



For and on behalf of  
**Walton Community Council**

## **WALTON NEIGHBOURHOOD PLAN REVIEW MODIFICATION PROPOSAL STATEMENT**

**Prepared by  
DLP Planning Ltd**

January 2022





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## 1.0 INTRODUCTION

- 1.1 The Walton Neighbourhood Plan was adopted in January 2017. Walton Community Council ('the Community Council') has since decided to undertake a review of the Neighbourhood Plan to ensure that it remains effective in meeting the objectives and ambitions of the community and to ensure that it will remain in conformity with the Milton Keynes Local Plan ('Plan:MK') that was adopted in March 2019. It is particularly important to ensure that, moving forward, the revised plan is an accessible and robust document and an effective tool in managing future development and planning applications that come forward in the neighbourhood area.
- 1.2 Regulation 11(a) of the Planning and Compulsory Purchase Act 2004 (as amended) states that if a neighbourhood development plan is in force in relation to a neighbourhood area, a qualifying body may make a proposal for the existing plan to be replaced by a new one. As a 'qualifying body', Walton Community Council proposes to modify the made Walton Neighbourhood Plan (2016-2026) ('the made Plan').
- 1.3 Schedule A2 of the 2004 Act (as set out in Schedule 1 of the Neighbourhood Planning Act 2017) states that the proposal must be accompanied by a draft of the neighbourhood development plan as proposed to be modified (the 'draft plan') and a statement which contains a summary of the proposals and sets out the reasons why the plan should be modified as proposed.
- 1.4 This Modification Proposal Statement is therefore prepared in accordance with the requirements set out in Schedule A2 of the 2004 Act and Regulation 15(1)(f) of the Neighbourhood Planning (General) Regulations 2012 (as amended). In accordance with the regulations, this Statement sets out:
- “whether or not the qualifying body consider that the modifications contained in the modification proposal are so significant or substantial as to change the nature of the neighbourhood development plan which the modification proposal would modify, giving reasons for why the qualifying body is of this opinion.”*
- 1.5 This Statement meets this legislative requirement by setting out the proposed modifications to the Walton Neighbourhood Plan, why Walton Community Council considers these modifications are necessary, and whether these modifications would change the nature of the neighbourhood development plan.
- 1.6 In determining whether the modifications would change the nature of the neighbourhood development plan, we have referred to the additional guidance set out in Planning Practice Guidance (PPG) which sets out the three types of modification which can be made to a neighbourhood plan:

*“**Minor (non-material) modifications** to a neighbourhood plan or order are those which would not materially affect the policies in the plan or permission granted by the order. These may include correcting errors, such as a reference to a supporting document, and would not require examination or a referendum.*

***Material modifications which do not change the nature of the plan** or order would require examination but not a referendum. This might, for example, entail the addition of a design code that builds on a pre-existing design policy, or the addition of a site or sites which, subject to the decision of the independent examiner, are not so significant or substantial as to change the nature of the plan.*

***Material modifications which do change the nature of the plan** or order would require examination and a referendum. This might, for example, involve allocating significant new sites for development.”* (PPG, Paragraph: 106 Reference ID: 41-106-

20190509)

1.7 Walton Community Council considers that, taken as a whole, the modifications proposed are material but are not so significant or substantial as to change the nature of the made neighbourhood development plan. In which case it is considered that the modifications may be made without a referendum.

**a) Consultation on Draft Modification Proposal Statement**

1.8 A draft version of the Modification Proposal Statement was published for consultation alongside the draft neighbourhood development plan under Regulation 14 of the Neighbourhood Planning (General) Regulations 2012 (as amended).

1.9 Following public consultation, this Modification Proposal Statement has been finalised to reflect any changes made to the plan following the consultation and is submitted to the Local Planning Authority for examination alongside the final neighbourhood development plan and other accompanying documents.

**b) Strategic Environmental Assessment Screening and Appropriate Assessment**

1.10 The Local Planning Authority (Milton Keynes Council) has screened the modification proposals to determine whether a strategic environmental assessment (SEA) is necessary under EU Directive 2001/42/EC and the Environmental Assessment of Plans & Programmes Regulations 2004 (as amended). Milton Keynes Council has concluded that the modifications proposed are unlikely to have any significant impacts beyond the neighbourhood area and it is considered that overall the plan will not have significant environmental effects. It is therefore concluded that the Walton Neighbourhood Plan does not need to be subject to SEA.

1.11 Milton Keynes Council also screened the draft neighbourhood plan in accordance with European Directive 92/43/EEC, commonly known as the Habitats Directive. This assessment confirmed that, given the role of neighbourhood plans and the scale of development being proposed in the Walton Neighbourhood Plan, Appropriate Assessment of the plan is not required.

1.12 Milton Keynes Council consulted with relevant statutory bodies (Historic England, Natural England and the Environment Agency) on its screening opinion and they confirmed their agreement. A copy of the SEA Screening Statement and Appropriate Assessment Screening is contained in **Appendix 1** of this Modification Proposal Statement.

## **2.0 PROPOSED MODIFICATIONS TO WALTON NEIGHBOURHOOD DEVELOPMENT PLAN**

2.1 The Walton Neighbourhood Plan was 'made' by Milton Keynes Council on 11<sup>th</sup> January 2017 following a referendum in which 88.5% of respondents voted in favour of adopting the neighbourhood plan.

