

Newport Pagnell Neighbourhood Plan

Strategic Environmental Assessment Screening Report

Appropriate Assessment Screening

1. Introduction

1.1 What is the screening opinion?

1.2 This report has been produced to determine the need for a Strategic Environmental Assessment (SEA) in accordance with the European Directive 2001/42/EC and associated Environmental Assessment of Plans and Programmes Regulations 2004.

1.3 This document also addresses the need for Appropriate Assessment, in accordance with European Directive 92/43/EEC, commonly known as the Habitats Directive.

1.4 What is the Neighbourhood Plan trying to achieve?

1.5 The Neighbourhood Area covers the whole of the 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 emerging aims of the Neighbourhood Plan are wide ranging and revolve around maintaining the vibrancy of the town centre, developing the heritage offer and expanding the facilities, particularly leisure and sporting, in the town.

1.6 Early discussions on the content of the plan have indicated that the Town Council will be looking to make new land allocations across the area to deliver housing that will help to facilitate delivery of new facilities for the town. The Core Strategy, which has already been subject to SEA, identifies Newport Pagnell as a Key Settlement, where land for new housing development will be found. Given constraints, primarily flooding, any greenfield allocation is likely to be in the area of Tickford Fields Farm (see Tickford End area on annex a), which could accommodate up to 1,200 homes. These allocations will help to deliver the Core Strategy rural housing requirement.

1.7 The other objectives of the plan are likely to lead to policies which simply add detail to existing strategic policies in the Core Strategy. Example of topics/issues to be covered include sustainable transport and any the provision of community facilities.

2. Policy context

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

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

2.3 Although the Neighbourhood Plan must be in general conformity with the strategic policies of the Local Plan and the Core Strategy, it can promote more development, but must not propose less. It will also provide a more local context to the non-strategic policies of the Local Plan.

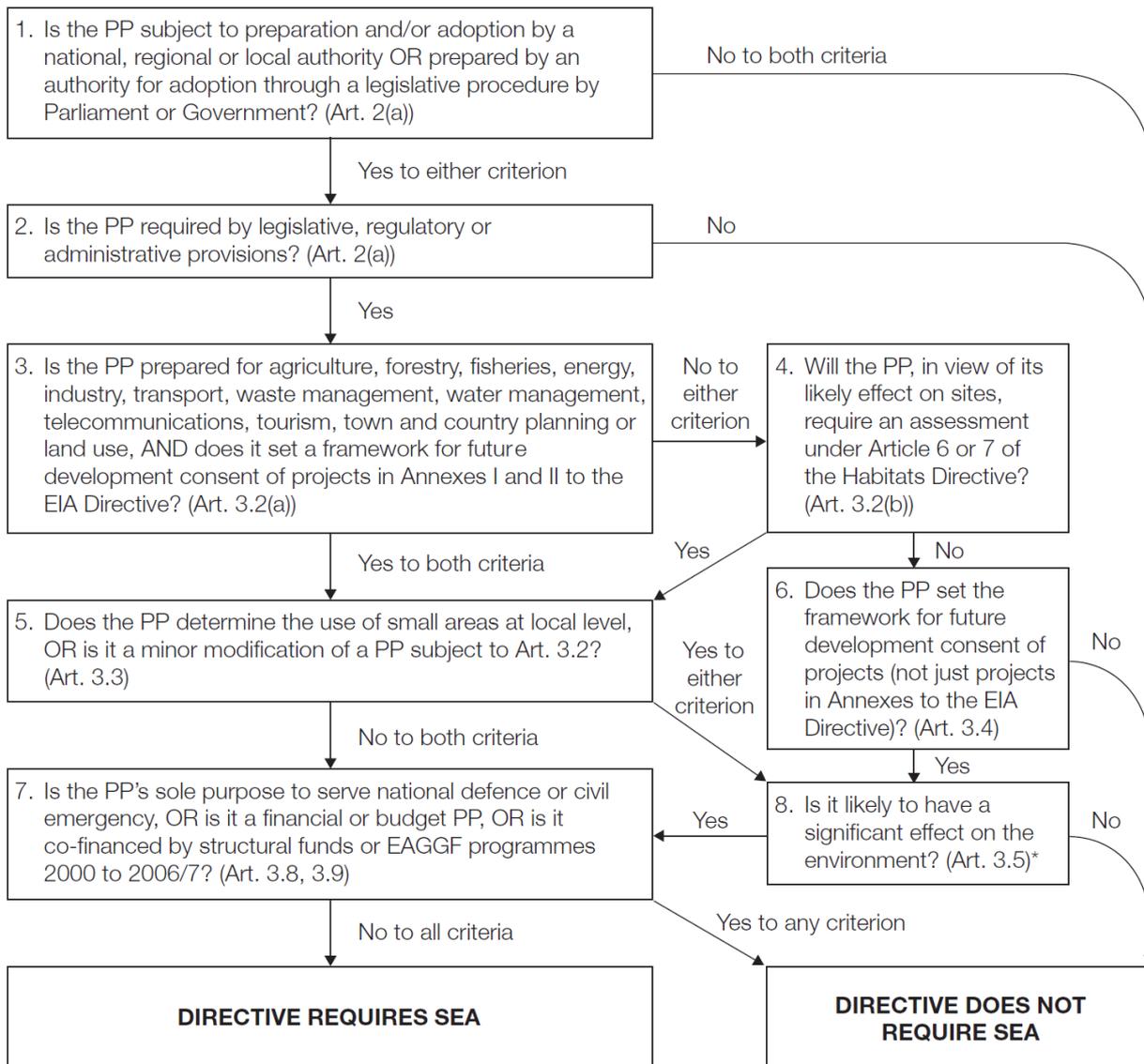
2.4 The Neighbourhood Plan will be subject to public consultation in accordance with the relevant regulations prior to its adoption.

