

# **Walton Neighbourhood Plan**

## **2016-2026**

**Basic Conditions Statement**

**June 2016**

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## **1.0 Basic Conditions Statement - Introduction**

- 1.1 This Basic Conditions Statement has been prepared to accompany the submission of the Walton Neighbourhood Plan to Milton Keynes Council.
- 1.2 It contains four sections which cover the Basic Conditions set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990, as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004.

These Basic Conditions are:

1. *Having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the order (or neighbourhood plan).*
  2. *The making of the order (or neighbourhood plan) contributes to the achievement of sustainable development.*
  3. *The making of the order (or 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).*
  4. *The making of the order (or neighbourhood plan) does not breach, and is otherwise compatible with, EU obligations.*
- 1.3 How the Walton Neighbourhood Plan satisfies each of these Basic Conditions is set out in a separate section of this report. In addition, the first section clarifies how the Neighbourhood Plan satisfies the legislative requirements for how a neighbourhood plan should be prepared.

## **2.0 Legislative requirements**

- 2.1 It is confirmed that the Walton Neighbourhood Plan is being submitted by Walton Community Council, the Parish Council for the designated Plan Area. This Neighbourhood Plan Area was formally approved in accordance with application submitted by Walton Community Council on 13<sup>th</sup> January 2015. They are a qualifying body under the Planning and Compulsory Purchase Act (2004) as amended by the Localism Act S38 A (2).
- 2.2 The submitted Walton Neighbourhood Plan is a neighbourhood plan, as defined by the Localism Act. It sets out policies in relation to the development and use of land in the whole of the area specified in the plan. The policies have been prepared in accordance with the statutory requirements and processes set out in the Town and Country Planning Act 1990 (as amended by the Localism Act 2011) and the Neighbourhood Planning Regulations 2012.
- 2.3 The Walton Neighbourhood Plan is to have effect from May 2016 until 31st March 2026, in line with the existing end date of the adopted Milton Keynes Core Strategy.
- 2.4 It does not contain any policies relating to excluded development, including county matters, such as minerals and waste development, and national infrastructure projects or any other development set out in Section 61K of the Town and Country Planning Act 1990.

### 3.0 Basic Condition 1

**Having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the order (or neighbourhood plan).**

3.1 The following table sets out each of the policies of the Walton Neighbourhood Plan and highlights the elements of national policy, as expressed in the National Planning Policy Framework (NPPF) to which each policy has regard. The table demonstrates that the Walton Neighbourhood Plan has had clear regard to the main elements of national policy.

**Table 1: Policies and their relationship with national policies and guidance**

Policy number	Title	NPPF references	Overview
WNP1	Walton Manor	47, 59, 60, 61, 70	<p>The first six policies of the plan relate to the delivery of land for housing development, helping to meet the needs of the wider area. These policies provide high level design guidance in line with paragraph 59 of the NPPF, providing guidance on key aspects of design without being overly prescriptive.</p> <p>As these sites cover large parts of the Plan area, the policies cover the delivery of key facilities in locations where they are most needed, including local shops, in line with paragraph 70 of the NPPF. They also pick up issues such as key links to encourage sustainable movement, also supported by the NPPF.</p>
WNP2	Towergate		
WNP3	Land at Hewlett Packard		
WNP4	Land at Bergamot Gardens		
WNP5	Land at Hindhead Knoll		
WNP6	Caldecotte 'Site C'		
WNP7	Community Foundation Reserve Sites	47, 48, 69, 70	<p>These sites are existing Local Plan allocations, which have been reserved to deliver unforeseen community uses. The Plan has considered the ongoing need of the sites for community uses and has retained those which are necessary to maintain community hubs, in line with the requirements of the NPPF. Housing would be supported on the other sites which have been deemed surplus to requirements which would help to meet the OAN for Milton Keynes and maintain the windfall delivery rates which MKC builds into its delivery trajectory.</p>
WNP8	Walnut Tree Community Hubs	69, 70	<p>This policy seeks to maintain and enhance the role of the two main</p>

			community hubs in the Plan area. They contain the main day to day services, including shops and health care and are protected in line with paragraphs 69 and 70 of the NPPF which seek to maintain strong neighbourhood centres and seek plans to positively address the need for community facilities in an integrated manner. The policy is also in accordance with paragraph 38 of the NPPF which seeks to develop mixed communities.
WNP9	Caldecotte Lakeside	70, 114	This policy seeks to support the delivery of appropriate community facilities in the location where they are most suitable. It seeks to support the delivery of a facility the community wish to see in an area of need as well as taking a positive, strategic approach to the provision of leisure facilities and enhancing the role of green infrastructure in the area in line with paragraphs 70 and 114 of the NPPF.
WNP10	Housing Infill	47,48, 59	The plan takes a positive approach to shaping residential development on windfall sites across the Plan area. It provides a guide to the principles any development will need to address, which are not overly prescriptive, as required by paragraph 59 of the NPPF.
WNP11	Houses in Multiple Occupation	50, 58	The policy recognises that HiMOs are an increasingly important part of the housing mix across Milton Keynes, which the Plan needs to recognise. The plan provides some basic criteria which need to be followed to ensure future HiMO development does not detract from the attractiveness of the area through poor design and that developments are of high quality in line with paragraph 58 of the NPPF.
WNP12	Grid Road Corridors	30, 33, 58	The policy seeks to maintain one of the defining characteristics of Milton Keynes by ensuring any highway extension through the reserves in the Plan area accord with the long held principles of Milton Keynes. This is in line with paragraph 58 of the NPPF. The policy also seeks to encourage safe

