
Plan:MK Examination

Further Written Statement
submitted on behalf of Gallagher Estates Limited
(ID: 1149194)

Matter 1: Legal Requirements and the Duty to Co-operate

June 2018

Plan:MK Examination

**Further Written Statement submitted on behalf of
Gallagher Estates Limited**

Matter 1: Legal Requirements and the Duty to Co-operate

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1.1 INTRODUCTION

- 1.1 This written statement is submitted on behalf of Gallagher Estates Limited in response to Matter 1 relating to whether the Council has complied with the relevant legal requirements and duty to cooperate in preparing Plan:MK.
- 1.1 This statement supplements the representations we submitted at the regulation 19 consultation stage on behalf of Gallagher Estates, relating to Land at North Milton Keynes (NMK), an omission site which was considered as an alternative option to the Milton Keynes East (MKE) strategic allocation.
- 1.2 On behalf of Gallagher Estates, we have submitted written statements to Matters 1, 2, 3 and 5.
- 1.3 We look forward to participating in the examination hearings and assisting the Inspector with his assessment of the plan's soundness and legal compliance.

2.0 RESPONSE TO INSPECTOR'S QUESTIONS - MATTER 1

Question 1.4: Has the Sustainability Appraisal adequately assessed the likely environmental, social and economic effects of Plan:MK? Does the appraisal demonstrate that the Plan has been tested against all reasonable alternatives? In particular:

i) Has the inter-relationship of effects, including cumulative impacts, been addressed?

1.4.1 A review of the Sustainability Appraisal undertaken to inform Plan:MK, prepared on behalf of Gallagher Estates, is provided at **Appendix 1**. This issue is addressed in Section 2 and Appendix 1 of the SA Review.

ii) Is there adequate coverage of all reasonable alternatives (sites and policies)?

1.4.2 This issue is addressed in Section 2 and Appendix 1 of the SA Review provided at **Appendix 1**.

iii) Are reasons for rejecting alternatives and discounting unreasonable options clearly given?

1.4.3 This issue is addressed in in Section 2 and Appendix 1 of the SA Review provided at **Appendix 1**.

iv) Is the SA proportionate and relevant in contributing to the evidence base of Plan:MK (NPPF paragraph 167)?

1.4.4 The SA Review provided at **Appendix 1** summarises, and provides commentary on the robustness of, the SA process informing Plan:MK.

APPENDIX 1

Review of the Sustainability Appraisal undertaken to inform Plan:MK

Prepared on behalf of Gallagher Estates

June 2018

Review of the Sustainability Appraisal undertaken to inform Plan:MK

Prepared on behalf of Gallagher Estates

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1 INTRODUCTION

- 1.1 This report has been prepared on behalf of Gallagher Estates. The report sets out the findings of the review of the Sustainability Appraisal (SA) of the Milton Keynes Council (MKC) Local Plan for Milton Keynes (Plan:MK), the reports for which were published alongside the submission version of Plan:MK under Regulation 19. The final SA Report (November 2017) was prepared on behalf of MKC by Aecom. The Initial SA Report (February 2017) and SA Scoping Report (October 2014) were prepared by MKC itself.
- 1.2 A review has been undertaken against the requirements of The Environmental Assessment of Plans and Programmes Regulations 2004 (referred to as the "SEA Regulations") and section 19 of the Planning & Compulsory Purchase Act 2004 and Planning Practice Guidance. It is not a formal legal review but considers whether or not the SA complies with the regulatory requirements.
- 1.3 In addition, a site specific review has been undertaken of how the site known as 'North of MK' has been considered within the SA process along with the rationale for excluding the site as an allocation within Plan:MK.
- 1.4 The review has focused on the November 2017 SA Report but also makes reference to the October 2014 SA Scoping Report and Initial SA Report (February 2017), where relevant. Chapter 3 summarises the review findings, which are set out in full in Appendices 1 and 2.

2 REGULATORY REVIEW

- 2.1 The full review is provided at Appendix 1 and this chapter of the report summarises the main findings. The review has found no major deficiencies in the SA process. The assessment of Plan:MK and description and appraisal of reasonable alternatives has been undertaken thoroughly and documented comprehensively, for the most part. There are, however, some areas that warrant additional explanation or detail to meet the regulatory requirements in full, particularly concerning alternatives. Consideration of cumulative effects is brief and the application of mitigation or enhancement measures is not as clear as it could be.

SA Approach & Structure

- 2.2 The SA was scoped following issue of the October 2014 Scoping Report. This is a comprehensive report that sets out the baseline data, other relevant policies, plans and programmes and proposes a structure and format for the SA. A series of questions invite consultees to comment and contribute. The proposed SA Framework (comprising the sustainability objectives) flows logically from the baseline and identification of sustainability issues for the area. There is much reference to the need to comply with the SEA Regulations within the Scoping Report and signposting to demonstrate how the SA process seeks to do this.
- 2.3 As with most SAs, it has been undertaken over a number of years throughout evolution of Plan:MK. As such, various changes have been made to methodology and structure and baseline conditions have been updated. The change in report author from the Initial SA (February 2017, prepared by MKC) and the SA Report submitted with Plan:MK (November 2017, prepared by Aecom) has led to a change in reporting style and structure as might be expected.

Alternatives

- 2.4 The SA Report contains detailed narrative on the consideration of reasonable alternatives including different quanta of housing to be provided over the plan period and different locations for housing. The discussion follows earlier consideration given in the Initial SA (February 2017), which included detailed matrices in which the different options were ranked. The analysis of the alternative strategic housing locations is set out in Table 6.4 and Appendix III. Whilst the appraisal is thorough, some arguments around constraints do not seem to be consistent across the different site options, which could have led to bias when MKC selected

its preferred strategic housing locations.