2.2 Walton Community Council are now proposing to make a series of modifications to the 'made' plan for a number of reasons, including:

- To ensure that the neighbourhood plan remains in conformity with the recently updated NPPF (2021) which was adopted after the neighbourhood plan was 'made' (all references to NPPF paragraphs have been updated, where relevant);
- To ensure that the neighbourhood plan remains in conformity with Plan:MK (2019) which was adopted after the neighbourhood plan was 'made' (all references to Milton Keynes Local Plan and Core Strategy have been updated to Plan:MK (2019) and the Site Allocations Plan (2018), as relevant);
- To ensure that the neighbourhood plan takes account of the emerging plans for the development of the South East Milton Keynes (SEMK) strategic urban extension which is located immediately south east of the neighbourhood plan area;
- To remove any allocations policies that are no longer applicable because they are fully built out;
- To provide additional protection under paragraph 14 of the NPPF (2021) which states that when a neighbourhood plan has been made within two years and has allocated housing land to meet its identified housing requirement, then the presumption in favour of sustainable development (paragraph 11d) will not be engaged unless the local planning authority cannot demonstrate a three-year supply of housing land or has failed the housing delivery test;
- To correct minor errors and to clarify meaning and aid understanding of how the current policies should be applied (without changing their intended purpose); and
- To ensure that the neighbourhood plan continues to reflect local residents' ambitions for the area.

2.3 The proposed changes have been reviewed by Planning Officers at Milton Keynes Council and the revised plan has been subject to public consultation. Comments received have been responded to and incorporated in the revised neighbourhood plan where necessary (as set out in the separate Public Consultation Statement).

2.4 Table 1 below summarises the modifications that are proposed to the Walton Neighbourhood Plan, sets out the reasons why these modifications are required and the nature of the proposed modifications including whether they are non-material or material, and whether they would change the nature of the plan).

**Table 1. Walton Neighbourhood Plan Proposed Modifications**

Section of 'Made' Plan	Proposed Modification	Reason for Change	Nature of Change
Front cover – Plan period	Amend Plan period from 2016-2026 to 2016-2031	To align with the plan period of adopted Plan:MK (2019)	Material, but does not change nature of plan
Location map – site specific policy locations	Policy map updated to reflect amended site policies (see below)	To reflect amended site policies	Material, but does not change nature of plan
Foreword – Resident's perspective (Working Group Chair)	Minor amendments to text and photo	To bring text up-to-date	Minor (non-material)
Foreword – WCC Perspective (WCC Chair)	Minor amendments to text and photo	To bring text up-to-date	Minor (non-material)
Executive Summary	Neighbourhood Plan Policies: <ul style="list-style-type: none"> <li>Updated number of policies.</li> <li>Updated number of homes to be delivered.</li> <li>Updated plan period reference to 2031.</li> </ul> Action Plan: <ul style="list-style-type: none"> <li>Updated re progress on actions.</li> </ul>	To reflect changes elsewhere in the Plan	Minor (non-material)
1. Introduction	Why we need a Neighbourhood Plan: <ul style="list-style-type: none"> <li>Added comments re East West Rail, SEMK, Oxford Cambridge Arc</li> <li>Added comments re Hindhead Knoll and its role in prompting the refresh</li> </ul>	To reflect evolving strategic planning context and build out of site allocations.	Minor (non-material)
3. Consultation	Background: <ul style="list-style-type: none"> <li>Appended paragraph for additional consultation</li> </ul>	To reflect additional consultation undertaken on Modified Neighbourhood Plan	Minor (non-material)

Section of 'Made' Plan	Proposed Modification	Reason for Change	Nature of Change
	undertaken e.g. Community Foundation and Regulation 14 consultation.		
4. About the Area	<p>The wider context:</p> <ul style="list-style-type: none"> <li>Appended paragraph to cover East West Rail, SEMK, Oxford Cambridge Arc.</li> <li>Updated reference to South East Milton Keynes SPD now being adopted.</li> </ul>	To reflect current strategic planning context	Minor (non-material)
5. Neighbourhood Plan Policies	<p>Overview.</p> <ul style="list-style-type: none"> <li>Updated in line with changes elsewhere in the document.</li> </ul>	To reflect changes elsewhere in the Plan	Minor (non-material)
6. Policy Summary	<p>List of policies.</p> <ul style="list-style-type: none"> <li>List updated in line with changes to policies.</li> </ul>	To reflect changes to policies made elsewhere in the Plan	Minor (non-material)
7. Walton Manor (WNP1)	<p>Context:</p> <ul style="list-style-type: none"> <li>Updated to reflect outline planning permission for 174 dwellings, granted in 2019 (19/00218/OUT).</li> </ul> <p>Policy:</p> <ul style="list-style-type: none"> <li>Text relating to access from Simpson Road changed from 20 dwellings to 43 dwellings to reflect extant permissions that was approved by Highways.</li> </ul>	To update the existing allocations policy context and wording to reflect current circumstances	Material, but does not change nature of plan
8. Land at Towergate (WNP2)	<p>Context:</p> <ul style="list-style-type: none"> <li>Updated to reflect outline planning permission for 150 dwellings, granted in 2017</li> </ul>	To update the existing allocations policy context to reflect current circumstances. To correct site references in policy wording.	Minor (non-material)



