

MILTON KEYNES COUNCIL WALTON NEIGHBOURHOOD PLAN REVIEW

Decision Statement – 19 October 2022

Summary

Milton Keynes Council will make the Walton Neighbourhood Plan Review part of the Milton Keynes Council Development Plan on 19th October 2022.

Background

Walton Community Council, as the qualifying body, successfully applied for its area to be designated a Neighbourhood Area, under the Neighbourhood Planning (General) Regulations 2012. The area was designated on 13th January 2015.

The current Walton Neighbourhood Plan was made by the Milton Keynes Council on 11th January 2017.

The Walton Neighbourhood Plan Review was submitted to the Milton Keynes Council for examination in February 2022 and was subsequently publicised for a six-week period, ending on 15th April 2022. All comments received were then passed to the Independent Examiner, Nigel McGurk, who submitted his report on the Plan on 17th August 2022, stating that the plan met relevant basic conditions and requirements, subject to modifications.

Modification of existing neighbourhood plans is governed by Schedule A2 of the Planning and Compulsory Purchase Act 2004 (PCPA). Where it is considered that the modifications contained in the draft plan would not be so significant or substantial as to change the nature of a plan, a referendum is not required. The examiner stated that the modifications to the draft plan would not change the nature of the plan and that the plan should be made with the modifications specified in his report.

Paragraph 14 (3) of Schedule A2 of the PCPA states that *“if the examiner's report recommends that the authority should make the draft plan with the modifications specified in the report, the authority must make the draft plan with those modifications.”* The Council must accept the independent examiner's recommendations, except where there are concerns in relation to breach of any retained EU obligation or Convention rights, or to correct errors. That is not the case here.

This Decision Statement confirms that the modifications proposed by the examiner's report have been accepted (see Table 1). Accordingly, the draft Walton Neighbourhood Plan Review has been amended taking into account these modifications.

Decision

The Council makes the Walton Neighbourhood Plan Review part of the Milton Keynes Council Development Plan, replacing the current 'made' plan. In doing so, the Council is of the opinion that the Walton Neighbourhood Plan Review is compatible with all relevant retained European Union obligations and Convention rights, as incorporated into UK law, and is legally compliant.

Table 1

Examiner's recommendations		Modifications to submission draft Neighbourhood Plan
Para 50	<p>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.</p>	<p>Add title to Plan on Page7 to read “Walton Neighbourhood Area”. Include notation showing that the red line boundary relates to the Neighbourhood Area boundary.</p>
Para 60	<ul style="list-style-type: none"> • Page 2, fifth bullet point, change to “...are <i>fully built out.</i>” Also, Page 5, third bullet point – same change required. • Page 2, penultimate paragraph, first sentence, delete comma 	<p>Amend Page 2, fifth bullet point to read: “Remove any policies that no longer apply because they are fully built out.”</p> <p>Amend Page 2, para 10, third bullet point to read: “Remove any policies that no longer apply because they are fully built out.”</p> <p>Amend page 2, penultimate paragraph to read: “The six Ward Councillors who represent Danesborough & Walton and Monkston wards, have been kept informed of progress.”</p>
Para 61	<ul style="list-style-type: none"> • Para 3, line 2, change to “...build within the <i>Neighbourhood Area</i> and also...of sites in the <i>Neighbourhood Area (the Neighbourhood Area is that area...Gate), over the next ten years.</i>” • Para 5, line 1, change to “...in the <i>Neighbourhood Area</i>. The...within the <i>Neighbourhood Area</i>, including...” • Para 6, line 1, change to “...across the <i>Neighbourhood Area</i> by...” 	<p>Amend para 3 to read: “The Plan will form part of the overall Development Plan for Milton Keynes and will be an important consideration for developers wanting to build within the Neighbourhood Area, and also for Planning Officers at Milton Keynes Council (MKC) when they are determining applications for the development of sites in the Neighbourhood Plan area, (The Plan the Neighbourhood Area is that area covered by the Parish of Walton and administered by WCC. It includes the areas of Browns Wood, Caldecotte, Old Farm Park, Tilbook, Towergate, Walnut Tree, Walton,</p>

