is used for Community purposes, that commercial activities can only be complementary and supportive to the overall use of the facility and that the facility cannot be left vacant for more than one year or sold or leased to another organisation without the Council's permission. There will also be claw back provisions requiring the payment of money to the Council in the event of a change of use.

3 Options

The alternative option would be for the Council, as freehold owner, to continue taking landlord-related responsibility for Loriner Place Depot, its liabilities and relevant investment in the future. However, this does not recognise the value of 'Localism', enabling local community partners to take more responsibility for local assets and to empower these new arrangements with those organisations that may be best-placed to achieve this.

4 Implications

4.1 Policy

The Council's approach to Community Asset Transfer was formally adopted on 31 July 2012 following a delegated decision.

The objectives of the programme are firmly embodied within the current version of the Corporate Plan.

4.2 Resources and Risk

There are no revenue implications; so no savings or additional costs to the Council from transferring this Depot as highlighted in the Council's Budget and Medium Term Financial Plan. This is on the basis that there are no existing Council operational budgets for this asset. With the Freehold transfer taking place the Council's Landowner responsibilities would fall away

Great Linford Scout Group would take full responsibility for the asset, its liabilities and relevant capital investment into the future.

Y	Capital	Y	Revenue	N	Accommodation
N	IT	Y	Medium Term Plan	Y	Asset Management

4.3 Carbon and Energy Management

Maintaining the resources at Loriner Place Depot would provide a service for a wide variety of groups, both young and old which they would otherwise have to travel further afield to achieve.

4.4 Legal

Were the Council minded to make a disposal for less than the best consideration that can be reasonably be obtained it may do so by invoking the terms of The Local Government Act 1972 General Disposal Consent (England) 2003. By virtue of this instrument, the Secretary of State gives consent to a disposal of land in the circumstances specified below:

- a) the local authority considers that the purpose for which the land is to be disposed is likely to contribute to the achievement of any one or more of the following objects in respect of the whole or any part of its area, or of all or any persons resident or present in its area:
 - 1) the promotion or improvement of economic well-being
 - 2) the promotion or improvement of social well-being
 - 3) the promotion or improvement of environmental well-being; and
- b) the difference between the unrestricted value of the land to be disposed of and the consideration for the disposal does not exceed £2,000,000.

4.5 Other Implications

As an integral part of this transfer arrangement an Equalities Impact Assessment has been completed. (Available on request)

The programme was promoted on the Council's web link applications and the two stage application process was made available on-line.

Thorough public consultation on the Community Asset Transfer (CAT) Toolkit took place over a three-month period (31 January 2012 – 24 April 2012).

Stakeholders had the opportunity to attend numerous events that were held across Milton Keynes and a public engagement event was held at Great Linford Public Pavilion, clarifying the specific aspects related to this proposed asset transfer.

The local Ward Members as key stakeholders are aware of this development and have been involved in the consultation.

Y	Equalities/Diversity	N	Sustainability	N	Human Rights
Y	E-Government	Y	Stakeholders	N	Crime and Disorder

Annex : Plan of Land of Transfer (circulated as a separate document)

CROSSLANDS DEPOT TRANSFER OF FREEHOLD OWNERSHIP TO THE RESIDENTS ASSOCIATION FOR STANTONBURY COMMUNITY INTEREST COMPANY

Decision Taker: Councillor McLean (Cabinet Member for Corporate Services)

Authors: Neil Hanley (Community Solutions Programme Manager)
Tel (01908) 253632
Paul Sanders (Assistant Director [Community Facilities])
Tel (01908) 253639

Executive Summary:

It is proposed that Crosslands Depot (as outlined in the Annex) is transferred to the Residents Association of Stantonbury Community Interest Company (CIC) under the Community Asset Transfer programme. This future arrangement will, under the leadership of this group provide high quality provision of various community activities for the people of Milton Keynes into the future.

1. Recommendation(s)

That the Freehold ownership of Crosslands Depot be transferred to the Residents Association for Stantonbury Community Interest Company, on the basis of the agreed Heads of Terms.

2. Issues

- 2.1 Crosslands Depot is a small single story building which until it was vacated was historically used by the Landscaping Team as a storage unit. Despite the limitations on space, the Residents Association would like to use the Depot to hold activities, such as workshops, training and community events for a wide range of community groups, including young people and older resident groups.
- 2.2 The asset transfer will impose covenants or restrictions on use and if these are breached the Council has the ability to restrain such use. In the event that the covenant restricting use is breached and claw-back is not paid, the Council will have a right to acquire the property for £1.
- 2.3 The Toolkit: 'Milton Keynes Council's Approach to Community Asset Transfer', adopted by Cabinet in July 2012 was applied to this asset. Through the two stage application process and subsequent assessment panels, the Residents Association for Stantonbury Community Interest Company (CIC), demonstrated that they met the criteria in terms of being a locally run, locally controlled, non-profit distributing, inclusive, and democratic organisation. Their subsequent business plan submission clearly demonstrated that as an organisation they meet the required requirements under the Community Asset Transfer (CAT) programme for the freehold transfer, and in the opinion of officers they have the relevant experience of delivering services to the local community.

- 2.4 The Residents Association for Stantonbury (CIC) has provided this statement from their business plan:

“Although small it will make a perfect venue for a Drop-In style facility with an Activity/Meeting room. We would aim to have a Coffee Lounge area where people can pop in and meet up for a chat with a Cuppa & Cake. We will be working with local groups such as Macintyre for a regular supply of homemade cakes. Our long term goal would be to have it open every day also serving healthy lunches. Activity/Meeting room would be available to be hired out to run workshops, training and other community events such as Community Clubs including younger children and Older Persons, ACE, EASL, Job Club, Health & Wellbeing, the list can go on.

In their business plan, the Residents Association for Stantonbury (CIC) sets out the firm commitment going forwards as follows:

“The facility will need a change of use from a Depot to a Community Facility We will be working very close with other stakeholders & Partners in the area such as ABRA (All Residents Association of Bradville) SPC (Parish Council) Stantonbury Regeneration, Schools & Christ Church. But most important will be the Local Residents who will be Consulted and informed for their views on the future use of the facility and also their involvement will be paramount. “

- 2.5 In order to make the building Disability Discrimination Act 1995 (DDA) compliant the Residents Association for Stantonbury (CIC) propose to extend the existing toilets which are at the rear of the building. The current site boundary is very close to the existing rear wall and the Residents Association for Stantonbury (CIC) have identified a need to acquire a small strip of additional land; probably not much greater than a metre in depth. This land is owned by the Council but let to the Parks Trust on a 999 year lease. There is a covenant on the land restricting it to landscape use. A release of the land from the Parks Trust lease and a relaxation of the covenant would therefore be required. In addition the Residents Association for Stantonbury (CIC) would need to obtain planning consent for their proposals.
- 2.6 It is proposed to transfer the site, for the sum of £1, subject to restrictive covenants; claw back and a right of pre-emption to protect the Council's interests in ensuring that the asset continues to be used for community related purposes. The Council is able to transfer the properties at less than best value through the use of the well-being powers contained in the General Disposal Consent, which allows for such a disposal where it benefits the economic, social or environmental well-being up to a maximum of £2 Million. Crosslands Depot has been valued at less than £50,000 well below £2 Million and at less than the State Aid threshold of 360,000 euros.
- 2.7 Controls would be centred upon property related restrictions. These will be in the form of restrictive covenants to ensure that the use of the Crosslands Depot is used for community purposes, that commercial activities can only be complementary and supportive to the overall use of the facility and that the facility cannot be left vacant for more than one year or sold or leased to another organisation without the Council's permission. There will also be claw

back provisions requiring the payment of money to the Council in the event of a change of use.

3 Options

The alternative option would be for the Council, as freehold owner, to continue taking landlord-related responsibility for Crosslands Depot, its liabilities and relevant investment in the future. However, this does not recognise the value of 'Localism', enabling local community partners to take more responsibility for local assets and to empower these new arrangements with those organisations that may be best-placed to achieve this.

4 Implications

4.1 Policy

The Council's approach to Community Asset Transfer was formally adopted on 31 July 2012 following a delegated decision.

The objectives of the programme are firmly embodied within the current version of the Corporate Plan.

4.2 Resources and Risk

There are no revenue implications; so no savings or additional costs to the Council from transferring this Depot as highlighted in the Council's Budget and Medium Term Financial Plan. This is on the basis that there are no existing Council operational budgets for this asset. With the Freehold transfer taking place the Council's Landowner responsibilities would fall away

The Residents Association for Stantonbury (CIC) would take full responsibility for the asset, its liabilities and relevant capital investment into the future.

Y	Capital	Y	Revenue	N	Accommodation
N	IT	Y	Medium Term Plan	Y	Asset Management

4.3 Carbon and Energy Management

Maintaining the resources at Crosslands Depot would provide a service for a wide variety of groups, both young and old which they would otherwise have to travel further afield to achieve.

4.4 Legal

Were the Council minded to make a disposal for less than the best consideration that can be reasonably be obtained it may do so by invoking the terms of The Local Government Act 1972 General Disposal Consent (England) 2003. By virtue of this instrument, the Secretary of State gives consent to a disposal of land in the circumstances specified below:

- a) the local authority considers that the purpose for which the land is to be disposed is likely to contribute to the achievement of any one or more of

the following objects in respect of the whole or any part of its area, or of all or any persons resident or present in its area:

1. the promotion or improvement of economic well-being
 2. the promotion or improvement of social well-being
 - 3). the promotion or improvement of environmental well-being; and
- b) the difference between the unrestricted value of the land to be disposed of and the consideration for the disposal does not exceed £2,000,000.

4.5 Other Implications

As an integral part of this transfer arrangement an Equalities Impact Assessment has been completed. (Available on request).

The programme was promoted on the Council's web link applications and the two stage application process was made available on-line.

Thorough public consultation on the Community Asset Transfer (CAT) Toolkit took place over a three-month period (31 January 2012 – 24 April 2012). Stakeholders had the opportunity to attend numerous events that were held across Milton Keynes and a public engagement event was held at Bancroft Meeting Place, clarifying the specific aspects related to this proposed asset transfer.

The local Ward Members as key stakeholders are aware of this development and have been involved in the consultation.

Y	Equalities/Diversity	N	Sustainability	N	Human Rights
Y	E-Government	Y	Stakeholders	N	Crime and Disorder

Annex: Plan of Land of Transfer (circulated as a separate document)

Wards Affected:

Newport Pagnell (North and South), Linford North, Sherington, Hanslope Park

NEWPORT PAGNELL NEIGHBOURHOOD PLAN AREA DESIGNATION

Decision Taker: Councillor David Hopkins (Cabinet member for Economic Development and Enterprise)

Author: Mark Harris (Senior Planning Officer) Tel: (01908) 252732

Executive Summary:

In accordance with the Neighbourhood Planning (General) Regulations 2012, in July 2013 Newport Pagnell Town Council submitted an application to designate the Parish area for the purpose of preparing a Neighbourhood Plan. The application was advertised for eight weeks public consultation between 31 July and 25 September. Only two responses were received, which were both in support of the application.

This report recommends that the proposed Neighbourhood Area is approved as originally submitted.

1. Recommendation

1.1 That the Neighbourhood Area application for Newport Pagnell be approved in accordance with section 61G of the Town and Country Planning Act, 1990 (as amended).

2. Issues

2.1 Newport Pagnell Town Council submitted an application to Milton Keynes Council in July 2013 to designate the Parish area as a Neighbourhood Area for the purpose of Neighbourhood Planning. The area is shown in the Annex. The application was made in accordance with Regulation 5 of the Neighbourhood Planning (General) Regulations 2012, which requires a Parish/Town Council submitting an area application to include:

- A map which shows the area to be designated;
- A statement explaining why the Parish Council considers the area appropriate for designation; and
- Confirmation that the Parish/Town Council concerned is the relevant body for the purpose of neighbourhood planning in that area.

2.2 In accordance with Regulation 6 of the Regulations, Milton Keynes Council published the area application and held a eight week public consultation period between 31 July and 25 September 2013; two weeks longer then the minimum requirement to take into account the summer holiday period. This was advertised in the MK News, on the Council's website and through information circulated to all members and Parish and Town Councils.

- 2.3 There were only two responses to the area designation application. They were from Emberton Parish Council and Inter MK Ltd offering support for the proposed area designation. Therefore no concerns or objections were raised in relation to the proposed designation of the area for the purpose of neighbourhood planning.
- 2.4 Having regard to this, it is considered appropriate to designate the Neighbourhood Area as originally proposed by the Town Council, as shown in the Annex.

3. **Options**

- 3.1 Once a Neighbourhood Area designation application is submitted, the 2012 Regulations require the Council to come to a view on it and publicise that decision. This report recommends that the area originally proposed by the Town Council is approved as a Neighbourhood Area for the purpose of Neighbourhood Planning. This is seen as the most appropriate option given that the application has been made in accordance with the regulations and there have been no objections to designating the plan area.
- 3.2 However, if it is considered that this recommendation is not appropriate, the Neighbourhood Area application could be refused. If this is the case, the Town Council could then choose to submit a revised application to Milton Keynes Council which would then be subject to further advertisement and consultation.

4. **Implications**

4.1 Policy

- 4.1.1 The National Planning Policy Framework sets out that Neighbourhood Plans must be in general conformity with the strategic policies of the development plan. Neighbourhood Plans should reflect these policies and neighbourhoods should plan positively to support them. Neighbourhood Plans and Development Orders should not promote less development than set out in the Local Plan or undermine its strategic policies. In Milton Keynes, the strategic policies are set out in the adopted Milton Keynes Local Plan and the emerging Core Strategy.
- 4.1.2 Once a Neighbourhood Plan has successfully passed all of the stages of preparation, including an examination and referendum, it is 'adopted' by the local planning authority, forms part of the authority's Development Plan and is a material consideration when considering development proposals. In terms of the planning policy hierarchy, a Neighbourhood Plan, once adopted carries more weight than a Supplementary Planning Document

4.2 Resources and Risk

- 4.2.1 Neighbourhood planning is part of the Government initiative to empower local communities to take forward planning proposals at a local level. The Localism Act and the 2012 Regulations place new duties on local planning authorities in relation to Neighbourhood Planning. These new duties have implications for staff resources as the Council has a duty to support Parish Councils wishing to

undertake Neighbourhood Planning. Staff resources to support Neighbourhood Planning will come from the existing staff within the Development Plans team. Decisions on any significant resource issues for the Council as a result of officer involvement in Neighbourhood Planning will be taken separately, as necessary.

- 4.2.2 On designation of the area for neighbourhood planning the Council will be eligible to claim £5,000 from the DCLG 'Extra Burdens Fund'. This claim would be made in the next quarter. If the plan progressed to a successful conclusion and was adopted by the Council, a further claim for an additional £25,000 could be made.

N	Capital	N	Revenue	N	Accommodation
N	IT	N	Medium Term Plan	N	Asset Management

4.3 Carbon and Energy Management

- 4.3.1 The proposal does not impact on carbon and energy management.