3. SEA Screening

3.1 The requirement for a Strategic 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	The Core Strategy was screened and it was concluded that appropriate assessment was not required. The Neighbourhood Plan must be in general conformity with the Core Strategy and, although it can propose more development, it is unlikely to be significant enough to require assessment under the Habitats Directive.
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). A side 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 are 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. Advice of the Statutory consultees

- 4.1 The statutory consultees were asked for an opinion on whether the Newport Pagnell Neighbourhood Plan required SEA. A draft of the Screening Report was sent to them in October 2013 to inform their views. Replies were received from the Environment Agency and Natural England. Both organisations advised that SEA was not required.
- 4.2 In February 2015, further advice was sought from the statutory consultees when the likely housing number of the Neighbourhood Plan increased. Again, the Environment Agency and English Nature replied to confirm they did not feel SEA was required. The views of the statutory consultees can be seen in 2 appendix of this report.

5. SEA Conclusion

- 5.1 Newport Pagnell Neighbourhood Plan has the potential to identify a significant amount of development (relative to the size of the town) in the plan area. However, in determining the need for SEA consideration needs to be given to the nature of the potential development and the characteristics of the area affected to assess whether SEA needs to be undertaken.
- 5.2 Based on the points covered above, there is an argument either way as to whether as SEA is required. The scale of potential development would initially suggest that SEA would be required. But there are several factors that counter this.

- 5.3 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 likely to be 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 Core Strategy which sets out for the need for new development in the rural area, including Newport Pagnell (although the Core Strategy is not site specific). The magnitude of any effects are also unlikely to be felt in an area any wider than the plan area or effect a significant level of population.
- 5.4 Therefore on balance, it is not considered that a SEA will be required for the Newport Pagnell Neighbourhood Plan, as advised by the Statutory consultees.

6. Appropriate Assessment (AA) Screening

- 6.1 Legal protection is afforded to habitats and species of European importance through Directive 92/43/EEC on the Conservation of Natural Habitats and Wild Flora and Fauna - known as the 'Habitats Directive'. Articles 6(3) and 6(4) of the Habitats Directive require AA of plans to be undertaken. This involves assessing the contents of plans to ensure that their policies and proposals maintain the integrity of Natura 2000 sites. The assessment must determine whether the plan would adversely affect the nature conservation objectives of each site. Where negative effects can be identified, other options should be examined to avoid any potential damaging effects.
- 6.2 The application of the precautionary principle through the Habitats Directive means that plans can only be permitted once it is shown that there will be no adverse effect on the integrity of any Natura 2000 sites. In the rare case of there being no alternatives available or over-riding reasons of public interest why a plan needs to be implemented, plans that do have negative impacts may still be approved.