- 2.5 More explanation of the reasons for choosing the final reasonable alternatives for Plan:MK should have been included at paragraph 6.5.6 of the SA Report, particularly as some of the site options were shown to be similar in terms of their sustainability, by the appraisal at Table 6.4 and Appendix III.
- 2.6 The “do nothing” alternative has not been appraised, which is an omission.
- 2.7 It is clear however, that the SA Report's authors have prepared it without bias towards Plan:MK because potential drawbacks and issues are identified for South East MK, one of the proposed strategic housing allocations.

Appraisal of the Plan

- 2.8 The SA Report presents a fair and reasoned appraisal of the likely sustainability effects of Plan:MK, considering thematic policies as well as proposed locations for development. For most sustainability objectives it is concluded that there would not be significant effects (neither negative nor positive) or that effects are mixed/lacking in evidence, such that it is not possible to determine whether or not effects would be significant. The only significant negative effect is the loss of the best and most versatile (BMV) agricultural land. The only significant positive effect relates to the housing, business/economy/employment objectives.

Mitigation

- 2.9 The SA Report makes recommendations for changes to be made to policy wording or clarity to be provided throughout the appraisal of Plan:MK. There is no dedicated section on mitigation (or enhancement) measures and it is left to MKC to consider the recommendations during the Examination. Whilst not a regulatory compliance omission, it would be more effective if the SA Report listed or tabulated recommended mitigation and enhancement measures to increase the likelihood of them being implemented and lead to better sustainability outcomes.

Monitoring

- 2.10 The SA Report cross refers to the monitoring framework set out in Plan:MK. The SEA Regulations state that the SA Report should contain a description of the measures envisaged concerning monitoring so they should be included in the SA Report for completeness.

Following on from the comments about mitigation measures, it is best practice for the SA Report to propose monitoring linked to the identified effects against the SA objectives. The monitoring framework within Plan:MK reflects its own objectives rather than the SA objectives so they do not correlate exactly. It is appreciated that there is only one significant negative effect predicted (loss of BMV land) and that this cannot be mitigated. However, the SA report should state this explicitly and also propose enhancement measures to promote better sustainability outcomes. The SA Report implies that monitoring measures would be refined as Plan:MK is implemented to address issues as they arise, which is sensible. As stated above, however, it would have been helpful to address SA monitoring more fully at the submission stage.

Cumulative Effects

- 2.11 Cumulative effects are not drawn out specifically in the SA Report although it states that they have been considered. Cumulative effects are those that would result from the combination of Plan:MK with other policies, plans and programmes and the effects that might arise from the effects on multiple receptors (or on multiple sustainability objectives). Section 10.19 of the SA Report considers which effects might be 'larger than local' but misses transport. Potential cumulative effects are however predicted for South East MK with the Eastern Expansion Area and Strategic Land Allocation and East of M1. It would have been helpful for the SA Report to include a cumulative assessment methodology, even if just to say that such effects have been assessed qualitatively, using professional judgment.

3 SITE SPECIFIC REVIEW

- 3.1 The full review is provided at Appendix 2 and this chapter of the report summarises the main findings. The review has found that there are inconsistencies in the assessment of sites (the consideration of alternatives), including in relation to the consideration of opportunities for mitigation or enhancement, and the conclusions drawn with respect to certain issues.

Consideration of Potential Strategic Housing Allocations

- 3.2 Potential strategic housing allocations were assessed within the Initial SA Report (February 2017) prepared by MKC. Eight site options are assessed against 20 sustainability objectives within the report.
- 3.3 Further assessment of site options is included within the final SA Report (November 2017) prepared on behalf of MKC by Aecom. Within the report, site options are shortlisted based on capacity and constraints in Table 6.3 of the report. Assessment of shortlisted site options in relation to 18 topics, largely mirroring the sustainability objectives used in MKC's assessment, is presented in Table 6.4 and Appendix III. Based on this assessment, further site options are screened out, resulting in the development of reasonable alternatives for the spatial strategy.

Site Specific Consideration of North of MK

- 3.4 The site known as 'North of MK' was assessed within the Initial SA Report and the final SA Report. The site is referred to as 'Option A – Northern Growth Area' with MKC's report. A smaller 'MK North/Haversham Extension' option was also considered within the Initial SA Report (Option E).

MKC Assessment

- 3.5 Within the Initial SA Report Option A is scored comparably with a number of other sites, notably including Land East of the M1 (Option B). The full review of this assessment is provided at Appendix 2. The review has highlighted that there are inconsistencies in the assessment of sites. For example, Option A is deemed to have a potentially significant adverse impact on flood risk whereas Option B is deemed to have the potential to result in adverse impacts, only subject to implementation, even though both sites include land within Flood Zones 2 and 3 which would need to be considered in the masterplanning of the sites.
- 3.6 The review has also identified that opportunities for positive impacts have been largely overlooked with assessment focusing on potential adverse impacts. For example, Option A is judged as having a potentially significant adverse impact on climate change and carbon

dioxide levels in spite of the potential to provide strategic renewable energy development at North Milton Keynes outlined in earlier representations to Plan:MK.

