Milton Keynes City Council
Civic Offices
1 Saxon Gate
East,
Milton Keynes
MK9 3EJ

Our Ref: AE/2026/131356/CS-01/EW1
Date: 26 August 2026

Dear Ian,

Examination of Milton Keynes City Plan 2050 - Matters, Issues and Questions identified by the Inspectors

Thank you for consulting us on the Matters, Issues and Questions raised by the Inspectors. We raised a number of Soundness issues in our response to the Milton Keynes City Plan 2050 – Regulation 19 Proposed submission (our reference AC/2025/133155/01-L01, dated 17 December 2025). Having reviewed the Local Planning Authority's responses to our representations (included within document CD21) and the suggested potential modifications (within document CD28), we would like to update our previous comments in response to the matters, issues and questions detailed below.

Matter 5 - Site Allocations

Site allocations overall

Question 5.6 *Having regard to the risk of flooding, has each of the site allocations passed the sequential approach to site selection? Is this clearly set out in evidence? Has the latest SFRA been used to inform the sequential approach?*

We previously raised concerns that the Level 1 SFRA had not been updated to reflect the most recent fluvial flood risk mapping, and that the Level 2 SFRA had not been completed. Consequently, we proposed that the Plan was unsound as it was not based on proportionate evidence (justified).

We note that the Level 2 SFRA was completed in January 2026 (document CE26) and does include the updated flood mapping. We also note that the updated fluvial flood zones did form part of the site allocations Sequential Test (document CE29). On that basis, we are satisfied that the Local Plan should not be considered to be unsound in relation to this issue.

Policy GS21- Milton Keynes East Strategic Urban Extension

Question 5.109 *Is the policy overall, justified and evidence-based? Is it necessary for soundness?*

We previously stated that this site should be included in the Level 2 SFRA given that it contains an area of fluvial flood risk. We acknowledge the comment from the LPA in response to our representation highlighting that the site has outline planning permission and that the suitability of the site in terms of flood risk was considered as

part of the FRA that accompanied that application.

Matter 9 – The approach to climate, biodiversity, sustainable construction and heritage

Policy CEA5 – Water Efficiency

Question 9.24 *Is the requirement for new residential development to achieve a water efficiency standard of 93 litres per person per day justified by evidence and consistent with national planning policy*?

Water scarcity is a significant environmental challenge facing Milton Keynes. The area covered by this Local Plan lies within an area of serious water stress and future growth must be delivered in a way that protects water resources and the environment whilst allowing homes and businesses to be built sustainably. The Anglian Water Water Resources Management Plan (WRMP) relies on the success of demand management measures across the board to meet environmental obligations and maintain sustainable supplies. Notwithstanding the increased water efficiency target proposed, meeting the challenges of a changing environment and current water demand will still be a challenge for this area.

At the Regulation 19 stage, we welcomed the Council's ambition to go beyond the Building Regulations optional requirement of 110 litres per person per day (l/p/d) but sought additional clarity regarding how the specific figure of 93 l/p/d had been selected. Our concern was not with the principle of enhanced water efficiency. We support necessary ambitious water efficiency standards in areas of serious water stress. Rather, we sought a clearer explanation of the evidence supporting the chosen figure.

In response, Milton Keynes City Council explained that the justification for the 93l/p/d standard is provided through the Integrated Water Management Study (IWMS) and Climate and Environmental Action Topic Paper. The Council also proposed amendments to supporting text which further explain the approach. Having reviewed that evidence and the Council's response, the Environment Agency is satisfied that the policy is justified.

The Shared Standards in Water Efficiency for Local Plans were developed jointly by Anglian Water, Cambridge Water, Essex & Suffolk Water, Affinity Water, Natural England and the Environment Agency. They set out a clear evidence base for stronger water efficiency standards in areas of serious water stress and recognise that local authorities may adopt standards stronger than Building Regulations where supported by local evidence and viability considerations.

The IWMS applies that evidence locally. It identifies that:

- Milton Keynes is served by the Ruthamford Central Water Resource Zone.
- The zone is forecast to experience the highest percentage growth of any water resource zone in England.

- Water efficiency and demand management are essential components of maintaining a sustainable water supply.

- A target of 93 l/p/d is recommended because it delivers a significant improvement over current standards whilst reflecting viability considerations associated with moving directly to 85 l/p/d.

National planning policy supports this approach. The new NPPF confirms that, in areas of serious water stress, local planning authorities may apply more stringent local water efficiency standards where justified by evidence. It also requires plans to take a proactive approach to climate adaptation, including consideration of water supply.

The Environment Agency therefore supports the requirement for new residential development to achieve 93 l/p/d. We consider that the Council has responded appropriately to our Regulation 19 comments and that the evidence demonstrates why this standard has been selected.