Section of 'Made' Plan	Proposed Modification	Reason for Change	Nature of Change
	<p>(17/03205/OUT).</p> <ul style="list-style-type: none"> <li>Updated to reflect reserved matters application granted in 2021 (20/02932/REM).</li> <li>Reference to allocation in Plan:MK added.</li> </ul> <p>Policy:</p> <ul style="list-style-type: none"> <li>Amended references to 'Fairfields development' to 'Elmswell Gate' development</li> </ul>		
9. Land at Hewlett Packard (WNP3)	<p>Context:</p> <ul style="list-style-type: none"> <li>Site name changed to "Land North and West of Wavendon Business Park Ortensia Drive", to reflect title on planning applications.</li> <li>Updated to reflect reserved matters application granted in 2019 (18/01304/REM).</li> <li>Amended to acknowledge that building has now started WCC will monitor that it is developed in line with the WNP.</li> </ul> <p>Policy:</p> <ul style="list-style-type: none"> <li>Amended reference to 'Fairfields development' to 'Elmswell Gate' development</li> </ul>	To update the existing allocations policy context to reflect current circumstances. To correct site references in policy wording.	Minor (non-material)
10. Land at Bergamot Gardens (WNP4)	<p>Context.</p> <ul style="list-style-type: none"> <li>Updated to reflect using monies from Bergamot Gardens (when we decide to sell it) to provide or improve community facilities,</li> </ul>	To update the existing allocations policy context to provide additional clarification	Minor (non-material)

Section of 'Made' Plan	Proposed Modification	Reason for Change	Nature of Change
	but not for a pavilion at Browns Wood.		
11. Land at Hindhead Knoll (WNP5)	<p>Context.</p> <ul style="list-style-type: none"> <li>Site name changed to "Walnut Tree Reserve Sites A &amp; D Hindhead Knoll Walnut Tree", as per title on planning applications.</li> <li>Amended to reflect that the two parcels of land have been split by MKDC in their approach to the development.</li> </ul> <p>Policy.</p> <ul style="list-style-type: none"> <li>11A. Southern plot. Site allocations policy deleted. WNP now reflects that the development is complete of 50 retirement living apartments (18/01280/FUL).</li> <li>11B. Northern plot. WNP now reflects that planning permission has been granted for 3 storey, 30 apartment affordable living complex (19/02856/FUL). It shows the new increased housing density, and that the development will be monitored during the build to check it is developed in line with the plan.</li> </ul>	To update the existing allocations policy context and policy wording to reflect current circumstances. To aid understanding and implementation of site allocations policies.	Material, but does not change nature of plan
12. Caldecotte 'Site C' (WNP6)	<p>Context, Policy:</p> <ul style="list-style-type: none"> <li>'Current use' text box and context section amended to reference current residential allocation of site in Plan:MK</li> </ul>	To update the existing allocations policy context to reflect current circumstances. To aid understanding and implementation of site allocations policy.	Material, but does not change nature of plan

Section of 'Made' Plan	Proposed Modification	Reason for Change	Nature of Change
	<p>(site HS4).</p> <ul style="list-style-type: none"> <li>• Amended to reflect the continuing requirement for good transport links in and out of the Walton Council area, given the SEMK and Church Farm developments.</li> <li>• Re-emphasised maintaining the grid road system to enable safe transport for motor vehicles, pedestrians, and cycle users, over the railway line adjacent to the WCC area to prevent long queues.</li> </ul>		
<p>13. Community Foundation Reserve Sites (WNP7)</p>	<p>Context, Policy, Map:</p> <ul style="list-style-type: none"> <li>• Amended to reflect four sites were allocated in Plan:MK (in line with existing WNP).</li> <li>• Sites split out with a policy for each, with size and allocated number of dwellings as appropriate.</li> <li>• Reference to maximum dwelling density of 35dph added to align with density requirements of other residential allocation policies.</li> <li>• Updates following meeting with Ian Revell, CEO, Community Foundation.</li> <li>• Clarification on proposals for new parking areas added to Wavendon Gate 4 (WG4) site (reflecting text in Policy</li> </ul>	<p>To aid understanding and implementation of site allocations policies.</p>	<p>Material, but does not change nature of plan</p>

Section of 'Made' Plan	Proposed Modification	Reason for Change	Nature of Change
	WNP13).		
14. Walnut Tree Community Hubs (WNP8)	<p>Context, Policy, Map:</p> <ul style="list-style-type: none"> <li>Northern and Southern hubs to be split into two policies.</li> <li>Key commitment – Assets of Community Value text updated</li> <li>Reference added to supporting expansion of Walnut Tree Local Centre to deliver more shops.</li> </ul>	To aid understanding and implementation of site allocations policies. To reflect updated circumstances with respect to Assets of Community Value.	Material, but does not change nature of plan
15. Caldecotte Lakeside (WNP9)	<p>Policy:</p> <ul style="list-style-type: none"> <li>Removal of reference to development of water based sports facility as this has now been built out.</li> </ul>	To update the existing allocations policy context to reflect current circumstances	Material, but does not change nature of plan
16. Housing Infill (WNP10)	<p>Policy:</p> <ul style="list-style-type: none"> <li>Updated reference from Building for Life Standards (BFL12) to Building for a Healthy Life (2020).</li> </ul>	To update policy wording to reflect current policy context.	Material, but does not change nature of plan
17. Houses in Multiple Occupation (WNP11)	<p>Context:</p> <ul style="list-style-type: none"> <li>Policy now includes a reference to Policy HN7 ('Houses in Multiple Occupation') and the accompanying SPD, stating that the requirement that a new HMO development must not result in an over-concentration of uses. This pays specific attention to change of use of existing Office space into HMO's.</li> </ul>	To update policy context to reflect wider Local Plan context.	Minor (non-material)