4.4 Legal

- 4.4.1 The relevant statutory provisions in relation to Neighbourhood Plans are contained in The Town and Country Planning Act 1990 (as amended), the Localism Act 2011 and the Neighbourhood Planning (General) Regulations 2012. Government guidance on neighbourhood plans is also contained in the National Planning Policy Framework. This legislation and guidance confers specific functions on local planning authorities in relation to neighbourhood planning.

- 4.4.2 Milton Keynes Council has held a public consultation on the Neighbourhood Area application in accordance with Regulation 6 of the 2012 Regulations.

- 4.4.3 At its meeting of 25 July 2012, Cabinet agreed the decisions in the Neighbourhood Planning process that would be delegated to the Cabinet Member responsible for Strategic Planning. This scheme of delegation included the decision of whether to accept and designate a Neighbourhood Area, as is recommended in this report.

- 4.4.4 The decision to designate the Neighbourhood Area could technically be challenged by judicial review and could also be subject to a request to call in to the Council's Executive Scrutiny Panel. However, since the proposed Neighbourhood Area is the same as the Parish area and also since no objections were received during the consultation period, it is thought that the risk of either of these two eventualities is low.

4.5 Other Implications

- 4.5.1 The proposed Neighbourhood Area application has been the subject of consultation for eight weeks and the views of stakeholders are reported in this report.

4.5.2 Consultation and involvement of stakeholders is an important part of the neighbourhood planning process and will ultimately be tested by a single issue referendum at the end of the process.

N	Equalities/Diversity	N	Sustainability	N	Human Rights
N	E-Government	Y	Stakeholders	N	Crime and Disorder

Annex: Newport Pagnell Proposed Neighbourhood Area (circulated as a separate document)

Wards Affected:

STONY STRATFORD

DELEGATED DECISION

22 OCTOBER 2013

ST GILES HOUSE, STONY STRATFORD DEVELOPMENT BRIEF

Decision Taker: Councillor Hopkins (Cabinet member for Economic Development and Enterprise)

Author: Matthew Clarke (Senior Urban Designer) Tel: (01908) 254766

Executive Summary:

With the closure of the Residential Care Home at St Giles Mews Stony Stratford, Milton Keynes Council wishes to prepare and approve a development brief for the Council owned former Residential Care site and part of the surplus neighbouring St Mary and St Giles School playing fields (the Site). The intention is to sell the site and ensure any new development complements and is well integrated into the surrounding town and conservation area.

This report seeks authority to undertake formal consultation on the Draft St Giles House Development Brief for a 6 week period between November and December 2013.

1. Recommendation(s)

- 1.1 That the draft Development Brief (attached as an Annex to this report) be approved for a 6 week formal consultation period, subject to any minor editorial changes.

2. IssuesBackground

- 2.1 Milton Keynes Council (the Council) recently closed the residential care home at St Giles Mews, Stony Stratford with the site now being redundant. When combined with some surplus playing fields in the neighbouring St Mary's and St Giles School the site creates a prime development opportunity close to Stony Stratford Town Centre. The Council is proposing to sell the site with the intention of ensuring any new development complements and is well integrated into the surrounding town and conservation area.
- 2.2 The primary purpose of the draft Development Brief is to provide prospective developer/s with planning and design guidance for the redevelopment of this key site allowing a developer to submit informed and high quality proposals for this significant site. The draft Development Brief will reflect best practice guidance as well as local stakeholder aspirations for the site. A key aim of the draft Development Brief is therefore to streamline and speed up the process of submitting and determining planning applications.
- 2.3 The draft Development Brief will be approved by MKC Cabinet and therefore be a material consideration in determining any subsequent planning applications.

- 2.5 The draft Development Brief reflects existing policy, the principles contained within the Local Plan.
- 2.6 The draft Development Brief highlights that a key consideration is how redevelopment must be sympathetic to the Conservation Area of Stony Stratford.

Consultation

- 2.7 As part of the preparation of this draft Development Brief, discussions were held with relevant ward members, Stony Stratford Town Council, St Mary and St Giles School and various officers within Milton Keynes Council. Where appropriate, comments have been incorporated into the draft Development Brief.
- 2.8 Formal consultation will be undertaken in accordance with the Council's current Statement of Community Involvement as well as the adopted protocol for preparing Development Briefs. It will take place for a 6 week period during November / December 2013. Consultation will involve:
- Copies of Development Brief displayed in Stony Stratford library and Civic Offices;
 - Document published on Council's website, in the Members Weekly News, Council's Consultation Finder and the Staff Tuesday Bulletin;
 - Copies / web links of Draft Development Brief sent to Stony Stratford Ward Councillors and Stony Stratford Town Council;
 - Presentations to Stony Stratford Town Council and ward members (if requested);
 - The draft Development Brief will also be shared with any developers who express an interest in redeveloping the site.

3. Options

- (a) The "do nothing option" is to not undertake formal consultation on the draft Development Brief. This is not an option if the draft Development Brief is to be adopted by Cabinet as it would not comply with the Council's Statement of Community Involvement and the adopted protocol for preparing Development Briefs.
- (b) The preferred option is to gain authorisation to undertake a period of formal consultation so that the draft Development Brief can be made available publicly for stakeholders and the local community to comment on, with a view to preparing a final Development Brief that reflects, where appropriate, stakeholder and community comments.

4. Implications

4.1 Policy

The Development Brief is in accordance with and supplements Policies TC3 and TC4, of the Local Plan, Policy CS10 and 17 of the Core Strategy. It is not a Key Council Document, nor is it a Development Plan Document.

4.2 Resources and Risk

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

There are no known risks associated with the proposed consultation.

N	Capital	N	Revenue	N	Accommodation
N	IT	N	Medium Term Plan	N	Asset Management

4.3 Carbon and Energy Management

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

4.4 Legal

4.4.1 It is not proposed that the draft Development Brief be adopted as a Supplementary Planning Document (SPD) and therefore it is not necessary to determine whether or not it meets the legal requirements for SPDs. Development briefs are not produced pursuant to any statutory duty or power and therefore are not required to follow a statutory process although they should be consulted on in a reasonable manner. It is noted that while not required by law, the draft Development Brief is applying the consultative requirements of the Council's current Statement of Community Involvement which informs how the Council consults on its local development plan.

4.4.2 Once adopted the Development Brief, while not part of the Council's local plan is capable of being a material consideration in determining any forthcoming planning applications related to the Site In light of this advice, there is no real identifiable risk to the Council should it take the recommended action

4.5 Other Implications

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

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

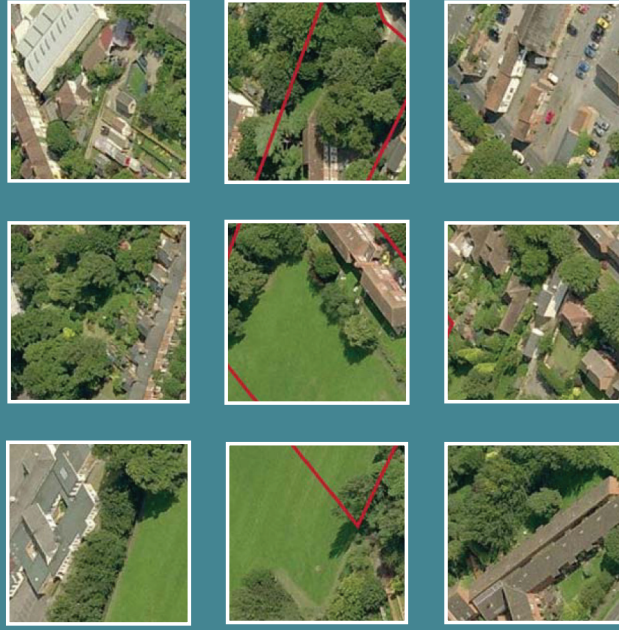
Equalities: This decision is not relevant in regard to equality issues.

N	Equalities/Diversity	Y	Sustainability	N	Human Rights
Y	E-Government	Y	Stakeholders	N	Crime and Disorder

Background Papers: None

Annex – Draft St Giles House Development Brief

St Giles House, Stony Stratford Development Brief



DRAFT FOR CONSULTATION October 2013



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SECTION 1

INTRODUCTION

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SECTION 1: INTRODUCTION

Milton Keynes Council wishes to appoint a developer for the St Giles House* Site adjoining Russell Street. The Council has high aspirations for this site, aiming to achieve an attractive, sustainable and well integrated scheme that complements and enhances the historic town of Stony Stratford.

1.1 Purpose and Scope of the Brief

The purpose of this document is to provide prospective developers with appropriate planning and design guidance for the site. This will allow developers to submit informed proposals for this exciting town centre opportunity that respond to both Milton Keynes Council's, Stony Stratford Town Council and other stakeholders expectations for the site.



Figure 1: Site Location

1.2 Structure of Brief

The Brief is divided into four sections:

Section 1 outlines the purpose of the brief, its location and ownership and other administrative information for developers. Section 2 describes the planning policy context of the site.

Section 3 provides a site analysis of the site itself and the surrounding area. A thorough understanding of this will have an important bearing on the key design principles and parameters.

Section 4 identifies what the likely permissible land uses will be for the site.

Section 5 represents the Key Design and Development Principles, that should inform any development proposals. The accompanying Parameters Plan spatially illustrates the design principles.

Appendix A highlights additional relevant planning policy beyond that provided in Section 2.

1.3 Accuracy of Information

Descriptions of the site and or drawings contained within or issued in connection with this brief are for information purposes only and the Council does not warrant their accuracy. The developers should satisfy themselves prior to entry on the site that its boundaries are agreed and are physically delineated and/or accurately described in the relevant legal documentation.

Please note that any costs borne in responding to this brief are entirely at the developer's risk and the Council are not bound to accept any tender received.

**The St Giles House Site refers to the St Giles House Site itself as well as the adjacent surplus playing field belonging to St Mary and St Giles Church of England Aided Junior School. (see fig 3)*

1.4 Site Location & Ownership

The Site is 2.68 acres (1.09Ha) in size, It is located within the historic town of Stony Stratford which is on the edge of the wider urban area of Milton Keynes (see figure 1). The site is within 150m of Stony Stratford High Street (Watling Street) and all the local facilities that are on offer there.

The site is split between land in the freehold of Milton Keynes Council and the area marked in purple which is in the Freehold of St Mary and St Giles School. (see figure 2) The School land is 1.15 acres (0.47Ha) with the remaining 1.53acres (0.62Ha) being in the freehold of Milton Keynes Council.

1.5 Project Co-ordination

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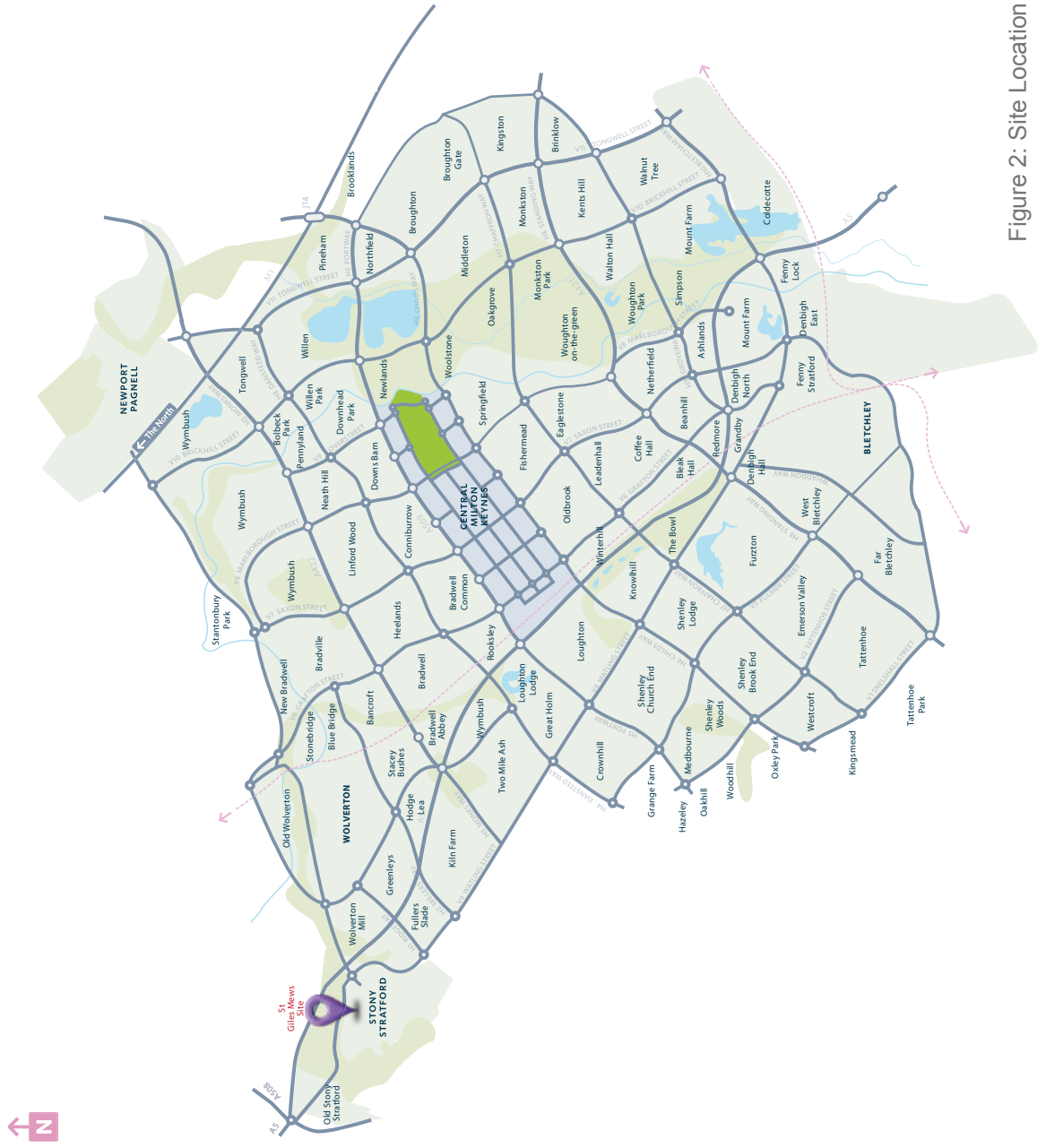
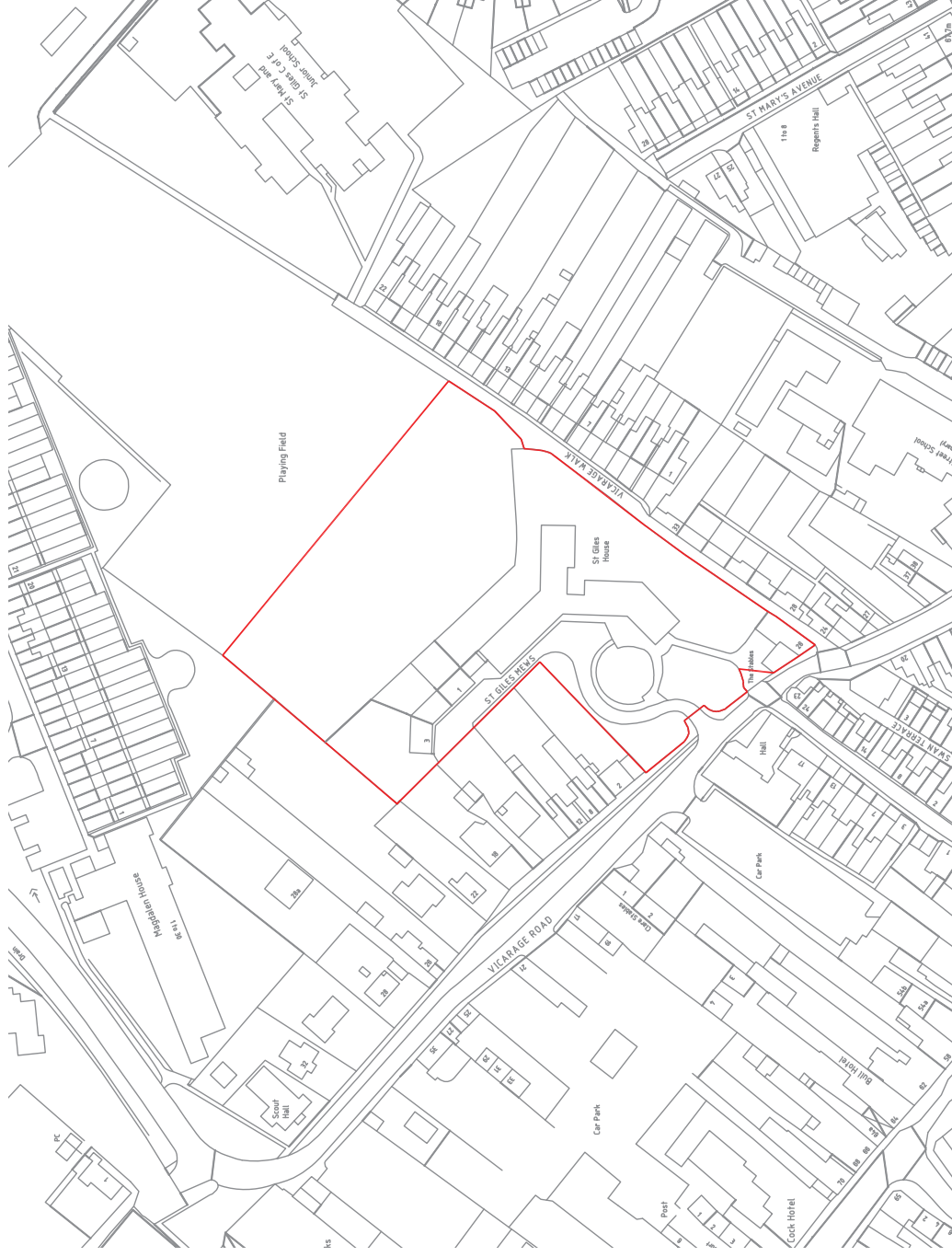