WNP13	Parking Enhancements	30, 47	The policy does not introduce new parking standards for the area, as is envisaged by paragraph 47 of the NPPF. The policy relates more closely to design requirements and improvements to the functionality and safety of the area. The design aspects are in accordance with paragraph 61 of the NPPF which seeks to enhance the connection between people and places. The policy seeks to address points of local congestion, in accordance with paragraph 30 of the NPPF, helping to reduce harmful emissions, in addition to enhancing safety.
WNP14	Location of Facilities	70	The policy seeks to plan positively for new community facilities, in accordance with paragraph 70 of the NPPF which encourages an integrated approach to planning for housing and other community facilities.
WNP15	Key Links	30, 35, 75	The policy seeks to ensure that walking and cycling are viable transport solutions within the plan area by highlighting gaps in local foot/cycle path provision. This is in accordance with paragraphs 30, 35 and 75 of the NPPF.
WNP16	Design Principles	59, 60, 64	The policy sets out high level design principles which any new development will need to adhere to. These requirements are not overly prescriptive, in accordance with paragraph 59 of the NPPF. They seek to reinforce points of local distinctiveness in line with paragraph 60 of the NPPF. Further, the second part of the policy, which sets out that <i>'any new development which does not address key design principles will not be supported'</i> is worded in line with paragraph 64 of the NPPF which sets out that development of poor design, which does not take opportunities to improve local character should be refused.
WNP17	Open Space and Leisure	61, 74	As is set out later in this statement, the policy builds on the existing Local Plan policy which identifies and protects open space across Milton Keynes.

			Limited small scale areas of amenity open space have been identified in the plan where they add to the quality and/or aesthetic value of the green space network, in accordance with paragraph 74 of the NPPF. These areas also have been identified as being important to reinforce the connection between places and the green environment, which is in accordance with paragraph 61 of the NPPF.
WNP18	Sports Ground Enhancements	17, 70	The policy is in accordance with paragraph 70 of the NPPF which seeks to plan positively for the provision of new community facilities, including sports venues. The policy seeks to improve the usability of the existing playing field by enhancing local facilities. This will help reduce the multiple benefits that can be recognised from the space which is one of the Core Principles set out in the NPPF (paragraph 17).
WNP19	Infrastructure Delivery	156, 157	The policy seeks to plan positively for the delivery of strategic infrastructure priorities in the Plan area, in accordance with paragraphs 156 and 157 of the NPPF.



## 4.0 Basic Condition 2

**The making of the order (or neighbourhood plan) contributes to the achievement of sustainable development.**

- 4.1 Paragraph 7 on the NPPF sets out that there are three dimensions to sustainable development – economic, social and environmental. It defines these as follows:

**An economic role** – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places at the right time to support growth and innovation; and by identifying and co-ordinating development requirements, including the provision of infrastructure.

**A social role** – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being.

**An environmental role** – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, limit waste and pollution, and mitigate and adapt to climate change, including moving to a low carbon economy.

- 4.2 The following table sets out how each of the policies of the Neighbourhood Plan contribute to the achievement of sustainable development, as defined by the NPPF.
- 4.3 It sets out whether the individual policies have a positive (+), neutral (0) or negative (-) impact on the achievement of each dimension of sustainability. It then goes on to justify this conclusion and set out any mitigation included in the policy where it has the potential to lead to a negative impact.

Policy number	Title	Social	Economic	Environmental	Commentary and mitigation measures
WNP1	Walton Manor	+	0	0	<p>The policy will help deliver much needed new homes to meet ongoing need. Further the policy seeks to deliver a high quality development and services to meet community needs.</p> <p>The economic impact is neutral. The site is allocated for employment use but MKC policies are in the process of changing this designation to residential, meaning there is no negative impact on the provision of employment land across Milton Keynes, as recognised in the Milton Keynes Employment Land Review (2015).</p> <p>Environmentally, the policy seeks development of a greenfield site, but the site has always been identified for development since the designation of Milton Keynes as a new town. Therefore, the policy does not lead to the loss of additional greenspace. The policy contains criteria which seek to mitigate any environmental loss through the retention of key features, including hedgerows, and by ensuring any new development introduces new areas of planting.</p>
WNP2	Towergate	+	0	0	<p>The policy will help deliver much needed new homes to meet ongoing need. Further the policy seeks to deliver a high quality development and services to meet community needs.</p> <p>The economic impact is neutral. The site is allocated for employment use but MKC policies are in the process of changing this designation to residential, meaning there is no negative impact on the provision of employment land across Milton Keynes, as recognised in the Milton Keynes Employment Land Review (2015).</p> <p>Environmentally, the policy seeks development of a greenfield site, but the site has always been identified for development since the designation of Milton Keynes as a new town. Therefore, the policy does not lead to the loss of additional greenspace. The policy contains criteria which seek to mitigate any environmental loss through the retention of key features, including hedgerows, and by ensuring any new development introduces new areas of planting.</p>

WNP3	Land at Hewlett Packard	+	0	+	<p>The policy will help deliver much needed new homes to meet ongoing need. Further the policy seeks to deliver a high quality development and services to meet community needs.</p> <p>The economic impact is neutral. The site is allocated for employment use but MKC policies are in the process of changing this designation to residential, meaning there is no negative impact on the provision of employment land across Milton Keynes, as recognised in the Milton Keynes Employment Land Review (2015).</p> <p>Environmentally, permitting the development of the site means that the plan does not directly lead to the loss of any greenspace. However, the policy contains criteria to maintain the key environmental characteristics of the site, including the existing tree buffer, which provides an important wildlife habitat and an important green feature in the plan area.</p>
WNP4	Land at Bergamot Gardens	+	0	0	<p>The policy will help deliver much needed new homes to meet ongoing need. Further the policy seeks to deliver a high quality development and services to meet community needs. The economic impact is neutral with the site not leading to any positive or negative impacts on economic factors.</p> <p>Environmentally, it could be considered that the policy has a negative impact given the allocation leads to the loss of land allocated as an allotment. However, the site has remained unused for 23 years since the estate was developed and the allocation puts the site to active use, and mitigates the needs for further greenfield sites elsewhere from being allocated for development.</p>
WNP 5	Land at Hindhead Knoll	0	+	0	<p>The site is an allocated housing site in the MKC Local Plan. Socially, therefore, the policy does not add any significant social benefit.</p> <p>Economically, the policy will ensure that infrastructure, such as much needed parking is maintained as part of any future scheme.</p> <p>Environmentally, the site will see the loss of green fields but these are already allocated for development in the MKC Local Plan. The policy includes wording to ensure that the key green features of the site are maintained, including a range of mature trees.</p>

