

Minerals Local Plan Habitats Regulations Scoping Brief

September 2013



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Plan details

Title of plan:	Milton Keynes Minerals Local Plan
Location of plan:	Borough of Milton Keynes
Description of plan:	The Local Plan will provide the land-use planning policy and guidance relating to mineral extraction and associated development within the Milton Keynes administrative area.
Date:	September 2013

Executive summary

This scoping brief has been prepared to provide a record of the reasons for not undertaking Habitats Regulation Assessment of the emerging Milton Keynes Minerals Local Plan. In accordance with the Conservation of Habitats and Species Regulations 2010 (Reg 61) and the Habitats Directive (Council Directive 92/43/EEC) Milton Keynes Council must determine if the emerging Minerals Local Plan is likely to have a significant effect on a European (Natura 2000) site and that the plan is not directly connected with or necessary to the management of that site. In order to do so it is first necessary to identify whether there are any European sites of relevance to the plan.

Natural England were consulted in May 2013 on the methodology relating to the proposed scoping for European sites which could be affected by the implementation of the Milton Keynes Minerals Local Plan.

European sites were identified and due consideration given as to whether there was a need to undertake screening for significant effects as per the Habitats Regulations.

As a result of the scoping process, it was determined that there are no European sites upon which the Plan could pose any significant effects. This is due to several factors: the nature and scale of development proposed by the potential mineral extraction sites (the potential effects of which are typically localised and able to be mitigated for to prevent environmental harm); the distance of the identified potential mineral sites from the European sites; and the lack of connection (e.g. via river flows) between some sites. It is therefore concluded that there is no requirement for the Plan to undergo assessment under the Habitats Regulations.

1. Introduction

1.1. Habitats Regulations Assessment (HRA) is required by the Conservation of Habitats and Species Regulations 2010 and the Habitats Directive (Council Directive 92/43/EEC) (and amendment 2012).

1.2. HRA is the assessment of the potential impacts that implementing a plan or policy will have on a European (Natura 2000) site(s). Its purpose is to consider the impacts of a land-use plan against conservation objectives of the site and to ascertain whether it would adversely affect the integrity of the site. Where significant adverse effects are identified, alternative options should be examined to avoid any potential effects. If no alternatives can be identified the plan / policy cannot be adopted unless it can be proven that either: a) there are no alternative options; b) there is over-riding public interest; or c) compensatory measures can be provided.

1.3. The scoping process, which is the purpose of this document, will establish whether the plan requires assessment as per the Habitats Regulations.

