



# lakes estate

NEIGHBOURHOOD PLAN

## Basic Conditions Statement

Section 8 (2) of Schedule 4B of Town and County  
Planning Act 1990 (as amended)

Proposed Submission Draft

Prepared by  
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on behalf of  
**Bletchley & Fenny Stratford Town Council**

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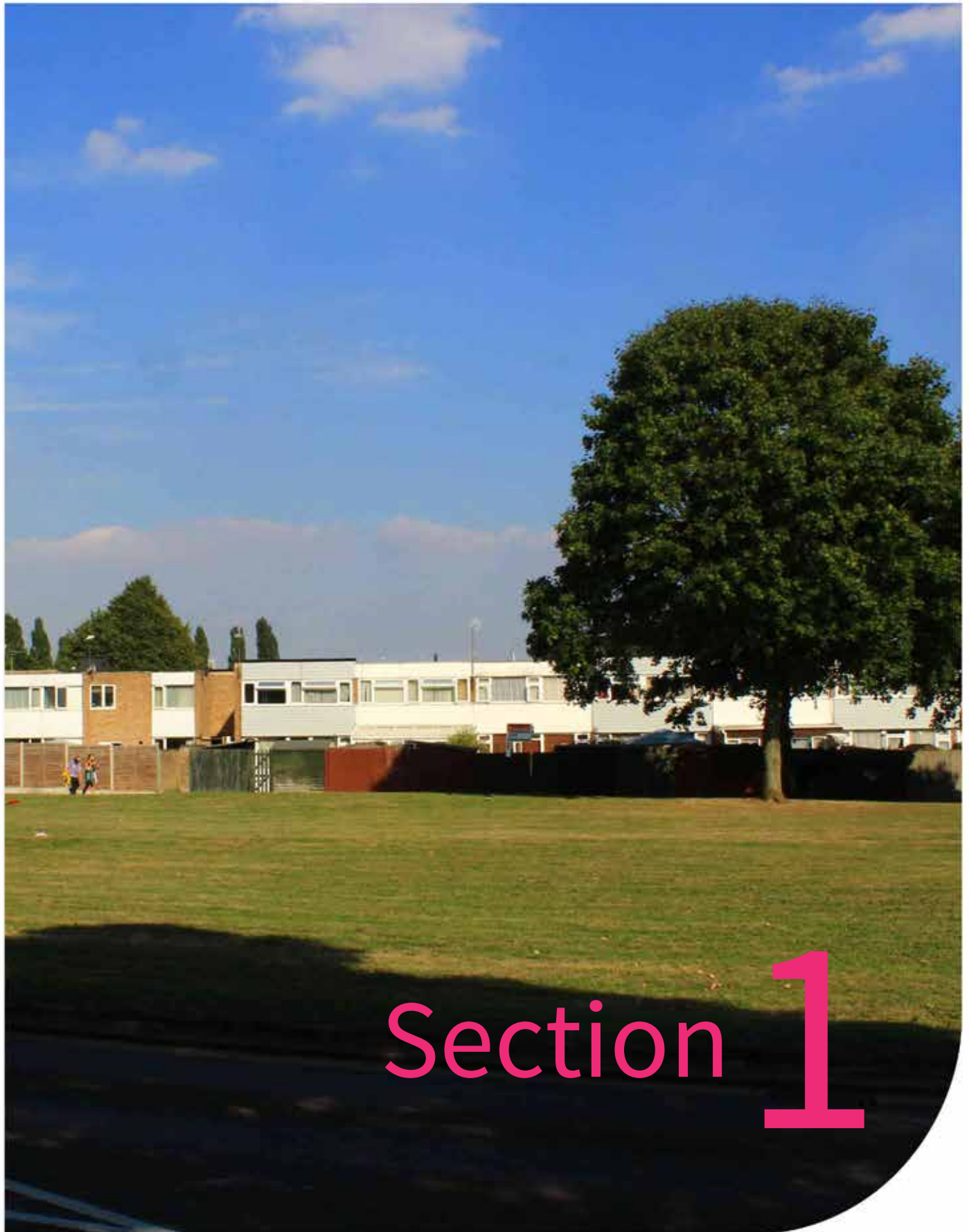




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# 01 Introduction

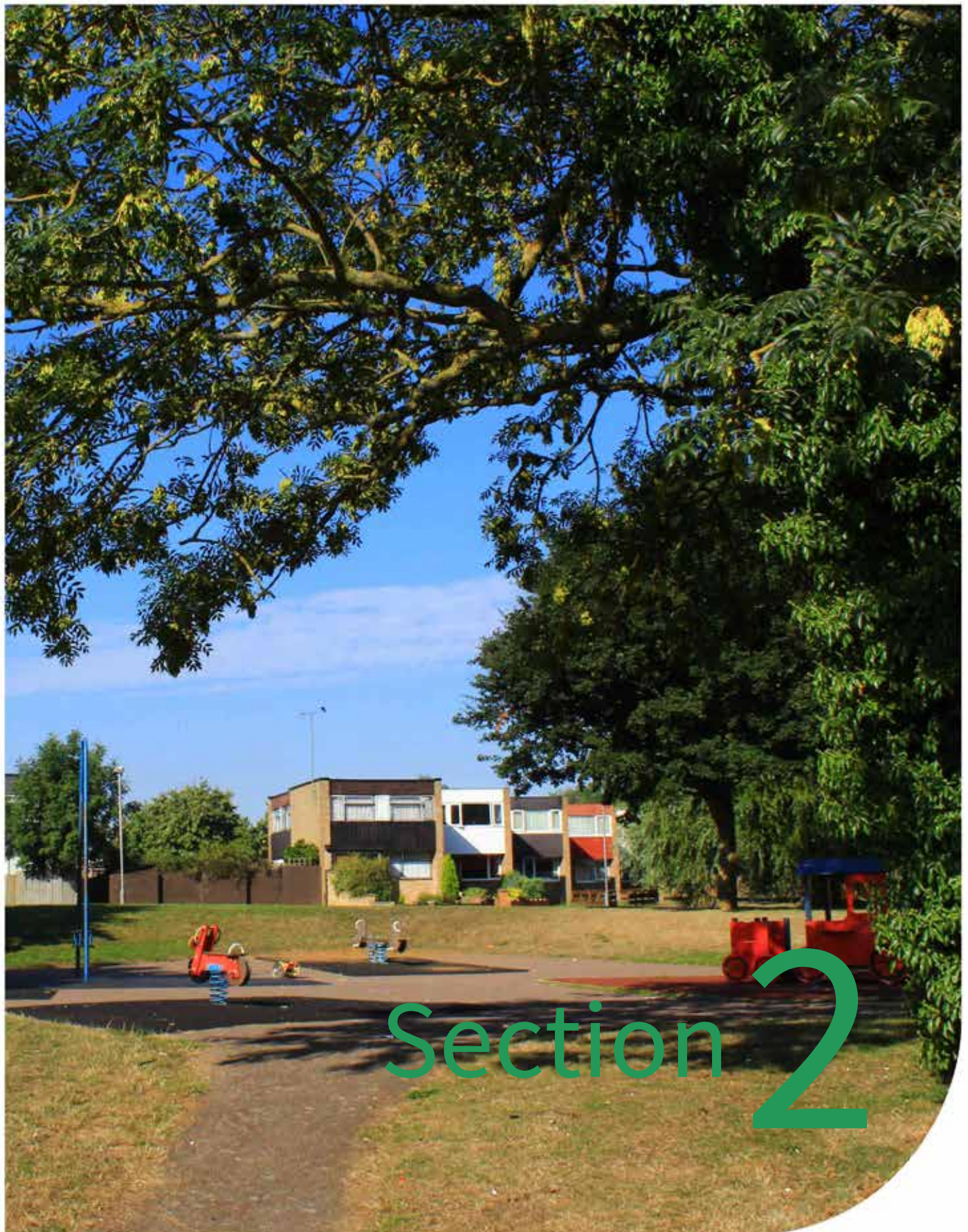
1.1 Under the Localism Act 2011, Milton Keynes Council have designated Bletchley and Fenny Stratford Town Council a qualifying body, and the Lakes Estate a qualifying area for which to prepare a Neighbourhood Development Plan.

1.2 This Basic Conditions Statement has been prepared by David Lock Associates, on behalf of Bletchley and Fenny Stratford Town Council to demonstrate how the proposed Lakes Estate Neighbourhood Development Plan (“The Plan”) meets the requirements of the Town and Country Planning Act 1990 (as amended), in relation to the preparation of a Neighbourhood Development Plan.









## 02 Legislation

2.1 Section 8 (1) of Schedule 4B of the Town and County Planning Act 1990 (as amended) (“The Act”) requires an examiner to consider the following:

- (a) whether the draft neighbourhood development order meets the basic conditions (see sub-paragraph (2)),
- (b) whether the draft order complies with the provision made by or under sections 61E(2), 61J and 61L,
- (d) whether the area for any referendum should extend beyond the neighbourhood area to which the draft order relates, and
- (e) such other matters as may be prescribed.

2.2 Section 8 (2) of Schedule 4B provides a list of basic conditions that Neighbourhood Development Plans must comply with, these are set out below:

- (a) having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the neighbourhood development plan,
- (d) the making of the neighbourhood development plan contributes to the achievement of sustainable development,
- (e) the making of the neighbourhood development 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),
- (f) the making of the neighbourhood development plan does not breach, and is otherwise compatible with, EU obligations, and
- (g) prescribed conditions are met in relation to the neighbourhood development plan and prescribed matters have been complied with in connection with the proposal for the order.

2.3 Section 8 (6) of Schedule 4B states that the “the examiner is not to consider any matter that does not fall within sub-paragraph (1) (apart from considering whether the draft order is compatible with the Convention rights).