Figure 2: Site Location



Figure 3: Site Ownership

Figure 4: Total Site Area Covered by Development Brief



SECTION 2

PLANNING POLICY

CONTEXT

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SECTION 2: POLICY CONTEXT

2.1 Introduction

Any proposals for the site should be informed by and will be expected to comply with the following national and local planning policy.

a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities, local planning authorities should:

2.2 National Planning Policy Framework

The National Planning Policy Framework (NPPF) was published in 2012. At the heart of the NPPF is a presumption in favour of sustainable development. The NPPF's core planning principles include:

“always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;”
 “promote mixed use developments; encourage the effective use of land by re-using land that has been previously developed;”
 “make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable.”

(30) The NPPF (para 50) states that: “To deliver

2.3 Local Plan (December 2005)

The site covers 2 policy designations. The St Giles Mews site is designated as housing although the last use of the site was as a C2 care home, and therefore the starting point is loss of community facilities. Policy C2 of the Milton Keynes Local Plan 2001 – 2011. This policy states that:

“Planning permission will be refused for proposals that involve the loss of an existing community facility or the loss of a site allocated for such a purpose, unless:

- (i) There is no longer a need for the facility for any type of community use, or;
- (ii) An acceptable alternative facility can be provided elsewhere”.

Although criteria (ii) has been met as the original facility has been provided elsewhere in the Borough, as part of any application the applicant will need to demonstrate that there is no longer a need for a community use.

Community facilities such as a residential care home, nursery doctors surgery etc would however be acceptable in principle

The St Mary and St Giles School part of the site is allocated in the Local Plan as Community Facilities (C2)

Policy C2, Protection of Community Facilities, would apply to any redevelopment. This requires a demonstration that proceeds from the sale of surplus playing fields land will be reinvested to secure improvements to Milton Keynes schools and for developments to include the provision of facilities for the local community where there is a proven need for such provision locally and it fairly and reasonably relates to the development proposed.

Policy C1, Location of Community Facilities, suggests that the site would be a suitable location for both residential and non residential community facilities owing to its mainly residential character, adjacent to the town centre.

Policy L2 (Protection of Public Open Space and Existing Facilities) stipulates that any money generated from the sale of the school playing field land must be re-invested in Education within the Borough. The loss of the playing fields from the school will also require the approval of the DFES, before any planning application is submitted. Sport (31) England would also need to be involved in

any discussions. The applicant will need to demonstrate to them that there is no longer a need for these facilities.

The playing fields are designated as a community use in Milton Keynes Local Plan Proposals Map 2001 - 2011, As a result to provide C3 Residential on the site the applicant will need to demonstrate that there isn't the demand for a community use.

2.4 Core Strategy (July 2013)

The Core Strategy was the subject of public examination in July 2012, and forms part of the development plan for Milton Keynes.

Relevant policies include:

- Policy CS10 Housing
- Policy CS12 Developing Successful Neighbourhoods
- Policy CS13 Ensuring High Quality, Well Designed Places.
- Policy CS17 Improving Access to Local Services & facilities
- Policy CS18 Healthier & Safer Communities
- Policy CS19 The Historic and Natural Environment
- Policy CS21 Delivering Infrastructure.

2.5 Other Supplementary Planning Guidance (SPG)/Documents (SPDs)

The following SPG/SPDs have formal status as a material consideration for planning applications:

Supplementary Planning Document (SPD) on Social Infrastructure Planning Obligations was adopted in September 2005. The SPD sets out the Council's approach to seeking planning obligations and the likely benefits to be negotiated when development is undertaken.

Milton Keynes Council's Parking Standards were adopted as SPG in 2005. It sets out the Council's standards for parking provision, including motor vehicles and cycles, for different land use types.

The Sustainable Construction Guide SPD informs compliance with policy D4, which will be a requirement of any development.

Additional SPG's that are relevant include SPG Education, SPG Leisure and Recreation, Affordable Housing SPD, Residential Design Guide, Addendum to Parking Standards 2009.

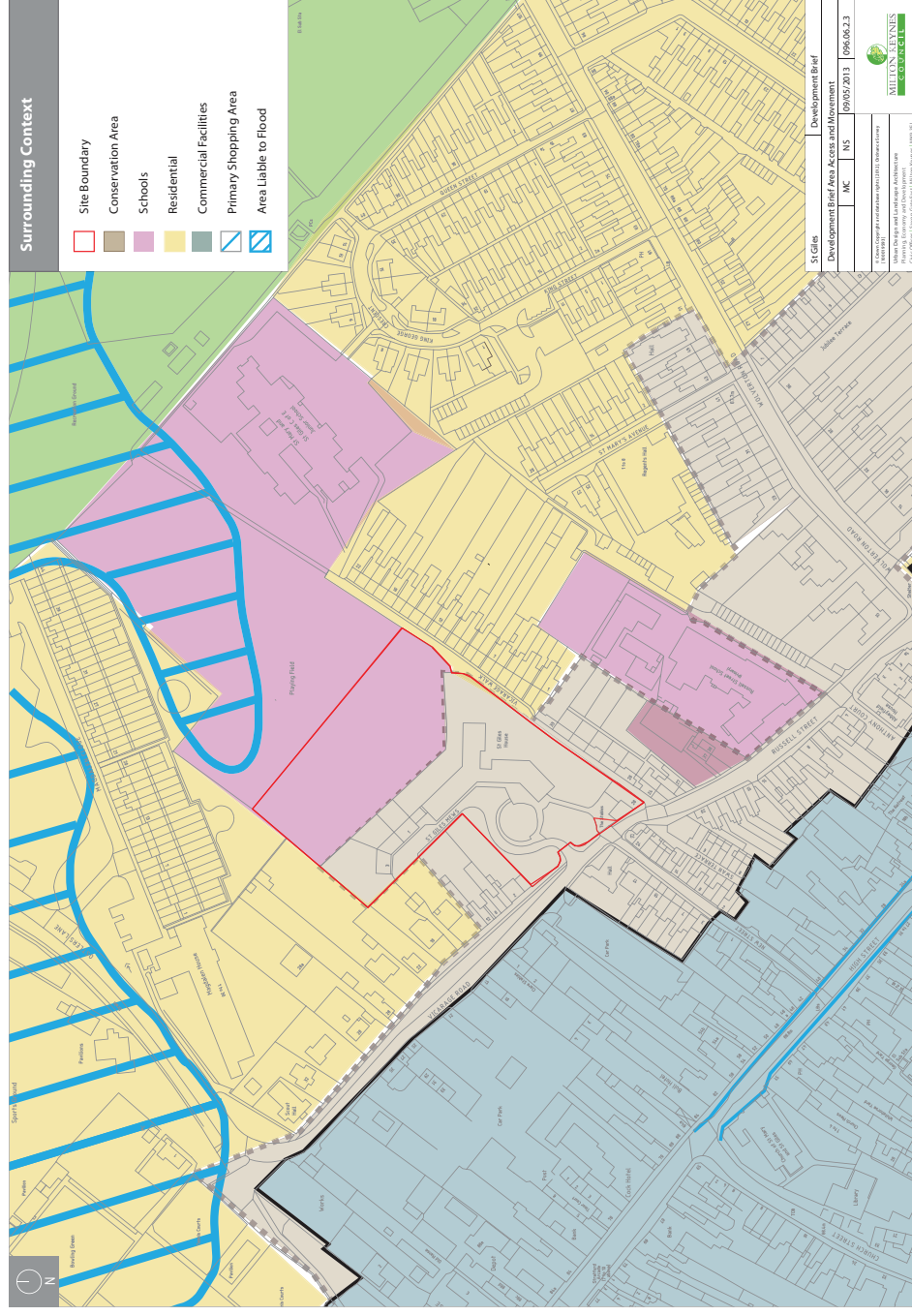


Figure 5: Local Plan Land Uses

2.6 Corporate Plan

The Corporate Plan states under 2.2 Theme Living in MK: Ensuring people are satisfied with Milton Keynes as a place to live, and to support them effectively through the provision of high quality and efficient public services.

the site although this option is not ruled out.

- The sale of surplus education land will need to be reinvested to secure improvements to Milton Keynes schools and for developments to include the provision of facilities for the local community where there is a proven need for such provision locally and it fairly and reasonably relates to the development proposed.

2.7 Planning Policy Summary

A summary of the planning status and policies would indicate the following:

- Existing Policy suggests that the site would be a suitable location for community facilities and some form of residential development owing to its mainly mixed use character, adjacent to the town centre.
- Residential development would be seen as acceptable if the applicant can prove that there isn't a demand for community facilities on the site.
- There is no planning policy that would require a relocated children's nursery on

SECTION 3

CONTEXTUAL ANALYSIS

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SECTION 3: CONTEXT/SITE APPRAISAL

3.1 Introduction

It is important to understand the existing site and the surrounding area and their features, as this informs the layout and design principles for any redevelopment of the site. Figures 4 and 5 provide an analysis of the site and its context.

3.2 The Site

The site is part of the former vicarage and is surrounded by Vicarage Road and Vicarage Walk. St Giles Mews runs through the site and is part of the conservation area. The trees in the conservation area are protected and require planning permission to remove. A historic wall forms the edge of the site abutting Vicarage Walk, this wall was formally part of the vicarage and is listed. The listed wall and mature trees determine the character of this part of the conservation area and thus must be retained.

More recently, the northern part of the site was developed as a council owned Residential Home which didn't meet modern stand-

(36)

ards and therefore is no longer required.

To the rear of the closed residential home the land owned by the St Mary and St Giles School has fewer constraints and continues to be used as a school playing field. However, vehicular access to this part of the site can only be achieved through St Giles Mews.

The North of the site is unconstrained: there is nothing that needs to be retained other than

the existing wall and trees. The site slopes gently down from north to south. The site currently has one existing access point to the south of the site off Vicarage Road / Russell Street at St Giles Mews.



The existing trees on the site



The entrance to the site, St Giles Mews

3.3 Surrounding Area

The site is located on the edge of what is designated as Stony Stratford Town Centre, within 150m of the mixed use high street and its abundant mix of shops, bars and community facilities. The site is also located in close proximity to residential properties and in part is adjacent to the rear of existing properties. Victorian terraces front onto the eastern edge of the site. The southern section of Vicarage Walk is in the Conservation Area, but the front elevations of these buildings don't face the site.

Russell Street School and St Mary and St Giles School are located nearby. Russell Street caters for children up to Key Stage 1 and is currently exploring options to extend the nursery provision for the free 15 hours a week education for 3-4 year olds where there is currently a shortfall of provision. A large recreational ground, children's play area and allotments exists at the opposite end of Vicarage Walk close to the site.

Ancell Trust Sports Ground which includes

the Bowls Club, the Tennis Club and Stony Stratford Football Club is to the west of the site.

The St Mary and St Giles Church and the Congregational Church along with the Library and Public Hall are also easily accessible.

Its clear from the diagram (figure 6) that the site is well served by local facilities and therefore would be a suitable location for both residential use and community facilities.

The site itself currently has two uses. Part of the site was used as a C2 residential care home and part of the site is currently used as school playing fields.

Townscape

The historic townscape has a strong urban form that creates a strong character to the area. There are several landmark buildings surrounding the site including the Cock Hotel, The Bull Hotel and the St Mary and St Giles Church which sits on a key junction creating a strong node.

The junction between Wolverton Road and Russell Street is also a strong node. A small node exists on the junction of New Street & Russell Street opposite the site.

Surrounding Land Uses / Townscape Diagram

This diagram shows the locations of the surrounding facilities and land uses.