WNP 6	Caldecotte 'Site C'	+	?	0	<p>The policy will help deliver much needed new homes to meet ongoing need. Further the policy seeks to deliver a high quality development and services to meet community needs.</p> <p>The site leaves the final use of the site open, with the potential for a mixed use development including an element of commercial use which would bring economic benefits. However, as the site is an allocated employment use, if it were to come forward for residential development this would lead to a loss of allocated employment land.</p> <p>Environmentally, again, this site is an allocated development site. Therefore, the plan does not technically lead to the loss of a greenfield site. The policy contains criteria to ensure any future scheme maintains the key green features of the site.</p>
WNP 7	Community Foundation Reserve sites	+	+	0	<p>Socially, the policy will lead to the delivery of additional housing to meet local need. Additionally, although the policy could be considered to reallocate land identified for community use, these sites have remained vacant for a number of years. Also, the release of some land for alternative development could facilitate some community development elsewhere.</p> <p>Economically, the policy seeks to provide certainty for the type of development to be sited on each community reserve site, and as noted above, could help to facilitate the development of additional community facilities through releasing funds from those sites which are proposed for residential development.</p> <p>Environmentally, there are no significant impacts. As noted previously, these are allocated sites in the MKC Local Plan so the plan does not lead to the loss of additional greenfield sites</p>

WNP8	Walnut Tree Community Hubs	+	+	+	<p>Socially, the policy seeks to ensure that the main local centres in the Plan area maintain their role for the local community, providing good quality, accessible services which are capable of expansion to meet future need.</p> <p>In economic terms, the policy recognises that retail and non-community uses could be suitable within the hubs, supplementing their main roles as centres of the community.</p> <p>Environmentally, the policy seeks to ensure services remain focused in the most accessible parts of the Plan area, helping to encourage shared trips and journeys by sustainable modes of transport including by foot, cycle and bus.</p>
WNP9	Caldecotte Lakeside	+	+	+	<p>Socially, the policy aims to provide new facilities for residents of Walton, and the wider Milton Keynes.</p> <p>Economically, these facilities, particularly the water sports centre, have the potential to bring new investment and spend to the local economy.</p> <p>Environmentally, the policy provides protection for the role of Caldecotte Lake as one of the most important green spaces in the Plan area. The inclusion of two small development areas directs development to particular areas, which mitigates against the potential for ad hoc development proposals being prepared which could affect the form and function of the lake.</p>
WNP10	Housing Infill	+	+	+	<p>The policy seeks to encourage small scale housing infill on suitable sites across the Plan area, helping to meet ongoing need. Further, it seeks to deliver a high quality local environment for residents to enjoy, including ensuring homes are built to a high standard.</p> <p>In economic terms, the policy seeks to ensure the delivery of supporting infrastructure to sit alongside new residential development by requiring contributions from any larger projects.</p> <p>Environmentally, the policy links to the protection of the most important open spaces in the Plan area. It also seeks to create an attractive environment which maintains the existing character of the Plan area</p>

WNP11	Houses in Multiple Occupation	+	0	+	<p>The policy recognises that HiMO development is likely to continue to be required to meet ongoing housing need. It seeks to ensure that when HiMOs are developed in Walton they are built to a decent standard for their future occupiers and to protect the amenity of existing residents.</p> <p>Environmentally, the criteria of the policy seek to mitigate any impact new HiMOs may have on local environs, through setting minimum standards for issues such as bin storage and parking.</p>
WNP12	Grid Road Corridors	+	0	+	<p>In social terms, the policy seeks to ensure a safe, high quality environment is created, which facilitates continued sustainable movement patterns in the Plan area. Further, it will ensure that the style of grid road which residents can relate to across Milton Keynes continues to be delivered as the city grows.</p> <p>Environmentally, the policy seeks to protect the historic built environment of Milton Keynes by extending the established grid road system which is synonymous with the city. It protects against this character being lost to inappropriate development passing through the Plan area.</p>
WNP13	Parking Enhancements	+	+	-	<p>The policy will ensure new parking is provided in areas where it is most needed to alleviate existing pinch points. This will help improve community safety as well as improving accessibility to local facilities.</p> <p>Economically, the policy facilitates the provision of much needed infrastructure to support growth in the Plan area.</p> <p>Environmentally, the proposals for new parking would potentially lead to the loss of small areas of greenspace. This is mitigated through the requirement to consider opportunities for combined use of spaces, to recognise the need for greenspaces to be developed, and to consider appropriate surface treatments and design which could limit environmental impact.</p>

