

WALTON NEIGHBOURHOOD PLAN (AS MODIFIED)

Examination of the Walton Neighbourhood Plan, as Modified
A Report to Milton Keynes Council

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1. Summary

- 1 I have considered the proposed modifications to the Walton Neighbourhood Plan and find that they comprise material modifications which do not change the nature of the plan.
- 2 Subject to the recommendations within this Report, made in respect of enabling the proposed modifications to the Walton Neighbourhood Plan to meet the basic conditions, I confirm that:
 - having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the modifications to the neighbourhood plan;
 - the modifications to the neighbourhood plan contribute to the achievement of sustainable development;
 - the modifications to the neighbourhood plan are in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area);
 - the modifications to the neighbourhood plan do not breach, and are otherwise compatible with, European Union (EU) obligations; and
 - the modifications to the neighbourhood plan are not likely to have a significant effect on a European site or a European offshore marine site, either alone or in combination with other plans or projects.
- 3 Taking the above into account, I find that the Walton Neighbourhood Plan, as modified, meets the basic conditions¹. Consequently, having regard to national planning guidance² Milton Keynes Council is required to make the modified plan within five weeks following receipt of this Examiner's Report, or such later date as agreed in writing with the Qualifying Body, Walton Community Council.

¹ It is confirmed in Chapter 3 of this Report that the Walton Neighbourhood Plan meets the requirements of Paragraph 8(1) of Schedule 4B to the Town and Country Planning Act 1990.

² National Planning Guidance. Paragraph: 085a Reference ID: 41-085a-20180222.

2. Introduction

The Neighbourhood Plan

- 4 This Report provides the findings of the examination into proposed modifications to the Walton Neighbourhood Plan (referred to as the Neighbourhood Plan) prepared by Walton Community Council.
- 5 Neighbourhood planning provides communities with the power to establish their own policies to shape future development in and around where they live and work.

“Neighbourhood planning gives communities the power to develop a shared vision for their area. Neighbourhood Plans can shape, direct and help to deliver sustainable development.”
(Paragraph 29, National Planning Policy Framework)
- 6 The Walton Neighbourhood Plan was originally made in January 2017 and forms part of the development plan. As such, it is used to determine planning applications and guide planning decisions in the Walton Neighbourhood Area.
- 7 Walton Community Council is the *Qualifying Body*, ultimately responsible for the Neighbourhood Plan. The Neighbourhood Plan relates only to the designated Walton Neighbourhood Area and there is no other neighbourhood plan in place in the Walton Neighbourhood Area. These matters are confirmed in Chapter 1 of the Basic Conditions Statement, submitted alongside the Neighbourhood Plan.
- 8 The above meets with the aims and purposes of neighbourhood planning, as set out in the Localism Act (2011), the National Planning Policy Framework (2021) and Planning Practice Guidance (2014, as amended).
- 9 A number of modifications are proposed to the Neighbourhood Plan. These include changing the plan period to 2016-2031, from 2016-2026, to bring it in line with the adopted Local Plan, Plan:MK; updating Policies to provide a more up-to-date context in respect of allocations and permissions; amending Policies with the purpose of aiding understanding, increasing clarity and reflecting updated circumstances; and amendments to Policies with the aim of supporting their implementation.

- 10 The proposed modifications also include minor changes to supporting text and changes to the Locations Map to reflect the proposed Policy changes.
- 11 The Qualifying Body has submitted a Modification Proposal Statement setting 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.”³
- 12 The submitted Modification Proposal Statement also contains a summary of the proposed modifications and sets out the reasons why, in the view of the Qualifying Body, the Neighbourhood Plan should be modified as proposed. The submitted statement sets out why the Qualifying Body considers that the proposed modifications are not so significant or substantial as to change the nature of the Neighbourhood Plan.
- 13 Taking the above into account, I am satisfied that the submitted Modification Proposal Statement is in accordance with statutory requirements.
- 14 I consider the proposed modifications in further detail later in this Report. I note that, in general terms, the proposed modifications seek to update and add clarity to the Neighbourhood Plan. I find in this Report that, subject to any recommendations made, they do not alter the nature of the Neighbourhood Plan.
- 15 In respect of this latter point, I have considered all of the representations made in respect of the proposed modifications. There have been no representations to the effect that the proposed modifications alter the nature of the Neighbourhood Plan.
- 16 Given the above and the content of this Report, I am satisfied that, subject to the recommendations set out in this Report, the proposed changes comprise non-material and material modifications that do not change the nature of the Neighbourhood Plan.