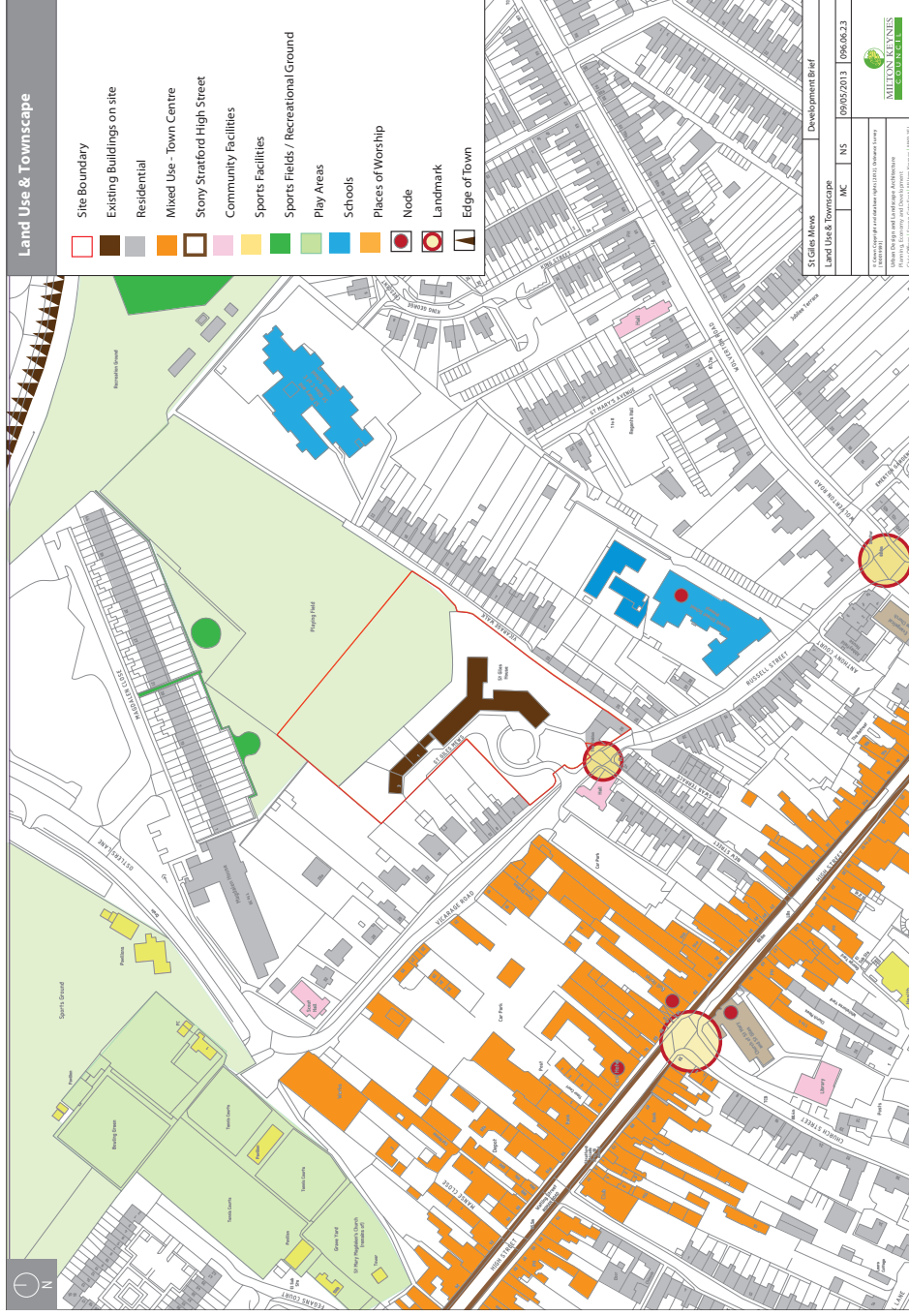


Figure 6: Surrounding Area

3.4 Landscape Analysis

Typical of a former Vicarage, the south west portion of this flat site is heavily vegetated with mature trees including a beech tree and several yew trees. These trees are part of the conservation area and therefore would require planning permission to remove or alter. The trees close to Russell Street and Vicarage Walk are intrinsic to both the character and history of this part of Stony Stratford.

While there are a mixture of trees in the conservation area there are a high number of yew trees which are traditionally associated with a Vicarage or a Church Yard. These trees should be retained if they are structurally safe.

Just inside the site entrance as one enters the site there is a particularly prominent mature beech tree. The current access road has to circumnavigate this tree. This arrangement should be retained to ensure the tree is not damaged as it is fundamental to the character of the area. However, this will inevitably restrict the site in terms of vehicular access.

There are a number of trees outside the conservation area of varying type and quality. The condition of these trees should be assessed as part of a tree survey (BS 5837 2012). If the trees are of good condition and can be accommodated within the proposed development the aim should be to retain them.

There is a particularly strong group of pollarded lime trees that extend down the western side of Vicarage Walk these trees must be retained.

Designing any new development around the existing trees will be a key consideration when developing this site.

3.5 Access & Movement

The only vehicular and pedestrian access to the site is via Russell Street / Vicarage Road

Russell Street / Vicarage Road is a narrow 2 way historic street that runs parallel to the High Street. It is often used as an alternative to the High Street as well as to gain access to various car parks to serve developments along the High Street. Importantly this street also provides access out of Stony Stratford via Queen Eleanor Street. As a result this street can suffer from traffic congestion at certain times during the day.

However, speeds seem to be low because of the parked cars and narrow width of sections along Russell Street.

Vicarage Walk is not suitable to have any more vehicle traffic because of the single width section off Russell Street. It would be acceptable for a pedestrian or cycle link into the St Giles House Site from Vicarage Walk.

The site is well served by public transport with a regular bus service stopping within 200m of the site on Wolverton Road.

The public car park off Vicarage Road is well used and would offer visitor parking for a limited time during the week and at weekends for visitors to the development site. It is a short walk from the car park to the site.

This drawing shows the Access and movement surrounding the site.

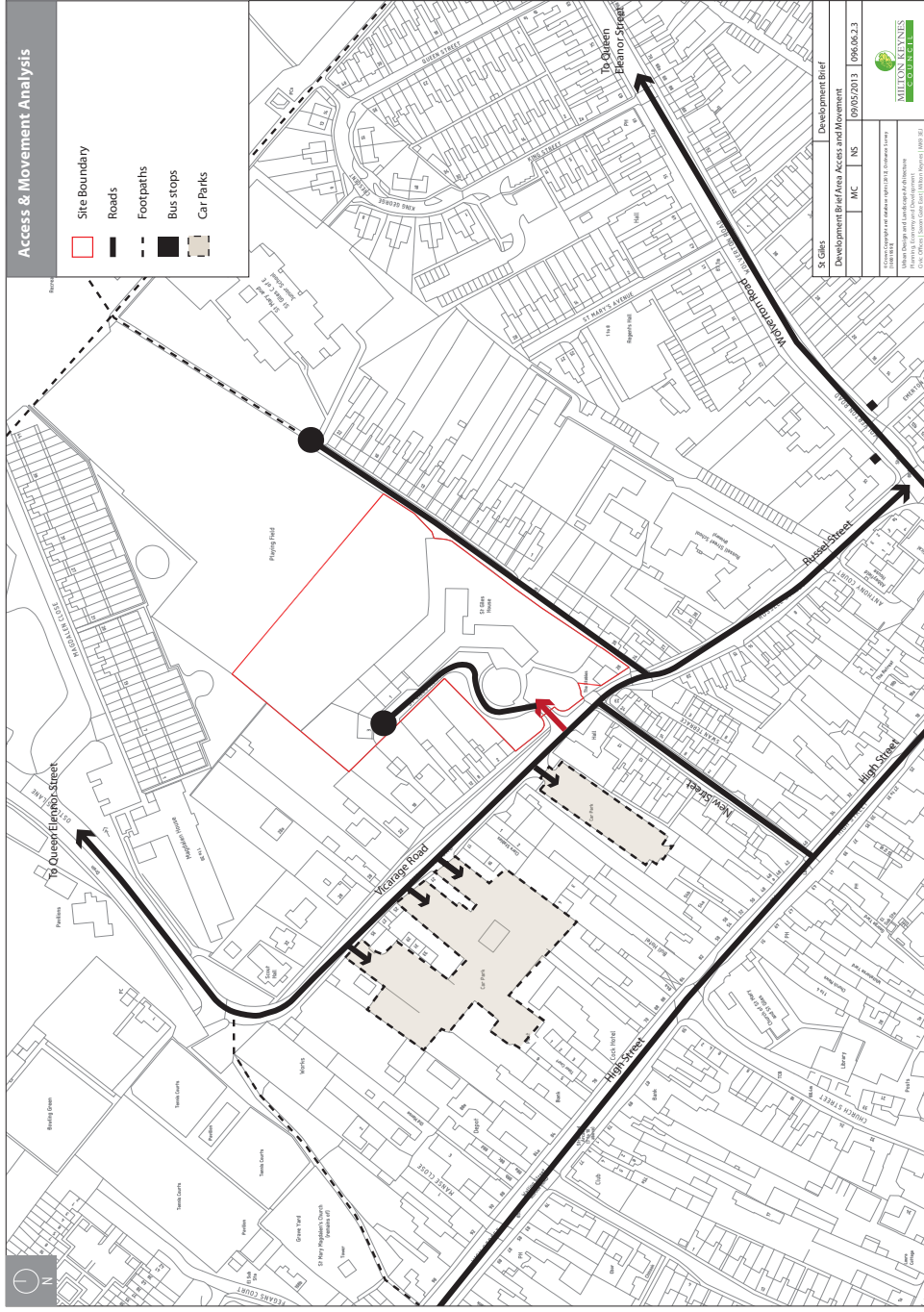


Figure 8: Access and Movement

3.6 Opportunities and Constraints

The following sections of the development brief provides an appraisal of the site's existing character and context.

The opportunities and constraints have served to underpin the rationale behind the approach and principles of this Brief and the Parameters Plan, outlined in section 4.

Opportunities

- The site is in the heart of an historic town close to existing facilities and well served by public transport.
- Potentially Planning Policy allows for residential uses and / or community facilities.
- The site has an established setting of mature vegetation & trees visible from Vicarage Road / Russell Street.
- The Northern part of the site where the playing fields are located is flat with very few constraints.

- Residential development that includes family homes could potentially provide links to the neighbouring play areas.

- The old vicarage wall surrounding the site is listed
- Uses proposed for the site must not adversely affect the amenity of the nearby existing residential properties.

Constraints

- The roads surrounding the site and in particular Vicarage Road / Russell Street are narrow, constrained and suffer from congestion at certain times of the day. This is a key consideration in terms of the density and land use of any new development on the site and the associated number of vehicular trips it generates.

- Part of the site is located in the Stony Stratford conservation area and any new development must not adversely affect the character of this part of the town.

- The existing trees in the south west portion of the site must be retained.

Opportunities & Constraints Diagram

This drawing shows the opportunities and constraints surrounding the site.

3.7 Summary: Key Principles & Issues from Site Analysis

- The character of the site along Vicarage Road and Vicarage Walk (in the south west portion of the site) needs to be retained and therefore development in this area is very restricted.
- Any new development must not have an adverse impact on congestion in the surrounding area. This may restrict both the use and the density of the use proposed on the site.
- The existing single access point to the site should be retained and no additional vehicular access points can be added.
- Development should have an appropriate response to the existing school playing fields and the rear of existing dwellings that back onto the site.



Figure 9: Access and Movement

SECTION 4 DEVELOPMENT PROPOSALS

4.1 Development Proposals

pg25

SECTION 4: DEVELOPMENT PROPOSALS

4.1 Development Proposals

The following section of the Development Brief provide an indication of the type of development that would be appropriate on this site, given the policy context and site analysis.

Option 1 - A Residential Care Home

Developing the site as a C2 Residential Care Home (or Extra Care Village) would be a private sector replacement of the former land use. Depending on the level of care provided this would be classified as a community use or a residential use. If there is a minimum level of care support for the residents it may be the case that the developer has to justify the loss of land previously used as a community use.

Whilst this land use would generate some traffic it is believed that it would be dispersed throughout the day, minimising the developments impact on the surrounding highway network.

Option 2 - Community Uses

Community uses such as a children's nursery would be policy compliant, so long as the proposal that is put forward does not have an adverse effect on the surrounding highway network and in particular Vicarage Road & Russell Street.

Please note that other community facilities would also be policy compliant.

Option 3 - Residential

The site would be appropriate for C3 residential development providing that it can be proven, via a 12 month marketing campaign that there is no demand for a community use on the site.

Any proposal for residential development would generate approximately 5 trips per dwelling per day. This would not adversely affect Russell Street, so long as the density is kept relatively low.

Option 4 - A combination of options

It may be the case that a combination of the options above is the most appropriate way of developing the site.

A key consideration in the acceptability of this option would however be the amount of traffic generated by the development.

SECTION 5: PLANNING & DESIGN PRINCIPLES

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5.1 Introduction

This section outlines the principles relevant to the design and development of the site. A Parameters Plan accompanies the principles which serves to spatially represent the key design principle where appropriate.

5.2 Design Principles

Policies D1, D2 & D2A are general design policies that apply borough-wide. They look at the impact of development proposals on locality and the design of buildings. The chosen land uses and design should take account of the need to protect the amenities of existing residential properties adjoining the site.

4.3.1 Structure / Layout

While development doesn't necessarily need to follow the 'perimeter block' approach, it is essential that there is a clear distinction / separation between public and private space so that all publicly accessible parts of the development are fronted by active frontages (or at the very minimum are not fronted by blank frontages where there is no visual connectivity between occupants inside the building and those outside in the public

realm) and private areas are inaccessible to the public. The layout should not result in ambiguous space that is not clearly public or private (such as alleyways or other 'leftover space').

Development should back onto the existing school Playing Field to the north of the site. Consideration must be given to the privacy of existing residential properties that back onto the site. There should be a minimum of 22m between the rear of existing properties and new development or 13.7m if new development presents a side elevation to the existing dwellings.

4.3.2 Building Lines

Site constraints mean that any development has limited opportunity to continue existing building lines. However, the front of the development should create a clear entrance and face Russell Street

4.3.3 Frontages

All public open space and streets must be overlooked by development. In this regard care must be taken to avoid layouts and building footprints that result in blank

elevations that front the public realm.

4.3.4 Building Heights, Landmarks and Gateways

Any proposed development should be a maximum of 2 and a half storeys in height, which is in keeping with the existing building heights in proximity to the site.

4.3.5 Vehicular Movement

There is currently one vehicular access point into the site off Russell Street / Vicarage Road, Which will be the primary access to the site. No additional vehicular access points will be permitted. The existing access is curved in order to retain an existing mature beech tree as the tree is protected as part of the conservation area. This access arrangement should be retained in any redevelopment proposals. No vehicular access will be permitted off Vicarage Walk.

Due to the existing problems of congestion at peak times the land use and density of development should aim to minimise trip numbers particularly at peak times and

should not add significantly to the existing problems of congestion in the area.

The traffic impact of any new proposal for the Site will be assessed. The aim will be that any development has a neutral affect on traffic generation in the surrounding streets.