2.4 The purpose of this statement is to demonstrate how the Neighbourhood Development Plan meets the basic conditions as required by 1(a) and sub-paragraph 2, (see section 3). However, the statement also demonstrates accordance with the requirements under paragraphs 1(b), (d) and (e).

### Section 8 (1) (b)

2.5 The provision of 61E(2) 61J and 61L as amended by s38C(5)(b) is a reference to the provisions of 38A and 38B.

38 A - Meaning of “neighbourhood development plan”

- 1) Bletchley and Fenny Stratford Town Council are a qualifying body and are therefore entitled to initiate a process to prepare a Neighbourhood Development Plan (NDP).
- 2) The policies contained within the Lakes Estate NDP solely relate to the area designated as the Lakes Estate Neighbourhood Development Plan Area (see appendix 1).
- 3) The NDP satisfies the requirements relating to the published examination and post-examination procedures.



## 38 B - Provision that may be made by neighbourhood development plans

- (1) (a) The period of the NDP is up to 2026, to align with the plan horizon of the recently adopted Milton Keynes Core Strategy.
- (b) The NDP does not include any provision for development that is considered excluded development (development that is defined within Section 61K).
- (c) The NDP does not relate to more than one neighbourhood area; it relates solely to the area designated by Milton Keynes Council on 22 January 2013.
- (2) There is no other NDP in place for this neighbourhood area.
- (3) Refers to conflicts in the NDP and clarifies that in the event of conflict between a NDP Policy and any other statement or information in the plan, the conflict must be resolved in favour of the policy.
- (4) Refers to regulations that the SoS may make relating to NDPs. These regulations are The Neighbourhood Planning (General) Regulations 2012, which are the same that have informed the preparation of the Lakes Estate Neighbourhood Development Plan. The Regulations specify provisions in relation to the procedure for making neighbourhood development plans, which include:
  - details of the consultation bodies (see the Consultation Statement);
  - that NDPs which are likely to have a significant effect on European Sites (Habitats) must be subject

- to an appropriate assessment. The Lakes Estate NDP has been subject to a Strategic Environmental Assessment Screening Report. The recently adopted MKC Core Strategy has undertaken a Habitats Regulations Assessment (HRA). The screening exercise for the Lakes Estate NDP concluded that there are no European sites that would be affected by the proposals and as such it was considered that a Habitat Directive Assessment was not required; and
- that Neighbourhood Development Orders may be subject to an Environmental Impact Assessment (not relevant for NDPs).
- 5) Refers to the publication of NDPs.  
6) Clarifies what is excluded development.  
Section 8 (1) (d)

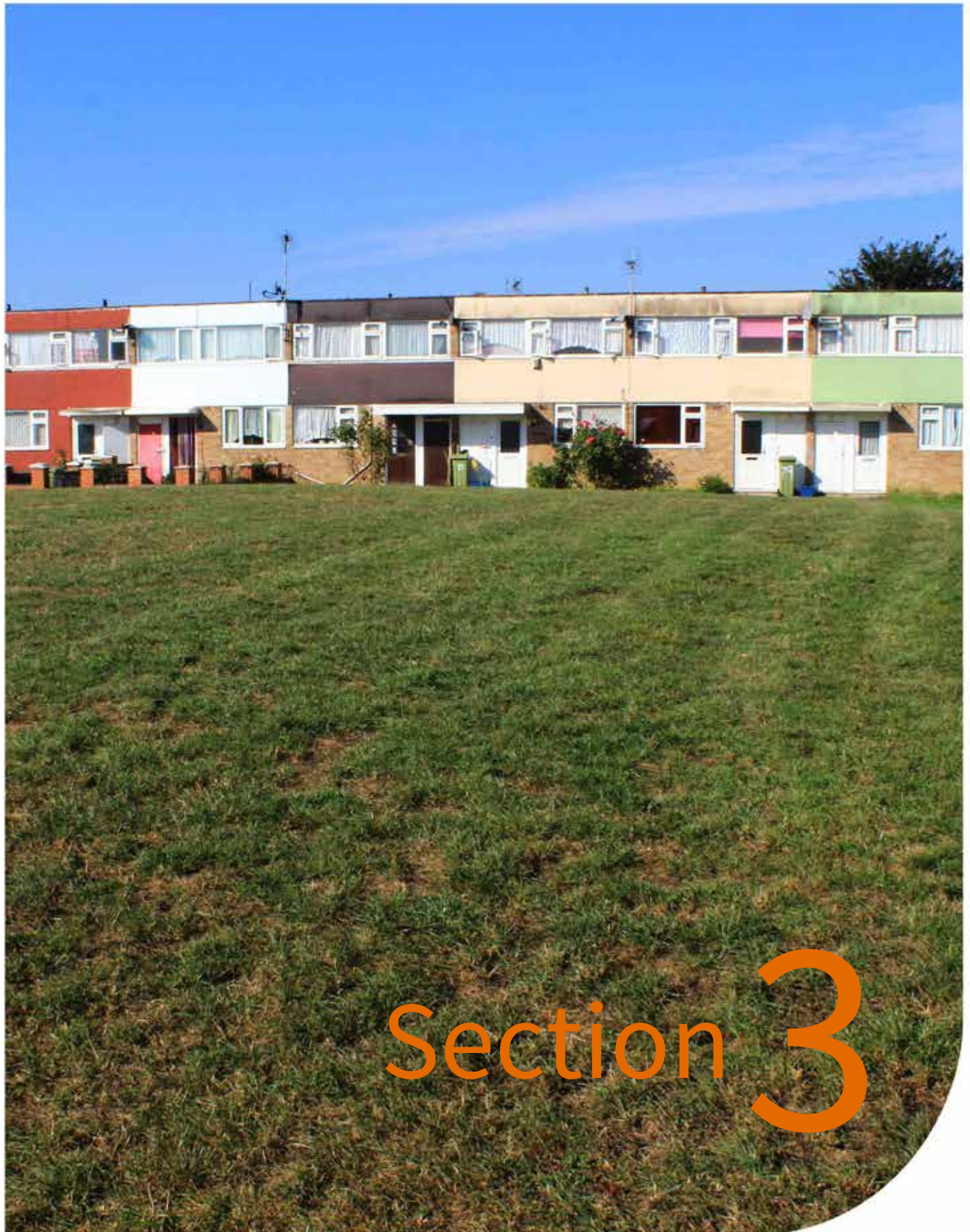
2.6 The NDP area was revised in 22 January 2013 to include those properties along the Stoke/Drayton Road at the north eastern tip of the plan area, following a decision made by the local community that this approach would ensure better cohesion between the Lakes Estate and the adjacent community of Water Eaton. There is not considered to be any justifiable reason, nor merit to extend the referendum area further beyond the designated NDP area.

### Section 8 (1) (e)

2.7 There are no other prescribed matters of relevance to this document.









## 03 Basic Conditions

### National Policies and Advice

3.1 This section will demonstrate that the Lakes Estate Neighbourhood Development Plan, the “Plan” has had regard to national policies and advice as required by Section 8 (2) of Schedule 4B a) of “The Act”.

3.2 Paragraph 183-185 of the National Planning Policy Framework (NPPF) relates to Neighbourhood Plans. Paragraph 183 sets out the mechanisms through which neighbourhood planning can provide communities with the power to shape their neighbourhood through the delivery of sustainable development.

3.3 Paragraph 184 requires the ambitions of the neighbourhood to be aligned with the strategic needs and priorities of the wider local area, requiring Neighbourhood Plans to be in general conformity with the strategic policies of the Local Plan. Of note is the distinction between the legal requirement as set out in “The Act”, which requires general conformity with the Development Plan.

3.4 The NPPF provides 12 core planning principles that should underpin plan making and decision taking. Those of relevance to the “The Plan” are summarised below, alongside a commentary of the Plan’s conformity with them.



Core Planning Principle	Conformity of Plan
Plan-led system, empowering local people to shape their surroundings, with succinct local and neighbourhood plans setting out a positive vision for the future of the area. Plans should be kept up to date, and be based on joint working and co-operation to address larger than local issues.	The Plan is a product of lengthy consultation with the local community and stakeholders and will enable the residents of the Lakes Estate to have a strong influence over the future of their neighbourhood. The policies contained within the Plan have been shaped by the responses of the community and local stakeholders to initial ideas so as to ensure that future development is appropriate and has a positive impact on the area.
Sustainable economic development to deliver homes, businesses, infrastructure and local places. Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, responding positively to wider opportunities for growth and taking into account the needs of the residential and business communities.	The Plan has the potential to deliver positive change to the Lakes Estate, in line with the needs and aspirations of the local community. The Plan proposes delivery of additional housing, supported by a new mixed use centre, public realm and landscape improvements, new community facilities and an opportunity for the creation of a new canal gateway for the Estate. As such the Plan will have a positive effect on economic development of the Estate.
High quality design and amenity	The Plan, through its policies, will promote development that responds positively to the unique character and layout of the Estate, integrates with existing development and delivers opportunities to improve and enhance connections both within the Estate and to the surrounding areas.
Take account of the different roles and character of different areas including promoting the vitality of main urban areas and recognising the intrinsic character and beauty of the countryside.	The Plan seeks to deliver a new local centre for the Estate, to accommodate displaced residential and commercial units and to offer a level of retail, commercial and community provision appropriate to support the day to day needs of the residents. The development opportunity areas have been influenced by the landscape context and topographical features of the site. The Plan considers ways to retain and enhance areas of valued pedestrian routes and open space, taking into account the established physical features within the site.
Support the transition to a low carbon future.	The Plan supports the principles of sustainable development, including to maximise the potential for walking, cycling and public transport and thereby to minimise the development's carbon footprint. Furthermore, all new buildings will be built to at least current day building regulation standards and thereby remove the current challenge of how to satisfactorily insulate 40 year old buildings which were intrinsically poorly constructed.
Contribute to conserving and enhancing the natural environment.	The Milton Keynes Core Strategy and more recent discussions with statutory consultees has established that there are no high level constraints to the development within the NDP area. The development identified within the Plan will respect the local topography and offers the potential to enhance the natural environment.
Promote mixed use developments	The Plan promotes a new mixed use centre for the Lakes Estate and encourages the delivery of residential, commercial, retail and community opportunities.
Manage growth to make the fullest use of sustainable modes of transport and focus development in sustainable locations	The facilitation of new commercial, retail and community opportunities in the centre of the Plan area will serve to encourage further pedestrian trips along the enhanced footpath routes. Furthermore, the NDP supports opportunities to identify improvements to public transport to improve the community's accessibility to a wider range of services and facilities in the surrounding area.
Improve health, social and cultural well being and delivery community and cultural facilities to serve local need.	The Plan demonstrates a commitment to improve the quality and variety of existing open space, play areas, community facilities and services within the Estate. Equally, it identifies new local employment opportunities in the redeveloped Serpentine Court so as to facilitate the possible provision of business start up units.