- 3.7 Furthermore, the scope for potential adverse impacts to be mitigated is inconsistently considered. For example, in relation to transport, Option A is judged as having a potentially significant adverse impact due to the potential for overall car usage to increase as a result of the development. As set out in earlier representations, North Milton Keynes provides the opportunity for improvements to public transport in the local area, including a new transport hub, new rapid transport, improvement to Wolverton station and the longer-term potential for a new Castlethorpe station. As such, the development can be expected to encourage increased use of public transport and decreased reliance on the private car. Such opportunities may not be applicable to other sites if they are not located in proximity to existing train stations, for example, and so there will be disparities in the level of mitigation achievable. Recognition of the ability to provide mitigation should, therefore, have been included in the assessment with more favourable scores given where there is potential for adverse impacts to be mitigated.
- 3.8 MKC's report concludes that the site is *'potentially difficult to develop on due to significant constraints and/or significant investment in infrastructure needed to support development'*. In contrast, Land East of the M1 is considered by MKC to be *'suitable for allocation over the plan period if implemented appropriately, if planning constraints are taken into account when designing the scheme and if mitigation measures are incorporated where necessary'*. This conclusion is drawn in spite of the assessment of the two sites set out within the report which attaches the same score to both sites for all sustainability objectives with the exception of objective 9, relating to water quality and flood risk. As such, it is unclear how the appraisal of the sites has informed the conclusions drawn.
- 3.9 Notwithstanding this, if the inconsistencies highlighted above were addressed and the sites were assessed on a consistent basis, Option A would score more favourably in many respects. As a result, the site would be scored comparable to, and in several respects better than, other sites which are currently assessed more favourably, such as Land East of the M1.

Aecom Assessment

- 3.10 Aecom's assessment of the site is presented in Table B, Appendix III of the final SA Report. As with MKC's Initial SA Report, inconsistencies in the assessment of sites have been identified through this review. In particular, some characteristics are deemed to be a constraint for some sites and an opportunity for others. For example, the presence of ancient woodland is identified as a constraint with respect to North of MK on the basis that development would also *'encroach upon, and potentially wrap around'* the woodland. In relation to South East

MK, Aecom comment that *'the site is in close proximity to the extensive woodlands associated with the Greensand Ridge, much of which is ancient woodland designated as a Local Wildlife Site; however, it is not clear that this is necessarily a significant constraint'*. As such, it is evident that the impact of the presence of ancient woodland has not been considered on a consistent basis.

- 3.11 In addition, Aecom's comments in relation to certain issues differ significantly to MKC's comments. With respect to flood risk, for example, it is noted that *'North of MK would involve 'leapfrogging' the extensive area of flood risk associated with the Great Ouse valley / Linford Lakes'* whereas East of MK (north) is noted as being *'significantly constrained by the River Ouzel, which flows through the centre of the site'*. These comments indicate that flood risk has been deemed by Aecom to be a more significant issue at East of MK than North of MK, therefore differing to MKC's earlier conclusions.
- 3.12 In light of these inconsistencies, the assessment of North of MK is unduly negative, especially with respect to the issues where there are opportunities for mitigation or enhancement, as outlined above and discussed in detail in Appendix 2.

Identification of Reasonable Alternatives

- 3.13 Based on their assessment, Aecom's report establishes that North of MK is:

Sequentially less preferable to the East of M1 (North) site (discussed above), for a number of reasons. Notably, there would be a need to bridge the extensive flood plain of the River Great Ouse / Linford Lakes; and growth to the north of MK would not relate well to the existing transport network (there is no M1 junction in the vicinity) or the Oxford to Cambridge corridor / Expressway proposals. There are also a greater degree of onsite landscape, heritage and biodiversity constraint to contend with, relative to sites 12 and 13 [Shenley's Den Farm and Wavendon/Woburn ('eastern') broad area].

- 3.14 Following assessment at this stage, paragraph 6.5.6 identifies that the site was *'deemed to be ruled-out of contention, in light of the evidence available'* and, therefore, not taken forward as a reasonable alternative.
- 3.15 The reasonable alternatives identified by Aecom include three variables in relation to the number of homes delivered at the East of the M1 site within the plan period: nil homes, 1,500 homes and 3,000 homes. Aecom note that *'even delivery of 3,000 homes is highly uncertain, given the need for significant infrastructure upgrades. Government funding may become*

available to fund infrastructure upgrades; however, there is no certainty in this respect'. On this basis, Aecom comment that it is 'pragmatic to test the option of the site delivering fewer homes within the plan period'. However, there is no apparent consideration of the impact of the site coming forward without the infrastructure upgrades currently subject to a Housing Infrastructure Fund bid. At present, there is no certainty that this funding will be received and so it would have been 'reasonable' to consider the deliverability of the site, as well as the potential impacts of it coming forward without all the identified infrastructure improvements, as part of the SA.

- 3.16 Furthermore, the assessment does not consider the long-term sustainability of Land East of the M1 with no consideration of the impact of the overall development, including that expected to be delivered beyond the plan period. Such assessment should have been conducted in order to effectively compare the site with North Milton Keynes, itself a site which could make a substantial contribution to the long-term development needs of Milton Keynes.
- 3.17 The sites, therefore, represent entirely different prospects in terms of the quantum of development which could be delivered in the long-term. Assessment has not considered the long-term prospects for development in both locations comparatively and, as such, it is unclear how Land East of the M1 can be considered sequentially more preferable than North Milton Keynes.
- 3.18 Whilst North Milton Keynes includes land within Flood Zones 2 and 3, this land area does not preclude the extension of the grid road network to connect the site to Central Milton Keynes. Furthermore, development at North Milton Keynes would provide an opportunity for new publicly accessible open space to be provided, creating an extended linear park network, within an area which is currently inaccessible to the public. As such, Aecom's comments about the site are unfounded as North Milton Keynes would provide significant positive impacts in a sustainable, well-integrated expansion to Milton Keynes. In contrast, the connectivity of Land East of the M1 to Central Milton Keynes is reliant on external funding sources with development, therefore, potentially not well connected or integrated into Milton Keynes.