Section of 'Made' Plan	Proposed Modification	Reason for Change	Nature of Change
18. Grid Road Corridors (WNP12)	<p>Context:</p> <ul style="list-style-type: none"> <li>• Strengthened requirement for buffers between the roads and housing.</li> <li>• Updated to reflect needs of the Mass Rapid Transit system (from Futures 2025).</li> <li>• Specific references to grade separation at Byrd Crescent (H10) and Holst and Morley crescents (V11).</li> <li>• Specific references to Britton Grove and Gregories Drive and grid road treatment.</li> </ul> <p>Policy:</p> <ul style="list-style-type: none"> <li>• Strengthened requirement to mitigate noise and pollution impacts in new highways developments.</li> <li>• Reference to maintaining unused corridor as green space added.</li> </ul>	To aid understanding and implementation of policy.	Material, but does not change nature of plan
19. Parking Enhancements (WNP13)	<p>Context, Delivery:</p> <ul style="list-style-type: none"> <li>• Policy context section updated.</li> <li>• Appended to mention damage to kerbs and verges.</li> </ul> <p>Policy:</p> <ul style="list-style-type: none"> <li>• Reference to parking areas being required to provide appropriate level of disabled parking spaces in accordance with Milton Keynes Parking</li> </ul>	To update the existing policy to reflect current circumstances.	Minor (non-material)

Section of 'Made' Plan	Proposed Modification	Reason for Change	Nature of Change
	Standards.		
20. Location of Facilities (WNP14)	<p>Context, Policy, Delivery:</p> <ul style="list-style-type: none"> <li>• Updated to reflect land now built out, e.g. Red Bull and the land east of V10.</li> <li>• Amended to reflect that all new community facilities proposed should be both viable and sustainable.</li> <li>• Where possible, and if financially viable and sustainable, WCC will acquire such spaces where MKC is prepared change ownership.</li> </ul>	To update the existing policy to reflect current circumstances. To aid understanding and implementation of policy.	Material, but does not change nature of plan
21. Key Links (WNP15)	<p>Key Commitment – Transport Management:</p> <ul style="list-style-type: none"> <li>• Updated to reflect new forms of transport including Demand Responsive Transport and Mass Rapid Transit.</li> <li>• Updated to reflect new mobility solutions including Santander bikes, electric scooters, electric bikes, and delivery robots, and their parking / storage.</li> <li>• Mentioned support of schemes that deliver infrastructure for 'Last Mile' projects, i.e. reducing the volume of home delivery vans.</li> <li>• Now identifies the locations of the proposed priority links and has removed those that have</li> </ul>	To update the policy context to reflect current circumstances.	Minor (non-material)

Section of 'Made' Plan	Proposed Modification	Reason for Change	Nature of Change
	<p>already been delivered.</p> <ul style="list-style-type: none"> <li>References SEMK redways in addition to those for Church Farm.</li> </ul>		
22. Design Principles (WNP16)	<p>Context, Policy:</p> <ul style="list-style-type: none"> <li>Strengthened policy wording so that it seeks to 'enhance' the quality of the built environment through design that is in-keeping with the surrounding character.</li> <li>Strengthened policy wording to support inclusive design that enables access for all.</li> </ul>	To aid understanding and implementation of policy.	Material, but does not change nature of plan
23. Open Space and Leisure (WNP17)	<p>Context, Policy, Delivery.</p> <ul style="list-style-type: none"> <li>Strengthened wording regarding extending parking to ensure parking does not result in a loss of open space.</li> <li>Removed references to TPOs as this is duplication of local and national policy.</li> </ul>	To aid understanding and implementation of policy.	Material, but does not change nature of plan
24. Sports Ground Enhancements (WNP18)	<p>Delivery:</p> <ul style="list-style-type: none"> <li>Removed references to the sale of Bergamot Gardens to fund a community asset for the wider community.</li> <li>Added reference to working with partners to secure funding to improve the offer at Walnut Tree Sports Ground.</li> <li>Added reference to Browns</li> </ul>	To update the existing policy context to reflect current circumstances.	Minor (non-material)

Section of 'Made' Plan	Proposed Modification	Reason for Change	Nature of Change
	Wood Sports Ground and Walnut Tree Sports Ground being owned by WCC.		
25. Infrastructure Delivery (WNP19)	<p>Policy:</p> <ul style="list-style-type: none"> <li>Updated list of target projects for which section 106 funds are required.</li> </ul>	To update the existing policy to reflect current circumstances.	Material, but does not change nature of plan
26. Action Plan, Delivery and Monitoring	<p>What is the Action Plan:</p> <ul style="list-style-type: none"> <li>Updated to reflect progress and explain plans to continue.</li> </ul>	To update the existing policy to reflect current circumstances.	Minor (non-material)
Consultation / Policy Index	<p>Consultation / Policy Index</p> <ul style="list-style-type: none"> <li>Updated to reflect changes in the rest of the document.</li> </ul>	To reflect changes elsewhere in the Plan.	Minor (non-material)
Glossary	<p>Glossary</p> <ul style="list-style-type: none"> <li>Updated to reflect changes in the rest of the document.</li> </ul>	To reflect updated policy context and to reflect changes elsewhere in the Plan.	Minor (non-material)



### 3.0 CONCLUSION

- 3.1 The modifications proposed to the Walton Neighbourhood Development Plan are considered to be necessary and timely. The proposed modifications ensure the deliverability of the plan as originally intended and will therefore bring clarity and consistency to aid decision making.
- 3.2 The proposed modifications are consistent with the spirit, vision and objectives of the Made Plan and are necessary to ensure that the Plan remains in conformity with the revised NPPF (2021) and Plan:MK (2019), both of which were adopted after the Walton Neighbourhood Plan was made in January 2017.
- 3.3 The proposed modifications are considered to be either **minor (non-material) modifications** or **material modifications which do not change the nature of the plan**. None of the proposed modifications is so significant or substantial as to change the nature of the neighbourhood development plan. It is therefore considered that the modifications may be made without a referendum.