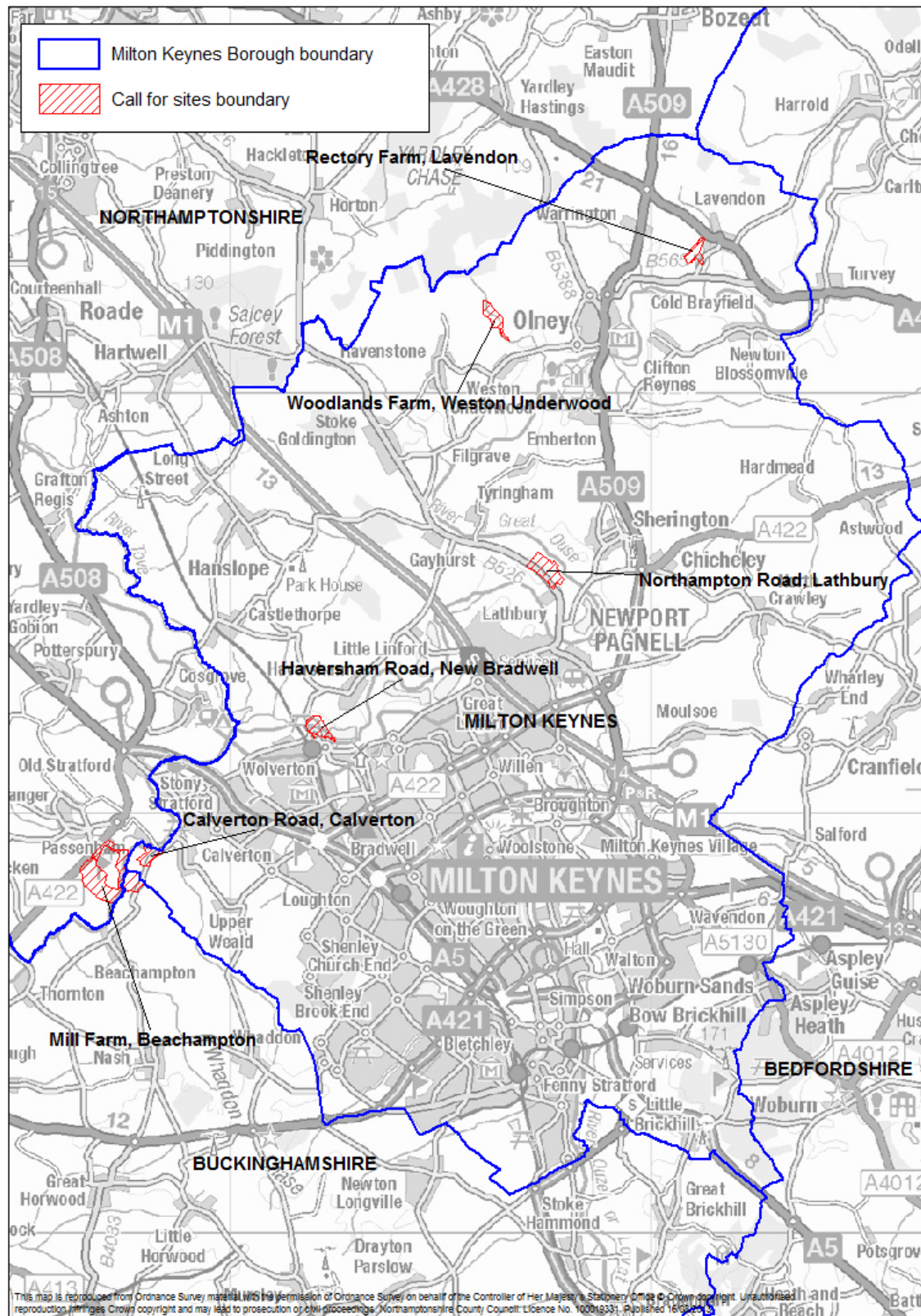
2. The Minerals Local Plan

2.1. The Minerals Local Plan will provide the land-use planning policy and guidance relating to mineral extraction and associated development within the Milton Keynes administrative area. This will include the identification of specific sites. A 'call for sites' process has been undertaken as part of identifying the sites to be put forward for potential allocation within the Local Plan. Prior to their inclusion each site will undergo individual site assessments in relation to their suitability for mineral extraction. For the purpose of HRA, the six sites put forward through the 'call for sites' process can be assessed in order to ascertain whether they present the potential for impacts on a European site.

2.2. There are six identified sites within the Local Plan. The sites include the following and are indicated on the map below:

- Rectory Farm, Lavendon
- Woodlands Farm, Weston Underwood
- Northampton Road, Lathbury
- Haversham Road, New Bradwell
- Calverton Road, Calverton
- Mill Farm, Beachampton