7. Screening for Appropriate Assessment

- 7.1 The first stage in carrying out an Appropriate Assessment for the Habitats Directive is screening, by determining whether the plan is likely to have any significant effect on a European site, either alone or in combination with other plans and projects.
- 7.2 The Neighbourhood Plan will be in general conformity with Core Strategy which itself was screened for Appropriate Assessment. The screening process for the Milton Keynes Core Strategy demonstrated that Milton Keynes lies in an area void of any Natura 2000 sites. The nearest European site is the Chiltern Beechwoods to the south of the Borough although it was determined that the site would not be affected by Milton Keynes planning policy due to the distance of the site from Milton Keynes and there being no obvious impact pathways.
- 7.3 However, it was determined that there were two sites which could potentially be affected by the Core Strategy, and other Local Development Documents, due to the pathway provided by the River Great Ouse (which feeds in to Natura 2000 sites). These sites were:
- **Ouse Washes SPA /SAC-** The SPA designation is due to the site's importance as an internationally important assemblage of birds. The presence of the spined loach (*Cobitis taenia*) – the clear water and abundant macrophytes, is particularly important in the Counter Drain, and a healthy population of spined loach is known to occur
 - **Portholme SAC-** It is the largest surviving traditionally-managed meadow in the UK, with an area of 104 ha of alluvial flood meadow. Supports a small population of fritillary *Fritillaria meleagris*.
- 7.4 As a result of the screening process it was concluded that:
- The impact of the Core Strategy on water flow will not be significant primarily because Milton Keynes already has a comprehensive flood management system in place that has ensured the effective control of water flows, alongside the continued growth of the city. The Core Strategy will include a continuation of this approach which, informed by the emerging Water Cycle Strategy, will ensure continued effective management of the flow of water into the Great Ouse from Milton Keynes.
 - The Growth Strategy developed for the city has used flood risk maps as a key constraint to directions for growth. As such, the broad locations for growth to be identified in the Core Strategy are away from flood risk areas, further reducing the potential of the plan to have a significant impact on water flow.

- In combination with other proposals in the wider Milton Keynes/South Midlands area, it is noted that the majority of proposals affect the River Nene Catchment area (in the case of Northampton) and ultimately the Thames for Aylesbury Vale.