**APPENDIX 1                    SEA SCREENING AND APPROPRIATE ASSESSMENT SCREENING  
(MILTON KEYNES COUNCIL, NOVEMBER 2021)**

**Walton Neighbourhood Plan**  
**Strategic Environmental Assessment Screening Statement**  
**Appropriate Assessment Screening**  
**November 2021**

**1. Introduction**

**1.1 What is the screening opinion?**

1.2 This report has been produced to determine the need for a Strategic Environmental Assessment (SEA) in accordance with the European Directive 2001/42/EC and associated Environmental Assessment of Plans and Programmes Regulations 2004.

1.3 This document also addresses the need for Appropriate Assessment, in accordance with European Directive 92/43/EEC, commonly known as the Habitats Directive.

**1.4 Why has a revised screening opinion been prepared?**

1.5 A screening opinion for the Walton Neighbourhood Plan was previously undertaken in February 2016. Following adoption of the Neighbourhood Plan in January 2017, the Community Council wishes to update the Neighbourhood Plan. The update brings policies into line with the adopted Plan:MK, but there are no new allocations or policies proposed.

**1.6 What is the Neighbourhood Plan trying to achieve?**

1.7 The Neighbourhood Area covers the whole of the Walton Parish (see Appendix 1), which consists of 'complete' grid squares that accommodate housing, employment land, green space, and other infrastructure such as schools. There are other unique land uses within the parish such as Caldecotte Lake and the Open University campus. The made Neighbourhood Plan allocates a number of housing sites and seeks to shape the form of development to fit in with the character of the area and provide the facilities to support growth. The policies of the made Neighbourhood Plan seek to protect community facilities, as well as covering issues including infill housing, transport, and design.

**2. Policy context**

2.1 Plan:MK was formally adopted in March 2019. Plan:MK provides the statutory land use planning framework for Milton Keynes.

2.3 Although the Neighbourhood Plan must be in general conformity with the strategic policies of the Local Plan, it can promote more development, but must not propose less. It will also provide a more local context to the non-strategic policies of the Local Plan.

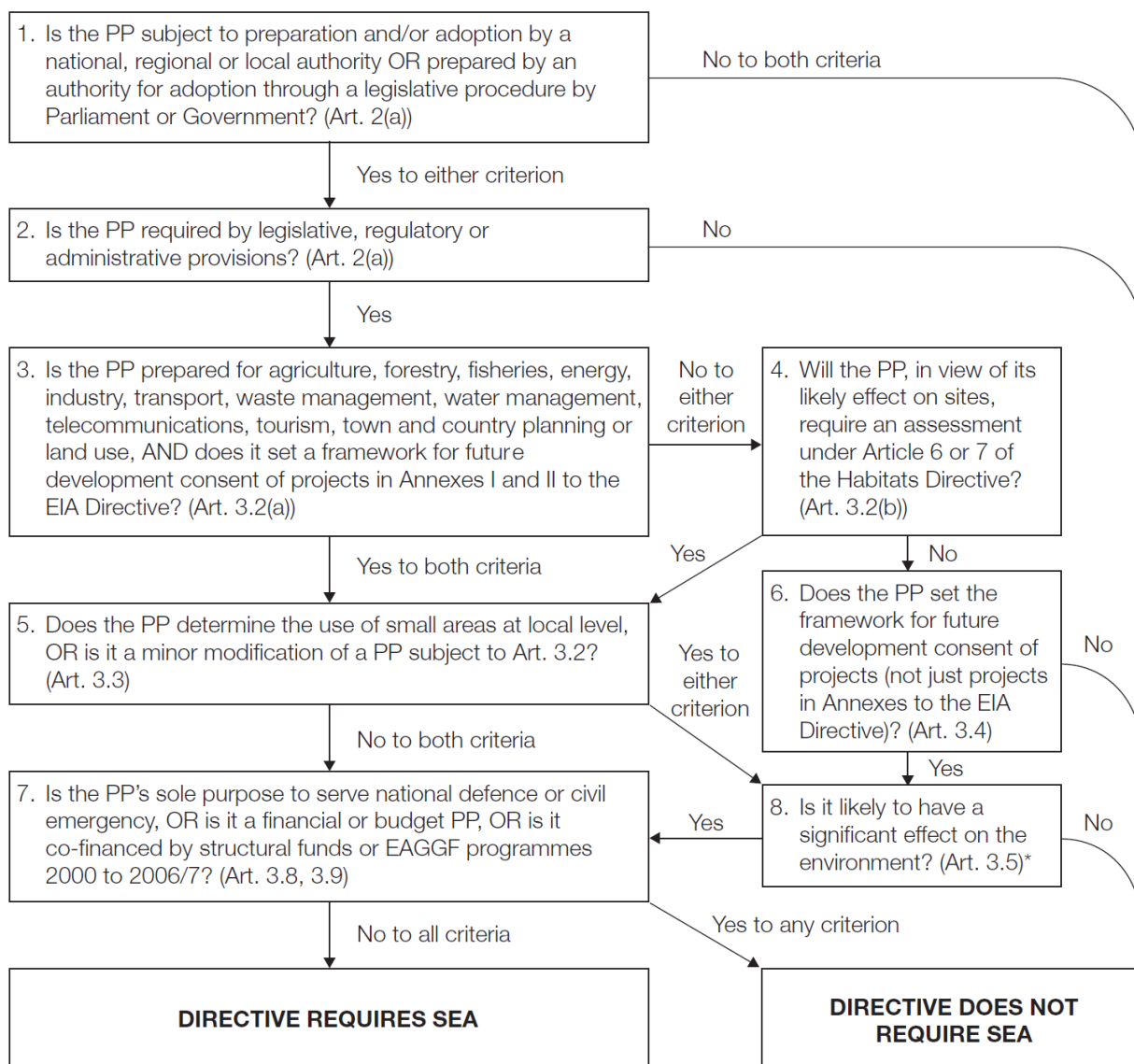
2.4 The Neighbourhood Plan will be subject to public consultation in accordance with the relevant regulations prior to its adoption.