2.3. Map 1 shows the location of the six individual sites.

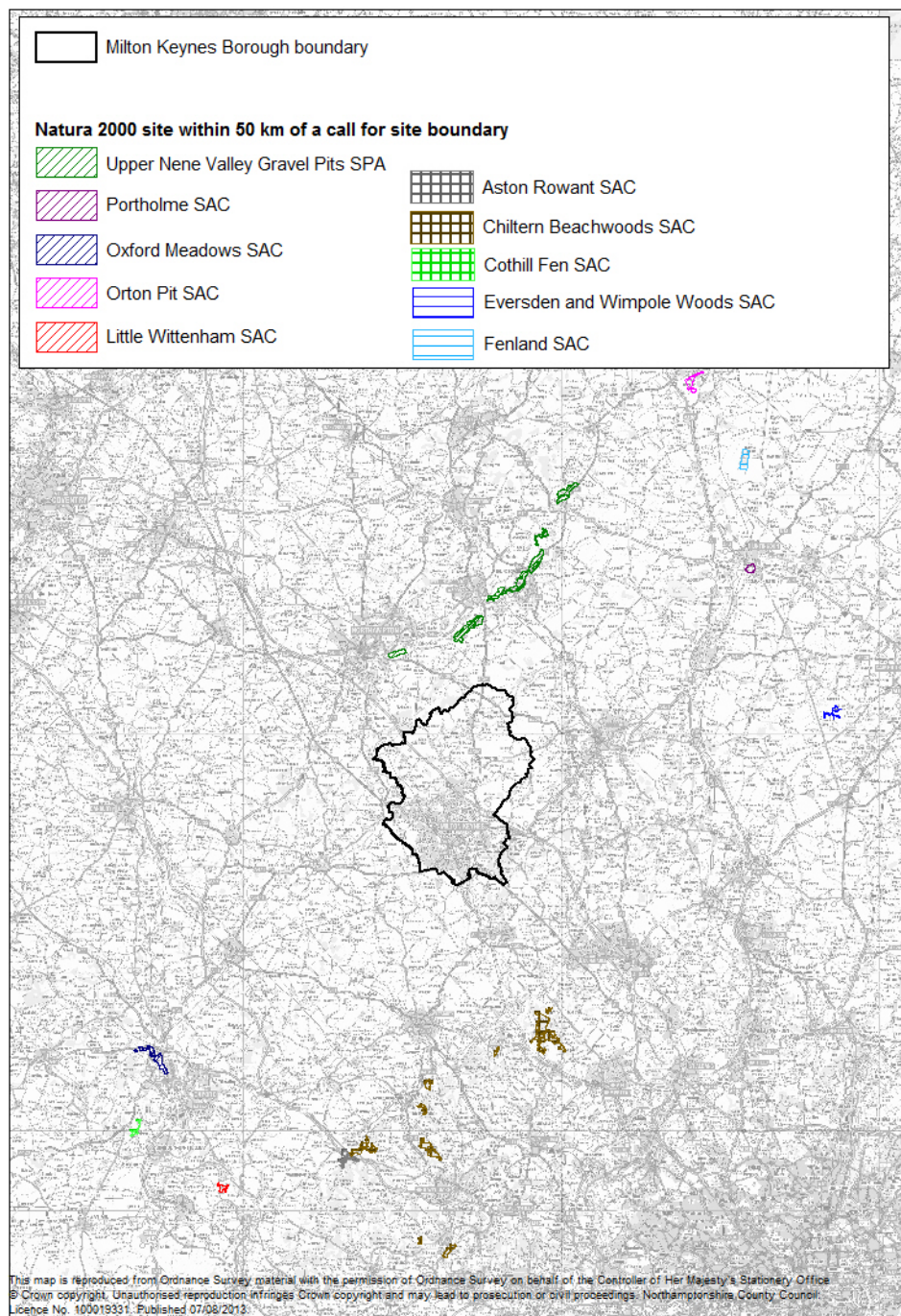


3. European (Natura 2000) sites

3.1. There are no European (Natura 2000) sites within the administrative boundary of Milton Keynes. A search was undertaken using GIS analysis to identify European sites within a 10 km, 20 km, 30 km and 50 km radius of the potential



mineral extraction sites in order to determine if any of the sites were in scope (i.e. if the potential mineral sites presented the possibility of a significant effect on any of the sites). This detail is provided in Table 1.