³ Reference: Schedule A2, Planning and Compulsory Purchase Act 2004 (as amended) and Regulation 15(1)(f) of the Neighbourhood Planning (General) Regulations 2012 (as amended).

Role of the Independent Examiner

- 17 I was appointed by Milton Keynes Council, with the consent of the Qualifying Body, to conduct the examination of the proposed modifications to the Walton Neighbourhood Plan and to provide this Report.
- 18 As an Independent Neighbourhood Plan Examiner, I am independent of the Qualifying Body and the relevant Local Authorities. I do not have any interest in any land that may be affected by the Neighbourhood Plan and I possess appropriate qualifications and experience.
- 19 I am a chartered town planner and have ten years' direct experience as an Independent Examiner of Neighbourhood Plans and Orders. I also have over thirty years' land, planning and development experience, gained across the public, private, partnership and community sectors.
- 20 As the Independent Examiner, my role is to determine whether or not the proposed modifications change the nature of the Neighbourhood Plan. In reaching my decision on this matter, I have considered the proposed modifications against the basic conditions and set out my findings and recommendations below.
- 21 Where modifications are recommended in this Report, they are presented as bullet points and highlighted in **bold print**, with any proposed new wording in *italics*.

Neighbourhood Plan Period

- 22 The Neighbourhood Plan must specify the period during which it is to have effect.
- 23 It is proposed to change the plan period from 2016-2026 to 2020-2031. The original Neighbourhood Plan was made at the beginning of 2017, more than five years ago. Since this time, a new Local Plan for Milton Keynes, Plan:MK, has been adopted⁴. The plan period for Plan:MK runs to 2031 and the proposed modification would align the Neighbourhood Plan to this plan period.
- 24 One of the aims of the proposed modifications is to bring the Neighbourhood Plan up to date. Some of the proposed modifications seek to revise Policies in line with Plan:MK and I am mindful that this serves the purpose of providing for Neighbourhood Plan Policies to be in general conformity with the strategic policies of the development plan.
- 25 Taking the above into account, the Neighbourhood Plan, as modified, meets the statutory requirement in respect of specifying the period during which it is to have effect and does so in an appropriate manner.

Public Hearing

- 26 It is a general rule that neighbourhood plan examinations should be held without a public hearing, by written representations only, unless *the Examiner considers it necessary* to hold a public hearing to ensure adequate examination of an issue, or to ensure that a person has a fair chance to put a case.
- 27 Further to consideration of all of the information submitted, I determined not to hold a public hearing as part of the examination of the proposed modifications to the Neighbourhood Plan.

⁴ Reference: Plan:MK was adopted on 20th March 2019.

3. Basic Conditions

Basic Conditions

- 28 It is the role of the Independent Examiner to consider whether a neighbourhood plan meets the “*basic conditions*.” These were *set out in law*⁵ following the Localism Act 2011.
- 29 Effectively, the basic conditions provide the rock or foundation upon which neighbourhood plans are created. A neighbourhood plan meets the basic conditions if:
- having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the neighbourhood plan;
 - the making of the neighbourhood plan contributes to the achievement of sustainable development;
 - the making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area);
 - the making of the neighbourhood plan does not breach, and is otherwise compatible with, European Union (EU) obligations; and
 - prescribed conditions are met in relation to the neighbourhood plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood plan.
- 30 Regulations 32 and 33 of the Neighbourhood Planning (General) Regulations 2012 (as amended) set out two additional basic conditions to those set out in primary legislation and referred to above. Of these, the following basic condition, brought into effect on 28th December 2018, applies to neighbourhood plans:
- the making of the neighbourhood development plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations.⁶

⁵ Paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990 (as amended).