4 CONCLUSION

- 4.1 This report has appraised the site against the regulatory requirements of The Environmental Assessment of Plans and Programmes Regulations 2004 (referred to as the “SEA Regulations”) and section 19 of the Planning & Compulsory Purchase Act 2004 and Planning Practice Guidance. It is not a formal legal review but considers whether or not the SA complies with the regulatory requirements.
- 4.2 In addition, the report has appraised the approach to the consideration of ‘North of MK’ and the judgements made in relation to the exclusion of this site from the emerging Plan:MK.
- 4.3 In summary, concerns have been identified in relation to the approach to the consideration of ‘alternatives’ within the SA process and the explanation of the approach taken, particularly given the comparable scoring of a number of alternatives.

Site Specific Consideration of North Milton Keynes

- 4.4 The review of the site-specific analysis of North Milton Keynes has identified that opportunities for mitigation and enhancement measures to be provided have largely been overlooked, with the potential positive impacts of development at North Milton Keynes ignored. As a result, the site has been considered less favourably than it should otherwise have been.
- 4.5 Fundamentally, whilst the assessment of North Milton Keynes is accurate in that it identifies potential constraints, it is flawed in its approach to considering the scope for constraints to be avoided and any potential adverse impacts mitigated. The size of the site represents a benefit in this regard, as the site can be expected to accommodate a significant contribution towards the long-term housing needs of the area while avoiding constrained areas, such as heritage assets and land within Flood Zones 2 and 3, and delivering an integrated network of strategic green infrastructure.
- 4.6 As such, the site should score comparable to, and in some respects better than, other potential strategic housing allocations. The rationale on which the site has been excluded from Plan:MK is, therefore, not considered to be robust, particularly because the significant opportunities for positive impacts presented by North Milton Keynes have been overlooked.

APPENDIX 1

SA REGULATORY REVIEW

Review of the Sustainability Appraisal of Plan:MK - Regulatory Compliance		
	Compliance	Notes/Recommendations
<p><i>This is not a legal review. The SA report dated November 2017 has been reviewed against the SEA Regulations and requirements of the Planning & Compulsory Purchase Act 2004 on SA. The SA (November 2017) SA Scoping Report (October 2014) and Initial Sustainability Appraisal (February 2017) have been referred to where relevant.</i></p>	Key	
		Meets requirements
		Improvements suggested
		Risk of challenge. Does not meet requirements
SEA Regulations, Regulation 12 and Schedule 2 - Contents of Environmental Report		
1. An outline of the contents and main objectives of the plan or programme, and of its relationship with other relevant plans and programmes.		The report sets this out. The Scoping Report also contains a thorough plan, policy and programme review in the main text and at Appendix 1.
2. The relevant aspects of the current state of the environment and the likely evolution thereof without implementation of the plan or programme.		The Scoping Report, section 3, defines the baseline and Appendix 2 sets out baseline indicators. As this dates from 2014, the main SA report includes Appendix II to provide context and a baseline review with the most up to date information. There is no explicit "no plan" alternative tested in the report. However, on pages 15 and 16 (section 4A) of the Initial SA (February 2017), it is acknowledged that delaying preparation of the plan pending more certainty over various infrastructure projects, would result in unacceptable delay to the production of up to date planning policy to support the borough.
3. The environmental characteristics of areas likely to be significantly affected		This is set out in the baseline information at Appendix II of the main report and in the Scoping Report. The sustainability objectives include those environmental issues of relevance. This drew on earlier work including a series of topic papers prepared in 2014.
4. Any existing environmental problems which are relevant to the plan or programme including, in particular, those relating to any areas of a particular environmental importance, such as areas designated pursuant to Council Directive 79/409/EEC on the conservation of wild birds(a) and the Habitats Directive.		<p>Following from the baseline review, Scoping Report Section 4 Task A3 identified sustainability issues that meets this requirement. The existing AQMA in Olney, designated for exceeding the national objectives for nitrogen dioxide, is mentioned several times in the SA Report.</p> <p>No areas designated pursuant to Council Directive 79/409/EEC on the conservation of wild birds(a) and the Habitats Directive are mentioned in the assessment. There is however, a Habitats Regulations Assessment (HRA) to support the Plan (October 2017), which shows (section 3.5.1) a potential for recreational pressure, drawdown on water supply or emissions to air to affect Upper Nene Valley Gravel Pits Ramsar and SPA. Upon detailed assessment, however, significant effects are not considered likely. Despite this, one would expect the SA Report to cross reference the HRA and draw relevant data from it.</p>
5. The environmental protection objectives, established at international, Community or Member State level, which are relevant to the plan or programme and the way those objectives and any environmental considerations have been taken into account during its preparation.		<p>National objectives such as reducing carbon dioxide emissions and not increasing the risk of flooding are mentioned at various places throughout the SA report. The Initial SA Report, on page 13, acknowledges that the NPPF requires Councils to seek to achieve economic, social and environmental dimensions of sustainable development, implying that the environmental requirements of the NPPF (national policy) have been taken into account.</p> <p>The SA Framework is formed of sensible, relevant objectives that reflect the baseline information and general thought about elements of the environment to be protected. There is however, no explicit link to national or international protection objectives. Such links could have been set out in a table to aid understanding of context.</p>