3.2. Map 2 shows the location of the SPAs/SACs in relation to Milton Keynes.




Map 2: Identified European sites




Table 1: Identified European (Natura 2000) sites

Designated sites			Relationship to the plan area and distance from potential mineral site(s)	Within scope?	Reasoning for not undertaking further assessment
European (Natura 2000) site	Annex habitats / species	Conservation objective			
Upper Nene Valley Gravel Pits SPA	Extensive area of seasonally flooding wet grassland ('washland') lying along the River Nene. Winter floodwater storage and summer grazing has resulted in a mosaic of rough grassland and wet pasture, with a diverse ditch flora. Areas of arable cropping provide some winter feeding areas for wildfowl. In summer, it is of importance for breeding waders, as well as Spotted Crake <i>Porzana porzana</i> . In winter the site holds large numbers of waders and wildfowl. During severe winter weather the site can attract waterbirds from other areas due to its relatively mild climate (compared with continental Europe) and abundant food resources. Likewise, the site can act as a refuge for wildfowl displaced by deep flooding of the nearby Ouse Washes SPA. In winter, some wildfowl, especially Bewick's Swan <i>Cygnus columbianus bewickii</i> , feed in surrounding areas of agricultural land outside the SPA. Other bird species include; Ruff <i>Philomachus pugnax</i> , Black-tailed Godwit <i>Limosa limosa islandica</i> , Pintail <i>Anas acuta</i> , Shoveler <i>Anas clypeata</i> , Lapwing <i>Vanellus vanellus</i> , Pochard <i>Aythya ferina</i> , Teal <i>Anas crecca</i> , Gadwall <i>Anas strepera</i> , Wigeon <i>Anas penelope</i> , Shoveler <i>Anas clypeata</i> .	Avoid the deterioration of the habitats of the qualifying features, and the significant disturbance of the qualifying features, ensuring the integrity of the site is maintained and the site makes a full contribution to achieving the aims of the Birds Directive.	Northamptonshire Within 10 km (8.5km north)		Shares no connection (hydrological i.e. river flows / aquifers) with the potential mineral sites. Development of the site would not cause a significant negative effect to relevant bird species.
Portholme SAC	Largest surviving traditionally-managed meadow in the UK, with an area of 104 ha of alluvial flood meadow. Supports a small population of fritillary <i>Fritillaria meleagris</i>	Avoid the deterioration of the qualifying natural habitats and the habitats of qualifying species, and the significant disturbance of those qualifying species, ensuring the integrity of the site is maintained and	Cambridgeshire Over 30 km (approx 36 km) north-east		Identified as it is fed by the River Ouse, creating a possible impact pathway however given the distance from the

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		the site makes a full contribution to achieving Favourable Conservation Status of each of the qualifying features.			nearest potential mineral site, and the nature of operations (sand and gravel and small scale extraction of building stone) the potential for significant effects occurring on the SAC as a result of the proposed development is negligible. This is because extraction operations of the scale proposed present localised impacts which are able to be effectively mitigated for.
Chiltern Beechwoods SAC	Extensive area of beech forests <i>Asperulo-Fagetum</i> which is also an important part of a grassland-scrub-woodland mosaic. A distinctive feature in the woodland flora is the occurrence of the rare coralroot <i>Cardamine bulbifera</i> . Healthy populations of stag beetles <i>Lucanus cervus</i>	Avoid the deterioration of the qualifying natural habitats and the habitats of qualifying species, and the significant disturbance of those qualifying species, ensuring the integrity of the site is maintained and the site makes a full contribution to achieving Favourable Conservation Status of each of the qualifying features.	Buckinghamshire / Hertfordshire / Oxfordshire Between 30-50km south/south-east		Identified as it is fed by the River Ouse, creating a possible impact pathway however given the distance from the nearest potential mineral site, and the nature of operations (sand and gravel extraction) the potential for significant effects occurring on the SAC as a result of the