⁶ *ibid* (same as above).

- 31 In examining the proposed modifications to the Plan, I am also required, as set out in sections 38A and 38B of the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act), to check whether the proposed modifications to the neighbourhood plan:
- have been prepared and submitted for examination by a qualifying body;
 - have been prepared for an area that has been properly designated for such plan preparation (under Section 61G of the Town and Country Planning Act 1990 (as amended));
 - meet the requirements to i) specify the period to which the neighbourhood plan has effect; ii) not include provision about excluded development; and iii) not relate to more than one Neighbourhood Area and that:
 - the modified policies relate to the development and use of land for a designated Neighbourhood Area in line with the requirements of Section 38A of the Planning and Compulsory Purchase Act (PCPA) 2004.
- 32 I must also consider whether the proposed modifications to the neighbourhood plan are compatible with the Convention rights.⁷
- 33 I note that, in line with legislative requirements, a Basic Conditions Statement was submitted alongside the proposed modifications to the Neighbourhood Plan and this sets out how, in the qualifying body's opinion, the proposed modifications to the Neighbourhood Plan meet the basic conditions.

⁷ The Convention rights has the same meaning as in the Human Rights Act 1998.

European Obligations

- 34 Paragraph 5.4 of the Basic Conditions Statement submitted alongside the proposed modifications to the Neighbourhood Plan states that the Neighbourhood Plan:

"...has been prepared having regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights and complies with the Human Rights Act."

- 35 I am satisfied, in the absence of any substantive evidence to the contrary, that the proposed modifications to the Neighbourhood Plan have regard to the fundamental rights and freedoms guaranteed under the ECHR and comply with the Human Rights Act 1998.

- 36 In the above regard, information has been submitted to demonstrate that people were provided with a range of opportunities to engage with the plan-making process.

- 37 The Basic Conditions statement submitted alongside the proposed modifications references Milton Keynes Council's Screening Opinion⁸, which states that:

"The Plan's effects are unlikely to have any significant impacts beyond the Neighbourhood Area and it is considered that (the) overall 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."

- 38 In this regard, the Qualifying Body and Milton Keynes Council are both satisfied that the Neighbourhood Plan, incorporating the proposed modifications, will not have any significant effects on the environment and that therefore, it does not need to be subject to a Strategic Environmental Assessment.

- 39 The statutory bodies, the Environment Agency, Natural England and Historic England have each been consulted. All agree with the above conclusion and none has raised any issues in respect of European obligations.

⁸ Reference: Strategic Environmental Assessment Screening Statement Appropriate Assessment Screening, Milton Keynes Council, November 2021.

40 Milton Keynes Council's Screening Opinion also included Chapters relating to Appropriate Assessment Screening, taking account of the application of the precautionary principle through the Habitats Directive, such that plans can only be permitted once it has been shown that there will be no adverse effect on the integrity of any Natura 2000 sites.

41 In this regard and taking into account the published Appropriate Assessment for Plan:MK, Milton Keynes Council concluded that:

"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."

42 Again, each of the statutory bodies was consulted and none demurred from this conclusion.

43 National guidance establishes that the ultimate responsibility for determining whether a neighbourhood plan meets EU obligations lies with the local planning authority:

"It is the responsibility of the local planning authority to ensure that all the regulations appropriate to the nature and scope of a neighbourhood plan proposal submitted to it have been met in order for the proposal to progress. The local planning authority must decide whether the draft neighbourhood plan is compatible with EU regulations (including obligations under the Strategic Environmental Assessment Directive)" (Planning Practice Guidance⁹).