<p>6. The likely significant effects on the environment, including short, medium and long-term effects, permanent and temporary effects, positive and negative effects, and secondary, cumulative and synergistic effects, on issues such as—</p> <p>(a) biodiversity; (b) population; (c) human health; (d) fauna; (e) flora; (f) soil; (g) water; (h) air; (i) climatic factors; (j) material assets; (k) cultural heritage, including architectural and archaeological heritage; (l) landscape; and (m) the inter-relationship between the issues referred to in sub-paragraphs (a) to (l).</p>		<p>The sustainability objectives cover all the environmental issues listed. The interrelationship between factors is not made clear in the assessment. Some interactions are referred to throughout - such as increased traffic leading to potential increases in noise and air emissions but these are not referred to in such terms.</p> <p>Section 10 of the SA Report (paras 10.19.4 onwards) states that the SA process has considered effects at a scale larger than Milton Keynes taking account of other plans. Whilst this may have been the case, it is not obvious from reading the report, apart from various discussion about the duty to cooperate the need (or not, as is the case here) to provide for a shortfall in housing provision in another plan area (e.g. Table 6.1 of SA Report). The SA Report does, however, identify potential concerns regarding cumulative effects of the proposed South East MK allocation and completion of the Eastern Expansion Area and Strategic Land Allocation and East of the M1.</p> <p>There is no methodology set out for the consideration of cumulative effects, which would have been helpful, even if it just said that it was a qualitative assessment drawing on professional judgment. Various issues are drawn out as 'larger than local' including economic growth and secondary school provision. Transport is a key issue that has been missed here.</p> <p>The SA Report methology section (paras 9.3.2 and 9.3.3) sets out the assumptions and limitations of assessing effects of the Plan. It is stated that account is taken of the probability, duration, frequency and reversibility of effects as far as possible. However, there is no mention of these factors in the assessment of the Plan at Section 10. It is only stated whether the Plan performs "well" or not and for some objecitves, significant effects are predicted.</p>
<p>7. The measures envisaged to prevent, reduce and as fully as possible offset any significant adverse effects on the environment of implementing the plan or programme.</p>		<p>The appraisal of the Plan in Section 10 of the SA Report is not followed by a dedicated section on mitigation measures. The only significant adverse effect is on 'natural resources' beause the Plan proposes development of large areas of the best and most versatile (BMV) agricultural land. It is common sense that this cannot be mitigated unless you change the whole spatial strategy but for clarity, the report should set this out.</p> <p>Despite these points, there are recommendations throughout the appraisal narrative, for the Council to alter proposed policy text to improve the performance of the Plan.</p>
<p>8. An outline of the reasons for selecting the alternatives dealt with, and a description of how the assessment was undertaken including any difficulties (such as technical deficiencies or lack of know-how) encountered in compiling the required information.</p>		<p>The narrative on alternatives is detailed and thorough but needs additional explanation in places to be completely robust. Section 4 of the Initial SA Report sets out the requirements and introduces the approach taken with a lot of detail provided on objectively assessed housing need (OAN), which forms the basis of the alternatives strategy. Different quanta of housing are proposed and an initial appraisal undertaken of their performance against the sustainability objectives. Urban versus rural development is also considered and appraised. Site options are then appraised. The appraisal continues in the SA Report, which documents how the quantum of housing and proposed allocations were selected for the Plan.</p> <p>There are instances where more explanation could have been provided. For example, para 6.2.24 of the SA Report states that 'Gayhurst Garden Village' was previously assessed as a strategic site option but is no longer being promoted. It is not clear whether it is no longer an option as the Council has eliminated it from consideration (if so, why?) or whether it is a landowner/developer issue. Another example is at para 6.4.4 which states that there was a need to screen the 17 urban edge site options to make a shortlist. No reason is provided. It would helpful to understand whether this was just to make the appraisal more manageable or because all the sites are not considered reasonable or realistic.</p> <p>Table 6.4 where shortlisted edge options are appraised states in several places that there is an understanding that committed growth to the east of MK should be given the opportunity to 'bed in' (before other growth comes forward). There is no mention of who's view this is, or a reference to a document/study, which would be helpful to support the justification for such sites being less desirable.</p> <p>More explanation is required at paragraph 6.5.6 to justify why certain site options for housing development were excluded from further detailed appraisal. This is particularly important as the high level appraisal set out in Table 6.4 and Appendix III concluded some sites to be quite similar in terms of their sustainability credentials.</p> <p>The "do nothing" alternative has not been identified or tested.</p> <p>The SA Report does however highlight potential drawbacks, uncertainties and issues with the South East MK proposed allocation, which demonstrates that it has been undertaken indepedently and is not biased towards the Plan.</p>