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					proposed development is negligible. This is because extraction operations of the scale proposed present localised impacts which are able to be effectively mitigated for.
Fenland SAC (near Ramsey)	One of the most extensive examples of the tall herb-rich East Anglian type of <i>Molinia caerulea</i> – <i>Cirsium dissectum</i> fen-meadow. This type of fen-meadow is rare and ecologically distinctive in East Anglia. Large areas of calcareous fens, with a long and well-documented history of regular management. There is a full range from species-poor <i>Cladium</i> -dominated fen to species-rich fen with a lower proportion of <i>Cladium</i> and containing such species as black bog-rush <i>Schoenus nigricans</i> , tormentil <i>Potentilla erecta</i> and meadow thistle <i>Cirsium dissectum</i> . There are good transitions to purple moor-grass <i>Molinia caerulea</i> and rush pastures, all set within a mosaic of reedbeds and wet pastures. Site supports spined loach <i>Cobitis taeni</i> and great crested newt <i>Triturus cristatus</i> .	Avoid the deterioration of the qualifying natural habitats and the habitats of qualifying species, and the significant disturbance of those qualifying species, ensuring the integrity of the site is maintained and the site makes a full contribution to achieving Favourable Conservation Status of each of the qualifying features.	Cambridgeshire Within 50km north-east	X	Shares no connection (hydrological i.e. river flows / aquifers) with the potential mineral sites.
Eversden and Wimpole Woods SAC	Mixture of ancient coppice woodland (Eversden Wood) and high forest woods likely to be of more recent origin (Wimpole Woods). A colony of <i>barbastelle</i> <i>Barbastella barbastellus</i> is associated with the trees in Wimpole Woods. These trees are used as a summer maternity roost where the female bats gather to give birth	Avoid the deterioration of the qualifying natural habitats and the habitats of qualifying species, and the significant disturbance of those qualifying species, ensuring the integrity of the site is maintained and the site makes a full contribution to	Cambridgeshire Within 50km east	X	Shares no connection (hydrological i.e. river flows / aquifers) with the potential mineral sites.

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	and rear their young. Most of the roost sites are within tree crevices. The bats also use the site as a foraging area. Some of the woodland is also used as a flight path when bats forage outside the site.	achieving Favourable Conservation Status of each of the qualifying features.			
Orton Pit SAC	<p>Extensive pond system, occupying the disused ridge-and-furrow created as a result of clay extraction for the brick-making industry, contains alkaline water low in nutrients. The site supports a total of ten species of charophyte including the main English population of bearded stonewort <i>Chara canescens</i>. <i>C. canescens</i> is an early coloniser of ponds at the site and is rarely found in ponds over 20 years old. It favours brackish conditions, which at Orton Pit are thought to be provided by the release of salts out of the top few millimetres of the clay that becomes oxidised over a period of time. Other nationally scarce stonewort species present include <i>Chara aspera</i>, <i>C. contraria</i>, <i>C. pedunculata</i> and <i>Tolypella glomerata</i>. The distribution of <i>Chara</i> species across the site varies according to the age and stage of succession of the ponds, with few being found in ponds greater than 25 years old.</p> <p>Site supports the largest known population of great crested newt <i>Triturus cristatus</i> in the UK and possibly in Europe. The range of habitats found throughout the site, including surrounding areas of grassland and scrub, provide good conditions for feeding and sheltering newts.</p>	Avoid the deterioration of the qualifying natural habitats and the habitats of qualifying species, and the significant disturbance of those qualifying species, ensuring the integrity of the site is maintained and the site makes a full contribution to achieving Favourable Conservation Status of each of the qualifying features.	Peterborough Within 50 km north-east		Shares no connection (hydrological i.e. river flows / aquifers) with the potential mineral sites.