4.3.6 Pedestrian and Cycle Movement

The site is well located to help promote pedestrian and cycle movement. A pedestrian access could potentially be taken into the site off the northern end of Vicarage Walk where there is currently the existing school fence.

If a residential development that includes family homes is proposed links will need to be provided to the neighbouring play areas.

4.3.7 Parking

Car parking must be in accordance with Milton Keynes Council's Parking Standards. set out under MK Parking Standards SPG 2005 and Addendum to Parking Standards 2009

The developer is advised to contact the Council's Highways department at an early stage with regard to their requirements.

4.3.8 Landscaping

The site requires a tree survey (BS 5837 2012). The aim is to retain all the trees that are in a reasonable condition so long as retaining the trees doesn't place too much of an adverse impact on any development proposals.

However, the trees within the conservation area should be retained if they are structurally sound as they form an intrinsic part of the character of this part of Stony Stratford.

The line of pollarded lime trees along Vicarage Walk should be retained as this group of trees has a strong visual presence.

4.3.9 Listed Wall

The two garden walls to the former Vicarage are listed. They are mid C19 rubble stone walls with tiled finish meeting at an acute

angle. they are approximately 6 ft in height. The wall to south-east (Vicarage Walk) was constructed in two builds of about 42 and 23 yds. The wall to the south-west (Vicarage Road) is approximately 14 yds long and stops at the gate piers of the former drive.

This wall must be retained and successfully incorporated into any new development proposal.

The wall cannot be taken down or altered to provide improved access to the site. There are no visibility problems and the existing access width, which provides vehicular access to the site is acceptable.

5.3 Parameters Plan



Figure 10: Parameters Plan

**APPENDIX A:
PLANNING POLICY
FRAMEWORK**

APPENDIX A: PLANNING POLICY FRAMEWORK

a.1 NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

4. Promoting sustainable transport

32. All developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment. Plans and decisions should take account of whether:

- the opportunities for sustainable transport modes have been taken up
- depending on the nature and location of the site, to reduce the need for
- major transport infrastructure;
- safe and suitable access to the site can be achieved for all people; and
- improvements can be undertaken within the transport network that cost

effectively limit the significant impacts of the development. Development

should only be prevented or refused on transport grounds where the

residual cumulative impacts of development are severe.

35. Plans should protect and exploit opportunities for the use of sustainable transport modes for

the movement of goods or people. Therefore, developments should be located and designed where

practical to:

- accommodate the efficient delivery of goods and supplies;
- give priority to pedestrian and cycle movements, and have access to high quality public transport facilities;
- create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians, avoiding street clutter and where appropriate establishing home zones;;
- incorporate facilities for charging plug-in and other ultra-low emission vehicles; and
- consider the needs of people with disabilities by all modes of transport.

36. A key tool to facilitate this will be a Travel Plan. All developments which generate significant amounts of movement should be required to provide a Travel Plan

.39. If setting local parking standards for residential and non-residential development, local planning authorities should take into account:

- the accessibility of the development;
- the type, mix and use of development;
- the availability of and opportunities for public transport;
- local car ownership levels; and

- an overall need to reduce the use of high-emission vehicles.

7. Requiring good design

56. The Government attaches great importance to the design of the built environment. Good design is indivisible from good planning, and should contribute positively to making places better for people.

57. It is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes.

58. Local and neighbourhood plans should develop robust and comprehensive policies that set out the quality of development that will be expected for the area. Such policies should be based on stated objectives for the future of the area and an understanding and evaluation of its defining characteristics. Planning policies and decisions should aim to ensure that developments:

- will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable

places to live, work and visit;

- optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses (including incorporation of green and other public space as part of developments) and support local facilities and transport networks;
- respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation;
- create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and
- are visually attractive as a result of good architecture and appropriate landscaping.

8. Promoting healthy communities

69. The planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. Local planning authorities should create a shared vision with communities of the residential environment and facilities they wish to see. To support this, local planning authorities should aim to involve all sections of the community in the development of Local Plans and in planning decisions, and should facilitate neighbourhood planning. Planning

policies and decisions, in turn, should aim

- to achieve places which promote:
- opportunities for meetings between members of the community who might not otherwise come into contact with each other, including through mixed-use developments, strong neighbourhood centres and active street frontages which bring together those who work, live and play in the vicinity;
 - safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and
 - safe and accessible developments, containing clear and legible pedestrian routes, and high quality public space, which encourage the active and continual use of public areas.

70. To deliver the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:

- plan positively for the provision and use of shared space, community facilities (such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship) and other local services to

enhance the sustainability of communities and residential environments;

- guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs;
- ensure that established shops, facilities and services are able to develop and modernise in a way that is sustainable, and retained for the benefit of the community; and
- ensure an integrated approach to considering the location of housing, economic uses and community facilities and services.

73. Access to high quality open spaces and

opportunities for sport and recreation can make an important contribution to the health and well-being of communities. Planning policies should be based on robust and up-to-date assessments of the needs for open space, sports and recreation facilities and opportunities for new provision. The assessments should identify specific needs and quantitative or qualitative deficits or surpluses of open space, sports and recreational facilities in the local area. Information gained from

the assessments should be used to determine what open space, sports and recreational provision is required.

74. Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
- the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.

10. Meeting the challenge of climate change, flooding and coastal change

96. In determining planning applications, local planning authorities should expect new development to:

- comply with adopted Local Plan policies on local requirements for decentralised energy supply unless it

can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable; and

- take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.,

11. Conserving and enhancing the natural environment

109. The planning system should contribute to and enhance the natural and local environment by:

- protecting and enhancing valued landscapes, geological conservation interests and soils;
- recognising the wider benefits of ecosystem services;
- minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;
- preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability;

- and
- remediating and mitigating despoiled, degraded, overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;
 - preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability; and
 - remediating and mitigating despoiled, degraded,
111. Planning policies and decisions should encourage the effective use of land by re-using land that has been previously developed (brownfield land), provided that it is not of high environmental value. Local planning authorities may continue to consider the case for setting a locally appropriate target for the use of brownfield land.
118. When determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by applying the following principles:
- if significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;
 - proposed development on land within or outside a Site of Special Scientific Interest likely to have an adverse effect on a Site of Special Scientific Interest (either individually or in combination with other developments) should not normally be permitted. Where an adverse effect on the site's notified special interest features is likely, an exception should only be made where the benefits of the development, at this site, clearly outweigh both the impacts that it is likely to have on the features of the site that make it of special scientific interest and any broader impacts on the national network of Sites of Special Scientific Interest;
 - development proposals where the primary objective is to conserve or enhance biodiversity should be permitted;
 - opportunities to incorporate biodiversity in and around developments should be encouraged;
 - planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss; and
 - the following wildlife sites should be given the same protection as European sites:
 - potential Special Protection Areas and possible Special Areas of Conservation;
 - listed or proposed Ramsar sites;²⁶ and
 - sites identified, or required, as compensatory measures for adverse effects on European sites, potential Special Protection Areas, possible Special Areas of Conservation, and listed or proposed Ramsar sites.
119. The presumption in favour of sustainable development (paragraph 14) does not apply where development requiring appropriate assessment under the Birds or Habitats Directives is being considered, planned or determined.
121. Planning policies and decisions should also ensure that:
- the site is suitable for its new use taking account of ground conditions and land instability, including from

natural hazards or former activities such as mining, pollution arising from previous uses and any proposals for mitigation including land remediation or impacts on the natural environment arising from that remediation;

- after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990; and
- adequate site investigation information, prepared by a competent person, is presented.

123. Planning policies and decisions should aim to:

- avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development;
- mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development, including through the use of conditions;
- recognise that development will often create some noise and existing businesses wanting to develop in continuance of the business should not have unreasonable restrictions put on them because of changes in nearby land uses since they were

established;²⁸ and

- identify and protect areas of tranquillity which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason.

12. Conserving and enhancing the historic environment

137. Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites and within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably.

a.2 MILTON KEYNES LOCAL PLAN (2005)

The following are considered to be the relevant planning policies from the Milton Keynes Local Plan 2001- 2011.

Strategic Policies

AREAS LIABLE TO FLOODING

POLICY S13

Planning permission will be refused for development if it would be likely materially to:

- (i) Impede the flow of flood water
- (ii) Restrict the capacity of the floodplain to store flood water, or
- (iii) Increase the number of people or properties at risk from flooding

LEISURE AND RECREATION

PROTECTION OF PUBLIC OPEN SPACE AND EXISTING FACILITIES

POLICY L2

Planning permission will be refused for proposals involving the loss of open space used for leisure and recreation unless alternative provision of at least equivalent size, quality, suitability and convenience is made. If there is no longer a continuing need for recreation use, and there is an unmet

COMMUNITY FACILITIES

PROTECTION OF COMMUNITY FACILITIES

POLICY C2

Planning permission will be refused for proposals that involve the loss of an existing community facility or the loss of a site allocated for such a purpose, unless:

- (i) There is no longer a need for the facility for any type of community use, or “local community needs” will be assessed on an individual basis but could include a community hall, local play area, public open space. Milton Keynes Local Plan 2001-2011 Adopted December 2005

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- (ii) An acceptable alternative facility can be provided elsewhere Where surplus education land is identified, planning permission will be granted for other uses provided it can be demonstrated that:

- (a) The income from the sale of the land will be reinvested to secure improvements to Milton Keynes schools and;
- (b) The proposed development will include the provision of facilities for the local community where there is a proven need for such provision locally and it fairly and reasonably relates to

the development proposed.

Design

IMPACT OF DEVELOPMENT PROPOSALS ON LOCALITY

POLICY D1

Planning permission will be refused for development that would be harmful for any of the following reasons:

- (i) Additional traffic generation which would overload the existing road network or cause undue disturbance, noise or fumes
- (ii) Inadequate drainage, which would adversely affect surface water disposal, including flood control, or overload the existing foul drainage system
- (iii) An unacceptable visual intrusion or loss of privacy, sunlight and daylight
- (iv) Unacceptable pollution by noise, smell, light or other emission to air, water or land
- (v) Physical damage to the site and neighbouring property including statutorily protected and other important built and natural features and wildlife habitats
- (vi) Inadequate access to, and vehicle movement within, the site.

DESIGN OF BUILDINGS

POLICY D2

Development proposals for buildings will be refused unless they:

- (i) Are in scale with other buildings in the immediate vicinity in terms of their height and massing, except where a greater scale is necessary to reflect the development's function and importance
- (ii) Relate well to and enhance the surrounding environment.
- (iii) Provide access for those with impaired mobility
- (iv) Allows for visual interest through the careful use of detailing, where this is appropriate to the character of the area
- (v) Include landscaping and boundary treatments that integrate with those of the surrounding area
- (vi) Have regard to the need to design layout and screening in the interests of the prevention of crime and the surveillance of the public realm

The extension of existing buildings will only be permitted providing the scale of the proposed

extension does not detract from the character of the original building.

URBAN DESIGN ASPECTS OF NEW DEVELOPMENT

POLICY D2A

Development proposals will be refused unless they meet the following objectives:

- (i) Character in townscape and landscape by identifying and reinforcing better quality and locally distinctive design elements
- (ii) Continuity of street frontage and enclosure of space by clearly defining public and private areas and locating main building entrances on the street
- (iii) Quality public realm consisting of spaces and streets that are accessible, attractive, well related to and overlooked by buildings providing natural surveillance, with active ground floor uses along main streets and with parked vehicles not being visually dominant
- (iv) Ease of movement by creating places that are permeable and well connected with safe, attractive, convenient routes along streets giving priority to walking, cycling and public

transport

- (v) Legibility by providing recognisable streets, junctions and landmarks to help people to find their way around
- (vi) Adaptability of buildings and spaces, capable to use by a range of activities in response to changing conditions
- (vii) Variety of layout, building form, use and tenure through the site.

SUSTAINABLE CONSTRUCTION

POLICY D4

All new development exceeding 5 dwellings (in the case of residential development) or incorporating gross floorspace in excess of 1000 sq m (in the case of other development) will be required to include the following:

- (i) Energy efficiency by siting, design, layout and buildings' orientation to maximize sunlighting and daylighting, avoidance of overshadowing, passive ventilation;
- (ii) Grouped building forms in order to minimize the external wall surface extent and exposure;
- (iii) Landscape or planting design to optimise

- screening and individual buildings' thermal performance;
- (iv) Renewable energy production e.g. external solar collectors, wind turbines or photovoltaic devices;
- (v) Sustainable urban drainage systems, including rainwater and waste water collection and recycling
- (vi) Significant use of building materials that are renewable or recycled;
- (vii) Waste reduction and recycling measures;
- (viii) Carbon neutrality or financial contributions to a carbon offset fund to enable carbon emissions to be offset elsewhere.

Natural Environment **PROTECTED SPECIES**

POLICY NE2

Planning permission will be refused for development if it would be likely to adversely affect animal or plant species, or their habitat, specifically protected by law. Where necessary, planning conditions will be attached to permissions to require the developer to take steps to secure the protection of the species or habitat affected by development.

BIODIVERSITY AND GEOLOGICAL ENHANCEMENT

POLICY NIE3

All new development exceeding 5 dwellings (in the case of residential development) or incorporating gross floorspace in excess of 1000 sq m (in the case of other development) will be required to incorporate proposals to enhance biodiversity and geological features which are appropriate to, and where possible compensate for, impacts on the immediate area and the site characteristics.

Measures may include use of native species in landscaping schemes, or the improvement or creation of wildlife habitats or features of geological interest.

Priority will be given to woodland planting and other habitats and species identified by local Biodiversity Action Plan.

Where enhancement is not possible on the site, appropriate enhancements will be sought on other land.

Transport

PEDESTRIANS AND CYCLISTS

POLICY T3

Development proposals must be designed to meet the needs of pedestrians and cyclists. In particular:

- (i) The layout of the external environment, including links to adjoining areas should provide convenient, direct, safe, secure and understandable pedestrian and cycle routes that are not isolated from other transport routes;
- (ii) The needs of cyclists should be taken into account in traffic calming schemes;
- (iii) Locations that are a deterrent to pedestrians and cyclists should be improved, including crossing points at roads;
- (iv) The existing redway, footway and right of way network should be retained, improved and extended;
- (v) Cycle parking should be provided that is conveniently sited, secure and sufficient to meet the Council's parking standards, together with showers and changing facilities.

PUBLIC TRANSPORT

POLICY T5

Development proposals must be designed to meet the needs of public transport operators and users. In particular:

- (i) Road layouts must include direct, convenient and safe bus routes
- (ii) Bus priority measures must be implemented, where appropriate
- (iii) All houses and most other development must be no more than 400m from a bus stop
- (iv) Bus stops must have suitable shelters, good pedestrian access and be open to public supervision
- (v) Specific consideration must be given to the provision of public transport services in planning new development

TRAFFIC

POLICY T10

Planning permission will be refused for development if it would be likely to generate motor traffic:

- (i) Exceeding the environmental or highway capacity of the local road network; or
- (ii) Causing significant disturbance, noise, pollution or risk of accidents.