44 In carrying out the work that it has and in reaching the conclusions that it has with regards the proposed modifications, Milton Keynes Council has no concerns in respect of the Neighbourhood Plan's compatibility with EU obligations.

45 Taking this, the above, the recommendations in this Report and all of the evidence before me into consideration, I am satisfied that the proposed modifications to the Neighbourhood Plan are compatible with European obligations.

⁹ ibid, Paragraph 031 Reference ID: 11-031-20150209.

4. Background Documents and the Walton Neighbourhood Area

Background Documents

- 46 In completing this examination, I have considered various information in addition to the proposed modifications to the Neighbourhood Plan.
- 47 Information considered as part of this examination has included the following main documents and information:
- National Planning Policy Framework (referred to in this Report as "*the Framework*") (2021)
 - Planning Practice Guidance (2014, as updated)
 - Town and Country Planning Act 1990 (as amended)
 - The Localism Act (2011)
 - The Neighbourhood Plan Regulations (2012) (as amended)
 - Plan:MK (2019) (referred to in this Report as the "*Local Plan*")
 - Basic Conditions Statement
 - Consultation Statement
 - Modification Proposal Statement
 - Representations received
 - SEA/HRA Screening Opinion
- 48 I also undertook an unaccompanied site visit to the Walton Neighbourhood Area.

Walton Neighbourhood Area

- 49 Whilst the boundary of the Walton Neighbourhood Area can be seen on a plan on page 7 of the Neighbourhood Plan, the plan has no title and consequently the Neighbourhood Plan could identify the Neighbourhood Area in a clearer manner.
- 50 I recommend:
- **Page 7, add the title “*Walton Neighbourhood Area*” to the plan of showing the Neighbourhood Area and add notation showing that the red line boundary relates to the Neighbourhood Area boundary.**
- 51 The Walton Neighbourhood Area was designated by Milton Keynes Council on 13th January 2015, thus satisfying a requirement in line with the purposes of preparing a Neighbourhood Development Plan under section 61G (1) of the Town and Country Planning Act 1990 (as amended).

5. Public Consultation

Introduction

- 52 As land use plans, the policies of neighbourhood plans form part of the basis for planning and development control decisions. Legislation requires the production of neighbourhood plans to be supported by public consultation.
- 53 Successful public consultation enables a neighbourhood plan to reflect the needs, views and priorities of the local community. It can create a sense of public ownership and help to achieve consensus. The original Walton Neighbourhood Plan underwent significant and robust public consultation and was made further to an overwhelming 'Yes' vote at Referendum.

Consultation on Proposed Modifications to the Neighbourhood Plan

- 54 A Consultation Statement was submitted to Milton Keynes Council. The information within it sets out who was consulted and how, together with the outcome of the consultation, as required by the neighbourhood planning *Regulations*¹⁰.
- 55 In April 2021, the Neighbourhood Plan Working Group met with the Community Foundation to consider Community Foundation sites within the Neighbourhood Area. The Consultation Statement provides a summary of matters discussed in that meeting.
- 56 Further to consideration of changes to the Neighbourhood Plan, the draft Neighbourhood Plan (as modified) and the draft Modifications Proposal Statement underwent public consultation during October and November 2021.
- 57 Public consultation was supported by the delivery of flyers to over 5,000 homes, alongside advertising via noticeboards and a wide range of social media. Notification was sent to statutory consultees and a range of organisations, businesses and individuals.

¹⁰ Neighbourhood Planning (General) Regulations 2012.

- 58 Representations received were duly considered and the Consultation Statement summarises these alongside information setting out any resultant amendments.
- 59 Taking this and the submitted information into account, I am satisfied that the consultation process complied with the neighbourhood planning regulations referred to above.

