

Newport Pagnell Neighbourhood Plan
Strategic Environmental Assessment Screening Statement
Appropriate Assessment Screening
February 2020

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 Why has a revised screening opinion been prepared?

1.5 A screening opinion for the Newport Pagnell Neighbourhood Plan was previously undertaken in February 2015. Following adoption of the Neighbourhood Plan in June 2016, the Town Council wishes to update the Neighbourhood Plan. The update includes new policies on Local Green Spaces, local heritage assets, and a proposed car museum, but there are no new allocations proposed.

1.6 What is the Neighbourhood Plan trying to achieve?

1.7 The Neighbourhood Area covers the whole of the Newport Pagnell Town Council Area (see Appendix 1), which consists of a town centre, surrounding residential areas, an edge of town industrial estate and a rural hinterland. The town is fairly self-contained with much of the north and south of the town being restricted by flood plain. The aims of the Neighbourhood Plan are wide ranging and revolve around maintaining the vibrancy of the town centre, creating further off-site parking, developing the heritage offer and expanding the facilities, particularly leisure and sporting, in the town.

1.8 The main housing allocation is at Tickford Fields Farm, which could accommodate up to 1,280 homes.

2. Policy context

2.1 Plan:MK was formally adopted March 2019. Plan:MK provides the statutory land use planning framework for Milton Keynes.

2.2 Although the Neighbourhood Plan must be in general conformity with the strategic policies of the Local Plan, 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.

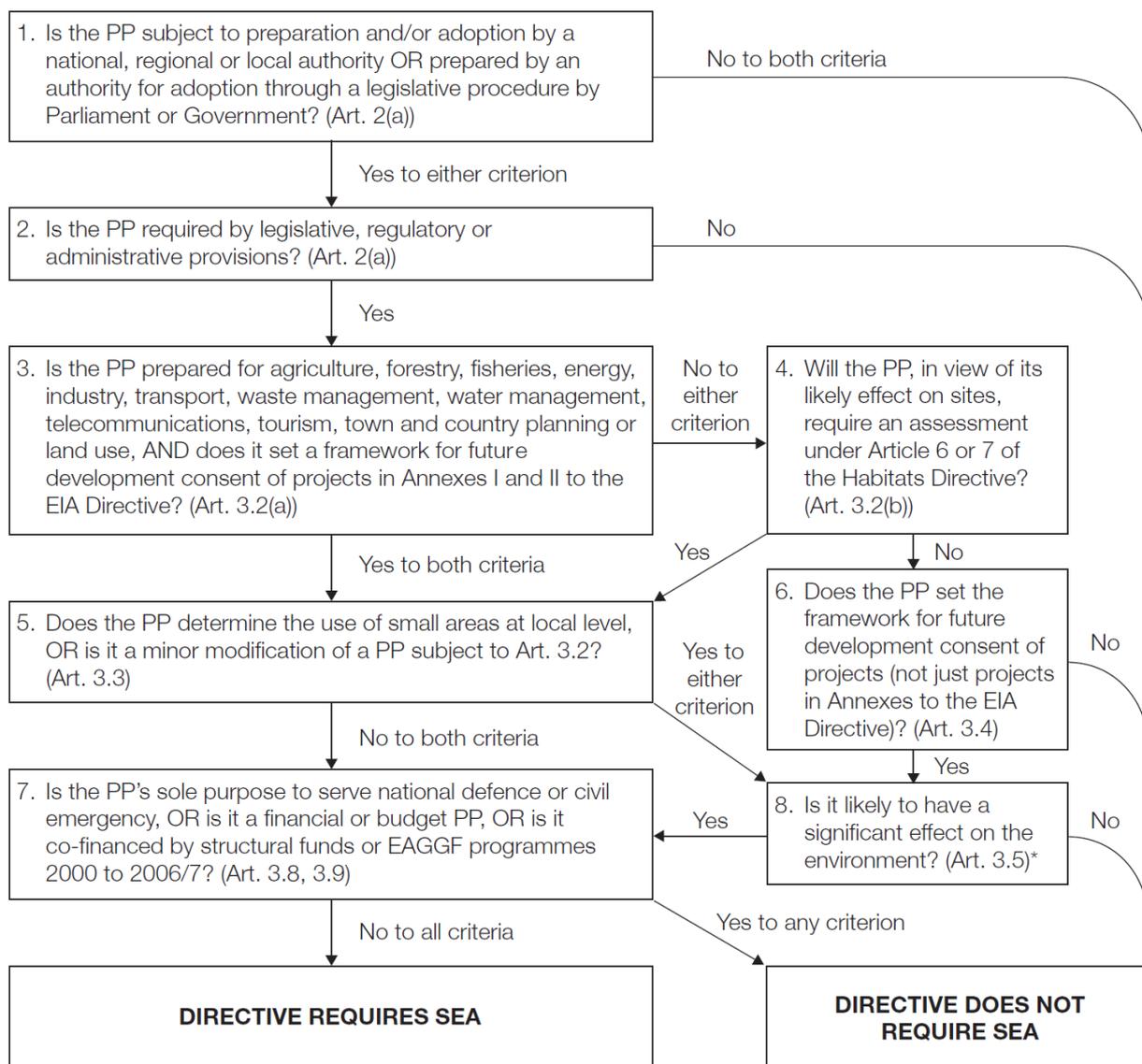
2.3 The Neighbourhood Plan will be subject to public consultation in accordance with the relevant regulations prior to its adoption.