WNP14	Location of Facilities	+	+	+	<p>The policy seeks to ensure the delivery of new community facilities in the appropriate locations across the plan area. Linked to the environmental factors below, the policy seeks to concentrate development in areas where they are easily accessible and which encourage shared journeys as well as journeys on foot, helping to improve public health.</p> <p>Economically, the policy positively supports the provision of new facilities and services which potentially will bring new jobs and opportunities to the local area.</p> <p>As referred to above, in environmental terms, the policy encourages the concentration of development and the location of new facilities in areas where they are needed by local residents. This will reduce the need to travel by car and support a reduction in carbon emissions.</p>
WNP15	Key Links	+	0	+	<p>The policy seeks to deliver new footpath and redway links along key desire lines within the Plan area. Socially, this will help to link services residents use on a daily basis.</p> <p>Environmentally, it will encourage journey on foot and cycles helping to cut carbon emissions.</p>
WNP16	Design Principles	+	0	+	<p>The policy will help to create a high quality environment for new and existing residents in the area.</p> <p>Environmentally, the policy encourages new landscaping as part of the key design characteristics, seeking to avoid bland 'hard' landscapes which can appear in new estates. The policy also seeks to ensure the existing built environment in the Plan area is respected, which is important to local residents.</p>
WNP17	Open Space and Leisure	+	+	+	<p>Socially, the policy seeks to maintain the level and quality of open space across the Plan area, providing continued opportunity for residents and visitors to access recreation opportunities.</p> <p>Economically, the policy allows for the delivery of new infrastructure which would enhance the use and functionality of the open spaces. This may bring new jobs and investment to the area.</p>

					Environmentally, the policy seeks to avoid the loss of open green spaces, clearly protecting the identified areas from any non-essential development
WNP18	Sports Ground Enhancements	+	+	+	<p>The policy seeks to enhance existing facilities and recreation areas for the benefit of local residents, bringing social benefits.</p> <p>Economically, the policy will allow some investment in new infrastructure which could bring jobs to the area as well as providing financial contributions which would be used to further enhance sports pitch provision.</p> <p>In environmental terms, the policy sets out clear parameters that will need to be adhered to if there is any new leisure development proposed within sports grounds. These parameters include seeking a net gain in biodiversity, which will have environmental benefits.</p>
WNP19	Infrastructure Delivery	+	+	+	The policy summarises a number of the key pieces of infrastructure that other policies in the plan seek to deliver and encourage. These include projects that will each bring social benefits, through the provision of new, well located facilities, economic benefits through encouraging investment and environmental benefits through easing congestion and encouraging walking and cycling.

4.4 The table demonstrates that the policies of the Neighbourhood Plan contribute to the achievement of sustainability. In particular, the policies will deliver significant social and environmental benefits, which responds to the factors which the local community expressed as being important to them through the various stages of consultation.



**5.0 Basic Condition 3**

**The making of the order (or 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).**

5.1 The table below lists out the strategic policies of the Milton Keynes Development Plan, which incorporates the Local Plan (2005) and the Core Strategy (2013). It sets out how the policies of the Neighbourhood Plan are in general conformity with these policies.

<b>Milton Keynes Development Plan Strategic Policies</b>	<b>How does the WNP conform</b>
<b>Core Strategy</b>	
CS1 – MK development strategy	<p>The plan supports the delivery of new housing and employment in line with the development strategy for Milton Keynes. This includes encouraging suitable infill development and shaping development on emerging allocations being proposed in the Site Allocations Plan DPD, referred to in policy CS1.</p> <p>The Development Strategy is set out visually on the Local Plan Proposals Map. This identifies sites for housing and employment, amongst other uses. As is noted later in this table, the Plan includes policies which support residential development on employment sites. Although this could be considered not to be in general conformity with the strategic policies of the Local Plan, the approach is supported by MKC and reflects the emerging policy position in the site allocations plan (and its evidence base including the Employment Land Study and SHMA).</p>
CS2 – Housing land supply	The Neighbourhood Plan encourages the delivery of new homes to meet ongoing need across Milton Keynes. It has been prepared positively to recognise opportunities for housing delivery.
CS3 – Employment land supply	The Neighbourhood Plan encourages the delivery of small scale employment growth. It could be considered that there is a conflict with the employment land allocations listed in the policy (Walton Manor, Towergate and Caldecotte site 'C'). However, these sites are listed as suitable residential sites in the Site Allocations Plan Preferred Options and the Neighbourhood Plan reflects this, in accordance with the Planning Practice Guidance which sets out that to avoid being out of date Neighbourhood Plans need to reflect emerging strategic plans, including the evidence being used to inform them (Planning Practice Guidance reference ID: 41-009-20160211).

<p>CS5 – Strategic Land Allocation</p>	<p>Policy CS5 does not directly relate to the plan area. However, it has implications as the site is accessed through the Plan area. The policy requires the integration of the urban extension with the existing urban area with its structure and layout based on the principles which have shaped the city, especially the grid road system. Further it requires opportunities to recognise opportunities for sustainable travel patterns and requires links to the surrounding road, redway and grid road network.</p> <p>The policy is supported by a Development Framework SPD which highlights (p31) the potential to extend H10 into the Church Farm site adjacent to the plan area.</p> <p>Further (on page 41) that the preference is for a single carriage way grid road extension through the grid road reserve in the Plan area. On page 42 the provision of a pedestrian crossing over the extended H10 is referred to as part of the overall highway design.</p> <p>The neighbourhood plan picks these requirements up in policy WNP12 where the design of the grid road extension proposed in the Core Strategy and the related SPD is expanded on. Policy WNP17 also specifically identifies the Grid road corridors which need to be protected to allow further expansion of the grid system if necessary.</p>
<p>CS8 – Other areas of change</p>	<p>Policy CS8 sets out that Neighbourhood Plans will identify the specific changes required in their area. The Neighbourhood Plan clearly sets out the scale and scope of change expected in the Plan area in accordance with this policy.</p>
<p>CS10 – Housing</p>	<p>Policy CS10 sets out a number of strategic criteria that housing in Milton Keynes should adhere to. These criteria, including the style and density of housing, and encouraging non-car travel are picked up in various policies throughout the plan.</p>
<p>CS11 – A well connected MK</p>	<p>This policy seeks to encourage the use of sustainable modes of transport including walking and cycling. Improving accessibility to facilities and improving linkages across the Plan area are key themes throughout the Neighbourhood Plan. This includes policies which seek to deliver new redways between key destinations and which locate facilities in accessible areas.</p>
<p>CS12 – Developing successful neighbourhoods</p>	<p>Similar to policy CS11, policy CS12 seeks to encourage well designed neighbourhoods where walking and cycling are prevalent, open spaces are protected and facilities are accessible. The Neighbourhood Plan seeks to ensure the area functions well by improving opportunities to walk between destinations, maintaining and increasing the focus on community hubs and maintaining/improving the role of key open spaces across the Plan area.</p>