9. A description of the measures envisaged concerning monitoring in accordance with regulation 17.		Section 13 of the SA Report gives brief consideration to monitoring. It simply refers to the Plan's proposed monitoring framework, of which the main focus is housing delivery. There is no environmental monitoring mentioned in the SA report although it includes a cross reference to Chapter 10 of the Plan but also states that there may be the potential to apply more innovative monitoring indicators. Why are these not put forward in the SA? The Plan's monitoring framework is structured around the Plan's objectives, not the SA objectives, as would be expected, so there is no direct link between sustainability objectives and mitigation or enhancement. Whilst the only significant adverse effect predicted through SA is the loss of BMV land (natural resources), it is best practice to suggest mitigation and enhancement measures within the SA for clarity and to increase the likelihood of good environmental outcomes. The tone of the text seems to imply that monitoring measures will be refined as the Plan is adopted to address particular issues that may arise. This would be sensible and increase the likelihood of sustainability benefits.
10. A non-technical summary of the information provided under paragraphs 1 to 9		The non-technical summary is clear, concise and appropriate for a non-technical audience.
Planning & Compulsory Purchase Act 2004 - Section 19 Requirements for SA		
Stages from Planning Practice Guidance Paragraph: 013 Reference ID: 11-013-20140306.		
PPG paragraph references provided below, where relevant.		
A Setting the context and objectives, establishing the baseline and deciding on the scope		
Identifying relevant policies, plans and programmes		The SA report sets this out. The Scoping Report also contains a thorough plan, policy and programme review in the main text and at Appendix 1.
Collecting baseline information		The Scoping Report, section 3, defines the baseline and Appendix 2 sets out baseline indicators. As this dates from 2014, the SA report includes Appendix II to provide context and a baseline review with the most up to date information. The sustainability objectives include those environmental issues of relevance, drawn out of the baseline data. This drew on earlier work including a series of topic papers prepared in 2014.
Identifying environmental and sustainability issues		These are clearly identified, starting from a baseline data review and informing the sustainability objectives of the SA framework.
Identifying appraisal objectives		These are clearly set out in the SA Report. Where objectives have evolved from earlier stages of work (such as Scoping and the Initial SA Report), this is stated and explained (e.g. beneath Table 4.1 of the SA Report, which explains that an objective for landscape was added and that 'land', 'soils' and 'natural resources' were simplified to a single heading 'natural resources')
Consulting on the scope of the appraisal		The Scoping Report is clear and concise and poses questions for consultees to shape the methodology and focus of the SA.
B Developing and refining options and assessing effects		
Testing the Plan objectives against appraisal objectives		The Plan policies are tested comprehensively against the SA objectives.
Developing and refining the alternative options for the plan Paragraph: 018 Reference ID: 11-018-20140306		There is detailed discussion of alternative options throughout the Initial SA Report and the SA Report, with much reference to OAN figures, different quanta of houses proposed and potential site options. Particularly in the earlier work, the reasons for refining options and removing some site options from consideration are transparent and evidence-based. There are concerns, however, with the lack of explanation provided justifying MKC's choice of reasonable alternatives for full appraisal (See comment above).The "do nothing" alternative has not been identified.

<p>Predicting and evaluating the significant effects of the options and alternatives</p>		<p>The appraisal of the final Plan options is thorough and backed up with logical reasoning for the most part. There are however, some instances where reasoning has not been applied consistently, particularly for the different potential housing options before the final options are selected.</p> <p>Steps were also taken to shortlist sites, that are not explained sufficiently in the SA report. Para 6.4.4 states that the 17 potential urban edge site options were screened to make a shortlist but no explanation is provided as to why they weren't all taken forward for detailed appraisal. Table 6.3 provides reasons for screening certain sites out but these are similar reasons used in the main appraisal later (constraints, potential infrastructure upgrades required etc.) It would have been helpful to explain why such issues were seemingly given greater weight for some sites than others.</p> <p>Table 6.4 summarises the appraisal of potential housing locations, which is included in full at Appendix III. It is not always clear why some features of certain sites have been viewed as more of a constraint than others. For example it is not clear why site 17 (north of MK) has been considered as more constrained for landscape, heritage and biodiversity relative to sites 12 and 13. Arguments around biodiversity constraints are not consistent. Appendix III states that ancient woodland (and LWS) at South East MK would benefit future residents through access to nature. The same argument is not put forward for North of MK however, which has ancient woodland not designated as LWS. It just says that development would encroach upon and potentially wrap around ancient woodland.</p> <p>It is clear that the SA has been undertaken independently as it identifies drawbacks and uncertainties, including with the South East MK proposed allocation.</p>
<p>Considering ways of mitigating adverse effects and maximising beneficial impacts</p>		<p>The SA Report includes recommendations for improving the Plan's performance in the body of text. There is no dedicated section on mitigation measures. It would be clearer if a list of recommended mitigation and enhancement measures were included in a list or table for ease of reference and to increase the likelihood of them being implemented. It is noted that only one significant adverse effect is predicted for the 'natural resources' objective, due to the loss of BMV land. This cannot be mitigated but the SA Report should say so, for clarity.</p>
<p>Proposing measures to monitor significant effects Paragraph: 025 Reference ID: 11-025-20140306</p>		<p>Section 13 on monitoring is brief and cross refers to the monitoring framework proposed by the Plan itself. It is noted that there is only one significant adverse effect predicted (loss of BMV land as discussed previously), however it is best practice to also suggest enhancement measures. Para 13.1.2 states that there may be the potential to apply more innovative monitoring measures but this is not explored further. The SA Report could propose some, which may increase the likelihood of positive outcomes.</p> <p>The tone of the text seems to imply that monitoring measures will be refined as the Plan is adopted to address particular issues that may arise. This would be sensible and increase the likelihood of sustainability benefits.</p>
<p>C Preparing the Sustainability Report - Including the SEA Requirements</p>		<p>See comments above. The SA Report is clear and comprehensive but additional explanation is required around the choice of reasonable alternatives (for locations for housing).</p>
<p>D. Seek representations on the SA report from consultation bodies and the public Paragraph: 020 Reference ID: 11-020-20140306</p>		<p>The Scoping Report is clear and concise and poses questions for consultees to shape the methodology and focus of the SA.</p>
<p>E. Post adoption reporting and monitoring Paragraph: 025 Reference ID: 11-025-20140306</p>	<p>N/A</p>	<p>To be considered after adoption of the Plan.</p>