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

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

8. **Appropriate Assessment Conclusion**

8.1 Given the role of Neighbourhood Plans and the 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:

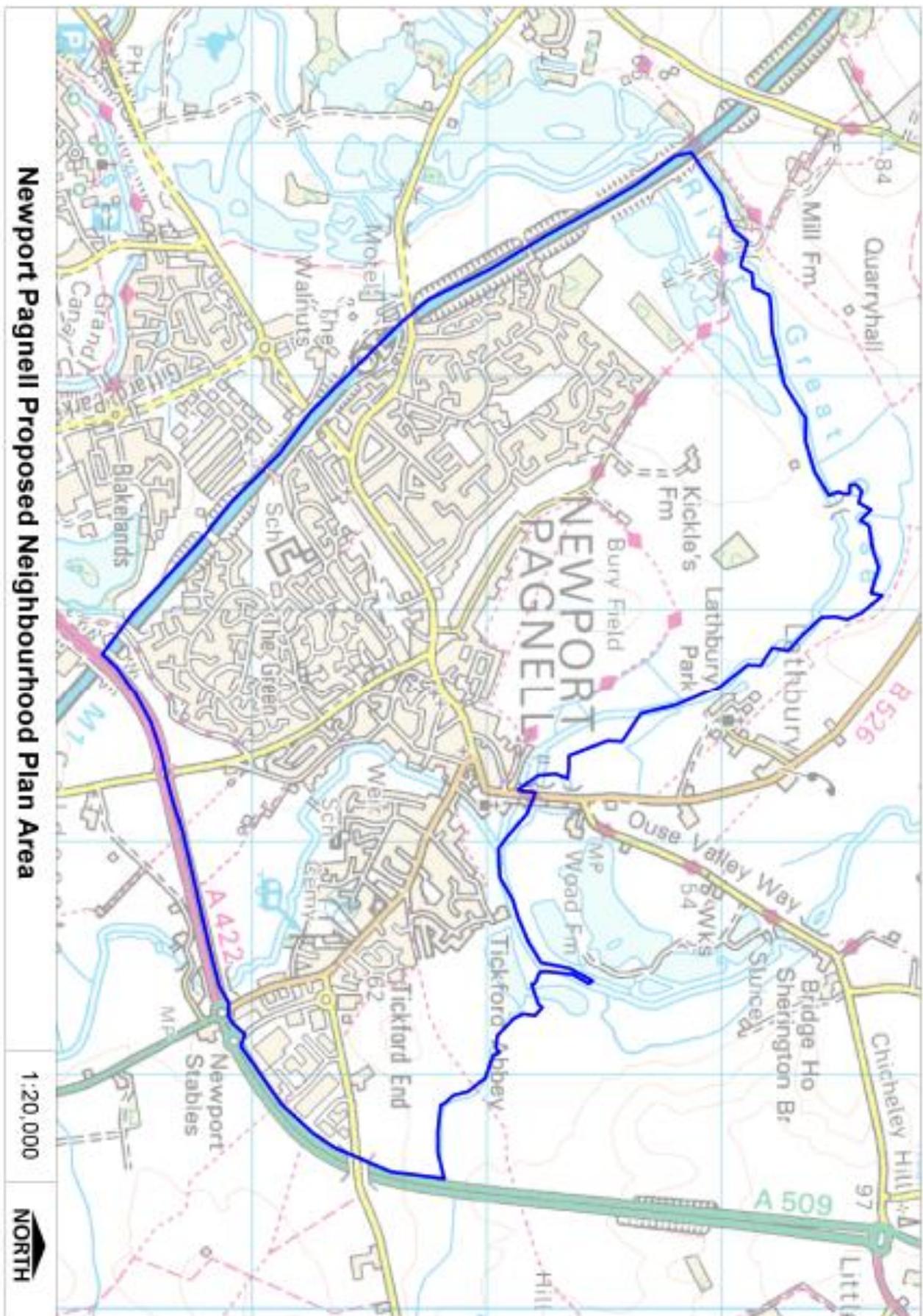
Development Plans
Planning and Transport
Civic Offices
1 Saxon Gate East
Central Milton Keynes
MK9 3EJ

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

T: 01908 252358

E: development.plans@milton-keynes.gov.uk

Appendix 1 – Newport Pagnell Neighbourhood Plan Area



Appendix 2 – Opinion of Statutory Consultees

The Environment Agency

Hi Mark

I would consider that a SEA it not required and any issues can be picked up with a planning application.

Kind regards

Neville Benn

Senior Planning Advisor
Sustainable Places

✉ Environment Agency, Bromholme Lane, Brampton, Huntingdon, Cambs. PE28 4NE

☎ Internal: 750 3996

☎ External:01480 483996

📧 neville.benn@environment-agency.gov.uk

From: Harris, Mark [<mailto:Mark.Harris@Milton-keynes.gov.uk>]

Sent: 18 February 2015 12:04

To: Benn, Neville A

Subject: RE: Consultation: Strategic Environmental Assessment - Screening Opinion for Neighbourhood Plans

Hi Neville,

Part of the site was identified in the 2005 Local Plan as a strategic reserve site.

The principle of residential development in Newport Pagnell, as one of our Key Settlements, was reaffirmed in our 2013 Core Strategy, with the expectation that land allocations would follow in Neighbourhood Plans/our own Site Allocations Plan..

Regards

Mark Harris

Senior Planning Officer
Development Plans

☎ 01908 252732

✉ mark.harris@milton-keynes.gov.uk

🌐 www.miltonkeynes.gov.uk/planning-policy

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From: Benn, Neville A [<mailto:neville.benn@environment-agency.gov.uk>]

Sent: 18 February 2015 11:59

To: Harris, Mark

Appendix 2 – Opinion of Statutory Consultees

Subject: RE: Consultation: Strategic Environmental Assessment - Screening Opinion for Neighbourhood Plans

Hi Mark

Has this site been allocated in your Plan?