3.5 The NPPF details specific policy relating to 13 key themes. The following paragraphs assess the development against those themes that are relevant.

## Building a Strong Competitive Economy

3.6 The Government states a commitment to securing sustainable economic growth, paragraph 21 of the NPPF requires that “planning policies should recognise and seek to address potential barriers to investment, including a poor environment or lack of any infrastructure, services or housing”. Neighbourhood Development Plan Core Objective CO3 encourages the provision of small scale commercial uses to support and encourage a local economy.

3.7 Policy GP5: Local Commercial Opportunities supports and encourages new opportunities for small scale employment on the Estate with an aim to encourage flexible employment opportunities for residents of the Estate.

3.8 Policy SSP7 allocates a mix of land uses within a new centre to accommodate displaced commercial units from Serpentine Court and to develop a centre for the Lakes Estate which offers a range of supporting commercial uses, to include opportunities for start-up businesses. Through this policy the Neighbourhood Development Plan will enhance and encourage a local economy and help support the retail elements already established on the Estate.

3.9 Policy SSP8 identifies an opportunity for a public house/restaurant facility adjacent to the canal, responding to demand that could be generated by users of the canal and linear park. Paragraph 22 of the NPPF states:

*“where there is no reasonable prospect of a site being used for allocated employment use, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities”.*

3.10 The Plan recognises that a public house/restaurant use may not come forward in this location and provides a mechanism for such sites to be developed for solely residential use provided that any such application demonstrates that there is no commercial market interest for whole/part of the site.

## Promoting Sustainable Transport

3.11 Paragraph 29 requires the transport system to be “balanced in favour of sustainable transport modes, to give people a real choice about how they travel”. The Plan adopts an approach that favours a transport system balanced in favour of sustainable transport modes. Plan Core Objective CO7 seeks to identify opportunities for public transport to better serve the needs of its local users.

3.12 Policy GP3 concerns the physical integration of new development and requires new development to improve pedestrian and landscape connectivity through appropriate design of the built form. Policy GP4 requires new development to demonstrate ways to improve and enhance footpath connections, to include improvements to surfacing and lighting and to encourage new north-south connections to Water Eaton and east-west connections to Newton Leys. This approach will encourage walking and cycling within the Plan area and as realistic transport mode to access the surrounding areas. A further factor in the delivery of this policy is the fact that the planning permission which facilitated the development of Newton Leys, to the south west of the Plan area, included with it a legal obligation to both ensure that a financial contribution was made to the enhancement of facilities on the Lakes Estate and improve public transport in the area.

## Delivering a Wide Choice of High Quality Homes

3.13 Paragraph 49 of the NPPF notes that housing applications should be considered in the context of the presumption in favour of development. The Plan demonstrates a sustainable approach to development by identifying development opportunities that are sensitive to the environment, supportive of a local economy and help to strengthen a community and social focus.

3.14 Plan Core Objective CO2 seeks to ensure that new development provides a suitable mix of housing types across all tenures, with particular regard to provision of affordable housing to meet the needs of the local community. To achieve this aim, the Plan identifies a number of development opportunity areas, allocated predominately for residential development. Policy GP2 confirms that a design-led approach will be



taken to determining the most appropriate quantum of development within each site. The Plan identifies eight development opportunity areas which will yield a net gain of housing units, taking into account the demolition of Serpentine Court. Milton Keynes Council is not reliant on the delivery of these new homes to meet their housing targets and as such any housing delivered within the Plan area will be duly reported as windfall sites in the Council's monitoring of the successful implementation of its policies.

3.15 The exact mix of housing types, sizes and tenures will be determined through a series of planning applications that follow the production of the development brief and will be considered against the requirements set out in Plan:MK (for the interim, proposals should be considered against saved Local Plan Policy H4 and Affordable Housing SPD. A proportion of dwellings will be of an affordable tenure providing for those in housing need. The precise percentage and tenure mix of affordable housing will be determined and agreed with Milton Keynes Council as part of wider S106 discussions regarding applications that come forward.

## Requiring Good Design

3.16 Paragraph 56 of the NPPF states that:

*“good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making better places for people.”*

3.17 Paragraph 58 makes specific reference to Neighbourhood Development Plans, stating they should:

*“develop robust and comprehensive policies that set out the quality of development that will be expected for the area. Such policies should be based on stated objectives for the future of the area and an understanding and evaluation of its defining characteristics. Planning policies and decisions should aim to ensure that developments:*

- *will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
- *establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit;*

- *optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses (including incorporation of green and other public space as part of developments) and support local facilities and transport networks;*
- *respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation;*
- *create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and*
- *are visually attractive as a result of good architecture and appropriate landscaping.”*

3.18 Plan Core Objective CO1 seeks to ensure that all development responds positively to the unique architectural form and Radburn layout that is integral to the established character of the Estate. CO4 seeks to ensure that layout of new development is accessible and demonstrates opportunities to improve existing footpath connections within the Estate, whilst CO5 seeks to ensure that new development provides safe, secure and well located parking areas and looks at ways to improve access and parking for existing residents.

3.19 The Plan, through its policies and core objectives seeks to reinforce the community's desire that new development is well designed and positively responds to the unique character of the Estate. Central to this is recognition of the successful attributes afforded by a Radburn layout, upon which the Estate is designed, but also an understanding that some of its elements are less conducive to modern living and in some instances can in fact generate conditions that result in negative situations, activities and associations such as fuel poverty, vandalism and fear of crime.

3.20 Policy GP2 and GP3 recognise the importance of good design ensuring a contemporary approach to design that positively responds to the established character of the Estate and improve pedestrian and landscape connectivity, whilst identifying opportunities to improve less successful design elements of the Estate, particularly with regard to public realm improvements. In the context of the pursuit of sustainable forms of development. Policy GP1 and GP3 provides support for innovative and contemporary buildings and spaces that create community focus, which provides a mechanism for developers to pursue a more bespoke and creative design approach where acceptable.

3.21 Eight potential development opportunity areas have been identified by the community in the Plan, the key site design and place shaping principles that will govern the development of these areas are articulated through the individual site specific policies and further explored through illustrative plans. The design criteria have been shaped by rigorous schemes of consultation and both density and capacity testing and provide direction for any schemes coming forward within these identified areas, in relation to use, layout, access points, height and orientation of buildings, parking and footpath connections.

## Promoting Healthy Communities

3.22 Paragraph 69 of the NPPF recognises the role of planning in the promotion of healthy communities, through facilitating social interaction and creating healthy, inclusive communities. Great importance is placed on creation of a shared vision, incorporating community aspirations with regard to residential environment and facilities, through effective engagement and consultation.

3.23 Plan Core Objective CO12 seeks to ensure that meaningful community consultation exercise is undertaken before the submission of any proposal on the Estate to identify relevant and necessary planning obligations that are appropriate to the local area and meet the needs of the local people. This aims is supported through policy GP8 which requires that development proposals demonstrate through Design and Access Statements and Statements of Community Involvement how applicants have positively engaged with the Town Council and local stakeholders and resident groups and adequately demonstrate compliance with the Plan Core Objectives. This will ensure that any development proposals that come forward are planned in such a way that reinforces those characteristics of the Lakes Estate that the community treasures.

3.24 The Plan is a product of seven years of community engagement and consultation with the residents of the Estate, to draw out issues and identify areas of opportunity and improvement within the Estate. The development sites proposed by the Plan have been identified by the local community and their design has been shaped through design workshops and exhibitions, as evidenced in the Consultation Statement that supports the Plan.

3.25 Paragraph 70 requires:

*“positive planning for the provision and use of shared space, community facilities (such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments”.*

3.26 Plan Core Objective CO8 seeks to improve the quality and variety of existing open space, plays areas, community facilities and services within the Estate. Policy GP7 sets out the requirement for new commercial and/or residential development to provide towards community development, either through direct provision of new facilities or through financial contributions. The policy prioritises contributions towards a new community facility for the youth of the Plan area; development of a community transport scheme; enhancement/replacement of street lighting; formalising appropriately located of parking lay-bys; improving and strengthening key landscape and footpath connections; and improving the quality of play areas and equipment at identified locations. Plan Core Objective CO9 seeks to create a new high quality centre that accommodates a mix of uses to cater for essential day to day needs of the residents of the Estate. Policy SSP7 sets out the specific design and use requirements that will govern the form of the new “heart” for the Estate. The policy supports the creation of a new centre as a community focus and to also provide a commercial and business focus of activity that is centrally located and therefore easily accessible from all locations within the Estate.