Question 9.25 *Are the BREEAM requirements for non-residential developments and the requirements of criterion C of the policy justified by the evidence and viable?*

We support the BREEAM requirements for non-residential development and the wider provisions of criterion C.

At Regulation 19, we recommended greater clarity on how feasibility and viability considerations would be assessed. We also suggested that completion of water efficiency measures should be evidenced through certification.

The Council has responded positively to these points. Proposed modification PM136 provides additional supporting text explaining how viability and feasibility matters will be considered where applicants seek to depart from policy requirements. The Council also confirmed that paragraph 300 of the Plan requires a completion certificate to be submitted to the local planning authority.

The policy is consistent with the Shared Standards in Water Efficiency for Local Plans, which recommend that non-household development aims to achieve full credits within the BREEAM water calculator and secures a minimum of three credits within WAT01.

Having reviewed the Council's response and proposed modifications, we are satisfied that the matters raised through our Regulation 19 representation have been addressed. We therefore consider the BREEAM requirements and criterion C to be justified by the evidence and capable of being delivered in practice.

Question 9.26 *Should the requirement for a completion certificate be included in the policy?*

We note that the requirement for completion certificates are included in the supporting text for the policy. You should be satisfied that this requirement can be enforced and deliver the required assurance that the measures are in place.

Question 9.27 Is there unnecessary repetition in the policy with regard to criteria C1 and C4?

We note the supporting text has been amended.

Policy CEA13 – Sustainable Drainage Systems and integrated flood risk and water management

Question 9.52 *Is Policy CEA13's requirement for proposals to result in measurable change to adopt an integrated approach to managing flood risk justified? Would it be effective if cumulative effects from smaller changes were identified?*

Question 9.54 *Are the proposed changes to Policy CEA13 necessary for soundness?*

We stated in our Regulation 19 response that we did not support the use of the term 'measurable change' within Part A of Policy CEA13. We note and support the changes proposed by the LPA in respect of this issue in Part A point 1 of CEA13 under PM169.

We also welcome the changes proposed under PM170, namely the inclusion of the additional sub-heading to differentiate Part B of the policy, and the clarity that development proposals should demonstrate that capacity is available or can be made available prior to first occupation.

Our previous response also recommended that reference is made to Environment Agency guidance on groundwater protection. We note the additional reference and hyperlink to the Groundwater protection technical guidance proposed for inclusion in paragraph 305 under PM138.

Policy CEA14 – Protecting and enhancing watercourses

Question 9.56 *Is the approach to buffer zones from watercourses justified and supported by evidence? Will it be effective?*

Question 9.57 *Is the Council's suggested modification to Policy CEA14, as set out in Document CD28, necessary for soundness?*

We remain supportive of Policy CEA14 and the protection it affords to watercourses. In our Regulation 19 response we highlighted that the policy should also make specific reference to the requirements of the Water Framework Directive. We therefore welcome the proposed additional reference in the policy to protecting ecological and chemical status (PM171), and the corresponding additional monitoring indicator in Annex M (PM195).

Policy CEA15 - Managing Flood Risk

Question 9.58 *Is Policy CEA15 justified, effective and consistent with national*

policy? Responses should specifically address the following: a) Is criterion B sufficiently clear to decision-makers as to how it will be applied? b) Whether the approach to the sequential test is consistent with national policy insofar as it relates to the site allocations in the plan?

Question 9.59 *Are the Council's proposed modifications to Policy CEA15, as set out in Document CD28, necessary for soundness?*

Our Regulation 19 response highlighted that Section G Point 3 of CEA15 was not in accordance with the NPPF and therefore unsound. We note that changes in line with our comments are proposed by the LPA under point 3 of the FRA section of the revised CEA15 under PM172. We support the proposed modification on this point.

We also proposed further amendments to the policy and welcome the subsequent changes to CEA15 made through PM172, namely:

- the additional references to site-specific FRAs in part A which adds further clarity to the sequential test requirements;
- the reference to nature-based solutions in part C;
- the reference to hydraulic modelling in part D;
- the new part G which highlights that the recommendations from the Level 2 SFRA should be incorporated as site allocations and windfall sites are brought forward;
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- the new part H which highlights that a canal breach should be assessed and the further points added to the FRA section on when a Flood Risk Assessment is required.

Our previous response also recommended that reference is made to requiring the sequential approach to site layout and to the need for safe access and escape routes. We note the additional reference to the PPG guidance on these issues proposed for paragraph 346 under PM164.

We trust that this advice is useful.

Yours sincerely,

[redacted]

Miss Emily Halliwell
Sustainable Places - Planning Advisor

Team e-mail: Planning.Eastanglia@Environment-agency.gov.uk
Team number: 02084 745242