Kind regards

Neville Benn

Senior Planning Advisor
Sustainable Places

✉ Environment Agency, Bromholme Lane, Brampton, Huntingdon, Cambs. PE28 4NE

☎ Internal: 750 3996

☎ External: 01480 483996

📧 neville.benn@environment-agency.gov.uk

From: Harris, Mark [<mailto:Mark.Harris@Milton-keynes.gov.uk>]

Sent: 18 February 2015 11:49

To: Benn, Neville A

Subject: RE: Consultation: Strategic Environmental Assessment - Screening Opinion for Neighbourhood Plans

Neville,

Late in 2013, I sent you through a screening opinion considering whether SEA was required for the Newport Pagnell Neighbourhood Plan (re-attached). You agreed with the initial conclusion that SEA is not required (see below).

The Town Council are now more progressed with the NP, and I just wanted to check something with you. From the early stage (as noted in the Screening Opinion) it's been the intention to allocate land for housing. The Screening Opinion notes the potential to allocate an area called Tickford Fields Farm for up to 500 homes.

The NP is now looking at allocating the adjacent field for development too, making a total of around 1,000 homes. I'm conscious that this is large allocation and wanted to check what your thoughts were on whether this changes the need for SEA?

As per the original opinion, the land is still relatively unconstrained from an environmental perspective, with just a small area of flood risk along one edge. The nature of the development is still housing (and associated uses).

The only change is the extent of the site – does this change your view on whether SEA is required?

Any thoughts would be appreciated.

Thanks

Mark Harris

Senior Planning Officer
Development Plans

Appendix 2 – Opinion of Statutory Consultees

☎ 01908 252732

✉ mark.harris@milton-keynes.gov.uk

🌐 www.miltonkeynes.gov.uk/planning-policy

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From: Benn, Neville A [<mailto:neville.benn@environment-agency.gov.uk>]

Sent: 31 October 2013 08:40

To: Harris, Mark

Subject: RE: Consultation: Strategic Environmental Assessment - Screening Opinion for Neighbourhood Plans

Dear Mark

We agree with the conclusions of the Screening Opinions that a SEA is not required for the Newport Pagnell or Stony Stratford Neighbourhood Plans.

It is our belief that as the NP's are required to be in conformity with Core Strategies / Local Plans, that were subject to a SEA, that NP's do not require one. We are content that any issues can be dealt with at the planning application stage.

Kind regards

Neville Benn

Senior Planning Advisor

Sustainable Places

Anglian Region, Central Area

✉ Environment Agency, Bromholme Lane, Brampton, Huntingdon, Cambs. PE28 4NE

☎ Internal: 750 3996

☎ External:01480 483996

🌐 neville.benn@environment-agency.gov.uk

From: Harris, Mark [<mailto:Mark.Harris@Milton-keynes.gov.uk>]

Sent: 17 October 2013 11:07

To: Benn, Neville A; consultations@naturalengland.org.uk; Martin.Small@english-heritage.org.uk

Subject: Consultation: Strategic Environmental Assessment - Screening Opinion for Neighbourhood Plans

Please find attached screening opinions for two Neighbourhood Plans that are emerging in Milton Keynes. Both are at a stage where the main plan objectives are emerging so it is now appropriate to consider whether they need to be subject to Strategic Environmental Assessment.

In both cases, we have initially concluded that SEA will not be required, but in line with the regulations we would welcome your comments on this conclusion. We'd appreciate a response within 5 weeks (22nd November).

Appendix 2 – Opinion of Statutory Consultees

If you have any questions about either report or need any additional information to help inform your comments, please let me know.

Also, if I have sent this email to the wrong person at your organisation, please let me know so I can redirect it accordingly.