CS13 – Ensuring high quality, well designed place	Policy CS13 sets out the strategic approach to ensuring good design across Milton Keynes. The Neighbourhood Plan picks up this requirement by setting out the key design characteristics in the Plan area and seeking to build on these. This includes ensuring buildings are constructed of sympathetic materials and ensuring that the green character of Milton Keynes is built into new developments.
CS15 – Delivering Economic Prosperity Policy	CS15 seeks to support economic growth and prosperity of Milton Keynes by, amongst other things, supporting the training and development of residents, the development of inward investment opportunities and opportunities for leisure developments. The Neighbourhood Plan is in conformity with this policy as it takes a positive approach to development and investment. In particular, it has recognised and supports the delivery of new facilities to enhance the role of Caldecotte Lake as a visitor destination for leisure pursuits, which is in accordance with the Core Strategy policy objective of developing sites for sporting, tourist and cultural events.
CS17 – Improving access to local services and facilities	Policy CS17 seeks to increase access to local services and facilities such as public open space, local centres and recreation facilities. It seeks the co-location of facilities, the maintenance of facilities for community use and improving access for disadvantaged groups. Improving access and the retention/enhancements of facilities are key themes running through the plan. The site based policies include requirements for new facilities where provision is shown to be poor and policies WNP8 and WNP14 seek to maintain the role of local centres as well as improving access to local services and facilities ensuring that community facilities are located in accessible locations.
CS18 – Healthier and Safer communities	Policy CS18 includes a range of measures to improve the safety of the built environment and facilitate opportunities for living healthy lifestyles. Measures included in the Plan to meet these requirements include ensuring crime is ‘designed out’ of new development and ensuring that new routes are planned for redways to enable walking and cycling within the plan area.
CS19 – The historic and natural environment	Policy CS19 sets out a range of criteria against which developments will be assessed to ensure they do not have a negative impact on the built or historic environment. Much of the Plan area is modern and not of historic value, however there are pockets of historic interest across the Plan area and this is acknowledged in the text. The Plan area is characterised by significant areas of good quality open space, and this is acknowledged in policies WNP17 and WNP18. Further, where policies do support an element of development, such as WNP18, Sports Ground Enhancements, the criteria of CS19 are considered with impacts on biodiversity in particular sought to be mitigated.

Local Plan	
S12 – Linear Parks	Policy S12 seeks to protect the main open spaces of Milton Keynes, called linear parks. The Neighbourhood Plan recognise that two of these areas cross the Plan area and maintains this protection. Policy WNP9 Sets out the scope of any development allowed within the linear park at Caldecotte Lake which seeks to enhance the leisure use of the area, in line with the policy exemptions of policy S12.
D1 – Impact of development proposals on locality	Policy D1 sets out the design requirements for new development in Milton Keynes, seeking to ensure development is appropriate for its setting. The policies of the Plan, particularly WNP16, build on this general design policy to set out the specific design features, which characterise the Plan area and which should be respected by future development.
H7 – Housing on unidentified sites	Policy H7 sets out criteria against which housing on windfall sites will be assessed. The Neighbourhood Plan recognises that windfall development may be proposed in the future and though policy WNP10 seeks to set locally specific criteria where such housing infill development will be supported.
H8 – Housing density	Policy H8 sets general density requirements for different zones within the city. The design based policies, as well as the site specific policies of the Plan recognise that Walton lies in an area where the expected density is 35 dph. This density is built into the relevant policies of the plan given it is reflective of the existing character of the area.
T1 – Transport user hierarchy	<p>Policy T1 seeks to put sustainable modes of transport at the top of the transport user hierarchy. This is reflected in the neighbourhood plan through walking and cycling being supported not only in the wording of policies but through the choice of policies themselves, including WNP7 and WNP8 which seek to ensure services are co-located, reducing the need to travel and maximizing opportunities to access them by public transport.</p> <p>Further, the plan seeks to actively enhance walking and cycling routes through seeking the delivery of new and enhanced redway routes as part of new infrastructure across the Plan area.</p>
E1 – Protection of employment land	Policy E1 seeks to protect allocated employment land and existing employment areas from development from other uses. There are three allocated employment sites in the Plan area, Towergate, Walton Manor and Caldecotte Site 'C'. The Plan supports these sites being developed for alternative uses through the provision of design guidance. Although not strictly in conformity with the Local Plan policy, this approach is informed by the emergence of the sites as preferred allocations in the upcoming Site Allocations Plan. The Plan therefore shows the support of the local community for this change and takes the opportunity to shape the future aspirations the community has for the sites.