3. SEA Screening

3.1 The requirement for a Strategic Environment 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)¹. 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.

¹ 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
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))	Yes	It will be prepared by the Town Council and adopted by Milton Keynes Council under the 2012 Neighbourhood Planning Regulations.
2. Is the NP required by legislative, regulatory or administrative provisions? (Article 2(a))	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'.
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))	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.
4. Will the plan in view of its likely effect on sites, require an assessment under Article 6 or 7 of the Habitats directive?	No	An Appropriate Assessment has been undertaken for Plan:MK and that has concluded that the local plan will not require assessment under the Habitats Directive.
6. Does the plan set the framework for future development consent of projects?	Yes	The Neighbourhood Plan will provide a framework for future development consent of projects in the area.
8. Is the NP likely to have a significant effect on the environment?	See results of Figure 3:	Determining the likely significance of effects

Figure 3: Determining the likely significance of effects

SEA Directive Annex II: Criteria for determining likely significance of effects referred to in Article 3(5)		
Criteria	✓/x/ ?	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 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 so the scope of the plan to fully influence projects and activities is somewhat limited.
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 with the same status in decision making as development plan documents. As the plan is likely to include significant land allocations, there is scope for future development briefs/masterplans to follow.
1c) The relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development	✓	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.
1d) Environmental problems relevant to the plan or programme	x	It is not considered that there are any particular environmental problems relevant to the plan. The area does contain an area of flood risk, which will be taken into account through the plan making process.
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).	x	The NP is unlikely to be directly relevant in regard to this criterion.
<i>Characteristics of the effects and of the area likely to be affected, having regard, in particular, to:</i>		
2a) The probability, duration, frequency and reversibility of the effects	✓/?	In the case of new land allocations it is highly probable that policies will lead to development that will have an irreversible impact on the green environment. However, the green environment in question is not of a quality to be specially designated (see 2f below). Aside from any new land allocations, any effects of the plan are likely to be reversible, as they will influence the

		general evolution of the townscape, which has been subject to ongoing change over 100s of years.
2b) The cumulative nature of the effects	x	The cumulative impact of the effects of the plan on the environment is not expected to be any greater than the individual parts.
2c) The trans-boundary nature of the effects	x	Any impacts are only likely to be felt by the local area.
2d) The risks to human health or the environment (e.g. due to accidents)	x	It is unlikely that the nature of any development proposed would impact on human health. Any major development is likely to be for housing with opportunities for leisure facilities, which could improve human health, integrated.
2e) The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)	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 effect any population outside the plan area.
2f) The value and vulnerability of the area likely to be affected due to: I. special natural characteristics or cultural heritage, II. exceeded environmental quality standards or limit values III. intensive land-use	✓/?	The NP covers an area which includes a conservation area (town centre). However, any policies will need to be in accordance with higher level plans which should prevent any proposals leading to a negative impact. The plan area also includes areas of flood risk. However any proposals will consider, and avoid, the location of any areas of flood risk, therefore these areas are unlikely to be significantly effected by the plan.
2g) The effects on areas or landscapes which have a recognised national, community or international protection status	x	There are no areas or landscapes with these designations in Milton Keynes.