### 3. SEA Screening

3.1 The requirement for a Strategic Environment Assessment (SEA) is set out in the “Environmental Assessment of Plans and Programmes Regulations 2004”. There is also practical guidance on applying European Directive 2001/42/EC produced by the ODPM (now DCLG)<sup>1</sup>. These documents have been used as the basis for this screening report.

3.2 Neighbourhood Plans must be screened to establish whether or not they will require Strategic Environmental Assessment. The ODPM practical guidance provides a checklist approach based on the SEA regulations to help determine whether SEA is required. This guide has been used as the basis on which to assess the need for SEA as set out below.

Figure 1: Establishing the need for SEA



\*The Directive requires Member States to determine whether plans or programmes in this category are likely to have significant environmental effects. These determinations may be made on a case by case basis and/or by specifying types of plan or programme.

<sup>1</sup> A Practical Guide to the Strategic Environmental Assessment Directive (2005) (ODPM)

Figure 2: Establishing the need for SEA of the Neighbourhood Plan

Stage	Answer	Reason
<b>1. Is the NP subject to preparation and/or adoption by a national, regional or local authority OR prepared by an authority for adoption through a legislative procedure by Parliament of Government? (Article 2(a))</b>	Yes	It will be prepared by the Community Council and adopted by Milton Keynes Council under the 2012 Neighbourhood Planning Regulations.
<b>2. Is the NP required by legislative, regulatory or administrative provisions? (Article 2(a))</b>	Yes	Although there is no requirement to produce a Neighbourhood Plan, they are subject to formal procedures and regulations laid down by national government. In light the European Court of Justice ruling in the Case C-567/10 it is considered that this means the NP is 'required'.
<b>3. Is the NP prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use, AND does it set a framework for future development consent of projects in Annexes I and II to the EIA Directive? (Art. 3.2(a))</b>	No	The NP is prepared for town and country planning purposes but does not explicitly set a framework for future development consent of projects in Annexes I or II of the EIA Directive.
<b>4. Will the plan in view of its likely effect on sites, require an assessment under Article 6 or 7 of the Habitats directive?</b>	No	An Appropriate Assessment has been undertaken for Plan:MK and that has concluded that the local plan will not require assessment under the Habitats Directive.
<b>6. Does the plan set the framework for future development consent of projects?</b>	Yes	The Neighbourhood Plan will provide a framework for future development consent of projects in the area.
<b>8. Is the NP likely to have a significant effect on the environment?</b>	See results of Figure 3:	Determining the likely significance of effects

Figure 3: Determining the likely significance of effects

<b>SEA Directive Annex II: Criteria for determining likely significance of effects referred to in Article 3(5)</b>		
<b>Criteria</b>	<b>✓/x/ ?</b>	<b>MKC Comment</b>
<b><i>The characteristics of plans and programmes, having regard, in particular, to:</i></b>		
<b>1a) The degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources</b>	✓	The NP will set a framework for future development projects, in terms of location, nature and scale/size. However, the plan will need to be in general conformity with higher level plans. Furthermore, the plan area is largely 'complete' anyway so the scope of the plan to fully influence projects and activities is somewhat limited.
<b>1b) The degree to which the plan or programme influences other plans and programmes including those in a hierarchy</b>	✓	The NP will form part of the statutory development plan for MK with the same status in decision making as development plan documents.
<b>1c) The relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development</b>	✓	Sustainable development will be at the heart of NPs and policies could make a significant contribution to promoting sustainable development, particularly ensuring any greenfield allocations are planned in a sustainable way.
<b>1d) Environmental problems relevant to the plan or programme</b>	x	It is not considered that there are any particular environmental problems relevant to the plan.
<b>1e) The relevance of the plan or programme for the implementation of Community legislation on the environment (e.g. plans and programmes linked to waste-management or water protection).</b>	x	The NP is unlikely to be directly relevant in regard to this criterion.
<b><i>Characteristics of the effects and of the area likely to be affected, having regard, in particular, to:</i></b>		
<b>2a) The probability, duration, frequency and reversibility of the effects</b>	✓/?	The potential for significant alterations to the existing urban environment are limited with the likely focus of the plan to be on protection rather than redevelopment. The effects of the plan are therefore likely to be reversible, as they will influence the general evolution of the townscape, which has been established since the development of the New Town.
<b>2b) The cumulative nature of the effects</b>	x	The cumulative impact of the effects of the plan on the environment are not expected to be any greater than the individual parts.
<b>2c) The trans-boundary nature of the effects</b>	x	Any impacts are only likely to be felt by the local area.
<b>2d) The risks to human health or</b>	x	It is unlikely that the nature of any