APPENDIX 2

SA SITE SPECIFIC REVIEW: NORTH OF MK

Review of the Sustainability Appraisal of Plan:MK (February and November 2017 reports) - North Milton Keynes Site Specific Review

	MKC Assessment	Thresholds applied in MKC SA	Commentary based on representations to Plan:MK made at the Regulation 18 and Regulation 19 stages
	Key		
	+++	Potentially significant positive impact	
	+	Policy supports this objective although it may have only a minor positive impact	
	0	Policy has no significant impact	
	?	Uncertain of the impact based on the information available at this stage	
	I	The potential effect of the policy is dependent on its implementation	
	-/+	Both negative and positive impacts associated with the policy	
	-	Policy appears to conflict with the objective and may result in adverse impacts	
	--	Potential significant adverse impact	

Site Appraisal Review based on Sustainability Objectives

1. Ensure that everyone has the opportunity to live in an affordable, sustainably constructed home	+++I	The appraisal indicates that the site was judged as having a potentially significant positive impact on housing, subject to implementation.	As set out in earlier representations, North Milton Keynes would make a significant positive contribution to this objective. The site has the potential to deliver approximately 12,000 homes, including wide mix of housing types and tenures, and, in doing so, have a positive impact on housing affordability.
2. Protect and improve residents' health and reduce health inequalities	+?	The appraisal indicates that the site was judged as potentially having a minor positive impact on health, although the impact is uncertain.	North Milton Keynes would be set within a substantial green infrastructure, incorporating new areas of accessible open space and recreation and play spaces, and would provide an extensive network of footways and 'Redways' (shared foot/cycleway) linking into the wider Milton Keynes network. The development would be highly accessible and would, therefore, facilitate healthier lifestyles. North Milton Keynes also has the potential to make a significant positive contribution as a result of the capacity to accommodate a relocated hospital or a major new medical facility alongside community uses within district and local centres within the site. As a result, the site can be expected to have a significant positive impact on this objective.
3. Reduce levels of crime and create vibrant communities	I	The appraisal indicates that the impact of the site on communities was judged as being dependent on implementation.	North Milton Keynes would help to create vibrant communities by providing a mix of uses within a well-designed, safe and accessible development as outlined with Table B, Appendix III of the Aecom report. As such, the site would have a positive impact on this objective.
4. Reduce the gap between the most deprived areas of Milton Keynes and the average	+?	The appraisal indicates that the site was judged as potentially having a minor positive impact on levels of deprivation, although the impact is uncertain.	North Milton Keynes would make a substantial contribution towards meeting the housing needs of Milton Keynes and would provide a mix of housing types and tenures alongside community uses. The site could, therefore, have a positive impact on this objective.
5. Ensure all section of the community have good access to services and facilities	+I	The appraisal indicates that the site was judged as having a minor positive impact on access to services and facilities, subject to implementation.	North Milton Keynes would provide a range of services and facilities, including schools and community uses, throughout the site as well as facilitating connectivity to amenities located in proximity to the site. Through the creation of an accessible and well-connected expansion area, the development would help to ensure that all sections of the community have good access to services and facilities.
6. Improve educational attainment and qualification levels so that everyone can find and stay in work	+?	The appraisal indicates that the site was judged as potentially having a minor positive impact on education, although the impact is uncertain.	North Milton Keynes would include the provision of new schools, ranging from early years to sixth form. The site also has the potential to accommodate a new university campus, alongside a new high quality research and employment park. The site can, therefore, be expected to have a positive impact on education, through the delivery of new schools and further education opportunities.
7. Combat climate change by reducing levels of carbon dioxide	--I	The appraisal indicates that the site was judged as having a potentially significant adverse impact on climate change, subject to implementation.	North Milton Keynes would be well connected to a range of sustainable modes of transport and would, therefore, encourage sustainable travel and decreased reliance on private car usage. There is the potential for strategic renewable energy development to be delivered as part of North Milton Keynes. As such, there is potential for the site to have a positive impact on this objective.
8. Maintain and improve the air quality in the borough	--I	The appraisal indicates that the site was judged as having a potentially significant adverse impact on air quality, subject to implementation.	North Milton Keynes would facilitate increased usage of sustainable transportation modes and decreased reliance on the private car. As such, the development could be expected to have a positive or neutral impact on this objective.
9. Maintain and improve water quality and minimise the risk of flooding	--	The appraisal indicates that the site was judged as having a potentially significant adverse impact on the risk of flooding.	The Aecom report refers to the 'extensive flood plain of the River Great Ouse / Linford Lakes' as a development constraint'. However, development at North Milton Keynes would be located outside of areas at high risk of flooding. Development areas would all be located within Flood Zone 1 and land within Flood Zones 2 and 3 would comprise new accessible open space to be provided as part of the development. Where new roads cross the existing flood plain flood compensation would be provided. Overall, flood risk and surface water drainage management across the site and the surrounding area would be improved, including through the provision of SuDS. As such, the site can be expected to have a positive effect on this objective with any potential impact mitigated. In contrast, Land East of the M1 is 'significantly constrained' by the River Ouzel. Despite this, MKC's report assesses Land East of the M1 as having the potential to result in adverse impacts on flood risk, subject to implementation whilst North Milton Keynes is assessed as having a potentially significant adverse impact.
10. Reduce waste generation and encourage sustainable waste management in accordance with the waste management hierarchy	-I	The appraisal indicates that the site was judged as having the potential to result in adverse impacts on waste, subject to implementation.	North Milton Keynes has the ability to accommodate appropriate recycling centres to promote an increase in recycling. The site, therefore, has the potential to have a positive impact on this objective, including by encouraging sustainable waste management.
11. Conserve and enhance the borough's biodiversity	--I	The appraisal indicates that the site was judged as having a potentially significant adverse impact on biodiversity, subject to implementation.	Development at North Milton Keynes would be set within a substantial green infrastructure network which would include the enhanced Linford Lakes Linear Park. Within this area and across the wider site, opportunities to conserve and enhance biodiversity would be taken with trees and hedgerows maintained where possible. Overall, development would contribute positively to the biodiversity opportunities within and adjoining the site, including in the Ouse Valley Biodiversity Opportunity Area, and enable a substantial net ecological enhancement to be delivered through the delivery of opportunities for positive habitat creation and restoration. As such, the site can be expected to have a significant positive effect on biodiversity, by designing the development so as to minimise the potential for adverse impacts and ensure that existing biodiversity assets, including Ancient Woodland, are conserved and enhanced.