TRANSPORT ASSESSMENTS AND TRAVEL PLANS

POLICY T11

Planning applications for proposals that exceed the thresholds set out in Table T2, or will otherwise generate significant amounts of travel, must include a Transport Assessment and a Travel Plan, produced in consultation with local transport providers and agreed with the Council.

Planning applications for new or expanded school facilities that would increase pupil numbers should also include a Travel Plan.

PARKING PROVISION

POLICY T15

Development proposals should meet the following vehicle parking requirements:

- (i) Car parking provision must not exceed the Council's maximum standards.
- (ii) On-site parking should not be reduced below the maximum standard if it would be likely to result in off-site parking causing problems that cannot be resolved by on-street parking controls.
- (iii) Parking areas should be well designed in terms of safety, circulation and appearance and assist access by pedestrians and cyclists.

Planning Obligations PERCENT FOR ART

POLICY P04

Where new development is proposed, developers are encouraged to allocate at least 1% of the capital cost of a development towards the incorporation of public works of art that enhance the appearance of the development.

a.3 MILTON KEYNES COUNCIL CORE STRATEGY

SUBMISSION VERSION (OCTOBER 2010)

- Comply with best practice urban design principles in By Design, Manual for Streets and Safer Places, or future best practice guidance
- Champion new approaches to sustainable urban form and structure, which build on the concept of the grid, so that everyone lives within walking distance of a viable bus route, local shops and other day-to-day facilities
- Provide a choice of contemporary, innovative, exemplar architecture that reflects Milton Keynes' reputation as an ambitious, forward-thinking, innovative 21st Century city
- Integrate energy efficiency and solar performance in the layout and orientation of buildings and neighbourhoods
- Provide sustainable and strategic surface water drainage as part of a network of multi-purpose open spaces
- Provide visual landmarks to help with orientation, particularly from the grid road and redway networks
- Provide a range of housing densities with more high density in Central Milton Keynes and close to good public transport nodes, with lower densities elsewhere, to contribute towards

- variety in visual appearance and create diverse, sustainable neighbourhood
- Effectively integrate the Council's car parking standards into the layout of new developments
- Redways (another unique element of MK) should be built within the landscape corridor of all new grid roads, as well as elsewhere within new developments
- Continue the green character of the city through appropriate use of planting on streets and in public open spaces, and respecting the existing landscaped grid road corridors.

Character of Place

All new development must be of high design quality in terms of layout, form and appearance, and make a positive contribution to the character of the area in which it is located.

All new development must be based on a thorough site appraisal and be sensitive to its context. New housing should be of an appropriate density for the area in which it is located.

Where there is no clear character on the site or surrounding area, new development must be designed to create a distinctive sense of place by using existing site features, the layout of the development, and the appearance of buildings.

Design of Place

To ensure high design quality, all new developments should:

Healthier and Safer Communities

Policy CS18

The Council will work with other agencies on programmes to reduce deprivation and health inequalities and provide the necessary support for the Borough's young people and ageing population. The Council will seek to create safe and sustainable environments by:

1. Designing out opportunities for crime and anti-social behaviour in new development, following best practice guidance in 'Safer Places' and 'Secured by Design'
2. Working with the Community Safety Partnership (SaferMK) on initiatives to reduce crime and anti-social behaviour
3. Working with the Council's Emergency Planning department to prevent and respond to emergency situations, for example in terms of surface water management
4. Extending the linear park and redway system into new developments, with specific attention paid to security to encourage more walking and cycling.

Delivering Infrastructure

POLICY CS21

New development that generates a demand for infrastructure will only be permitted if the necessary on and off-site infrastructure required to support and mitigate the impact of that development is either:

1. already in place, or
2. there is a reliable mechanism in place to ensure that it will be delivered in the right place at the right time, to the required minimum high standards demanded

by this Council and its partners. The Council will prepare a new Planning Obligations Supplementary Planning Document to cover infrastructure and service requirements, including site-specific infrastructure, to be delivered through Section 106 agreements. When adopted locally, we will also operate a Community Infrastructure Levy charging schedule across the Borough to secure funding from new development for infrastructure provision, including strategic projects. The Milton Keynes Tariff will continue to operate on sites covered by the Framework Agreement that are permitted before 6 April 2014 or when CIL is introduced locally. Where appropriate, the Council will permit developers to provide the necessary infrastructure themselves as part of their development proposals, rather than making financial contributions.

Urban Design & Landscape Architecture

Planning and Transport

Milton Keynes Council

PO Box 113, Civic Offices

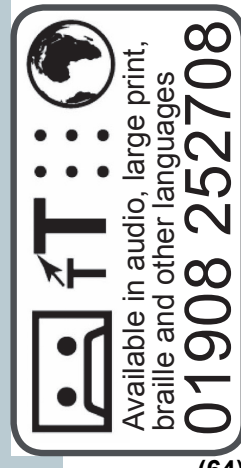
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Wards Affected:

Campbell Park; Linford South

MILTON KEYNES COUNCIL'S REVISED RESPONSE TO THE SUBMITTED CENTRAL MILTON KEYNES ALLIANCE BUSINESS NEIGHBOURHOOD PLAN

Decision Taker: Councillor Hopkins (Cabinet Member for Economic Development and Enterprise)

Author: Diane Webber (Senior Planning Officer) Tel: (01908) 252668

Executive Summary:

Following the call-in of the Delegated Decision to agree the Council's response to the CMK Alliance Business Neighbourhood Plan, a mediation meeting has been held and consensus has been reached on revisions to the comments in respect of Policy CMKAP T2 - the second public transport hub and the intra-CMK shuttle and Policy CMKAP G6. This report seeks approval of these revised comments. The remaining comments approved in the Delegated Decision on 17th September are not changed and the original Delegated Decision report is attached for information.

1. Recommendation(s)

- 1.1 That the Milton Keynes Council's revised response to the Central Milton Keynes Alliance Business Neighbourhood Plan Policy CMKAP T2 and Policy CMKAP G6 as set out in the report below be agreed.

2. Issues

- 2.1 A Delegated Decision was taken on 17 September 2013 by the Cabinet Member for Economic Development and Enterprise which agreed the Milton Keynes Council's comments on the submitted Central Milton Keynes (CMK) Alliance Business Neighbourhood Plan. A copy of the Delegated Decision Report and accompanying Annex is attached as an Annex to this report.
- 2.2 The Delegated Decision taken on 17 September 2013 was called-in by the Central Milton Keynes Town Council on the grounds that "*several of the Council's comments, particularly with regard to transport, are not soundly based in Council policy*". A Mediation meeting was held on 7 October, chaired by the Chair of the Executive Scrutiny Panel and a compromise was reached that eliminated the points of concern.

The revised comments

- 2.3 Revised comments were considered at the Mediation meeting in respect of three issues and are set out below. For clarity in this report, new text is shown underlined and deleted text is struck through. The remaining

comments that were agreed on the 17th September stand as the Council's agreed response to the submitted CMK Alliance Plan.

- 2.4 **Policy CMKAP T2 - a second public transport hub: Revised comment:** The Council supports the principle of Policy CMKAP T2 a) i as the policy does not specify a possible location for the hub and could therefore contribute to the improvement of interchange facilities in CMK in general

The text of para 7.19 and the possible location of the proposed transport hub as shown on Figure 9 is not, however, supported by Council Public Transport Officers, as it provides an inflexible solution to an issue that, in the Council's opinion, can be better resolved by maintaining the Public Transport Spine (PTS) down Midsummer Boulevard, which allows good pedestrian access from almost all points in CMK, minimising walking distance to many parts of the retail core. The PTS allows the infrastructure demands of certain areas to be dealt with in a more specific, appropriate and flexible way that can be reviewed over time. This solution is not only established and legible, but it does not require significant areas of developable land which could be better utilised to meet the other aspirations in the plan.

Core Strategy Policy CS11 includes a clear objective to promote sustainable transport choices for all, particularly car owners, through information and other measures to encourage them to use non-car modes for more journeys. Policy CS11 also seeks a step change to public transport which can be achieved without the intervention described in CMKAP T2 a) i) via a more flexible solution on the existing PTS down Midsummer Boulevard.

In terms of the plan's conformity with Core Strategy Policy CS7, the longer distances needed to walk to central interchanges is at odds to the promotion of Public Transport (point 6) and worsens the integration between pedestrians and public transport across the CMK grid, many with differing needs (business, leisure, ability etc).

- 2.5 **Policy CMKAP T2 – intra-CMK transit shuttle:** The provision of an intra-CMK shuttle service is included as an early intervention in the LTP3 Implementation Plan. However, funding for the CMK Shuttle would have to, even in part, be funded via MKC revenue. This would have to firstly be prioritised against all of the other schemes identified in LTP3 and then if sufficiently beneficial, compete against bus services funding in the wider community. This is against a scenario where nearly 100 services run up and down the PTS each hour. Better signage and information for visitors arriving at the rail station; together with changes to the ticketing cost for intra-CMK journeys would be likely to provide a more cost effective way of improving access to these existing public transport services than creating a new shuttle service.

- 2.6 **Policy CMKAP G6- mixed use: lack of Central Business District for Office development.** One of the criticisms of the Council of the Alliance Plan is that it lacks a Central Business District where predominantly office development should be located. This is because the authors of the Alliance plan have decided to move away from a land use zoning approach.

As paragraph 6.4 of the Alliance Plan explains, *“The point has now been reached in the development of CMK where it is appropriate to move away from the coarse land use zoning approach. With the exception of the Primary Shopping Area, the CMKAP does not designate any special ‘quarters’ or ‘districts for pre-dominant use classes, such as a ‘Business district’.*

Milton Keynes Council would make several points, firstly; CMK has been developed to a land use plan with specific areas or quarters zoned for particular uses. Secondly, among the great advantages of this approach is that it gives greater certainty about what is and what is not permissible at certain locations. The essence of a successful Neighbourhood Plan is to make it clear what development is going to be delivered, where, when and how (more on this later)

Thirdly, MKC would argue that Central Milton Keynes has benefited from focusing certain types of land use at particular locations. Such an approach can help for example to avoid nuisance by locating potentially noisy uses away from residential properties and sustainability is maximised by locating main town centre uses within CMK the most central and accessible location within the city. MKC would wish to repeat and reiterate its objection to the lack of a Central Business District in CMK that it made previously on paragraph 6.4 of the draft Alliance Plan.

Therefore, it is recommended that in addition to the Primary Shopping Area, the existing CBD (~~blocks B2, B3 and C2~~) should be highlighted as a character area that will be predominantly led by office development (with mixed use / fine grain of course at ground floor along principal pedestrian routes). Land close to the Railway station is particularly attractive for office development, which the plan wishes to encourage [although it is acknowledged at para 6.11 that part of site B4 is reserved for major developments of strategic importance.]

3. Options

- 3.1 There are two options available: whether or not to consider making revised comments as agreed at the Mediation meeting.
- 3.2 The revised comments have been agreed between the CMK Town Council and the Council at the Mediation meeting. This compromise position means that the call-in does not now have to be considered at Executive Scrutiny Committee. Were the revisions not to be agreed and the Council continued with its original comments this would require a meeting of the Executive Scrutiny Committee to be arranged. It is therefore suggested that the revised comments should be considered.

Implications

3.3 Policy

The National Planning Policy Framework sets out that Neighbourhood Plans must be in general conformity with the strategic policies of the development plan. Neighbourhood Plans should reflect these policies, and neighbourhoods should plan positively to support them. Neighbourhood Plans and Development Orders should not promote less development than is set out in the Local Plan,

or undermine its strategic policies. In Milton Keynes, the strategic policies are set out in the adopted Milton Keynes Local Plan and the emerging Core Strategy.

Once a Neighbourhood Plan has successfully passed all of the stages of preparation, including an examination and referendum, it is 'made' by the local planning authority and forms part of the authority's Development Plan, meaning it will be a material consideration when considering development proposals. In terms of the planning policy hierarchy, a Neighbourhood Plan, once adopted, carries more weight than a Supplementary Planning Document.

The CMK Alliance Business Neighbourhood Plan contributes to the achievement of aspects of the Council's vision, notably:

- helping to make sure that the city continues to be a wonderful place to live, work, learn, shop and relax;
- to secure sustainable housing and employment growth;
- that people and firms want to move here and stay here and visitors will want to come here and come back often
- that our residents have access to all the services they need; that Milton Keynes offers job and career opportunities for all.

3.4 Resources and Risk

Finance:

The Localism Act and the 2012 Regulations place new duties on local planning authorities in relation to Neighbourhood Planning. These new duties have considerable implications for staff resources and include taking decisions at key stages in the process; being proactive in providing advice to communities about neighbourhood planning; providing advice or assistance to a parish council, neighbourhood forum or community organisation that is undertaking neighbourhood planning.

In recognition of the additional burdens that these new duties place on local planning authorities, DCLG has made available grants to local planning authorities up to £30,000 for each neighbourhood plan. In the case of a Business Neighbourhood Plan, a further £10,000 is available in recognition of the costs associated with the additional business referendum. The payment of the Extra Burdens Grant is phased so that £5,000 is available when the neighbourhood area is designated; a further £5,000 when the plan is submitted to the local authority for publicity and examination; and the final £20,000 (or, in the case of this plan, £30,000) following successful examination.

Up to August 2013, claims have been submitted to DCLG for the designation of the first 10 Neighbourhood Areas in Milton Keynes. Since then two plans have been publicised so it will be possible to claim for a further £10,000 in the next claim period. The CMK Alliance Plan and the Woburn Sands Neighbourhood Plan might also have been examined by the end of the next claims period, allowing the outstanding grant monies for those two plan to be claimed.

As a Business Neighbourhood Plan therefore, the CMK plan is in line to generate £40,000 in extra burdens funding for the Council. This funding is expected to cover the costs of the examination and the two referendums (residential and businesses). Given the scale and complexity of this plan however, the extra burdens funding for this particular plan is unlikely to cover staff costs.

Staff resources to support Neighbourhood Planning will come from the existing staff within the Development Plans team. Decisions on any significant resource issues for the Council, as a result of officer involvement in Neighbourhood Planning, will be taken separately, as necessary.

The current budget for the Development Plans Team is £672k and the current forecast is no variance. .

The impact of the delegated decision on revenue costs or income is set out above and, in addition, the costs associated with the publicity of the plan; the independent examination and the holding of any future referendum will be met from the Development Plans team budget.

N	Capital	Y	Revenue	N	Accommodation
N	IT	N	Medium Term Plan	N	Asset Management

3.5 Carbon and Energy Management

The proposal does not impact on carbon and energy management.

3.6 Legal

Neighbourhood planning is part of the Government’s initiative to empower local communities to take forward planning proposals at a local level, as outlined in Section 116 of the Localism Act, 2011. The Act and the subsequent 2012 Regulations confer specific functions on local planning authorities in relation to neighbourhood planning.