	<ul style="list-style-type: none"> • Para 7, line 5, change to “...in the <i>Neighbourhood Area</i>.” • Para 8, line 2, change to “...whole of the <i>Neighbourhood Area</i> and...across the <i>Neighbourhood Area</i>, 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 “<i>Neighbourhood Area</i>.” • Para 10, last bullet point, change to “...railway crossings and <i>Section 106 Agreement requirements</i>.” 	<p>Walton Hall, Walton Park and Wavendon Gate), over the next ten years.”</p> <p>Amend para 5 first two sentences to read: “The document sets out 19 policies to guide development in the Plan Neighbourhood Area. The first nine of these policies are site specific and related to particular areas of land within the Plan Neighbourhood Area, including undeveloped strategic land allocations at Walton Manor and Towergate, and Community Foundation Reserve Sites.”</p> <p>Amend para 6 to read: “These policies will see the delivery of around 500 new homes across the Plan Neighbourhood Area by 2031, with the potential for limited additional homes through windfall development on unallocated sites.”</p> <p>Amend para 7 second sentence to read: “This includes protection for the two community hubs in Walnut Tree so services continue to be provided and can expand, as well as setting out the options for the future development of the seven Community Foundation Reserve Sites in the Plan Neighbourhood Area.”</p> <p>Amend para 8 second and third sentences to read: “These policies cover the whole of the Plan Neighbourhood Area and aim to address important issues raised by the community during consultation on the original and refreshed plans. These policies will shape all future development across the Plan Neighbourhood Area ensuring development fits in with the existing character of the area, which is so important to local residents.”</p> <p>Amend para 10 last bullet point to read: “Review and understand the impact of the South East Milton Keynes Strategic Urban Extension (SEMK) and update policies accordingly. For example, relating to railway crossings and section 106 Agreement requirements.”</p>
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<p>Para 62</p>	<ul style="list-style-type: none"> • Para 24, change to “<i>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.</i>” • Para 25, line 1, change to “...(2018). <i>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...</i>” 	<p>Amend para 24 to read: “The Plan identifies those areas adjacent to the WCC area where sites are allocated by MKC or there is scope for development. The Plan Whilst the Neighbourhood Plan can only address matters within the Neighbourhood Area, WCC will seeks to encourage planners to look at these consider areas in a long term and holistic way and to ensure that the right level of infrastructure and facilities are constructed at the right time. This will In this way, we can seek to ensure that the development we need in to meet Milton Keynes’ wider development needs development we need in to meet Milton Keynes’ wider development needs does not negatively impact the people living in the Plan Neighbourhood Area.”</p> <p>Amend para 25 second and third sentences to read: “The development of this Plan had regard to the policies of these documents to avoid any conflict. Once ‘made’ the Neighbourhood Plan 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 will forms part of the Development Plan for Milton Keynes and will be a material consideration in determining planning applications in the area.”</p>
<p>Para 63</p>	<ul style="list-style-type: none"> • 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... 	<p>Amend Neighbourhood Plan Vision first sentence to read: “By 2026 2031 the WCC area will become an even more attractive place to live and work, close to the city centre and University, supporting Milton Keynes’ character, identity and cultural life.”</p> <p>Delete para 31.</p> <p>Amend last bullet point para 42 to read: “The draft revised Neighbourhood Plan will be was subject to statutory public consultation as required by Regulation 14 of the Neighbourhood Planning (General) Regulations 2012.”</p>

Para 63	<ul style="list-style-type: none"> • Para 52, line 1, change to “...future <i>development protects the significance of...</i>” 	Amend paragraph first sentence para 52 to read: “It is essential that future development will protect and enhance will protect and enhance the significance of the local heritage assets.”
Para 64	<ul style="list-style-type: none"> • Para 67, line 1, change to, “...has been prepared <i>having regard to the NPPF (2021) and in general conformity with the strategic...</i>” • Para 78, line 2, change to “...actions which <i>WCC will seek to work with partners to undertake to help...</i>” 	Amend para 67 to read: “This Neighbourhood Plan has been prepared in conformity with having regard to the NPPF (2021) and in general conformity with the strategic policies in the adopted local development plan (Plan:MK), full details can be found in the Basic Conditions Statement.” Amend para second sentence para 78 to read: “This summarises the key actions which will be undertaken by WCC and will seek to work with partners to undertake to help deliver the Plan as well as setting out how the non-planning issues raised through consultation on the Neighbourhood Plan will be addressed.”
Para 84	<ul style="list-style-type: none"> • Delete Policy WNP5 • Delete Paras 96 to 99, inclusive • Retain the location plan on page 26 and include a new Para 96, “<i>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.</i>” 	Delete Policy WNP5. Delete paras 96 to 99. Include new para 96 to read: “ 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. ”
Para 90	<ul style="list-style-type: none"> • Policy WNP6, change fifth bullet point, to “...<i>railway crossing and applicants should engage with East West Rail Co (or the relevant body) in this regard.</i>” • Policy WNP6, delete last bullet point (“Applicants...the site.”) • Para 100, end para at “...<i>Rail upgrade.</i>” (Delete “Applicants...crossing.”) 	Amend policy WNP6 to read: “Residential, commercial or leisure uses on the Caldecotte site C site will be supported. Development proposals will be expected to adhere to all of the development principles below: • Residential proposals should not exceed 35 dwellings per hectare (net), • Development proposals should safeguard and incorporate the hedgerow frontage to Caldecotte lake Drive into the layout of the development, • Highway access to be taken from a new arm off Water Mill Roundabout – no highway

		<p>access will be permitted directly to Caldecotte Lake Drive, • An enhanced planting buffer to be provided to the railway line boundary to mitigate visual impact, • All proposals should be designed so that they do not preclude the delivery of a preferred solution for a new railway crossing, and applicants should engage with East West Rail Co (or the relevant body) in this regard. ensuring safe transport for motor vehicles, pedestrians and cycle users over the railway line adjacent to the WCC area and to prevent traffic congestion. • Applicants will be required to demonstrate that they have engaged with East West Rail as part of their preparation and submission of an application on the site. Provision of off-street parking to address the current issues on Caldecotte Lake Drive, in addition to parking provision in line with Milton Keynes Council standards to serve the new development, would be supported and should be provided where possible.”</p> <p>Amend para 100 to read: “This site is another part of the land bank owned by MKDP. The site is adjacent to the railway line and is potentially required to facilitate a bridge that will replace the nearby level crossing as part of the East West Rail upgrade. Applicants will be required to demonstrate that they have engaged with East West Rail as part of their preparation and submission of an application on the site. A Planning Statement should identify how the proposal will not preclude the delivery of a new railway crossing.”</p>
Para 94	• Delete Paragraph 108	Delete paragraph 108.
Para 98	• Key commitment, change title to “Assets of Community Value”	Amend heading page 35 to read: “Key commitment - Assets of Community Value”

Para 111	<ul style="list-style-type: none"> • Policy WNP13, line 10, change to “<i>All new parking areas should provide disabled parking spaces in accordance with Milton Keynes Parking Standards.</i>” 	Amend policy WNP13 third para to read: “All new parking areas should provide deliver the correct level of disabled parking spaces in accordance with as per Milton Keynes Parking Standards.”
Para 125	<ul style="list-style-type: none"> • Update the Contents, Policy paragraph and page numbering to take into account the recommendations contained in this Report 	