6. Proposed Modifications to the Neighbourhood Plan

Introductory Section

60 In the Foreword on Page 2 there are three typos, I recommend:

- **Page 2, fifth bullet point, change to "...are *fully* built out."**
Also, Page 5, third bullet point – same change required.
- **Page 2, penultimate paragraph, first sentence, delete comma**

61 In the interests of clarity, from Page 4, I recommend:

- **Para 3, line 2, change to "...build within the *Neighbourhood Area* and also...of sites in the *Neighbourhood Area (the Neighbourhood Area is that area...Gate)*, over the next ten years."**
- **Para 5, line 1, change to "...in the *Neighbourhood Area*.
The...within the *Neighbourhood Area*, including..."**
- **Para 6, line 1, change to "...across the *Neighbourhood Area* by..."**
- **Para 7, line 5, change to "...in the *Neighbourhood Area*."**
- **Para 8, line 2, change to "...whole of the *Neighbourhood Area* and...across the *Neighbourhood Area*, ensuring development..."**
- **NB – beyond Para 8, it is recommended that, for consistency and clarity, all references to "Plan area," "Parish area," "Neighbourhood Plan area" are changed to "*Neighbourhood Area*."**
- **Para 10, last bullet point, change to "...railway crossings and *Section 106 Agreement requirements*."**

62 For clarity, I recommend:

- **Para 24, change to “*Whilst the Neighbourhood Plan can only address matters within the Neighbourhood Area, WCC will seek to encourage planners to consider areas adjacent to WCC in a long term and holistic...time. In this way, we can seek to ensure that the need to meet Milton Keynes’ wider development needs does not negatively impact the people living in the Neighbourhood Area.*”**
- **Para 25, line 1, change to “*...(2018). The Policies of the Neighbourhood Plan are in general conformity with the strategic policies contained within the Development Plan, thus avoiding any conflict. As a ‘made’ Neighbourhood Plan, the WNP forms part of the Development Plan for Milton Keynes and is a material...*”**

63. As noted earlier in this Report, it is proposed to change the plan period, resulting in a change in end date from 2026 to 2031. Given this, the Neighbourhood Plan Vision set out on page 8 does not synchronise with the plan period and I recommend:

- **Page 8, change Vision to “*By 2031...*”**
- **Delete Para 31, which has been overtaken by events**
- **Para 42, last bullet point, change to “*...Neighbourhood Plan was subject to...*”**

63 As worded, Paragraph 52 conflicts with national policy and is unsupported by any evidence justifying a statement suggesting an onerous requirement for all development to enhance the significance of heritage assets. I recommend:

- **Para 52, line 1, change to “*...future development protects the significance of...*”**

64 To correctly reflect the basic conditions, I recommend:

- **Para 67, line 1, change to, “...has been prepared *having regard to the NPPF (2021) and in general conformity with the strategic...*”**
- **Para 78, line 2, change to “...actions which *WCC will seek to work with partners to undertake to help...*”**

65 The above recommendations add to the clarity of the Neighbourhood Plan (as modified).

7. Proposed Modifications to the Neighbourhood Plan

Policy Section

Site Specific Policies

Policy WNP1: Walton Manor

- 66 The proposed modifications to the Policy include a minor, non-material change in respect of the supporting text, which adds to clarity.
- 67 A material modification, which does not change the nature of the Neighbourhood Plan, comprises a proposed change to the wording of the Policy, which allows for no more than 43 dwellings to access the site from Simpson Road. This represents an increase from 20 dwellings and reflects an extant planning permission.
- 68 Paragraph 110 of the National Planning Policy Framework (“the Framework”) requires sites allocated in plans to provide for:
- “...safe and suitable access...”*
- 69 The proposed change to the Policy adds to its clear and precise nature. This has regard to national guidance¹¹, which states that
- “A policy in a neighbourhood plan should be clear and unambiguous. It should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications. It should be concise, precise and supported by appropriate evidence. It should be distinct to reflect and respond to the unique characteristics and planning context of the specific neighbourhood area for which it has been prepared.”*
- 70 In the absence of any evidence to the contrary, I consider that the modification has regard to national policy and meets the basic conditions. It does not change the nature of the Neighbourhood Plan.

