

**Screening Statement for the South Caldecotte Development Framework  
Supplementary Planning Document**

**Strategic Environmental Assessment  
Appropriate Assessment**

**Milton Keynes Council  
April 2019**

## **Supplementary Planning Document (SPD) South Caldecotte Development Framework (SCDF)**

### **1. Title of SPD:**

South Caldecotte Development Framework

### **2. Subject:**

The SPD is required to provide guidance on the future sustainable development of the South Caldecotte Strategic Employment Allocation (SCSEA) in terms of Policy SD14 of the adopted Plan:MK.

The SPD will set out the policy background for the SCSEA and how development can be brought forward in a co-ordinated, properly phased and planned manner.

### **3. Consultation:**

The formal public consultation for the SCDF will take place in May - July 2019.

Over the past few years, there has been ongoing consultation on Plan:MK, consultation that has included the strategic allocation of South Caldecotte for development purposes. A period of consultation on a first draft of the Development Framework took place in March – April 2018.

### **4. Consultation Address:**

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## **1. Introduction**

- 1.1 The requirement for a Strategic Environment Assessment (SEA) is set out in the Office of the Deputy Prime Minister's (ODPM) – now Housing, Communities and Local Government – practical guidance on applying European Directive 2001/42/EC, and in the Environmental Assessment of Plans and Programmes Regulations 2004.
- 1.2 These documents place an obligation on local planning authorities to undertake a SEA on any land use plan or programme “which sets the framework for future development consent of projects.”
- 1.3 There are however exceptions to this requirement for plans “which determine the use of small areas at a local level” or which only propose “minor modifications to plans,” if the local planning authority determines that the plan is unlikely to have significant environmental effects.
- 1.4 To assess whether a SEA is required the local planning authority must undertake a screening process based on a standard set of criteria. This must be subject to consultation with the three consultation bodies: Historic England, the Environment Agency and Natural England.
- 1.5 Following consultation, the results of the screening process must be detailed in a Screening Statement, which is required to be made available to the public.
- 1.6 Previously all Development Plan Documents (DPDs) and Supplementary Planning Documents (SPDs) required Sustainability Appraisal (SA). SA incorporated the requirements for SEA. The Regulations were amended in 2009. These amendments removed the requirement for the SA of SPDs.
- 1.7 Whilst it is anticipated that all DPDs are likely to require a SEA because they contain statutory planning policies used to determine applications, there is no such certainty for SPDs. Though not part of the statutory Development Plan, SPDs cover a range of issues, which generally provide further details on policies in the Development Plan.
- 1.8 If a SPD is considered unlikely to have significant environmental effects through the screening process, then the conclusion will be that the preparation of a SEA is not necessary.
- 1.9 Following consultation with the statutory environmental bodies, Milton Keynes Council determines that the South Caldecotte Development Framework SPD is unlikely to have significant environmental effects and, accordingly, does not require an environmental assessment. The full screening opinion report follows.

## **2. Policy context**

- 2.1 Plan:MK was formally adopted in March 2019. Plan:MK provides the statutory land use planning framework for Milton Keynes and contains policies to determine planning applications and proposals.
- 2.2 The NPPF states that SPDs are “documents which add further detail to the policies in the Local Plan. They can be used to provide further guidance for development on specific sites, or on particular issues, such as design. Supplementary planning documents are capable of being a material consideration in planning decisions but are not part of the development plan.”

## **3. Sustainability Appraisal (SA) of Plan:MK (November 2017)**

- 3.1 SA is a mechanism for considering and communicating the likely effects of an emerging plan, and alternatives, with a view to avoiding and mitigating negative effects and maximising the positives. SA of Local Plans is a legal requirement.
- 3.2 In-line with the Environmental Assessment of Plans and Programmes Regulations 2004, a report (known as the SA Report) must be published for consultation alongside the draft plan that essentially ‘identifies, describes and evaluates’ the likely significant effects of implementing ‘the plan, and reasonable alternatives’. The report must then be taken into account, alongside consultation responses, when finalising the plan. A Sustainability Appraisal incorporating SEA has been undertaken during the preparation of Plan:MK and has been examined as part of the Examination in Public of Plan:MK<sup>1</sup>.