3.27 Introducing a range of mix of uses within the centre will ensure activity throughout the day and evening, which in turn helps to increase indirect surveillance which will help reduce existing and perceived levels of crime. As part of the detailed design for the centre it is envisaged that the development will make use of well designed security features, including active frontages and overlooked spaces.

3.28 An imperative to improve the network of footpaths and cycle routes including the incorporation of formal and informal open space will encourage activity and healthy lifestyles.

3.29 Paragraph 73 of the NPPF emphasises the contribution that access to high quality open spaces and opportunities for sport and recreation make to the health and wellbeing of communities. Paragraph 74 emphasises the importance placed on open space, sports and recreational buildings and land, stating that these assets should not be built on unless:

- *an assessment has been undertaken which has clearly shown the open space, buildings and land to be surplus to requirements; or*
- *the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or*
- *the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.*

3.30 Almost half of the land within the Plan area is undeveloped green space. The generous proportions of green space and trees are key defining features of the Estate. This is recognised in the saved policies of the Milton Keynes Local Plan. However, in order to encourage inward investment and environmental betterment some areas of open land have been identified by the community as being suitable for development. As part of the community process undertaken as part of the preparation of this document the community have accepted ‘No Development = No Improvements’. Consequently, the loss of some open space is accepted in order to deliver wider gains; such as: much needed better quality housing and opportunities to improve the quality and variety of recreation and children’s play provision within the Estate.

3.31 Paragraph 76 states that local communities should, in part, through Neighbourhood Development Plans, identify for special protection, green areas of particular importance to them. Paragraph 77 requires that Local Green Space designations should only be used where:

- *green space is in reasonably close proximity to the community it serves;*
- *where the green areas is demonstrably special to a local community and holds a particular local significance, for example due to its beauty, historic significance, recreational value (including playing field), tranquillity or richness of wildlife; and*
- *where the green area concerned is local in character and is not an extensive tract or land.*

3.32 Policy GP6 identifies a number of open spaces that have particular significance to the local community, as evidenced through the consultation process, and protects them from inappropriate development through their designation as “Local Green Space”. These areas have been identified particularly for their community and recreational value.

## Meeting the Challenge of Climate Change and Flooding

3.33 The NPPF notes that reductions in greenhouse gas emissions and resilience to climate change can be encouraged through good planning. In considering the location of new development, Lakes Estate NDP has had regard to the need to consider ways in which to reduce greenhouse gas emissions. This imperative is primarily demonstrated in four ways: through a commitment to improve footpath connections within the Estate to include links to the surrounding neighbourhoods (Policy GP4); for proposals to demonstrate how the design and layout of the new centre can be served by existing bus routes (Policy SSP7); for provision of a range of energy efficient buildings that are flexible and can accommodate internal changes in the way they are used (Policy GP1); and for new development to be orientated to maximise solar gain (Policy GP3).

3.34 Paragraph 100 of the NPPF requires that development should be directed away from areas at highest risk of flooding. The allocation of sites for development as identified by the Plan has had regard to flood risk, ensuring that developments avoid flood risk areas.

## Conserving and Enhancing the Natural Environment

3.35 The NPPF places an emphasis on protecting valued landscapes, minimising impacts on biodiversity and preventing unacceptable levels of pollution, and on mitigating impacts where these occur. The Plan has had regard to the NPPF in the allocation of development sites, and seeks to balance the need to protect and enhance the natural environment whilst identifying areas for development and securing funds prioritised towards the delivery of targeted community objectives, as identified in the Plan.

3.36 The Plan also seeks to conserve and enhance other areas of the natural environment through the designation of areas of “Local Green Space”, (policy GP6) preserved for community, recreational and environmental purposes and safeguarded from development that would be contrary to such uses.

3.37 Site Specific Policies SSP2 and SSP8 identify canal side development opportunities and require development proposals to respect and enhance the rural character and appearance of Grand Union Canal but do have the potential. SSP2 promotes sensitively designed canal side development that preserves and where possible enhances, the site’s landscape context. SSP8 identifies a development parcel that maximises the canal edge setting, reinforcing the relationship between the Estate and canal by creating a continuous landscape connection for public enjoyment, amenity and activity.

### **Conserving and Enhancing the Historic Environment**

3.38 The NPPF recognises the contribution that heritage assets make to our knowledge and understanding of the past and the desirability of new development to make a positive contribution to local character and distinctiveness. The Plan area includes only one designated heritage asset, Grade II listed building, Sycamore Farmhouse at the northwestern tip of the Plan area. The Plan recognises the imperative for particular care to be taken when considering proposals for development to the north of the Plan area, to ensure it does not detrimentally impact on the setting of the listed buildings that comprise the historic core of Water Eaton (GP3).

3.39 There are no Conservation Areas, Registered Parks or Gardens, or Scheduled Monuments located within the Plan area.

3.40 Advice from Milton Keynes Council’s Archaeologist has however highlighted the possible need for a watching brief to be undertaken in some of the Plan area to record if any pre-Roman finds are present.

### **Contribution to the Achievement of Sustainable Development**

3.41 This section will demonstrate that the Lakes Estate Neighbourhood Development Plan contributes to the achievement of sustainable development as required by Section 8 (2) of Schedule 4B d) of “The Act”.

3.42 The policies in paragraphs 18-219 of the NPPF, taken as a whole, constitute the Government’s view of what sustainable development in England means in practice for the planning system. Paragraph 7 of that document sets out the three dimensions to sustainable development: economic; social and environmental and explores how the planning system should contribute to the functioning of each by contributing to building a strong, responsive and competitive economy to include the identification of development requirements; to support strong, vibrant and healthy communities by providing a supply of housing to meet present and future needs and to contribute to protecting and enhancing our natural, built and historic environment whilst adapting to climate change and moving to a low carbon economy.

3.43 Paragraph 10 of the NPPF confirms that plans need to take local circumstances into account, so that they respond to the different opportunities for achieving sustainable development. Paragraph 14 states that the presumption in favour of sustainable development should be seen as the golden thread running through both plan-making and decision-taking.

3.44 The Plan contributes to the achievement of sustainable development by seeking positive improvements in the quality of built and natural environment, as well as in people’s quality of life in the following ways:

- identifying development sites to deliver homes to meet the needs of the local community;
- promoting development that responds positively to the character and layout of the Estate and identifies opportunities to improve existing direct routes to the centre of the Estate and create new walking and cycling connections to improve accessibility to a wider range of services and facilities in the surrounding area;
- protecting and enhancing the natural environment through retention and enhancement of areas of valued

open space and pathways, taking into account the established physical features within the site;

- improving the conditions in which people live, work, travel and take leisure; by allocating housing supported by a new mixed use centre, commitment to improve the quality and variety of existing open space, play areas, new community facilities and an opportunity for creation of a new canal gateway for the Estate;
- replacing poor design with better design through the demolition of Serpentine Court and replacement with a new “heart” for the Estate to provide a community, commercial and business focus of activity; and
- contributing to economic development through creation of retail uses to promote local employment opportunities to include provision of business start up units.

3.45 The Plan demonstrates a sustainable approach to development by identifying development opportunities that are sensitive to the environment, supportive of a local economy and help to strengthen a community and social focus.

### **General conformity with the Strategic Policies of the Development Plan for the Area**

3.46 This section will demonstrate that the Lakes Estate Neighbourhood Development Plan is in general conformity with the strategic policies of the development plan for the area as required by Section 8 (2) of Schedule 4B e) of “The Act”. The development plan for the area comprises the Milton Keynes Core Strategy, adopted in July 2013 and saved policies of the Milton Keynes Local Plan 2001-2011, adopted in December 2005. The Core Strategy contains strategic policies and sets the framework for future detailed policies and Neighbourhood Development Plans. It only replaces the strategic policies in the 2005 Local Plan; most of the Local Plan policies are therefore saved. The Council will undertake an early review of the Core Strategy in form of Plan:MK, which aims to be in place in 2015 and will provide strategic planning policy up to at least the year 2031.

3.47 The strategic policies relevant to the Lakes Estate Plan are:

## **Milton Keynes Core Strategy 2013**

### **Policy CS1**

#### **Milton Keynes Development Strategy**

The provision of new homes and jobs will take account of the Settlement Hierarchy, with the majority focused on, and adjacent to, the existing urban area of Milton Keynes, to include selective infill, regeneration and redevelopment opportunities.

In conformity with the requirements of core strategy policy CS1, the Plan allocates development to support the regeneration of the Lakes Estate through the provision of:

- identifying possible infill sites for new homes;
- opportunities for job creation; and
- the provision of advice on how the local centre could be regenerated as part of phased redevelopment programme.

### **Policy CS4**

#### **Retail and Leisure Development**

Planning permission will be granted for additional retail floorspace and other uses appropriate in town centres, subject to the scale of the proposal reflecting the characteristics of the centre within which it is proposed, in accordance with the defined shopping hierarchy (carried forward from the Local Plan, 2005). Local and Village Centres form the fourth tier of the hierarchy and provide convenience shopping and service facilities in order to reduce and minimise car dependency and to ensure ready access by non-car owning households and other people with limited or impaired mobility.

In conformity with the requirements of core strategy policy CS4, Lakes Estate Neighbourhood Development Plan Policy SPP7 sets out a clear policy that:

- supports the provision of retail opportunities as part of a mix of uses that will comprise the new local centre for the Estate to accommodate the essential day to day needs of its residents;
- includes a requirement for built form to be accessible and designed to accommodate wheelchair and pushchair users and those with mobility problems;



- requires proposals to demonstrate how the design and layout of the new centre can be served by existing bus routes; and
- requires provision of a central footpath spine to accommodate direct north-south cyclist and pedestrian movement through the redeveloped local centre.