¹¹ Planning Guidance, Paragraph: 041 Reference ID: 41-042-20140306.

Policy WNP2: Towergate

- 71 The proposed modifications to Policy WNP2 comprise minor non-material changes.
- 72 They comprise updates to the supporting text to reflect recent planning permissions and allocation in the Plan:MK; and minor changes to the Policy reflecting the name of development areas.
- 73 The modification to Policy WNP2 adds to its clarity and precision and meets the basic conditions. It does not change the nature of the Neighbourhood Plan.

Policy WNP3: Land North and West of Wavendon Business Park, Ortensia Drive

- 74 The proposed modifications to Policy WNP3 comprise minor non-material changes.
- 75 The proposed modifications comprise changes to the Policy title and supporting text, reflecting planning applications, a recent permission and acknowledgement that development has commenced.
- 76 A minor change to the name of a development is made to the Policy.
- 77 The modifications add to the precise nature of the Neighbourhood Plan and meet the basic conditions. They do not change the nature of the Neighbourhood Plan.

Policy WNP4: Land at Bergamot Gardens

- 78 The proposed modification to Policy WNP4 comprises a minor non-material change.
- 79 It comprises a change to the supporting text taking account of the use of receipts from Bergamot Gardens to provide or improve community facilities.
- 80 The proposed modification does not change the nature of the Neighbourhood Plan.

Policy WNP5: Land at Hindhead Knoll

- 81 The proposed modifications to Policy WNP5 result in the Policy simply comprising a statement. The Policy notes that one part of the (two-part) site has been developed out and that the other part has received planning permission and development has commenced.
- 82 The Policy, as per proposed modification then goes on to set out the original Policy, which has clearly been overtaken by events.
- 83 Consequently, Policy WNP5 (as modified) is no longer a land use planning policy but comprises a commentary on something that happened in the past along with a statement of intent in respect of monitoring. Whilst the information might provide some historical context, the inclusion of Policy WNP5 (as modified) in the Neighbourhood Plan does not meet the basic conditions. I note that the Qualifying Body can in any case monitor development going forward regardless of the recommendations below.
- 84 I recommend:
- **Delete Policy WNP5**
 - **Delete Paras 96 to 99, inclusive**

- **Retain the location plan on page 26 and include a new Para 96, “The allocations at Hindhead Knoll have resulted in planning permissions. Development of the site to the south has completed and development of the site to the north is underway.”**

Policy WNP6: Caldecotte ‘Site C’

85 As set out and taken together, the proposed modifications to the Policy and text would require applicants to not only demonstrate that plans do not preclude delivery of a railway crossing at some time in the future, but would require the applicant to demonstrate that a future railway crossing ensures:

“...safe transport for motor vehicles, pedestrians and cycle users over the railway line adjacent to the WCC area and (prevents) traffic congestion.”

86 Such a modification would result in a material change. It would go way beyond simply ensuring that development does not preclude a future railway crossing. It requires the applicant, who may otherwise have no connection to the delivery of a railway crossing, to *ensure* various things that cannot possibly be known at this time relating a possible railway crossing at a site which currently comprises only one of a number of possible options that may or may not be developed at some unknown time in the future, or which may never be built.

87 There is no substantive evidence to demonstrate that the Policy requirements in this regard are deliverable and consequently, this proposed modification does not have regard to Paragraph 16 of the Framework.

88 In the above regard, I am also mindful that Paragraph 44 of the Framework requires that local planning authorities should only request supporting information that is relevant, necessary and material to a planning application.