L2-L3 – Local centres	Policies L2 and L3 seek to support the role of local centres in providing for the day to day needs of local residents. There are two local centres within the Plan area which the Plan seeks to protect from inappropriate development. The policies seek to reinforce the role of centres by ensuring alongside the retail role, they retain a strong community focus, helping to retain them as viable mixed centres.
L1 - Facilities acceptable in the parks system	Policy L1 allows limited amount of leisure development within the parks system provided it is compatible with the open space and leisure function of the parks. The Plan reflects this policy by specifying leisure facilities which will be allowable around Caldecotte Lake (policy WNP9) and within Browns Wood Sports Ground (policy WNP18). The policies contain criteria which ensure that any development occurs sensitively and maintains the character and functionality of the parks.
L2 – Protection of public open space and facilities	<p>Related to policy L1 above, Policy L2 sets out that planning permission will be refused for proposals which involve the loss of areas identified as open space unless certain criteria are met. The Plan, in Figure 2, carries forward all of the open spaces identified on the Local Plan Proposals Map and Policy WNP17 reiterates this protection of open space.</p> <p>Further, areas of amenity open space, identified by the community, are formally allocated in the Plan as open spaces. These amenity areas are already open spaces, protected by policy L2 of the Local Plan – their designation is not formally changed. However, the lack of clarity provided by the non-identification of these sites on the proposals map (where they are washed over by a residential notation – a fact acknowledged in the Local Plan) means it is important that the Neighbourhood Plan clarifies their protection and importance in the local area.</p>
C1 – Location of community facilities	Policy C1 seeks to ensure that community facilities are well located in accessible locations. In the case of non-residential facilities, such as doctors surgeries, the policy sets out that these are best located in town and local centres. The Plan reflects this aspiration by making provision for key community facilities to be located in ‘community hubs’ based around existing local centres. Further, the plan seeks to ensure that sites are retained in appropriate locations for the expansion of community facilities, avoiding their loss for inappropriate non- community uses.

- 5.2 From the table above it can be seen that the Walton Neighbourhood Plan is in general conformity with the Strategic Policies of the Milton Keynes Local Plan (2005) and the Core Strategy (2013).
- 5.3 The one area of potential conflict is the inclusion of policies relating to undeveloped employment sites, which support their development for residential (or mixed use) development. However, this difference is justified by reference to the emerging Site Allocations Plan, being prepared by Milton Keynes Council. The content of the Neighbourhood Plan in this regard is supported by Milton Keynes Council, as set out in their consultation response on the draft plan.
- 5.4 To continue to identify these areas as employment sites would mean that, once made, the Neighbourhood Plan would quickly be out of date and the policies included worthless, given that in the case of a conflict between policies it is the later document to be adopted (which will be the Site Allocations Plan) which takes precedent, as clarified in the Planning Practice Guidance.

## 6.0 Basic Condition 3

**The making of the order (or neighbourhood plan) does not breach, and is otherwise compatible with, EU obligations.**

- 6.1 In producing a Neighbourhood Plan it needs to be considered whether any relevant European Directives require further assessment work to be carried out to support the development of the Plan.
- 6.2 In particular, the Strategic Environmental Assessment Directive (2001/42/EC) and the Habitats Directive (92/43/EEC) are relevant to the development of a Neighbourhood Plan.
- 6.3 These directives require consideration to be given as to whether the Neighbourhood Plan is likely to give rise to significant environmental affects or is likely to impact on any areas of protected habitat.
- 6.4 The process requires the Neighbourhood Pan to be 'screened' to establish if either a SEA or an Appropriate Assessment (AA) (in relation to the Habitats Directive) needs to take place.
- 6.5 Screening of the Plan was undertaken by MKC. A screening report was prepared by MKC (see appendix 1) which establishes that neither SEA or AA are needed for the Neighbourhood Plan.
- 6.6 This process and the conclusion, which is supported by statutory consultees, satisfies the requirements of the European Directives.

**Appendix 1: Strategic Environmental Assessment and Habitats Directive Screening Opinions  
prepared by Milton Keynes Council**



**Walton Neighbourhood Plan**  
**Strategic Environmental Assessment Screening Report**  
**Appropriate Assessment Screening**  
**February 2016**

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

1.5 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 emerging aims of the Neighbourhood Plan relate to maintaining and improving aspects of the existing urban environment, with the potential for small scale in-fill development where appropriate.

**2. Policy context**

2.1 The Milton Keynes Local Plan was formally adopted December 2005. Along with the Core Strategy (see below) the Local Plan provides the statutory land use planning framework for Milton Keynes.

2.2 The Council's Core Strategy was adopted in July 2013. The document contains the vision, objectives and strategic policies for the future of Milton Keynes to 2026, replacing the strategic elements of the Core Strategy.

2.3 Although the Neighbourhood Plan must be in general conformity with the strategic policies of the Local Plan and the Core Strategy, 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.