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European (Natura 2000) site	Annex habitats / species	Conservation objective			
Aston Rowant SAC	Aston Rowant represents <i>Juniperus communis</i> formations near the northern edge of the habitat's range on the chalk of southern England where it is rare and declining. The juniper population has been estimated to be between 1,000 and 2,000 individuals of various age-classes. It is one of the best remaining examples in the UK of lowland juniper scrub on chalk.	Avoid the deterioration of the qualifying natural habitats and the habitats of qualifying species, and the significant disturbance of those qualifying species, ensuring the integrity of the site is maintained and the site makes a full contribution to achieving Favourable Conservation Status of each of the qualifying features.	Oxfordshire Within 50 km south		Shares no connection (hydrological i.e. river flows / aquifers) with the potential mineral sites.
Little Wittenham SAC	Two main ponds set in a predominantly woodland context (broad-leaved and conifer woodland is present). There are also areas of grassland, with sheep grazing and arable bordering the woodland to the south and west. The River Thames is just to the north of the site, and a hill fort to the south. Large numbers of great crested newts <i>Triturus cristatus</i> have been recorded in the two main ponds, and research has revealed that they range several hundred metres into the woodland blocks.	Avoid the deterioration of the qualifying natural habitats and the habitats of qualifying species, and the significant disturbance of those qualifying species, ensuring the integrity of the site is maintained and the site makes a full contribution to achieving Favourable Conservation Status of each of the qualifying features.	Oxfordshire Within 50 km south-west		Shares no connection (hydrological i.e. river flows / aquifers) with the potential mineral sites.
Cothill Fen SAC	Lowland valley mire containing one of the largest surviving examples of alkaline fen vegetation in central England. <i>Schoenus nigricans</i> – <i>Juncus subnodulosus</i> vegetation found here occurs under a wide range of hydrological conditions, with frequent bottle sedge <i>Carex rostrata</i> , grass-of-Parnassus <i>Parnassia palustris</i> , common butterwort <i>Pinguicula vulgaris</i> and marsh helleborine <i>Epipactis palustris</i> . The alkaline fen vegetation forms transitions to other vegetation types that are similar to <i>Molinia caerulea</i> – <i>Cirsium dissectum</i> fen-meadow and <i>Phragmites australis</i> – <i>Eupatorium cannabinum</i> tall-herb fen	Avoid the deterioration of the qualifying natural habitats and the habitats of qualifying species, and the significant disturbance of those qualifying species, ensuring the integrity of the site is maintained and the site makes a full contribution to achieving Favourable Conservation Status of each of the qualifying features.	Oxfordshire Within 50 km south-west		Shares no connection (hydrological i.e. river flows / aquifers) with the potential mineral sites.

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	and wet alder <i>Alnus</i> .				
Oxford Meadows SAC	Represents lowland hay meadows in the Thames Valley. The site includes vegetation communities that are perhaps unique in the world in reflecting the influence of long-term grazing and hay-cutting on lowland hay meadows. The site has benefited from several centuries of traditional management. Site supports creeping marshwort <i>Apium repens</i> .	Avoid the deterioration of the qualifying natural habitats and the habitats of qualifying species, and the significant disturbance of those qualifying species, ensuring the integrity of the site is maintained and the site makes a full contribution to achieving Favourable Conservation Status of each of the qualifying features.	Oxfordshire Within 50 km south-west	X	Shares no connection (hydrological i.e. river flows / aquifers) with the potential mineral sites.
Ouse Washes SPA / SAC	The SPA designation is due to the site's importance as an internationally important assemblage of birds. The SAC represents a healthy populations of spined loach <i>Cobitis taenia</i> within the River Ouse catchment. The Counter Drain, with its clear water and abundant macrophytes, is particularly important.	Avoid the deterioration of the habitats of the qualifying features, and the significant disturbance of the qualifying features, ensuring the integrity of the site is maintained and the site makes a full contribution to achieving the aims of the Birds Directive. Avoid the deterioration of the qualifying natural habitats and the habitats of qualifying species, and the significant disturbance of those qualifying species, ensuring the integrity of the site is maintained and the site makes a full contribution to achieving Favourable Conservation Status of each of the qualifying features.	Cambridgeshire Over 50km north-east	X	Identified as it is fed by the River Ouse, creating a possible impact pathway however given the distance from the nearest potential mineral site, and the nature of operations (small scale extraction of building stone) the potential for significant effects occurring on the SPA/SAC as a result of the proposed development is negligible. This is because extraction operations of the scale proposed present localised impacts which are able to be effectively