- 89 Pre-application engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties. However, Chapter 4 of the Framework is clear in establishing that non-statutorily required engagement is something to be *encouraged*. In addition to this, I am mindful that planning application requirements are determined at the national and District level, by law and by the Local Planning Authority, and do not fall within the scope of neighbourhood plans.
- 90 Taking all of the above into account and noting that East West Rail should be referred to as "*East West Rail Co*," I recommend:
- **Policy WNP6, change fifth bullet point, to "...railway crossing *and applicants should engage with East West Rail Co (or the relevant body) in this regard.*"**
 - **Policy WNP6, delete last bullet point ("Applicants...the site.")**
 - **Para 100, end para at "...Rail upgrade." (Delete "Applicants...crossing.")**

Policy WNP7 (Reserve Sites a-g)

- 91 The proposed modifications to the Policy and supporting text comprise material changes that do not change the nature of the Neighbourhood Plan.
- 92 Taken together, the proposed modifications provide an up-to-date and clearer context in respect of the Reserve Sites and add to Policy clarity.
- 93 However, the proposed new Paragraph 108 is confusing. It presents District-wide information not directly relevant to the Neighbourhood Plan and Policy WNP7 and detracts from clarity.
- 94 I recommend:
- **Delete Paragraph 108**

Policy WNP8 (a & b)

- 95 Together, the proposed modifications to Policy WNP8 (a & b) and supporting text comprise material changes that do not change the nature of the Neighbourhood Plan.
- 96 The proposed modifications provide clarity in respect of the context and implementation of the Policy and add clarity in respect of the Qualifying Body's commitment to Assets of Community Value.
- 97 Further, these changes, together with the addition of a Policy reference to supporting Local Centre expansion, have regard to Paragraph 93 of the Framework, which supports the provision of:
- "...social, recreational and cultural facilities and services the community needs..."*
- 98 The proposed modifications meet the basic conditions and in the interests of consistency, I recommend:
- **Key commitment, change title to "Assets of Community Value"**

Policy WNP9: Caldecotte Lakeside

- 99 The proposed modification to Policy WNP9 simply removes the requirement for the development of a water-based sports facility, as this has been developed.
- 100 Consequently, the proposed modification is a material change that does not change the nature of the Neighbourhood Plan, but which results in a more precise Policy.

General Policies

Policy WNP10: Housing Infill

- 101 *"Building for a Healthy Life"*¹² is the latest edition of and new name for Building for Life 12, the original 12-point structure designed to guide the building of neighbourhoods and new settlements.
- 102 The proposed modification to Policy WNP10 changes the reference in the Policy from Building for Life 12 to Building for a Healthy Life. As such, it comprises a relevant update which has regard to the Framework's recognition that:
- "...the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve."*
(Paragraph 126, the Framework)
- 103 The proposed change to the Policy is material and does not change the nature of the Neighbourhood Plan.

Policy WNP11: Houses in Multiple Occupation

- 104 The proposed modifications to Policy WNP11 comprise minor non-material changes that do not change the nature of the Neighbourhood Plan.
- 105 Changes are proposed to the supporting text which reflect adopted Policy HN7 (*"Houses in Multiple Occupation"*) in Plan:MK and add to the precise nature and clarity of the Neighbourhood Plan.

¹² Building for a Healthy Life. A Design Toolkit for neighbourhoods, streets, homes and public spaces (June 2020).

Policy WNP12: Grid Road Corridors

- 106 Two material changes to Policy WNP12 are proposed. The first of these comprises an addition requiring the mitigation of noise and pollution arising from highway development, having regard to Chapter 8 of the Framework, *"Promoting healthy and safe communities."*
- 107 The second of the proposed changes adds a reference to maintaining green space, an approach in general conformity with Plan:MK Policy CT8 (*"Grid Road Network"*), which amongst other things, seeks to conserve and enhance Milton Keynes' iconic grid road system.
- 108 Related minor changes along with information aimed at improving understanding are proposed to the supporting text and together, the proposed modifications meet the basic conditions. The proposed modifications do not change the nature of the Neighbourhood Plan.