<b>the environment (e.g. due to accidents)</b>		development proposed would impact on human health.
<b>2e) The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)</b>	x	The effects of the plan are unlikely to be felt in a spatial area wider than the plan area. The plan is also unlikely to affect any population outside the plan area.
<b>2f) The value and vulnerability of the area likely to be affected due to:</b> <b>I. special natural characteristics or cultural heritage,</b> <b>II. exceeded environmental quality standards or limit values</b> <b>III. intensive land-use</b>	✓/?	The NP covers an area which is largely (sub)urbanised already and does not have any particular natural heritage. The value of the open and green space is something the plan will seek to protect rather than change. There are nine listed buildings and a scheduled monument in the area, but these will not be affected by the plan proposals.
<b>2g) The effects on areas or landscapes which have a recognised national, community or international protection status</b>	x	There are no areas or landscapes with these designations in Milton Keynes.

#### 4. SEA Conclusion

- 4.1 The Walton Neighbourhood Plan will provide a planning policy framework to be used when considering planning applications in the Neighbourhood Area. It will not identify a significant amount of development in the plan area. In determining the need for SEA, consideration needs to be given to the nature of the potential development and the characteristics of the area affected. The scale of potential development would not strongly suggest that SEA would be required.
- 4.2 The Plan area in general is free from any significant environmental designations and is largely (sub)urbanised already. Any proposed development is likely to be for housing (and related facilities) and not of a nature that is likely to be of detriment to public health. The magnitude of any effects is also unlikely to be felt in an area any wider than the plan area or effect a significant level of population.
- 4.3 The Plan's effects are unlikely to have any significant impacts beyond the Neighbourhood Area and it is considered that overall the plan will not have significant effects on the environment. It is, therefore, concluded that the Walton Neighbourhood Plan does not need to be subject to Strategic Environmental Assessment.

#### 5. Consultation on SEA Screening Opinion

- 5.1 The three statutory bodies for the purposes of SEA Screening are Historic England, the Environment Agency and Natural England. These three bodies were consulted on the draft Screening Opinion and the following comments were received:

**Historic England:** We do not feel the plan review has potential for likely significant effects within our areas of interest. In coming to this conclusion, we have reviewed the track changed version of the proposed updated plan and note that it does not allocate sites for development in addition to any already allocated in the made plan or local plan. As such, we agree with the Council's determination to screen out the need for SEA.

**Environment Agency:** We agree with the conclusions that have been reached.

## **Natural England:**

### Strategic Environmental Assessment Screening

Natural England considers that, based on the material supplied with the consultation, in so far as our strategic environmental interests are concerned, significant environmental effects resulting from the neighbourhood plan are unlikely. We therefore agree with the conclusion of the SEA screening report that a Strategic Environmental Assessment would not be required.

### Habitats Regulations Assessment Screening

Natural England welcomes the consideration given to the Habitats Regulations. We agree with the conclusion of the report of no likely significant effect upon European designated sites, and therefore advise that further Habitats Regulations Assessment is not required.

### SEA Screening Conclusion

**Having screened the Walton Neighbourhood Plan and consulted with Historic England, Natural England and the Environment Agency, it is the view of Milton Keynes Council that the Plan's effects are unlikely to have any significant impacts beyond the Neighbourhood Area and it is considered that overall the Plan will not have significant effects on the environment. It is, therefore, concluded that the Walton Neighbourhood Plan does not need to be subject to Strategic Environmental Assessment.**

## **6. Appropriate Assessment (AA) Screening**

- 6.1 Legal protection is afforded to habitats and species of European importance through Directive 92/43/EEC on the Conservation of Natural Habitats and Wild Flora and Fauna - known as the 'Habitats Directive'. Articles 6(3) and 6(4) of the Habitats Directive require AA of plans to be undertaken. This involves assessing the contents of plans to ensure that their policies and proposals maintain the integrity of Natura 2000 sites. The assessment must determine whether the plan would adversely affect the nature conservation objectives of each site. Where negative effects can be identified, other options should be examined to avoid any potential damaging effects.
- 6.2 The application of the precautionary principle through the Habitats Directive means that plans can only be permitted once it is shown that there will be no adverse effect on the integrity of any Natura 2000 sites. In the rare case of there being no alternatives available or over-riding reasons of public interest why a plan needs to be implemented, plans that do have negative impacts may still be approved.