### Policy CS8

#### Other Areas of Change

The Neighbourhood Regeneration Strategy, was adopted by Milton Keynes Council in December 2008, and provides the framework for change in older housing areas within Milton Keynes. The strategy is based on a community-led approach, therefore development and changes in areas identified by the regeneration strategy will be driven by the views of local people (para 8.4). Milton Keynes Council is not relying on new development in these areas to meet adopted housing targets, but any houses that are delivered will be accounted for in the Annual Monitoring Report (para 8.5).

The central Core Strategy policy that underpins the Regeneration Strategy is CS8. Three areas have been identified for pilot studies; Fishermead, Tinkers Bridge and the Lakes Estate, based on their index of multiple deprivation (2007) and Milton Keynes Social Atlas (2008). Policy CS8 requires, through close work with communities, the preparation of Neighbourhood Action Plans and Neighbourhood Development Plans to identify the specific changes required in these areas (and future study areas) to address the potential need for the following:

1. Physical change – land, buildings and the space between them;
2. Economic improvement – employment opportunities and business activity;
3. Improved human capital – skills, abilities and knowledge of people; and
4. Social capital – community spirit, strength of voluntary and community groups.

In conformity with the requirements of core strategy policy CS8, the Plan provides a framework within which positively planned development can take place that is directly influenced by the residents of the Lakes Estate. The Neighbourhood Development Plan Policies as set out below seek to achieve the following:

- **GP2** - identify land for new housing, commercial and community uses to meet the needs of the local community
- **GP5** - support the creation of new opportunities for small scale, flexible employment opportunities;
- **GP6** - protect land considered to have residential amenity or recreational value;
- **GP7** - identify and support improvements for community and recreation facilities;
- **GP8** - supports continued communication and community engagement to ensure development proposals are compliant with the aspirations of the local community; and
- **SSP7** - supports opportunities to incorporate small start-up commercial units and a community building within a new local centre.





## Policy CS10 Housing

This policy requires that both new and refurbished housing should meet the needs and aspiration of the existing population and of the future residents by the provision of an appropriate range of sizes, values, styles, tenures and densities. Infill development should respect the style and scale of buildings and the mix of dwelling types in the surrounding area. Housing should be energy efficient, so as to minimise the risk of fuel poverty, and development design should encourage access by walking and cycling.

In conformity with the requirements of core strategy policy CS10, the Neighbourhood Development Plan Policies as set out below, seek to achieve the following:

- **GP1** – supports provision of a range of energy efficient buildings which are flexible and respond to people's current and future needs;
- **GP3** - new housing to incorporate a mix of house types and tenures and respects the layout principles and built form of the Estate and improved pedestrian connectivity;
- **LGP5** - support improvements and enhancement of footpath connections;
- **SSP1** – ensure design approach to built form, layout and dwelling density, relates to context of the surrounding area, generally be two storeys in height, however three storeys may be acceptable
- **SSP2** – restricts built form to 4 storeys and integration of footpaths to improve access between Estate and canal;
- **SSP3** – requires bungalows to be included in the dwelling mix, proposals should cater for pedestrian movement;
- **SSP4** – development to be generally two storeys in height, however three storeys may be acceptable, establish new pedestrian link;
- **SSP5** – development to be generally two storeys in height, however three storeys may be acceptable, establish new pedestrian link;
- **SSP6** - development to be generally two storeys in

height, however three storeys may be acceptable, sensitively designed built form to respect bungalows;

- **SSP7** – restricts built form to 4 storeys, seeks a minimum of 195 residential units with a significant proportion to be delivered through blocks of 2 storey housing, implementation of north-south pedestrian corridor and legible and safe pedestrian link to Warren open space;
- **SSP8** - restricts built form to 4 storeys, integration of footpaths to improve access between Estate and canal.

## Policy CS11 A Well connected Milton Keynes

This policy seeks to improve accessibility across the Borough, improved safety and quality of life and a reduction in the Borough's carbon footprint. Measures to secure this, amongst more strategic transport priorities, include: a step change in improvements to public transport; more sustainable transport choices for car owners and information for non-car mode journeys; and encouraging movement by cycling and walking through improvements to Redway network and other paths to include more direct routes, enhanced facilities, improved signage.

In conformity with the requirements of core strategy policy CS11, the Neighbourhood Development Plan Policies as set out below, seek to achieve the following:

- **GP2** - supports proposals that demonstrate a safe, usable, well connected, legible design layout that maximise opportunities to improve the public realm;
- **GP3** - new development should improve pedestrian connectivity;
- **GP5** - support improvements and enhancement of footpath connections, to include improvements to street lighting, resurfacing and surveillance;
- **SSP7** – proposals should demonstrate how the design and layout of the new centre can be served by existing bus routes.



## Policy CS12

### Developing Successful Neighbourhoods

This policy seeks to ensure that new developments and major redevelopments must be designed to support sustainable lifestyles for all to include: creating walkable neighbourhoods and extensions of existing walking and cycling networks; siting day-to-day facilities, including shops, leisure and employment in locations easily accessible on foot, by bike and public transport; creating high quality open spaces in line with MK Open Space Strategy and private amenity space for houses; locating development to maintain and improve current flood risk and air quality standards; encouraging home working; achieving highest standards of design in terms of safety and security; and creating diverse and flexible neighbourhoods that can respond to change overtime, allowing communities to form and grow effectively.

In conformity with the requirements of core strategy policy CS12, the Neighbourhood Development Plan Policies as set out below, seek to achieve the following:

- **GP1** – support flexible buildings which respond to people’s current and future needs, provide a range of community and commercial facilities designed to meet the needs of the whole population, provide local jobs to create opportunities close to where people live;
- **GP2** - supports proposals that demonstrate a safe, usable, well connected, legible design layout that maximise opportunities to improve the public realm;
- **SSP7** – allocates a new centrally located local centre to the Estate to support the community who live and work there, to include community building, opportunities for small start-up commercial units.

## Policy CS15

### Delivering Economic Prosperity

This policy seeks to ‘up skill’ the existing workforce in Milton Keynes through a number of key projects which include training facilities to improve the skills and qualifications of the resident workforce and help sections of the community that are disadvantaged in the labour market.

In conformity with the requirements of core strategy policy CS15, the Neighbourhood Development Plan Policies as set out below, seek to achieve the following:

- **GP5** - support the creation of new opportunities for small scale, flexible employment opportunities; and
- **SSP7** – support small start-up commercial units.

## Policy CS17 Improving access to local services and Facilities

This policy commits to improving access to local services and facilities by: implementing policies that protect public open space, leisure, recreation, sport and community facilities, local centres and village shops, pubs and Post Offices; working with other service providers on the wider use of buildings and co-location of services; seeking alternative community uses for community facilities that are no longer required for their current use; and improving access for the disabled and other disadvantaged groups.

In conformity with the requirements of core strategy policy CS17, the Neighbourhood Development Plan Policies as set out below, seek to achieve the following:

- **GP6** – protects areas of open space that have particular significance to the community from development, through designation as “Local Green Space”; and
- **GP7** - promotes improvements to community and recreation facilities, provides of appropriate access to well located open space and encourages of collective use of community buildings.



### Policy CS19

#### The Historic and Natural Environment

Requires developments to protect and enhance the significance of the Borough's Heritage Assets, through consideration of the character, appearance and setting of sites, buildings, structures, areas, parks and gardens and landscapes that are of historic, architectural, cultural, biodiversity or archaeological significance. Development must also protect and enhance green infrastructure and open space must be provided in line with the Council's standards.

In conformity with the requirements of core strategy policy CS19, the Neighbourhood Development Plan Policies as set out below, seek to achieve the following:

- **GP3** - new development should improve landscape connectivity, particular care should be given to ensure new development at the northern edge of the Plan area does not detrimentally impact on the setting of the listed buildings that comprise the historic core of Water Eaton, to include the single listed building within the Plan area, Sycamore Farmhouse, listed at Grade II ;
- **SPP1 and SSP6** – Site at Skene Close and rear of Water Hall school are close to a known archaeological site at Ruthven Close, therefore prior to commencement, archaeological field evaluation is likely to be required to be carried out;
- **SSP8** - respect and enhancement of the rural character and appearance of the Canal, creation of a valuable area of landscaped open space adjacent to the canal.

### Policy CS21

#### Delivering Infrastructure

The policy requires that new development that generates a demand for infrastructure to support and mitigate its impact is either already in place, or demonstrates a reliable mechanism to ensure it will be delivered in the right place and time in line with the Council's standards. Where appropriate, the Council will permit developers to provide the necessary infrastructure as part of the development proposals, rather than making financial contributions through a s106, or levy.

In conformity with the requirements of core strategy policy CS21, the Neighbourhood Development Plan

Policies as set out below, seek to achieve the following:

- **GP7** – planning applications for new housing or commercial units must demonstrate contribution towards delivery of complementary community development.
- **GP8** - supports continued communication and community engagement to ensure development proposals are compliant with the aspirations of the local community; and
- **SSP7** – requires an implementation and phasing plan to be submitted setting out how redevelopment of the new local centre will be delivered in a phased approach that retains established tenants and occupiers.

Furthermore, the Plan is also supported by a Delivery Strategy that sets out the delivery mechanisms for the policies identified by the Plan, to include the infrastructure requirements that relate to the development opportunity sites. The Delivery Strategy is a 'live' document that will continue to be updated during the life of the Plan.

### Milton Keynes Local Plan 2005

The Local Plan policies as set out below are relevant to the Plan area, as identified on the Proposals Map. The policies relate to housing, development in local centres, nature conservation and protection of open space and community facilities.