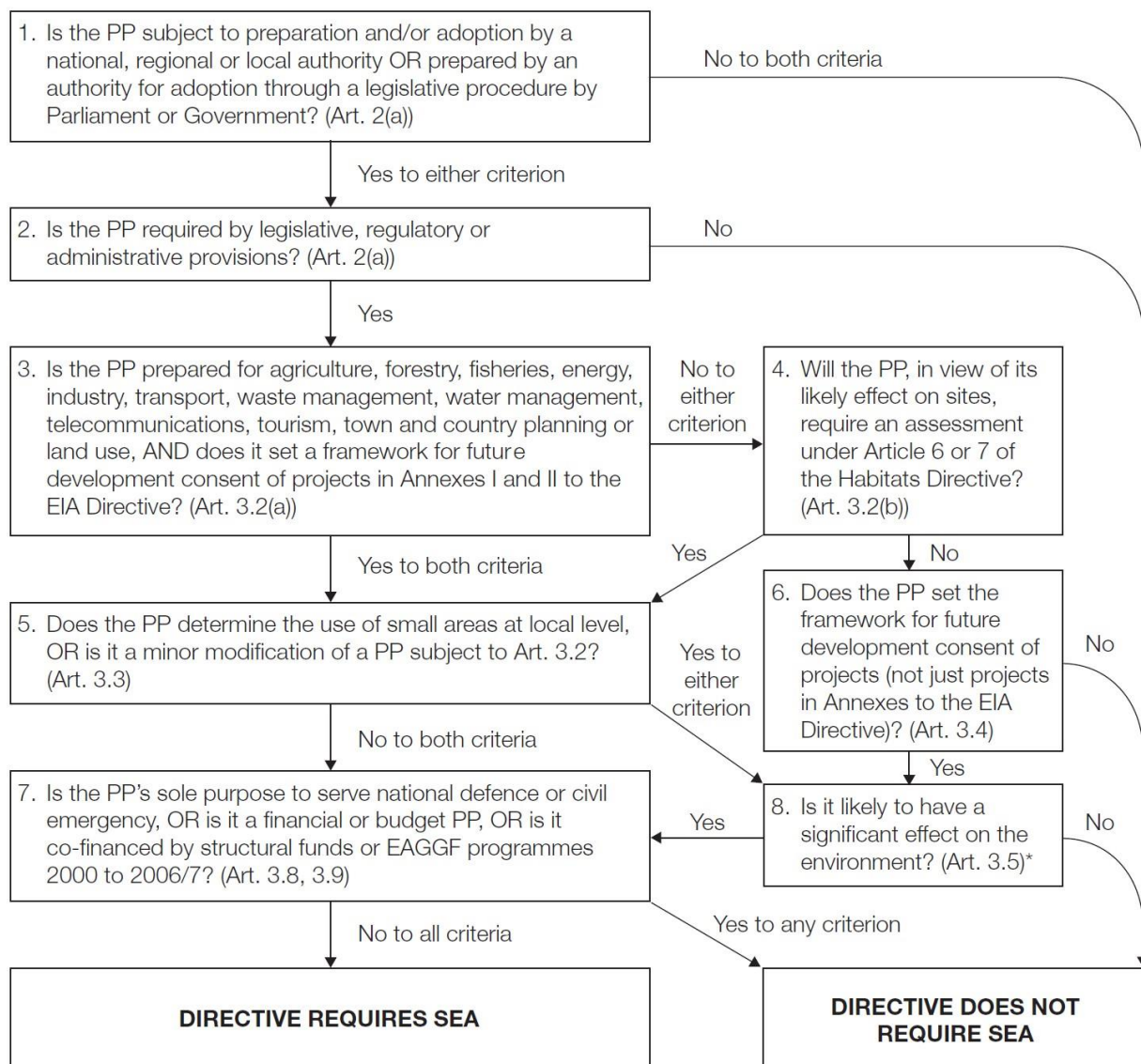
2.4 The Neighbourhood Plan will be subject to public consultation in accordance with the relevant regulations prior to its adoption.

### 3. SEA Screening

3.1 The requirement for a Strategic Environmental 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	The Core Strategy was screened and it was concluded that appropriate assessment was not required. The Neighbourhood Plan must be in general conformity with the Core Strategy and, although it can propose more development, it is unlikely to be significant enough to 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 the environment (e.g. due to accidents)</b>	x	It is unlikely that the nature of any 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 or cultural heritage. The value of the open and green space is something the plan will seek to protect rather than change.
<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. Advice of the Statutory consultees

- 4.1 The advice of Natural England, the Environment Agency and Historic England as statutory consultees was sought on the preparation of this screening report. Replies were received from Natural England and the Environment Agency that confirmed their agreement that SEA is not required for the plan. No response was received from Historic England but, as outlined in Fig. 3, significant effects in respect of heritage are unlikely to occur.

#### 5. SEA Conclusion

- 5.1. Walton Neighbourhood Plan 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 to assess whether SEA needs to be undertaken. The scale of potential development would not strongly suggest that SEA would be required. There are several other factors to support this conclusion.
- 5.2 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 are also unlikely to be felt in an area any wider than the plan area or effect a significant level of population.
- 5.3 Therefore, on balance, it is not considered that a SEA will be required for the Walton Neighbourhood Plan, this is supported by the advice of statutory consultees.

## 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 Core Strategy which itself was screened for Appropriate Assessment. The screening process for the Milton Keynes Core Strategy 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 However, it was determined that there were two sites which could potentially be affected by the Core Strategy, and other Local Development Documents, due to the pathway provided by the River Great Ouse (which feeds in to Natura 2000 sites). These sites were:
- **Ouse Washes SPA /SAC-** The SPA designation is due to the site's importance as an internationally important assemblage of birds. The presence of the spined loach (*Cobitis taenia*) – the clear water and abundant macrophytes, is particularly important in the Counter Drain, and a healthy population of spined loach is known to occur
  - **Portholme SAC-** It is the largest surviving traditionally-managed meadow in the UK, with an area of 104 ha of alluvial flood meadow. Supports a small population of fritillary *Fritillaria meleagris*.
- 7.4 As a result of the screening process it was concluded that:
- The impact of the Core Strategy on water flow will not be significant primarily because Milton Keynes already has a comprehensive flood management system in place that has ensured the effective control of water flows, alongside the continued growth of the city. The Core Strategy will include a continuation of this approach which, informed by the emerging Water Cycle Strategy, will ensure continued effective management of the flow of water into the Great Ouse from Milton Keynes.

- The Growth Strategy developed for the city has used flood risk maps as a key constraint to directions for growth. As such, the broad locations for growth to be identified in the Core Strategy are away from flood risk areas, further reducing the potential of the plan to have a significant impact on water flow.
- In combination with other proposals in the wider Milton Keynes/South Midlands area, it is noted that the majority of proposals affect the River Nene Catchment area (in the case of Northampton) and ultimately the Thames for Aylesbury Vale.