Policy WNP13: Parking Enhancements

- 109 Whilst the proposed modification to Policy WNP13 simply seeks to include an up-to-date reference to disabled parking standards, its wording is imprecise. The Milton Keynes Parking Standards provide detailed guidance for the provision of parking for people with disabilities rather than *"correct levels"* of disabled parking spaces.
- 110 The recommendation below seeks to provide for a more precise modification to WNP13. In this way, the proposed modification meets the basic conditions and does not change the nature of the Neighbourhood Plan.
- 111 I recommend:
- **Policy WNP13, line 10, change to *"All new parking areas should provide disabled parking spaces in accordance with Milton Keynes Parking Standards."***

Policy WNP14: Location of Facilities

- 112 A minor proposed modification to Policy WNP14 removes reference to developments now built-out. This does not change the nature of the Neighbourhood Plan but adds to its clarity.
- 113 Further associated minor changes are proposed to the supporting text and these do not change the nature of the Neighbourhood Plan.

Policy WNP15: Key Links

- 114 A minor proposed modification to Policy WNP14 makes a small change to the name of land at Ortensia Drive. This change adds to the precise nature of the Neighbourhood Plan and does not change its nature.
- 115 Changes are also proposed to the Qualifying Body's Key Commitment in respect of Transport Management. These are minor modifications which clarify and update a statement in respect of the Qualifying Body's aspirations and they do not change the nature of the Neighbourhood Plan.

Policy WNP16: Design Principles

- 116 National planning policy recognises that:

"Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities." (Paragraph 126, the Framework)

- 117 Together, Plan:MK Policies D3 ("*Design of Buildings*") and D5 ("*Amenity and Street Scene*") recognise the importance of good design and support high quality development.

- 118 The proposed modifications to Policy WNP16 (and minor changes to the supporting text) seek to strengthen the Neighbourhood Plan's commitment to good design, having regard to national policy and general conformity with Plan:MK. The proposed changes to the Policy are material but they do not change the nature of the Neighbourhood Plan.

Policy WNP17: Open Space and Leisure

- 119 The proposed modifications to Policy WNP17 seek to ensure that the development of parking maintains the integrity of open space and removes a reference to Tree Preservation Orders that duplicates existing policy.
- 120 The proposed changes add to the clarity of the Neighbourhood Plan and do not change its nature.

Policy WNP18: Sports Ground Enhancements

- 121 Minor proposed modifications to the supporting text to Policy WNP18 are proposed. These changes add clarity and do not change the nature of the Neighbourhood Plan.

Policy WNP19: Infrastructure Delivery

- 122 The proposed modification to Policy WNP19 simply updates the list of target projects for which Section 106 Agreement funds will be prioritised. The update adds to the clarity and precision of the Neighbourhood Plan and does not change its nature.

8. The Neighbourhood Plan: Other Proposed Modifications

123 Further modifications are proposed to the Action Plan, Consultation/Policy Index and Glossary. These are minor modifications that do not change the nature of the Neighbourhood Plan.

124 The recommendations made in this Report will have a subsequent impact on Contents, including Policy, paragraph and page numbering.

125 I recommend:

- **Update the Contents, Policy paragraph and page numbering to take into account the recommendations contained in this Report**

9. Conclusion

126 Taking into account the findings set out and subject to the recommendations made, I find that the Walton Neighbourhood Plan, as modified, meets the basic conditions.

127 Consequently, having regard to national planning guidance¹³, Milton Keynes Council is required to make the modified plan, taking into account the recommendations within this Examiner's Report, within five weeks following its receipt, or such later date as agreed in writing between Walton Community Council and Milton Keynes Council.

Nigel McGurk, August 2022
Erimax – Land, Planning and Communities

¹³ National Planning Guidance. Paragraph: 085a Reference ID: 41-085a-20180222.