### Policy H1

#### Land Allocated for Housing

This policy supports proposals for new housing as identified on the proposals map.

Neighbourhood Development Plan Policies SSP2 and SSP8 propose residential development on land south of Phelps Drive in conformity with the residential allocated identified in the Local plan proposals map.

### Policy H2

#### Priority Housing Requirements

Within the context of the overall housing need, the policy seeks a provision for affordable, supported and housing for older people (bungalows and sheltered homes).

#### Policy H4

##### Affordable Housing: Target and Site Thresholds

The policy sets out the Council's target of securing 30% of new housing as affordable housing from housing developments of at least 25 dwellings, or residential sites of at least 1 hectare, irrespective of the number of dwellings.

As part of the Milton Keynes Core Strategy and the failure of the market to deliver sufficient new affordable homes to meet the needs of the local community, officers were encouraged by the Inspectorate to review the viability of this policy. In March 2013 a new Supplementary Planning Document on Affordable Housing was published and is now used for development management purposes. This seeks, where obligations are appropriate, affordable housing or a financial contribution for it to be provided at a rate of 20% of units for rent in a range up to 80% of open market rents, 5% broadly at social rent and 5% as shared ownership or new build / home buy where 15 or more dwelling units are to be provided.

#### Policy H5

##### Affordable Housing: Site and Market Conditions

The policy states that the proportion of affordable housing that the Council will seek on individual sites may vary depending on site and market conditions, taking into account the site size, suitability and economics of provision and the need to achieve a successful housing development. The policy also confirms that in some instances, an off-site financial contribution towards affordable housing may be sought.

#### Policy H9

##### Housing Mix

The policy requires proposals for 5 or more dwellings to incorporate a range of house sizes and types and will be encouraged to meet the "Lifetime Homes" standard.

In conformity with the requirements of saved local plan policies H2, H4, H5 and H9 the Neighbourhood Development Plan Policies as set out below, seek to achieve the following:

- **GP3** - new residential development should incorporate a mix of house types and tenures; and
- **SSP3** – bungalows should be included in the dwelling mix.

#### Policy H8

##### Housing Density

The policy requires the density of new housing development to be well related to the character and appearance of development in the surrounding area. The policy seeks an average net density of 30 dwellings per hectare within the Plan area.

Neighbourhood Development Plan Policy SSP2 requires proposals to clearly demonstrate a design-led approach to determining the appropriate amount of development, with the exception of redevelopment of the local centre, for which policy SSP7 prescribes a minimum number of units to give an average net density of 37 dph.

#### Policy LC3

##### New development in Local Centres

The policy supports new retail and other facilities in Local Centres, provided that the scale and nature of the proposal is consistent with their role and function as Local Centres.

Neighbourhood Development Plan Policy SSP7 seeks to deliver a mix of community, commercial retail uses as part of the redeveloped "heart" to offer a range of retail and community activities necessary for the day to day needs of the Estate, within the area defined as a local centre on the extant Proposals Map.

#### Policy L2

##### Protection of Public Open Space and Existing Facilities

The policy states that planning permission will be refused for proposals involving the loss of open space used for leisure and recreation, unless alternative provision of at least equivalent size, quality, suitability and convenience is made.

In considering proposals involving the loss of amenity open space, the council will take into account the criteria set out in Appendix L2 of the Plan, furthermore, the loss of amenity open space may be acceptable if it is adequately compensated by proposals for improvements to the quality of landscaping and appearance of amenity space elsewhere in the locality.

Only the larger sites protected by this policy are shown on the Proposals Map, however smaller sites, such as play areas and incidental open space are given equal

protection by this policy. However, it is not intended that policy should preclude infill housing development on appropriate sites where proposals satisfy the criteria listed in Policy L2 and Appendix L2.

In conformity with the requirements of saved local plan policy L2 the Neighbourhood Development Plan Policies as set out below, seek to achieve the following:

- **GP6** – protects areas of open space that have particular significance to the community from development, through designation as “Local Green Space”; and
- **SSP1** – site benefits from extant outline planning permission, through which it was demonstrated that the land formally comprises playing fields that are surplus to requirements.

## Policy C2

### Protection of Community Facilities

The policy seeks to protect community facilities except where there is no longer a need for the facility for any type of community use.

Neighbourhood Development Plan Policy GP7 promotes improvements to community and recreation facilities in conformity with the requirements of saved local plan policy C2.

## EU Obligations

3.48 The planning and Compulsory Purchase Act 2004, requires Local Authorities to produce Sustainability Appraisals (SAs) for all local development documents to meet the requirement of the EU Directive on SEA. Paragraph 180(d) of the 2008 Planning Act and the Town and Country Planning (Local Planning) (England) Regulations 2012 removed the UK legislative requirement for the sustainability appraisal of Supplementary Planning Documents, moreover, the legislation confirmed that Neighbourhood Development Plans are not Development Plan Documents and as such do not require an SA.

3.49 Neighbourhood Development Plans may, however, still require a Strategic Environmental Assessment. In accordance with the provision of the European Directive 2001/42/EC and the Environmental Assessment of Plans and Programme Regulations 2004, a formal request for

a screening opinion was made to Milton Keynes Council, in respect of the preparation of the Neighbourhood Development Plan for the Lakes Estate. The screening request was submitted on 19th September 2013 and was supported by a Screening Report.

3.50 The Report, which was prepared by David Lock Associates on behalf of the Bletchley and Fenny Stratford Town Council, demonstrated that any environmental impacts arising from the Plan are likely to be local and small in scale. Furthermore, there are unlikely to be any significant environmental effects that have not already been addressed through the SA that supports the recently adopted Milton Keynes Core Strategy.

3.51 Milton Keynes Council has formally consulted on the SEA screening request with the three statutory environmental bodies, English Heritage, Environment Agency and Natural England. The Council formally confirmed, following the statutory consultation with the relevant bodies, that the Lakes Estate Neighbourhood Development Plan does not require a full SEA to be undertaken (appendix 2).

3.52 The Milton Keynes Core Strategy had undertaken a Habitats Regulations Assessment (HRA). There are no European sites that would be affected by the proposals as identified within the Plan and therefore is not considered to require an HRA.

3.53 It was consequently concluded that The Lakes Estate Neighbourhood Development Plan is considered to be compatible with EU obligations.









## 04 Conclusion

4.1 Section 8 (2) of Schedule 4B of the Town and County Planning Act 1990 (as amended) provides a list of basic conditions that Neighbourhood Development Plans must comply with. This statement demonstrates that all such conditions have been met by the Lakes Estate Neighbourhood Development Plan.

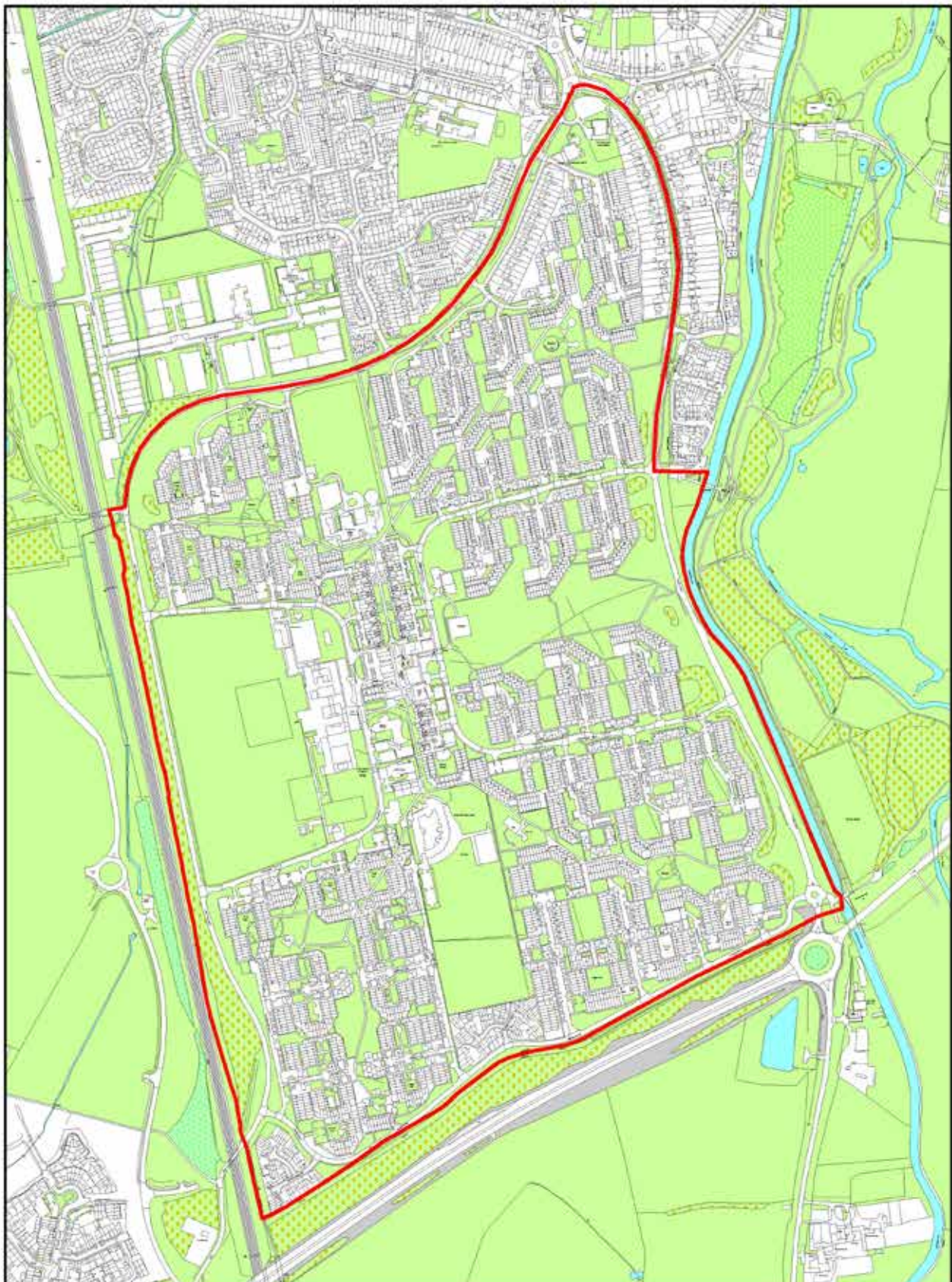






# Appendix 1





# **Lakes Estate, Bletchley, Milton Keynes**



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Milton Keynes Council - 100019593 - 2012

10/10/2012

Ref. 2084



Scale 1: 8,000



# Appendix 2

**LAKES ESTATE NEIGHBOURHOOD PLAN**  
**REQUEST FOR A STRATEGIC ENVIRONMENTAL ASSESSMENT**  
**SCREENING OPINION.**

**Introduction**

Milton Keynes Council has been formally requested by David Lock Associates (DLA) on behalf of their clients Bletchley and Fenny Stratford Town Council (BFSTC) to produce a screening opinion if the plan requires a Strategic Environmental Assessment (SEA).