12. Conserve and enhance the borough's heritage and cultural assets	I	The appraisal indicates that the impact of the site on heritage was judged as being dependent on implementation.	As stated in Table B, Appendix III of the Aecom report, 'given the amount of land available, there can be confidence in the ability to mitigate heritage impacts through masterplanning'. The site can, therefore, be expected to have a neutral impact on heritage and cultural assets within the Borough.
13. Protect and enhance soil quality throughout the borough	--I	The appraisal indicates that the site was judged as having a potentially significant adverse impact on soil quality, subject to implementation.	North Milton Keynes would comprise extensive areas of open space which would enable the impact of development on soil quality to be minimised. As such, the site can be expected to have a neutral impact on this objective.
14. Limit noise pollution	-	The appraisal indicates that the site was judged as having the potential to result in adverse impacts on noise pollution.	There is an opportunity for mitigation to be provided on site, if necessary. The site can, therefore, be expected to have a neutral impact on noise pollution.
15. Encourage energy efficiency, renewable energy use and efficient use of natural resources	=/-I	The appraisal indicates that the site was judged as having positive and negative impacts on energy efficiency, renewable energy use and the efficient use of natural resources, subject to implementation.	North Milton Keynes offers the potential for strategic renewable energy developments to be delivered as part of the scheme. The development will be energy efficient, in line with national standards. The opportunity to explore the potential for renewable energy development with MKC, alongside the proposed energy efficiency, means that the site has the ability to have a positive impact on this objective.
16. Limit and reduce road congestion and encourage sustainable transportation	--I	The appraisal indicates that the site was judged as having a potentially significant adverse impact on transport and congestion, subject to implementation.	Table 6.4 in Aecom's report states that 'growth to the north of MK would not relate well to the existing transport network (there is no M1 junction in the vicinity) or the Oxford to Cambridge corridor / Expressway proposals'. As set out in earlier representations, the site has the ability to connect into existing infrastructure including the grid road network and rail stations at Wolverton and Central Milton Keynes. The site also has the potential to support the delivery of a new junction with the M1 motorway and help deliver a new transport hub, new rapid transit system, improvement to Wolverton station and, in the longer term, a potential new station Castlethorpe station. As such, North Milton Keynes can be expected to have a positive impact on this objective, by creating a well-connected expansion area and facilitating and encouraging the use of sustainable modes of transport. The Aecom report refers to the East of the M1 site being 'potentially preferable' to other sites, including North Milton Keynes in relation to this objective 'on the basis of there being an existing motorway junction, two existing road bridges over the motorway (and a footbridge) and the potential to support delivery of a mass transit route'. This appraisal focuses heavily on road infrastructure and fails to take account of accessibility to rail infrastructure, such as opportunities for improvement to Wolverton station and, in the longer term, a potential new Castlethorpe station which could be facilitated by North Milton Keynes for example.
17. Ensure the sustainable and efficient use of land by encouraging the development of brownfield sites before greenfield sites	--	The appraisal indicates that the site was judged as having a potentially significant adverse impact on the sustainable and efficient use of land.	Development at North Milton Keynes would be set within a substantial green infrastructure network with significant open space provided on site, including in the Linford Lakes Linear Park. The site would be designed comprehensively to maximise the efficient use of land.
18. Ensure high and stable levels of employment	+I	The appraisal indicates that the site was judged as having a minor positive impact on employment, subject to implementation.	North Milton Keynes would deliver high quality employment, with a mix of opportunities within the development, connected to Central Milton Keynes and major economic centres accessible by road and rail. As such, the site can be expected to have a positive impact on this objective.
19. Encourage the creation of new businesses	+I	The appraisal indicates that the site was judged as having a minor positive impact on business creation, subject to implementation.	North Milton Keynes can help to deliver high quality employment land, at scale, to attract new firms and encourage the creation of new businesses. As such, the site has the potential to have a positive impact on this objective.
20. Sustain economic growth and enhance competitiveness	+I	The appraisal indicates that the site was judged as having a minor positive impact on economic growth and competitiveness, subject to implementation.	North Milton Keynes would make a significant contribution towards meeting the employment, housing and other development needs of Milton Keynes, as the hub of the Cambridge-Milton Keynes-Oxford growth corridor. As such, the site would have a significant positive impact on this objective, through the provision of employment land, facilitation of employment creation and provision of housing to support economic growth.