Regards

Mark Harris

Senior Planning Officer
Development Plans

☎ 01908 252732

✉ mark.harris@milton-keynes.gov.uk

🌐 www.miltonkeynes.gov.uk/planning-policy

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Appendix 2 – Opinion of Statutory Consultees

Natural England

Date: 14 November 2013
Our ref: 101157
Your ref: SEA Screening Opinion for Neighbourhood Plans



Mr Mark Harris
Senior Planning Officer
Development Plans
Milton Keynes Council

Customer Services
Hombeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

BY EMAIL ONLY

T 0300 060 3900

Dear Mr Harris

Planning consultation: Strategic Environmental Assessment (SEA) – Screening Opinion for Neighbourhood Plans
Location: Newport Pagnell and Stony Stratford

Thank you for your consultation on the above dated 17 October 2013 which was received by Natural England on 17 October 2013.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

We concur with your conclusion that an SEA will not be required for the two Neighbourhood Plans.

Further guidance on deciding whether the proposals are likely to have significant environmental effects and the requirements for consulting Natural England on SEA are set out in the National Planning Practice Guidance at:
<http://planningguidance.planningportal.gov.uk/blog/guidance/strategic-environmental-assessment-and-sustainability-appraisal/does-a-neighbourhood-plan-require-a-sustainability-appraisal/>

We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us.

For any queries relating to the specific advice in this letter only please contact Alison Appleby on 07500 913698. For any new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

We really value your feedback to help us improve the service we offer. We have attached a feedback form to this letter and welcome any comments you might have about our service.

Yours sincerely

Alison Appleby
Land Use Operations, Winchester team

Appendix 2 – Opinion of Statutory Consultees

Good Afternoon Mark,

I have been forwarded your email to look into, as Alison has since moved on from this work.

Thank you for contacting us about the increase in land allocated for housing at this site. Having looked into it, we would not consider that it changes the need for SEA. However, any environmental statement should consider cumulative impacts and the inclusion of green infrastructure in relation to the proposed residential land use.

Would you like us to send a copy of this opinion to Newport Pagnell Council?

We look forward to being consulted again on the plan once it is more fully progressed.

Kind Regards,

Elise Batelaan

Lead Adviser

Sustainable Development and Regulation

Thames Valley Team

Ph: 07879 800864

Email: Elise.Batelaan@naturalengland.org.uk

www.gov.uk/natural-england

From: Harris, Mark [<mailto:Mark.Harris@Milton-keynes.gov.uk>]

Sent: 18 February 2015 11:51

To: Appleby, Alison (NE)

Subject: RE: 101157 - SEA screening opinion, Neighbourhood plans for Newport Pagnell and Stony Stratford

Alison,

Late in 2013, I sent you through a screening opinion considering whether SEA was required for the Newport Pagnell Neighbourhood Plan (re-attached). You agreed with the initial conclusion that SEA is not required (I've attached your letter for convenience).

The Town Council are now more progressed with the NP, and I just wanted to check something with you. From the early stage (as noted in the Screening Opinion) it's been the intention to allocate land for housing. The Screening Opinion notes the potential to allocate an area called Tickford Fields Farm for up to 500 homes.

The NP is now looking at allocating the adjacent field for development too, making a total of around 1,000 homes. I'm conscious that this is large allocation and wanted to check what your thoughts were on whether this changes the need for SEA?

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The only change is the extent of the site – does this change your view on whether SEA is required?

Any thoughts would be appreciated.

Thanks

Appendix 2 – Opinion of Statutory Consultees

Mark Harris

Senior Planning Officer
Development Plans

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From: Appleby, Alison (NE) [<mailto:Alison.Appleby@naturalengland.org.uk>]

Sent: 14 November 2013 12:00

To: Harris, Mark

Subject: 101157 - SEA screening opinion, Neighbourhood plans for Newport Pagnell and Stony Stratford

Dear Mr Harris,

Please find attached our consultation response and feedback form.

<<101157 - SEA Screening opinion, 2 neighbourhood plans, Milton Keynes council.pdf>>
<<Land_Use_Planning_Consultation_Feedback_form_(v.2.1.2)_pub_0001.pdf>>

Kind regards,

Alison Appleby

Lead Adviser

Land Use Operations - Winchester team

Mob: 07500 913698

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