This report has been produced to determine the need for an SEA in accordance with the provisions of European Directive 2001/42/EC and the Environmental Assessment of Plans and Programmes Regulations 2004.

The screening report from DLA has concluded that any impacts on the environment resulting from the Lakes Estate Neighbourhood Plan are likely to be local and small in scale. DLA has also concluded the Neighbourhood Plan (NP) will supplement the existing adopted and saved policies as set out in the Milton Keynes Core Strategy July 2013, and as such impacts are likely to be covered in the Sustainability Appraisal for the Milton Keynes Core Strategy.

**Details of the proposed development**

No draft neighbourhood plan is available but some pdf copies of the exhibition boards illustrating development proposals on the estate have been produced.

From the exhibition boards essentially what is proposed is:-

**-In existing housing areas**

- Small-Scale, local, in-fill development
- New houses to overlook open space and footpaths and parking.
- Increase/improve parking opportunities for residents
- Improving the quality of open spaces

The demolition and redevelopment of Serpentine Court, an existing block of flats, in a phased manner is likely to feature prominently in the NP.

**-Improve Road/ Path Connections**

- 'Diagonals' routes to centre
- Lighting
- Overlooking
- Maintenance
- Landscape



**-Potential Development Sites**

- In keeping with the existing layout of the estate
- More family housing
- Maximise sunlight/daylight to rooms and gardens
- Keep as many trees as possible

**-Creating a New Heart**

- Local Shops to complement existing
- Create community focus
- A New public square
- Better links between Windermere Drive and Fern Grove
- Keep footpath link between Water Hall and Drayton Park School

**-Improving the Appearance**

- New Gateways
- Creating a link to Canal
- Making the most of landscape connections

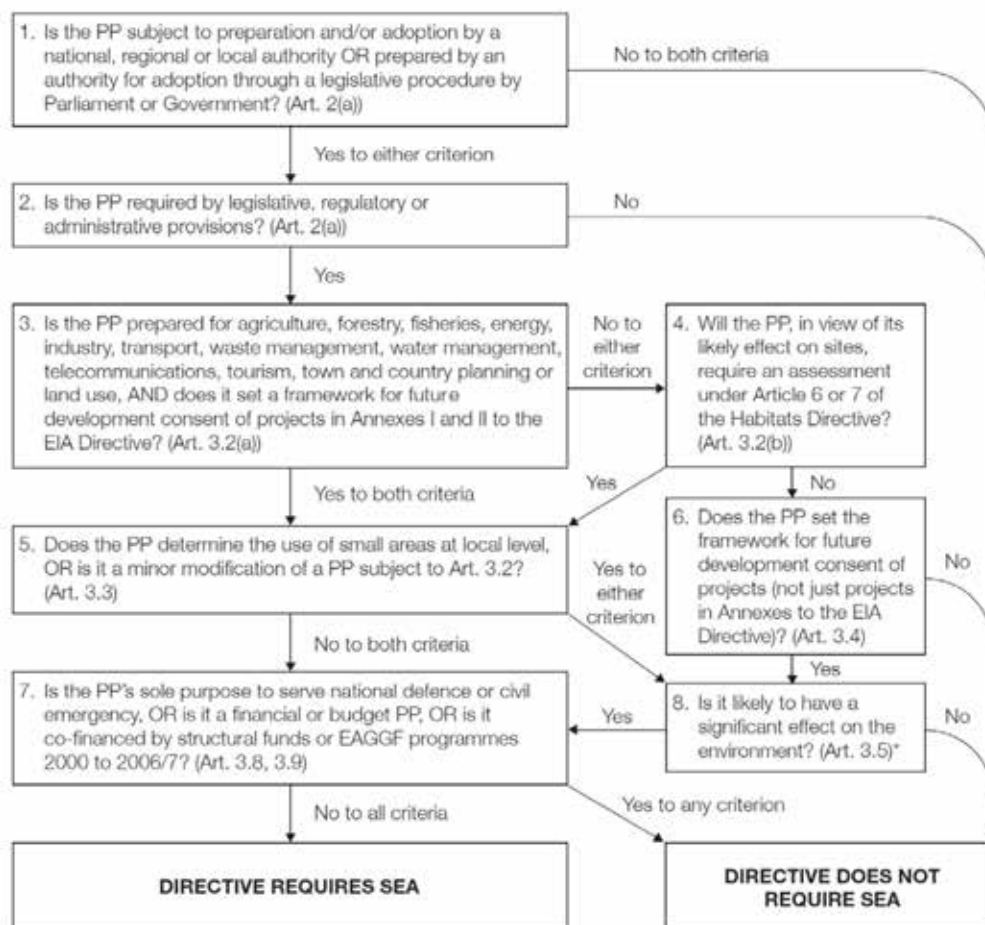
**Response from statutory bodies**

1. Environment Agency: We agree that an SEA is not required for this Neighbourhood Plan.
2. Natural England: Concur with the conclusion that that the Lakes Estate Neighbourhood Plan does not require a full Strategic Environmental Assessment to be undertaken. (Full e-mail in Appendix)
3. English Heritage: Comments refer to the one Grade II listed building (Sycamore Farmhouse) within the area covered by the proposed Neighbourhood Plan. They comment *"The Plan should, in due course, make provision for the retention of this heritage asset and respect for its setting. There may also be non-designated assets within the area, and the relevant Historic Environment Record should be consulted."* They go on to comment *"Neither of the matters we identify above necessitate, in our view, a full Strategic Environmental Assessment of the Plan. English Heritage therefore concurs with the opinion expressed by David Lock Associates insofar, at least, as regards the historic environment, which is the extent of our remit. "*

**SEA Screening**

The requirement for an SEA is set out in the 'Environmental Assessment of Plans and Programmes regulations 2004' Practical guidance on applying European Directive 2001/42/EC is provided in 'A practical guide to the Strategic Environmental Assessment Directive (2005) published by the ODPM.

# **KEY DIAGRAM TO ASSIST IN DETERMINING IF AN SEA IS REQUIRED.**



\*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.



**TABLE 1: ESTABLISHING THE NEED FOR AN SEA FOR THE LAKES ESTATE NEIGHBOURHOOD PLAN.**

STAGE	Y/ N	REASON
1. Is the Neighbourhood Plan (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 or Government? (Art.2(a))	YES	<p>DLA: Following the collection of data, empirical evidence and consultation events, the Plan will be submitted to Milton Keynes Council so a formal referendum can be undertaken before the document is formally adopted.</p> <p>MKC: The plan will be prepared by Bletchley and Fenny Stratford Town Council and adopted by Milton Keynes Council under the provisions of the Localism Act 2011 and the 2012 Neighbourhood Planning Regulations. When adopted the Neighbourhood Plan (NP) will form part of the development plan for the Lakes Estate.</p> <p><b><u>MKC agrees with DLA conclusions on this point.</u></b></p>
2. Is the NP required by legislative, regulatory or administrative provisions? (Art. 2(a))	YES	<p>DLA: The Localism Act and the adopted plans facilitate the production of the Neighbourhood Plan.</p> <p>MKC: 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 of the European Court of Justice ruling in the Case C-567/10 it is considered that this means the NP is 'required'.</p> <p><b><u>MKC agrees with DLA conclusions on this point.</u></b></p>
3. Is the NP prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land	YES	<p>DLA: The document will be created for both town planning and land use purposes. It will set a framework for future development consent of projects which may, in exceptional circumstances, include projects listed in Annexes</p>