At its meeting of 25 July 2012, Cabinet agreed the decisions in the Neighbourhood Planning process that would be delegated to the Cabinet Member responsible for Strategic Planning. This scheme of delegation included the decision of whether to accept a submitted plan and proceed with publicity and an independent examination.

Other Implications

Stakeholders: The submitted CMK Alliance Business Neighbourhood Plan has already been the subject of an 8 week pre-submission consultation. A further 8 week publicity period has been held and all comments received during that stage will be considered by an independent examiner in due course.

Consultation and involvement of stakeholders is an important part of the neighbourhood planning process, and will ultimately be tested by a single issue referendum at the end of the process.

Sustainability: one of the Basic Conditions that all neighbourhood plans must meet is that they contribute to the achievement of sustainable development. The Plan's compliance with the Basic Conditions will be the focus of the independent examination but the plan has been prepared with the need for it to contribute to sustainable development in mind.

N	Equalities/Diversity	Y	Sustainability	n	Human Rights
N	E-Government	Y	Stakeholders	n	Crime and Disorder

Background Papers: Localism Act 2011

The Neighbourhood Planning (General) Regulations 2012

CMK Alliance Business Neighbourhood Plan submission version and accompanying documents

Report considered on 17 September 2013

**MILTON KEYNES COUNCIL'S RESPONSE TO THE SUBMITTED CENTRAL
MILTON KEYNES ALLIANCE BUSINESS NEIGHBOURHOOD PLAN**

Decision Maker: Councillor Hopkins (Cabinet Member for Economic
Development and Enterprise)

Author: Diane Webber, Senior Planning Officer Tel: (01908) 252668

Executive Summary:

The Central Milton Keynes Alliance Business Neighbourhood Plan has been submitted to the council for publicity and examination. This report sets out the Council's response to the plan which will, together with other comments received during the publicity period, be sent to the Examiner appointed to consider the plan.

1. Recommendation(s)

1.1 That the Council's response, as set out in the Annex be agreed.

2. Issues

2.1 The Central Milton Keynes Alliance Business Neighbourhood Plan (the Plan) was submitted to Milton Keynes Council on 2 July 2013. Following a delegated decision, the Plan is being publicised for a period of 8 weeks, ending on 18 September. In accordance with Regulation 16 of the Neighbourhood Planning (General) Regulations 2012, the plan is being publicised on the council's website and in a number of other ways to bring it to the attention of those who live, work and carry out business in the area. The consultation methods include:

- A public notice in the MK News
- All MKC ward councillors were notified and an article went out in the Weekly News to draw the consultation to the attention of parish and town councils
- People who commented on the draft plan were contacted
- Emails and letters were sent to a number of individuals and organisations who have previously responded to planning policy consultations
- Copies of the Plan and the accompanying documents were placed in the libraries in Milton Keynes Council's area and a copy was available for inspection at the Civic Offices.

- 2.2 The Council is in the process of appointing an independent examiner for the plan, in consultation with the CMK Town Council and a delegated decision confirming the appointment of Mr Jeremy Edge as the Examiner is the subject of a delegated decision in the same decision making session as this report. Following the close of the publicity period any comments received in respect of the business neighbourhood plan will be forwarded to the examiner and a 'light touch' examination will follow.
- 2.3 The scope of the examination is defined in the Localism Act 2011. In essence, the Examiner's role is to provide an independent review of the plan and to make recommendations as appropriate. In particular, the examiner has to consider whether the plan meets certain basic conditions, whether it has satisfied legal requirements and whether it identifies an appropriate area for the business and residential referendums.
- 2.4 The basic conditions that the plan must meet are:
- (a) Whether the Plan is appropriate having regard to national policies and advice issued by the Secretary of State
 - (b) Whether the plan contributes to the achievement of sustainable development
 - (c) Whether the plan is in general conformity with the strategic policies in the Milton Keynes development plan
 - (d) That the plan should not breach and should be compatible with EU obligations (e.g. Strategic Environmental Assessment; Habitat's Directive; European Convention on Human Rights).
- 2.5 The Council has previously made detailed comments on the draft version of the Business Neighbourhood Plan, which resulted in changes being made to the plan. It is possible for the Council to comment further at this stage although your officer's view is that it will be most helpful to the examiner if any comments on the submitted plan mainly address the matters described in para 2.3 above. The comments set out in the Annex therefore address the Plan's compliance with the Basic Conditions and the extent of the area that the council considers to be appropriate for the carrying out of the referendums.

3. **Options**

- 3.1 There are two options available: whether or not to make comments at this stage.
- 3.2 Having made comments on the pre-submission version of the CMK Alliance Business Neighbourhood Plan one option would be for the Council to let those stand and to not make further comments at this publicity stage.
- 3.3 There are, however, a few issues that the Council has consistently raised during the preparation of the Plan and which are considered useful to reiterate at this stage. Given that the Examiner will also need to consider

the appropriate area for the two referendums, it is recommended that the Council makes its position on the issues and the referendum area known at this stage to inform the Examiner's deliberations.

4. **Implications**

4.1 Policy

The National Planning Policy Framework sets out that Neighbourhood Plans must be in general conformity with the strategic policies of the development plan. Neighbourhood Plans should reflect these policies, and neighbourhoods should plan positively to support them. Neighbourhood Plans and Development Orders should not promote less development than is set out in the Local Plan, or undermine its strategic policies. In Milton Keynes, the strategic policies are set out in the adopted Milton Keynes Local Plan and the emerging Core Strategy.

Once a Neighbourhood Plan has successfully passed all of the stages of preparation, including an examination and referendum, it is 'made' by the local planning authority and forms part of the authority's Development Plan, meaning it will be a material consideration when considering development proposals. In terms of the planning policy hierarchy, a Neighbourhood Plan, once adopted, carries more weight than a Supplementary Planning Document.

The CMK Alliance Business Neighbourhood Plan contributes to the achievement of aspects of the Council's vision, notably:

- helping to make sure that the city continues to be a wonderful place to live, work, learn, shop and relax;
- to secure sustainable housing and employment growth;
- that people and firms want to move here and stay here and visitors will want to come here and come back often
- that our residents have access to all the services they need; that Milton Keynes offers job and career opportunities for all.

4.2 Resources and Risk

Finance: The Localism Act and the 2012 Regulations place new duties on local planning authorities in relation to Neighbourhood Planning. These new duties have considerable implications for staff resources and include taking decisions at key stages in the process; being proactive in providing advice to communities about neighbourhood planning; providing advice or assistance to a parish council, neighbourhood forum or community organisation that is undertaking neighbourhood planning.

In recognition of the additional burdens that these new duties place on local planning authorities, DCLG has made available grants to local planning authorities up to £30,000 for each neighbourhood plan. In the case of a Business Neighbourhood Plan, a further £10,000 is available in recognition of the costs associated with the additional business referendum. The payment of the Extra Burdens Grant is phased so that £5,000 is available when the neighbourhood area is designated; a

further £5,000 when the plan is submitted to the local authority for publicity and examination; and the final £20,000 (or, in the case of this plan, £30,000) following successful examination.

Up to August 2013, claims have been submitted to DCLG for the designation of the first 10 Neighbourhood Areas in Milton Keynes. Since then two plans have been publicised so it will be possible to claim for a further £10,000 in the next claim period. The CMK Alliance Plan and the Woburn Sands Neighbourhood Plan might also have been examined by the end of the next claims period, allowing the outstanding grant monies for those two plan to be claimed.

As a Business Neighbourhood Plan therefore, the CMK plan is in line to generate £40,000 in extra burdens funding for the Council. This funding is expected to cover the costs of the examination and the two referendums (residential and businesses). Given the scale and complexity of this plan however, the extra burdens funding for this particular plan is unlikely to cover staff costs.

Staff resources to support Neighbourhood Planning will come from the existing staff within the Development Plans team. Decisions on any significant resource issues for the Council, as a result of officer involvement in Neighbourhood Planning, will be taken separately, as necessary.

The current budget for the Development Plans Team is £672k and the current forecast is no variance. .

The impact of the delegated decision on revenue costs or income is set out above and, in addition, the costs associated with the publicity of the plan; the independent examination and the holding of any future referendum will be met from the Development Plans team budget.

N	Capital	Y	Revenue	N	Accommodation
N	IT	N	Medium Term Plan	N	Asset Management

4.3 Carbon and Energy Management

The proposal does not impact on carbon and energy management.

4.4 Legal

Neighbourhood planning is part of the Government’s initiative to empower local communities to take forward planning proposals at a local level, as outlined in Section 116 of the Localism Act, 2011. The Act and the subsequent 2012 Regulations confer specific functions on local planning authorities in relation to neighbourhood planning.

At its meeting of 25 July 2012, Cabinet agreed the decisions in the Neighbourhood Planning process that would be delegated to the Cabinet Member responsible for Strategic Planning. This scheme of delegation included the decision of whether to accept a submitted plan and proceed with publicity and an independent examination.

Other Implications

Stakeholders: The submitted CMK Alliance Business Neighbourhood Plan has already been the subject of an 8 week pre-submission consultation. A further 8 week publicity period has been held and all comments received during that stage will be considered by an independent examiner in due course.

Consultation and involvement of stakeholders is an important part of the neighbourhood planning process, and will ultimately be tested by a single issue referendum at the end of the process.

Sustainability: one of the Basic Conditions that all neighbourhood plans must meet is that they contribute to the achievement of sustainable development. The Plan's compliance with the Basic Conditions will be the focus of the independent examination but the plan has been prepared with the need for it to contribute to sustainable development in mind.

N	Equalities/Diversity	Y	Sustainability	n	Human Rights
N	E-Government	Y	Stakeholders	n	Crime and Disorder

Background Papers: Localism Act 2011
 The Neighbourhood Planning (General) Regulations
 2012
 CMK Alliance Business Neighbourhood Plan
 submission version and accompanying documents

**CMK ALLIANCE BUSINESS NEIGHBOURHOOD PLAN,
SUBMISSION VERSION, MAY 2013
COMMENTS FROM MILTON KEYNES COUNCIL**

Firstly, and notwithstanding the comments that follow, Milton Keynes Council would like to congratulate the CMK Town Council and the CMK Alliance Steering group on their energy and commitment in producing this plan.

We welcome the fact that there has been considerable discussion between the CMK Alliance Steering Group and officers and Members from Milton Keynes Council on a number of issues which have helped to address a significant number of the matters raised during the pre-submission consultation stage. Discussions with Development Management officers have also helped to revise the style and emphasis of a number of policies with the aim of improving their effectiveness.

Mindful of the comments that the council made on the pre-submission draft version of the Plan, this response only addresses a few points that remain of concern and which the council wish to draw to the attention of the Examiner.

The referendum area

The default assumption in the Localism Act is that the area for the referendums will be the same as the designated business neighbourhood plan area. It is the role of the Examiner to consider what the appropriate area for the referendum is.

The views of the CMK Alliance Steering group on this matter are set out in their submitted Basic Conditions Statement, para 1.13. In summary these are that:

- 12 respondents to the draft plan out of a total of 76 commented that the referendum area should be wider
- All residents in the Borough have been consulted on the Core Strategy with which the Business Neighbourhood Plan is considered to be in general conformity
- It is unclear how a wider referendum would be relevant to businesses outside of CMK
- Lack of evidence to justify widening the referendum area

To assist the Examiner, the Council has the following comments to make:

- The Core Strategy Examination Inspector has recently confirmed the regional shopping role of CMK and its importance to both the local economy and the local identity. Policy CS7 in the Adopted Core Strategy confirms that CMK serves both as a regional centre and as a local centre for the immediate catchment population. What happens in CMK is therefore of importance not just to the resident population but to the wider Milton Keynes population.
- As the comments on the pre-submission draft plan suggest, what happens in CMK is of relevance and considerable interest and relevance to people who, whilst not living or owning a business in CMK, nonetheless use the city centre daily, whether as their place of work or for shopping, leisure, or as a transport interchange.

- It is the case, that the additional business referendum raises a question about the relevance of a wider referendum area to businesses outside of CMK. However as CMK will continue to grow and develop as the focus for new office and high value and technology jobs, there may be businesses elsewhere in Milton Keynes interested in a future move into the city centre who would like to have a say in the referendum
- One argument against extending the referendum area is that it would set an unwelcome precedent for other neighbourhood plans. It is however considered that few plans for areas of the scale, influence and complexity of CMK are unlikely to emerge nationally. As a result we anticipate that the majority of neighbourhood plans will have a much smaller and more local sphere of influence so reducing the pressure and justification to widen the referendum area for those plans.
- If the need to widen the referendum area is accepted then the next question is how far? Given the regional role of CMK, the Council suggests that the referendum area should be extended to cover the borough of Milton Keynes.

Meeting the Basic Conditions

The Council has a limited number of outstanding concerns with regards to whether the plan meets the Basic Conditions.

- **Whether the Plan is appropriate having regard to national policies and advice issued by the Secretary of State**

This test seeks to ensure that the Plan has an appropriate fit with national planning policy. It does allow for some flexibility where it is not possible for the plan to be consistent with all national policy.

General point: The Council has a general concern with the level of prescription and lack of flexibility implied in the Plan which, it is felt, does not sufficiently reflect the approach in the NPPF that the planning system should contribute to *“building a strong, responsive and competitive economy”* (para 14) and that *“local plans should seek to meet objectively assessed needs with sufficient flexibility to adapt to rapid change”*

There is also a concern that whilst the site specific proposals are indicative and not formal site allocations, this could cause confusion and be misunderstood by those reading and using the plan as they suggest a degree of certainty and prescription which is not the case.

Policy CMKAP SS1 seeks to reserve Blocks B4 and F1.2-1.4 for major developments of strategic importance for an indeterminate amount of time and with no guarantee that the types of development sought for these sites will come forward.

We suggest that the policy be revised to delete reference to the reservation of land and to focus instead on a requirement for the sites to be planned on a comprehensive basis.

Policy CMKAP SS2: Edge of Centre definition: the CMK Alliance Plan defines an Edge of Centre for retailing in CMK (illustrated in figure 11) which goes some way beyond the definition in the NPPF. Whilst the NPPF states that in considering whether a site falls within the definition of edge of centre account should be taken of local

circumstances, the council is concerned that the edge of centre area as defined in the Plan spreads the opportunity for major retail development too widely across CMK, extending as far west as the Station Square area. MKC considers that by defining an Edge of Centre area so widely Policy SS2 undermines Core Strategy Policy CS4, on Retail and Leisure Development, which seek to focus the main requirement for additional comparison floorspace up to 2026 within the Primary Shopping Area (PSA) of CMK.

The changes proposed in the CMK Alliance Plan are likely to increase the supply of retail floorspace outside the PSA. This not only has the effect of diluting the retail focus within the Primary Shopping Area (where both the NPPF and the Council's Core Strategy encourage development) but will also damage investor confidence so necessary to enable the development of new shopping facilities within the PSA and thus ensure CMK fulfils its role as a regional shopping centre.