4. SEA Conclusion

- 4.1 The Newport Pagnell Neighbourhood Plan will provide a planning policy framework to be used when considering planning applications in the Neighbourhood Area.
- 4.2 The Plan area in general is free from any significant environmental designations, with only some areas of flood risk and the conservation area potentially being affected by the plan. Any proposed development is mainly for housing (and related facilities) and not of a nature that is likely to be of detriment to public health. This is in accordance with the adopted Plan:MK which sets out the need for new development in the rural area, including Newport Pagnell. The magnitude of any effects is also unlikely to be felt in an area any wider than the plan area or affect a significant level of population.
- 4.3 The Plan's effects are unlikely to have any significant impacts beyond the Neighbourhood Area and it is considered that overall the plan will not have significant effects on the environment. It is, therefore, concluded that the Newport Pagnell Neighbourhood Plan does not need to be subject to Strategic Environmental Assessment.

5. Consultation on SEA Screening Opinion

5.1 The three statutory bodies for the purposes of SEA Screening are Historic England, the Environment Agency and Natural England. These three bodies were consulted on the draft Screening Opinion and the following comments were received:

Historic England: No response.

Environment Agency: We agree with the conclusions that have been reached.

Natural England: In our review, we note that there are no designated sites or protected landscapes within the parish area. As such, we agree with the conclusions that a SEA or Appropriate Assessment are not required.

Further Recommendations

Natural England would also like to highlight that removal of green space in favour of development may have serious impacts on biodiversity and connected habitat and therefore species ability to adapt to climate change. We recommend that the final neighbourhood plan include:

- Policies around connected Green Infrastructure (GI) within the parish. Elements of GI such as open green space, wild green space, allotments, and green walls and roofs can all be used to create connected habitats suitable for species adaptation to climate change. Green infrastructure also provides multiple benefits for people including recreation, health and well-being, access to nature, opportunities for food growing, and resilience to climate change. Annex A provides examples of Green Infrastructure;
- Policies around Biodiversity Net Gain should propose the use of a biodiversity measure for development proposals.

SEA Screening Conclusion

Having screened the Newport Pagnell Neighbourhood Plan and consulted with Historic England, Natural England and the Environment Agency, it is the view of Milton Keynes Council that the Plan's effects are unlikely to have any significant impacts beyond the Neighbourhood Area and it is considered that overall the Plan will not have significant effects on the environment. It is, therefore, concluded that the Newport Pagnell Neighbourhood Plan does not need to be subject to Strategic Environmental Assessment.

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 Plan:MK which itself was screened for Appropriate Assessment. The screening process for Plan:MK 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 An Appropriate Assessment has been published for Plan:MK (http://miltonkeynes.objective.co.uk/portal/planmk/plan_mk_submission/planmk_sa_hra?pointId=1510067377589) which covers the period to 2031. This considers the impact of the Local Plan on the Upper Nene Valley Gravel Pits SPA and concludes that “development in the Milton Keynes Local Plan will not have a likely significant effect on any internationally important wildlife sites either alone or in combination with other plans and projects. These conclusions are based on the findings of the AA screening which concludes that no Natura 2000 sites are located within the district and no impact pathways have been identified linking Natura 2000 sites outside of the district e.g. Upper Nene Valley Gravel Pits SPA/Ramsar to development within Milton Keynes Borough. Therefore an Appropriate Assessment is not required.”

8. Appropriate Assessment Conclusion

8.1 Given the role of Neighbourhood Plans and the scale of development being proposed in the Newport Pagnell Neighbourhood Plan, it is considered that Appropriate Assessment of the plan is not required.

9. Contact

Further information can be obtained from:

UDLA

Growth, Economy & Culture

Civic Offices

1 Saxon Gate East

Central Milton Keynes

MK9 3EJ

W: www.miltonkeynes.gov.uk/planning-policy

T: 01908 254836

E: neighbourhoodplanning@milton-keynes.gov.uk

Appendix 1
Map of Newport Pagnell Neighbourhood Area