<p>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))</p>		<p>1 and 2 of the EIA Directive.</p> <p>MKC: Circular 02/99: Environmental impact assessment Annex A: gives indicative Thresholds and criteria for Identification of Schedule 2 Development Requiring EIA. SEA is mandatory for schedule 1 projects.</p> <p><b><u>MKC agrees with DLA conclusions on this point.</u></b></p>
<p>4. Will the NP, in view of its likely effect on sites, require an assessment for future development under Article 6 or 7 of the Habitats Directive? (Art. 3.2 (b))</p> <p>The Habitats Directive (Council Directive 92/43/EEC of 21 May 1992) requires EU Member States to create a network of protected wildlife areas, known as Natura 2000, across the European Union. This network consists of two types of site Special Areas of Conservation (SACs) and Special Protection Areas (SPAs), established to protect wild birds under the Birds Directive (Council Directive 79/409/EEC of 2 April 1979).</p> <p><u>All terrestrial SACs in England are also Sites of Special Scientific Interest (SSSIs).</u></p>	N/A	<p>DLA: The Neighbourhood Plan, in view of its likely effect on sites in the Lakes Estate has not been determined to require a Habitat Directive Assessment.</p> <p>MKC- Although land along the railway line on the west side of the estate and land on the east side of the estate by the Grand Union canal is designated on the Local Plan (LP) Proposals map as wildlife corridor.</p> <p>There are no Special Areas of Conservation (SACs) under the Habitats Directive and Special Protection Areas (SPA) under the related EC Birds Directive located in or nearby the Lakes estate. The nearest SAC site to Milton Keynes is the Chiltern Beechwoods to the south of MK, which is unlikely to be affected due to its distance from the Lakes Estate and no obvious impact pathways.</p> <p>On the CMK Business Neighbourhood Plan three sites were identified that could potentially be affected due to the gateway between the Upper Nene and the River Great Ouse which feed into Natura 2000 sites.</p> <ul style="list-style-type: none"> <li>• The Upper Nene Valley Gravel Pits SPA</li> </ul>

		<ul style="list-style-type: none"> <li>• Ouse Washes SPA/SAC</li> <li>• Portholme SAC</li> </ul> <p>However, MKC pointed out to Natural England, the Upper Nene is around 35 km from the Lakes in a separate catchment area to MK. Ouse Washes is about 100 km upstream from the Lakes.</p> <p>Natural England concern about the impact of new development (resulting from the adoption of the NP) on water flow is not likely to be significant as MK has a comprehensive flood management system in place controlling water flows.</p> <p>In the case of this NP the Environment Agency (EA) responsible for water has agreed an SEA is not needed for this plan.</p> <p>Natural England has also agreed that an SEA for this plan is not required.</p> <p>The scale of development in the Lakes NP is therefore unlikely to be significant enough to require an assessment under the Habitats Directive.</p> <p><b><u>MKC agrees with DLA conclusions on this point.</u></b></p>
5. Does the NP determine the use of small areas at local level, OR is it a minor modification of a PP subject to Art. 3.2? (Art. 3.3)	YES	<p>DLA: The Neighbourhood Plan will provide guidance on the application of existing plan policies and is therefore a minor modification.</p> <p>MKC: The NP identifies sites for development</p> <p><b><u>MKC agrees with DLA conclusions on this point.</u></b></p>

6. Does the NP set the framework for future development consent of projects (not just projects in annexes to the EIA Directive)? (Art 3.4)	N/A	DLA: N/A  MKC: Although the Neighbourhood Plan does provide a framework for consideration of future development proposals in the area as the NP is part of the development plan, planning permission will still have to be obtained for new development and planning applications will still have to go through the statutory process.
7. Is the NP's sole purpose to serve the national defence or civil emergency, OR is it a financial or budget NP, OR is it co-financed by structural funds or EAGGF programmes 2000 to 2006/7? (Art 3.8, 3.9)	N/A	DLA: N/A  MKC: MKC agrees this is not applicable.
8. Is it likely to have a significant effect on the environment? (Art. 3.5)	NO	DLA: The Directive does not require a SEA.  MKC: Based on the detail above the Council agrees an SEA is unlikely to be needed.

**Table 2: Determining the likely significance of effects**

SEA Directive Annex II: Criteria for determining likely significance of effects referred to in Article 3(5)		
Criteria	✓/×	MKC Comment
<i>The characteristics of plans and programmes, having regard, in particular, to:</i>		
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	✓	The Lakes NP provides a policy framework for the determination of planning applications for future development projects, in terms of location, nature and scale. Once the Neighbourhood Plan has passed examination and its referendums, it will become part of the Development Plan for the area.
1b) The degree to which the plan or programme influences other plans and programmes including those in a hierarchy	✓	The NP will form part of the statutory development plan for MK. It is influenced by the Core Strategy but it could influence the preparation of future local plans for the area such as Plan MK.
1c) The relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting	✓	The achievement of sustainable development in one of the basic conditions that a Neighbourhood Plan must meet. The Neighbourhood Plan aims to deliver sustainable development

<b>sustainable development</b>		by balancing economic growth with environmental and social matters.
<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 Lakes 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>	x	Overall the effects of the plan on SEA topics are unlikely to be significant. Where new development might have a negative effect this will be reasonably long term, although the effect is potentially reversible as redevelopment can occur.
<b>2b) The cumulative nature of the effects</b>	x	<p>The effects of the Neighbourhood Plan needs to be considered alongside the Core Strategy however it is not considered that the Neighbourhood Plan introduces significant additional effects over and above those already considered in the SA for the Core Strategy.</p> <p>While the NP covers an area and sets a framework for development, the NP itself will not result in this development; development of new housing, shops and facilities could come forward with or without the NP.</p> <p>Given that the whole Borough could potentially be covered by Neighbourhood Plans, each promoting policies and development, there could be a significant cumulative impact of multiple Neighbourhood Plans although as plans cannot overlap, their impact would be limited to the area that they cover.</p>
<b>2c) The trans-boundary nature of the effects</b>	✓	Any effects of the development are likely to be local and small scale
<b>2d) The risks to human health or the environment (e.g. due to accidents)</b>	x	The Neighbourhood Plan does not require development to take place; it encourages and sets out policies to guide development.



		Its impact on human health is considered to be limited and it is not likely to have a significant impact on the environment due to accidents. There may be scope to improve human health e.g. if old dwellings are replaced by new dwellings with better insulation.
<b>2e) The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)</b>	✓	The magnitude and spatial extent of the effects (geographical area and size of the population) are likely to be small
<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 includes one listed building, Sycamore Farmhouse a grade 2 listed building. Although nothing is proposed to this building, it may potentially be affected by development proposed within the plan affecting its setting. The area is valuable and vulnerable in this respect.  See subsequent e-mails from Senior Conservation Officer reproduced in the Appendix and views from English Heritage.
<b>2g) The effects on areas or landscapes which have a recognised national, Community or international protection status</b>	×	Milton Keynes has no areas or landscapes with these designations.

### SEA Conclusions

The Lakes Estate Neighbourhood Plan proposes new housing development on the estate together with new shops and facilities, plus additional new roads and footpaths etc. and the demolition and redevelopment of Serpentine Court. The Lakes Estate Neighbourhood Plan will when adopted form part of the Development Plan for Milton Keynes and planning applications for development on the Lakes Estate will be assessed against NP policies and relevant policies in the Development Plan.

Based on the work set out above it is considered that the plan will not have a significant effect on the environment. I therefore, conclude that Lakes Estate Neighbourhood Plan does not need to be subject to a Strategic Environmental Assessment. However, this is a provisional view pending the receipt of final comments from English Heritage.

Michael Moore 1.11.2013

### **Addendum to Conclusions**

The response subsequently received from Martin Small, Historic Environment Planning Adviser (Bucks, Oxon, Berks, Hants, IoW, South Downs and Chichester) at English Heritage on the 6<sup>th</sup> November was to the effect that neither of the matters identified by them (see extract below) necessitated in their view a full Strategic Environmental Assessment of the Plan.

*"According to our records, there is one Grade II listed building (Sycamore Farmhouse) within the area covered by the proposed Neighbourhood Plan. The Plan should, in due course, make provision for the retention of this heritage asset and respect for its setting. There may also be non-designated assets within the area, and the relevant Historic Environment Record should be consulted.*

*However, whilst some form of a sustainability appraisal at a level appropriate for the Plan can be a good way of identifying sustainability issues and potential conflicts, neither of the matters we identify above necessitate, in our view, a full Strategic Environmental Assessment of the Plan. English Heritage therefore concurs with the opinion expressed by David Lock Associates insofar, at least, as regards the historic environment, which is the extent of our remit. "*

Additionally, the views of the Council's Senior Conservation officer have been sought (see comments in Appendix) but he has no further comments to make at this time.

Based on the work set out above and the comments received from English Heritage, it is considered that the plan will not have significant effect on the environment. I therefore, conclude that Lakes Estate Neighbourhood Plan does not need to be subject to a Strategic Environmental Assessment.

Michael Moore 8.1.2013 Final

## **APPENDIX**

### **1. Response of Natural England**

From: Routh, Charles (NE) [mailto:charles.routh@naturalengland.org.uk]  
Sent: 01 November 2013 14:44  
To: Moore, Michael  
Subject: RE: Natural England response on SEA screening opinion in respect of the Lakes Estate Neighbourhood Plan. NE ref: 102208.

Dear Mr Moore, I can confirm on behalf of Natural England that we concur with the conclusion of the SEA namely that that the Lakes Estate Neighbourhood Plan does not require a full Strategic Environmental Assessment to be undertaken.

I attach an associated customer feedback form, which we would appreciate if you would complete and return.

Regards,

Charles Routh  
Lead Adviser, Winchester Land Use Operations Team, Natural England.  
07990 773630

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### **2. REPLY OF SENIOR MKC CONSERVATION OFFICER**

From: Ellison, Martin  
Sent: 02 December 2013 17:27  
To: Moore, Michael  
Cc: Peart, Simon  
Subject: RE: SCREENING OPINION ON THE LAKES ESTATE NEIGHBOURHOOD PLAN

Mike,

I understand from Simon that Nick has already taken a look at the attached and concluded that there are no implications for the built historic environment (as well as – I understand - buried archaeology).

I therefore offer no further comments at this time.

Regards  
Martin

Martin Ellison  
Senior Conservation Officer  
Conservation and Archaeology Team  
Milton Keynes Council  
01908 252501  
martin.ellison@milton-keynes.gov.uk











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Town Planning and Urban Design



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