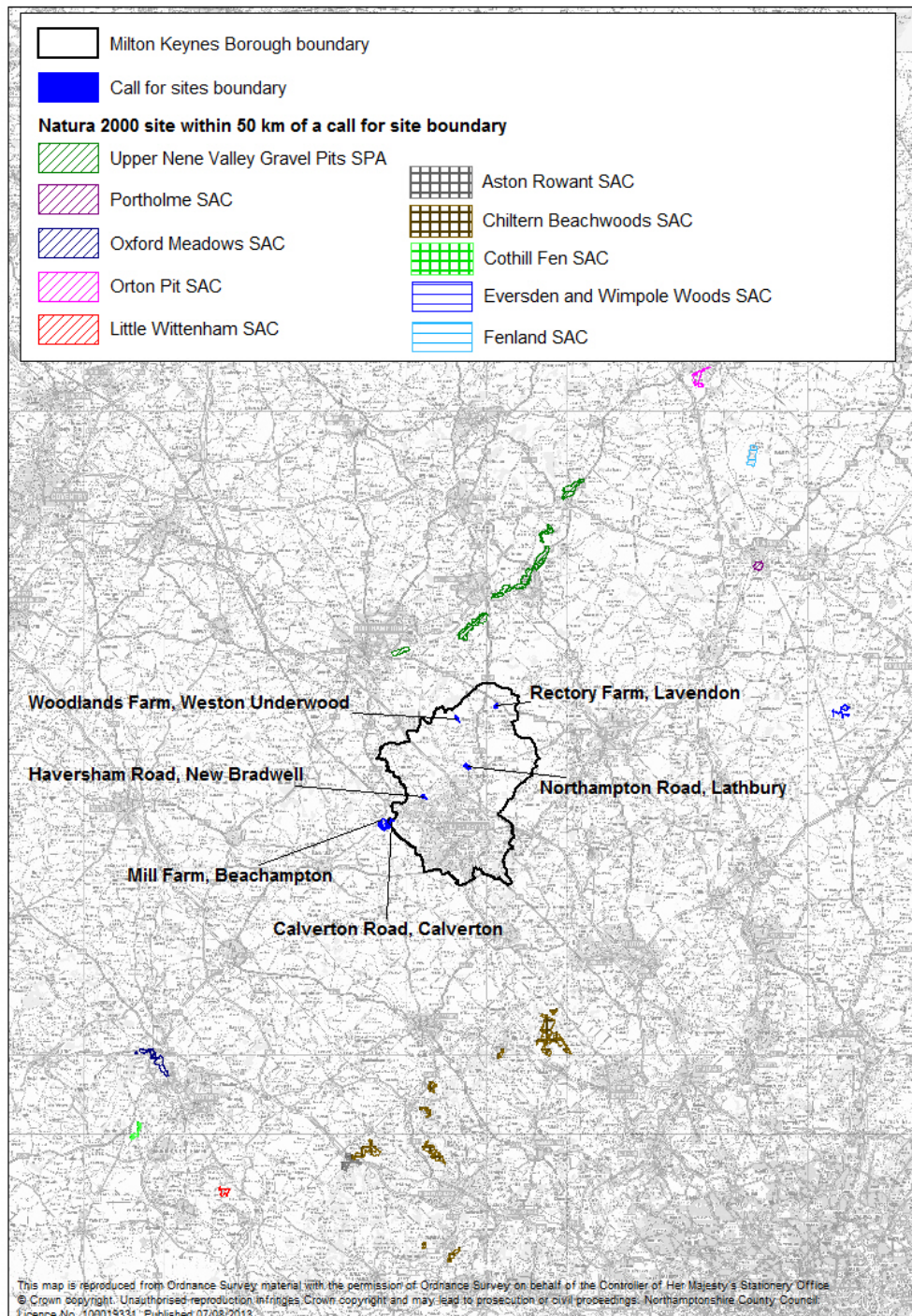
Designated sites			Relationship to the plan area and distance from potential mineral site(s)	Within scope?	Reasoning for not undertaking further assessment
European (Natura 2000) site	Annex habitats / species	Conservation objective			
					mitigated for. Development of the site would not cause a significant negative effect to relevant bird species.

Effects of the plan on the European sites

3.3. Due to the relatively large distances (see Map 3) between the identified sites which were put forward for mineral extraction and the SPAs/SACs, as well as the nature and size of the potential development, the Plan is not considered to propose any potential negative effects on

the European sites, either alone or in combination with any other plan or project. The potential impact pathways identified from the River Ouse feeding flows through both the Ouse Washes and the Portholme, is not considered to present the potential for significant effects on these European sites.

3.4. Map 3 shows the locations of the potential minerals location sites in relation to the SPAs/SACs.



Map 3: Potential extraction sites and relevant European sites

4. Conclusions

4.1. As a result of the scoping process, it was determined that the Milton Keynes Minerals Local Plan does not present the opportunity for significant effects on any European sites. It has been concluded that the Milton Keynes Minerals Local Plan does not require assessment as per the Habitats Regulations.

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