MKC anticipates that only a limited amount of retail floorspace will be developed within CMK outside the PSA in future but what development does occur will occur as part of mixed use development schemes. As the text to Core Strategy policy CS4 paragraph 7.3 clearly states '*More space for comparison good shopping will be developed in the primary shopping area with some smaller shops elsewhere in Central Milton Keynes as part of mixed use developments with office, housing and leisure uses.* This wording is similar to Local Plan policy CC1 which stated when referring to the rest of CMK outside the PSA that 'Elsewhere in CMK, with the exception of block C4.1 [now occupied by Sainsbury's and a residential housing scheme] , retail development will be small scale and generally part of mixed shopping ,office, leisure and housing schemes.'

Although the Council's Retail Capacity Update report produced in August 2011 by consultants, Roger Tym and Partners for the Council identified a demand for additional comparison (non-food) floorspace up to 2026m, the same cannot be said for additional convenience (food) floorspace. This is because the Borough has a significant oversupply of convenience floorspace, which Table 2.4 of the report identified as totalling over 16,000 sq.m in 2011 assuming all outstanding planning permissions for convenience (food) floorspace are built. Since that time, the expected oversupply of convenience floorspace in the Borough has grown assuming all these planning permissions are implemented.

Policy CMKAP SS2: New Market Hall proposal: The plan is aspirational and rightly so, but it must also be deliverable. Policy SS2 c) seeks the development of Block D3 with a Market Hall. We question the deliverability of this aspect of the policy. The plan proposes that the Market Hall should be delivered as part of the future development of that Block. There does not seem to have been an assessment of the impact that such a requirement could have for the viability of future proposals in that area contrary to NPPF para 173.

Finally, whilst acknowledging that among the objectives of this plan is to increase variety and competition in the Primary Shopping Area including the provision of more independent and small retail units we would question whether there is evidence to demonstrate firstly that developers are willing to deliver the small retail units (under 100 sq.m) in the PSA proposed in the Plan and secondly would the delivery of such small units be viable?

- **Whether the plan is in general conformity with the strategic policies in the Milton Keynes development plan**

This test aims to ensure that the neighbourhood plan does not undermine those policies which are central to delivering the overall planning and development strategy for the wider area.

In order to be in 'general conformity', the business neighbourhood plan should uphold the general principle of the strategic policies idea or issue it is concerned with. The test provides an important degree of flexibility. It enables communities to come to a different view on a strategic policy in their neighbourhood plan as long as they have good reasons and evidence and can show that they "generally conform" with the policy proposals.

The Alliance Plan (paras 1.10-1.12) needs to reflect that the Core Strategy has now been adopted and the plan needs to have regard to it particularly policy CS7 the strategic policy for CMK and policy CS4 on Retail and Leisure Development where relevant.

CMKAP Policy S1 in the CMKABNP does not reflect the final version of policy CS7 in the adopted Core Strategy. It is based on an earlier version of this policy some important wording in the opening sentences of the policy providing the strategic context for CMK is missing. This is underlined below

Policy CS7 Central Milton Keynes

'Central Milton Keynes is a modern and carefully planned new city centre but needs to continue to evolve and change.

It will retain and enhance its role as a regional centre and the city's focus for retail, office, hotel, leisure and cultural development, together with new housing and related facilities.'

Central Milton Keynes is the biggest retail, office, leisure and employment centre within the city. An estimated 34,500 people worked in CMK in 2011 (Source: BRES 2011, Office for National Statistics). From a strategic planning point of view, CMK is the most important location in the Borough. Its large number of jobs and other attractions means it offers the greatest scope to shift from the car to other means of transport.

In the Council's view, a successful plan to be sound should make it clear

- What development is going to be delivered
- Where it will be
- When it will be done and
- How it will be done

Source: NPPF paragraphs 154,156 and 157. NB. Although these paragraphs refer to Local Plans, the Council is of the view the same principles should apply to the Alliance Plan, as CMK is a strategic location.

Policy CMKAP T2 - a second public transport hub: the text of para 7.19 and the requirement of Policy T2 a) i) is not supported by Council policy, as it provides an inflexible solution to an issue that can be better resolved by maintaining the Public Transport Spine (PTS) down Midsummer Boulevard, which allows good pedestrian access from almost all points in CMK, minimising walking distance to many parts of the retail core. The PTS allows the infrastructure demands of certain areas to be dealt with in a more specific, appropriate and flexible way that can be reviewed over time. This solution is not only established and legible, but it does not require significant

areas of developable land which could be better utilised to meet the other aspirations in the plan.

Core Strategy Policy CS11 includes a clear objective to promote sustainable transport choices for all, particularly car owners, through information and other measures to encourage them to use non-car modes for more journeys. Policy CS11 also seeks a step change to public transport which can be achieved without the intervention described in CMKAP T2 a) i) via a more flexible solution on the existing PTS down Midsummer Boulevard.

In terms of the plan's conformity with Core Strategy Policy CS7, the longer distances needed to walk to central interchanges is at odds to the promotion of Public Transport (point 6) and worsens the integration between pedestrians and public transport across the CMK grid, many with differing needs (business, leisure, ability etc).

Policy CMKAP T2 – intra-CMK transit shuttle: Funding for the CMK Shuttle would have to, even in part, be funded via MKC revenue. This would have to firstly be prioritised against all of the other schemes identified in LTP3 and then if sufficiently beneficial, compete against bus services funding the wider community. This is against a scenario where nearly 100 services run up and down the PTS each hour. Better signage and information for visitors arriving at the rail station; together with changes to the ticketing cost for intra-CMK journeys would be likely to provide a more cost effective way of improving access to these existing public transport services than creating a new shuttle service.

Policy CMKAP T4 amends car parking standards for Class B1 office uses within CMK. There has been considerable discussion between officers, Members and the CMK Alliance Steering Group about this approach. The council is concerned that this policy is not in conformity with the strategic policies of the development plan as the effects of the increase in parking standards could have implications for the wider road network beyond the plan area. The council's view is that car parking standards should be considered on a comprehensive basis across the whole urban area and for this to be combined with a review of the management regime within CMK so that the effects on the road network can be fully and comprehensively assessed and addressed.

Policy CMKAP G6- mixed use: lack of Central Business District for Office development. One of the criticisms of the Council of the Alliance Plan is that it lacks a Central Business District where predominantly office development should be located. This is because the authors of the Alliance plan have decided to move away from a land use zoning approach.

As paragraph 6.4 of the Alliance Plan explains, *“The point has now been reached in the development of CMK where it is appropriate to move away from the coarse land use zoning approach. With the exception of the Primary Shopping Area, the CMKAP does not designate any special ‘quarters’ or ‘districts for pre-dominant use classes, such as a ‘Business district’.*

Milton Keynes Council would make several points, firstly; CMK has been developed to a land use plan with specific areas or quarters zoned for particular uses. Secondly, among the great advantages of this approach is that it gives greater certainty about what is and what is not permissible at certain locations. The essence of a successful Neighbourhood Plan is to make it clear what development is going to be delivered, where, when and how (more on this later)

Thirdly, MKC would argue that Central Milton Keynes has benefited from focusing certain types of land use at particular locations. Such an approach can help for

example to avoid nuisance by locating potentially noisy uses away from residential properties and sustainability is maximised by locating main town centre uses within CMK the most central and accessible location within the city. MKC would wish to repeat and reiterate its objection to the lack of a Central Business District in CMK that it made previously on paragraph 6.4 of the draft Alliance Plan.

Therefore, it is recommended that in addition to the Primary Shopping Area, the existing CBD (blocks B2, B3 and C2) should be highlighted as a character area that will be predominantly led by office development (with mixed use / fine grain of course at ground floor along principal pedestrian routes). Land close to the Railway station is particularly attractive for office development, which the plan wishes to encourage [although it is acknowledged at para 6.11 that part of site B4 is reserved for major developments of strategic importance.]

The Plan should consider swapping land with planning permission for residential development on part of Block B4 for land identified for office development in Campbell Park. This issue was discussed at the Core Strategy Examination in July 2012.

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PROPOSAL TO INTRODUCE A RESIDENT PERMIT PARKING ONLY SCHEME TO CHURCH END, WAVENDON

Decision Taker: Councillor Bint (Cabinet member for Transport and Highways)

Author: Sara Bailey (Parking Strategy and Implementation Manager)
Tel 01908 252198

Executive Summary:

Wavendon Parish Council has undertaken a consultation with residents of Church End and has established a desire for the introduction of a Resident Permit Parking Only (RPPO) scheme to be introduced during school drop off and collection times.

Wavendon Parish Council has requested that Milton Keynes Council introduces such a scheme. This request has been supported by the Ward Member and the responsible Cabinet Member.

1. Recommendation(s)

- 1.1 That a Resident Permit Parking Only scheme is implemented to Church End, Wavendon, subject to the outcome of the required statutory consultation.

2. Issues

- 2.1 Wavendon Parish Council has advised Milton Keynes Council that residents wish for the restriction to apply from 8am – 9.30 am and 2.30pm – 4pm, Monday – Friday, during term time only.
- 2.2 Wavendon Parish Council has consulted with the 17 households in Church End and has received 14 responses. Of these, 12 are in favour of the introduction of a RPPO and 2 are against.

3. Options

- 3.1 Do nothing

This would be contrary to the express desires of Wavendon Parish Council and local residents, who would continue to experience difficulties parking near to their home when parents are dropping off and collecting their children to and from the nearby school and nursery.

- 3.2 Introduce a RPPO scheme that applies at all times (as opposed to school drop off and collection times)

This would un-necessarily restrict residents and their visitors, and would have increased enforcement costs.

4. Implications

4.1 Policy

The proposals considered in this report are in accordance with the Milton Keynes Council Local Transport Plan 3, which supports demand management measures required to support efficient transport operation

4.2 Resources and Risk

The following costs are associated with implementing the experimental resident permit parking schemes

- Production and issuing of residents' permits, including permit system configuration – £1,000 system configuration with no additional ongoing cost (other than nominal postage cost) as can be absorbed into current resource
- Parking enforcement - no additional cost as can be absorbed into current resource
- Installation of traffic signs and road markings – estimated cost £2,000
- Legal resources to prepare and make the Traffic Regulation Orders – estimated cost £1,000 (internal re-charge)
- Advertisement – when publishing the public notice of making - estimated cost £500
- Total one off costs - £4,500
- Ongoing costs – nominal (absorbed into current resource)

The implementation costs and the income generated would be attributable to the Special Parking Account (SPA) on street parking account.

Y	Capital	N	Revenue	N	Accommodation
N	IT	N	Medium Term Plan	N	Asset Management

4.3 Carbon and Energy Management

The recommendations in this report have no impact on Carbon and Energy Management.

4.4 Legal

A Traffic Regulation Order (TRO) is a legal order, which allows the Highways Authority to regulate the speed, movement and parking of vehicles and regulate pedestrian movement, which are enforceable by law.

4.5 Other Implications

The presence of Civil Enforcement Officers patrolling the restrictions is likely to have a positive impact on crime and disorder, in particular, vehicle crime.

It is considered that there will be no issues relating to equalities and diversity

4.6 Other Implications

N	Equalities/Diversity	N	Sustainability	N	Human Rights
N	E-Government	N	Stakeholders	N	Crime and Disorder

Background Papers: Local Transport Plan 3

Wards Affected:

SEE PARAGRAPH 2.5 OF THE REPORT

ITEM 9

DELEGATED DECISION

22 OCTOBER 2013

APPOINTMENT OF LOCAL AUTHORITY REPRESENTATIVE GOVERNORS

Decision taker: Councillor Dransfield, Cabinet Member for Children's Services and Lifelong Learning

Author: Sue Bruce, Governor Services Officer, Tel: (01908) 253614

Executive Summary:

To appoint Local Authority Representative Governors to school governing bodies constituted under the School Governance (Constitution) (England) Regulations 2007.

To nominate Local Authority Representative Governors to school governing bodies constituted under the School Governance (Constitution) (England) Regulations 2012.

To nominate Local Authority Representative Governors to academy governing bodies as appropriate.

1. Recommendation

- 1.1 That the public and press be excluded from the meeting by virtue of Paragraph 1 (Potential Office Holder with the Authority) of Part 1 of Schedule 12A of the Local Government Act 1972, during consideration of the **Annex** to this report.
- 1.2 That the appointment or nomination of Local Authority Representative Governors be approved (**Annex**).

2. Issues

- 2.1 The Local Authority's statutory duty to appoint representative governors is limited to the governing bodies of maintained schools constituted under School Governance (Constitution) (England) Regulations 2007.
- 2.2 There is no requirement to make appointments to school governing bodies constituted under School Governance (Constitution) (England) Regulations 2012.

For governing bodies constituted under these regulations, the Local Authority is asked to nominate a person who would then be appointed by the governing body having, in the opinion of the governing body, met any eligibility criteria set by the governors.

- 2.3 There is no requirement to make nominations to academy governing bodies unless requested by the governing body or academy trust.

2.4 To ensure that governing bodies can operate effectively, it is essential that, where possible, they have a full complement of governors representing a wide range of interests and are committed to serving the school and its pupils. This is emphasised within the Appointment and Dismissal Procedure for Local Authority Governors, which sets out the selection criteria. Local authorities are also required to ensure that vacancies do not remain open for an unreasonable period.

2.5 Governor nominations will be considered for the following schools:

- (a) St Mary Magdalene Catholic Primary School (Wolverton Ward)
- (b) Slated Row School (Wolverton Ward)
- (c) Langland Community School – 2 nominations (Woughton Ward)
- (d) Giffard Park Primary School (Linford North Ward)
- (e) Long Meadow School – 2 nominations (Emerson Valley Ward)
- (f) Moorland Centre Nursery School (Woughton Ward)
- (g) Stantonbury Campus (Stantonbury Ward)
- (h) Oldbrook School (Campbell Park Ward)

3. Alternative Options

3.1 The only alternative option is not to appoint Local Authority Representative Governors to the identified vacancies. However, as already stated, local authorities are required to ensure that vacancies do not remain open for an unreasonable period.

4. Implications

4.1 Policy

None.

4.2 Resources and Risk

None.

N	Capital	N	Revenue	N	Accommodation
N		N	Medium Term Plan	N	Asset Management

4.3 Carbon and Energy Management

None.

4.4 Legal

The legal requirement for the appointment of LA Representative Governors is stipulated in the School Standards and Framework Act 1998.

4.5 Other Implications

None.

N	Equalities / Diversity	N	Sustainability	N	Human Rights
N	E-Government	N	Stakeholders	N	Crime and Disorder

Background Papers:

School Standards and Framework Act 1998

The Education (School Government)(Terms of Reference)
(England) Regulations 2000

School Governance (Constitution) (England) Regulations
2007

School Governance (Constitution) (England) Regulations
2012

Procedure for the Appointment and Dismissal of Local
Authority Governors

Articles of Association for Academies