## **7. Screening for Appropriate Assessment**

- 7.1 The first stage in carrying out an Appropriate Assessment for the Habitats Directive is screening, by determining whether the plan is likely to have any significant effect on a European site, either alone or in combination with other plans and projects.
- 7.2 The Neighbourhood Plan will be in general conformity with Plan:MK which itself was screened for Appropriate Assessment. The screening process for Plan:MK demonstrated that Milton Keynes lies in an area void of any Natura 2000 sites. The nearest European site is the Chiltern Beechwoods to the south of the Borough although it was determined that the site would not be affected by Milton Keynes planning policy due to the distance of the site from Milton Keynes and there being no obvious impact pathways.
- 7.3 An Appropriate Assessment has been published for Plan:MK ([http://miltonkeynes.objective.co.uk/portal/planmk/plan\\_mk\\_submission/planmk\\_sa\\_hra?pointId=1510067377589](http://miltonkeynes.objective.co.uk/portal/planmk/plan_mk_submission/planmk_sa_hra?pointId=1510067377589)) which covers the period to 2031. This considers the impact of the Local Plan on the Upper Nene Valley Gravel Pits SPA and concludes that "development in the Milton Keynes Local



Plan will not have a likely significant effect on any internationally important wildlife sites either alone or in combination with other plans and projects. These conclusions are based on the findings of the AA screening which concludes that no Natura 2000 sites are located within the district and no impact pathways have been identified linking Natura 2000 sites outside of the district e.g. Upper Nene Valley Gravel Pits SPA/Ramsar to development within Milton Keynes Borough. Therefore, an Appropriate Assessment is not required.”

## **8. Appropriate Assessment Conclusion**

- 8.1 Given the role of Neighbourhood Plans and the scale of development being proposed in the Walton Neighbourhood Plan, it is considered that Appropriate Assessment of the plan is not required.

## **9. Contact**

Further information can be obtained from:

UDLA

Planning and Placemaking

Civic Offices

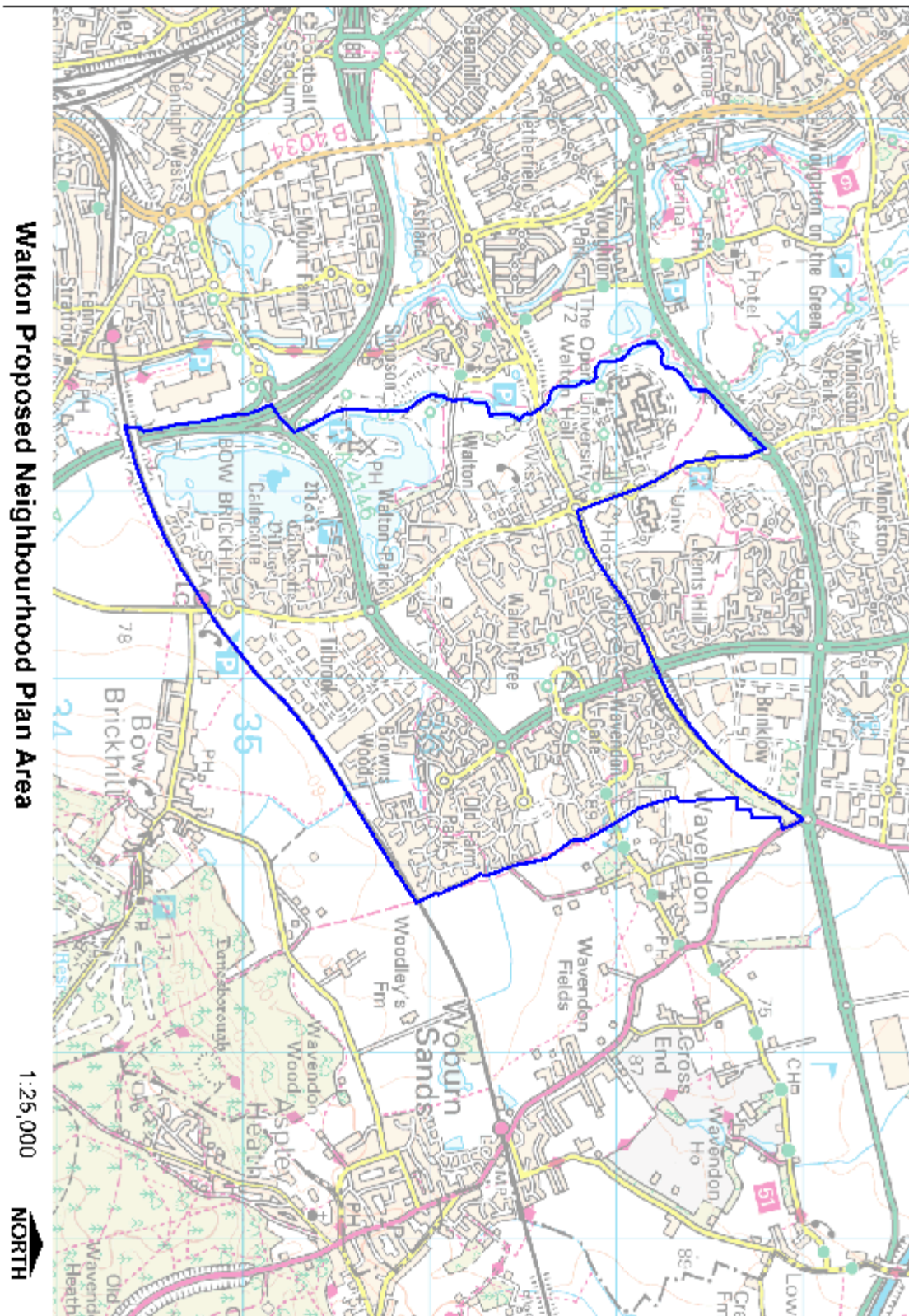
1 Saxon Gate East

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Appendix 1 – map of the Walton Neighbourhood Plan designated area





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