7.5 Considering the above factors, it was concluded Appropriate Assessment for the Core Strategy was not required. The full screening report is available from: <http://www.miltonkeynes.gov.uk/planning-policy>

7.6 Since the Appropriate Assessment was undertaken for the Core Strategy, the Upper Nene Valley Gravel Pits have been granted Special Protection Area status. As with the Ouse Washes SPA/SAC and the Portholme SAC, due to the connection with the River Ouse, and development in Milton Keynes could have an impact on the SPA. However, for the same reasons as set out above in paragraph 6.4, it is assessed that any development in Milton Keynes would be unlikely to have a significant affect on the new SPA. Therefore, given that the scope of development in the Walton Neighbourhood Plan is unlikely to extend beyond that of the Milton Keynes Core Strategy, it is concluded that the Nene Valley Gravel Pits SPA is also unlikely to be significantly affected by the Neighbourhood Plan.

## **8. Appropriate Assessment Conclusion**

8.1 Given the role of Neighbourhood Plans and the nature of the emerging Walton Neighbourhood Plan, it is considered that Appropriate Assessment of the plan is not required.

## **9. Contact**

Further information can be obtained from:

Development Plans  
 Planning and Transport  
 Civic Offices  
 1 Saxon Gate East  
 Central Milton Keynes  
 MK9 3EJ

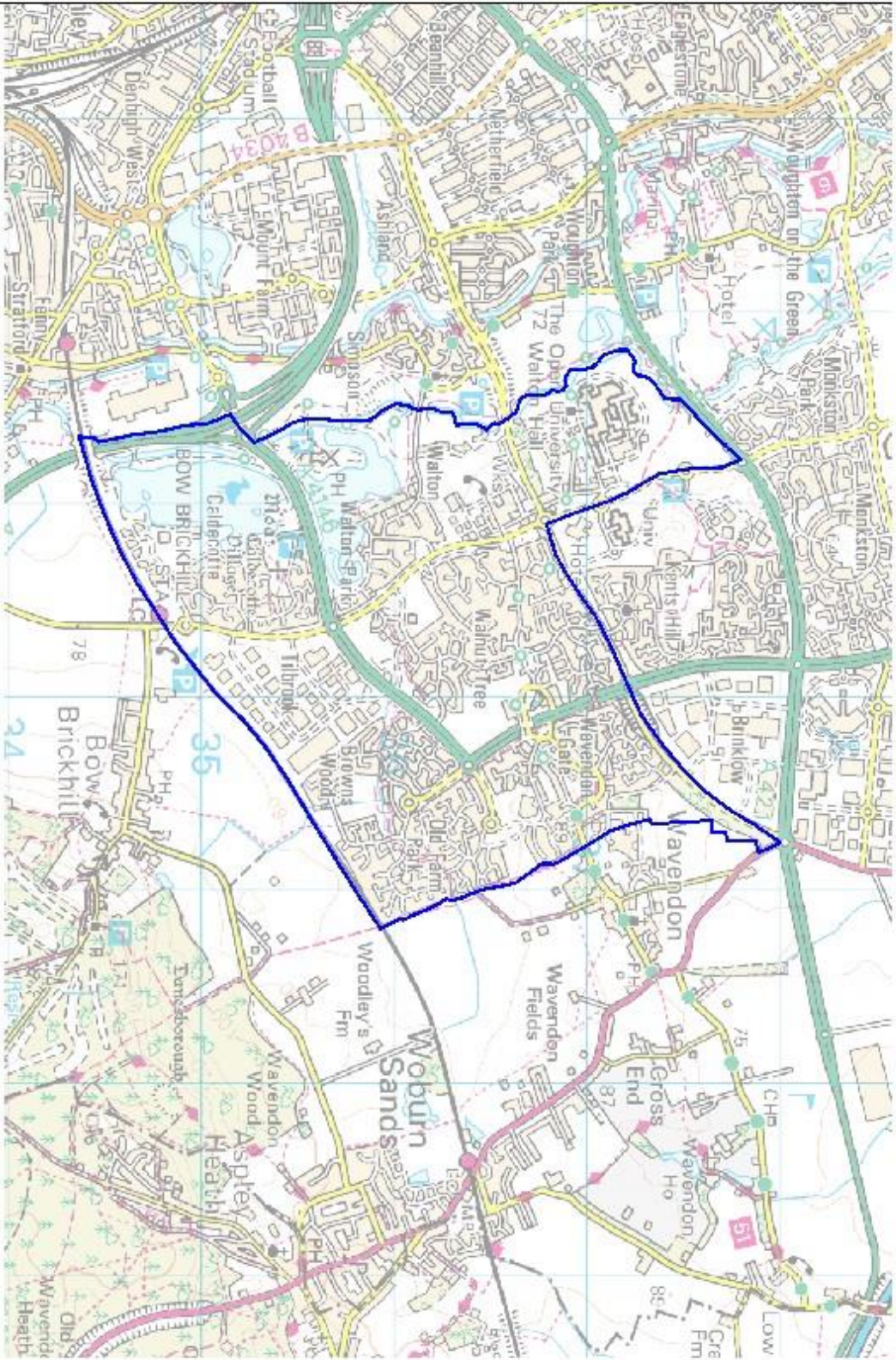
W: [www.miltonkeynes.gov.uk/planning-policy](http://www.miltonkeynes.gov.uk/planning-policy)

T: 01908 252358

E: [development.plans@milton-keynes.gov.uk](mailto:development.plans@milton-keynes.gov.uk)

**Appendix 1 – map of the Walton Neighbourhood Plan designated area**





Walton Proposed Neighbourhood Plan Area

1:25,000