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<sup>1</sup> <https://www.milton-keynes.gov.uk/planning-and-building/planning-policy/plan-mk-evidence-base>

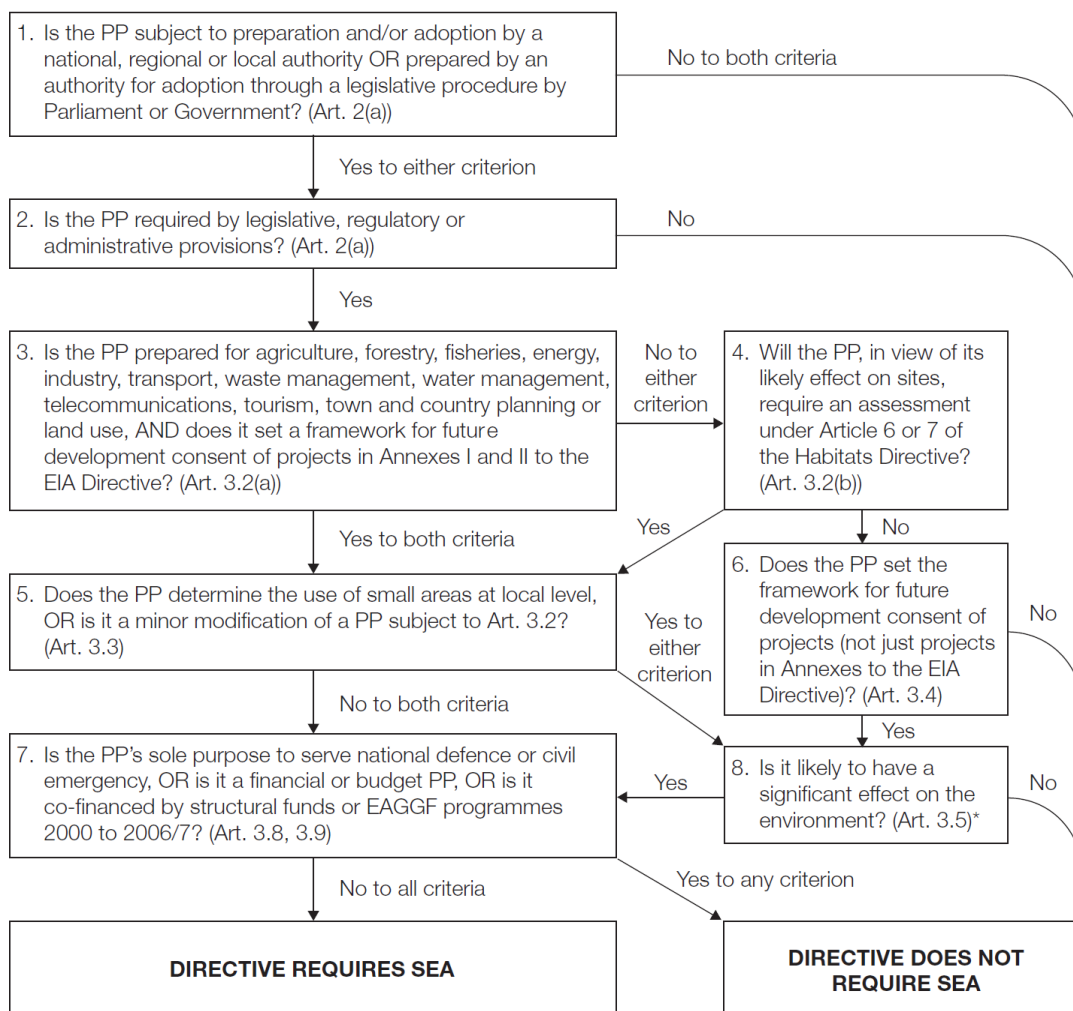
#### **4. South Caldecotte Allocation Development Framework SPD**

- 4.1 Plan:MK allocates South Caldecotte as a strategic employment allocation (appendix 2).
- 4.2 Policy SD14 of Plan:MK sets out the policy framework for the development of South Caldecotte (appendix 3).
- 4.3 The preparation of a Development Framework for the South Caldecotte site is an essential first step to guide all future stages of the development and will set out the policy background and how development can be brought forward in a co-ordinated, properly phased and planned manner.
- 4.4 If necessary and if required, detailed further planning guidance in the form of Design and Access Statements for all subsequent development phases will cascade from and follow the Development Framework.
- 4.5 The Development Framework will evolve as a shared vision that meets the requirements and aspirations of Milton Keynes Council, the community, service providers, landowners, other related stakeholders, developers and other key partners, and will build a consensus for common and joint action.
- 4.6 Extensive public consultation, in accordance with the relevant regulations and the Council's Statement of Community Involvement (SCI), will be an integral part throughout the preparation of the Development Framework prior to its adoption.

## 5. The Screening Process

- 5.1 The key to the screening decision is the determination of whether the SPD is likely to have significant environmental effects, using the criteria set out in Annex II of the SEA Directive. These criteria are set out in the table in Appendix 1 together with the Council's response in relation to the SPD.
- 5.2 Plan:MK has been subject to the preparation of a Sustainability Appraisal which has also considered the sustainability of the allocation of the South Caldecotte site for development.
- 5.3 Despite no longer requiring sustainability appraisal, SPDs may still require SEA. 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.

**Table 1: Establishing the need for SEA**

<b>Stage</b>	<b>Answer</b>	<b>Reason</b>
<b>1. Is the SPD 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))</b>	Yes	The SPD is to be adopted by Milton Keynes Council
<b>2. Is the SPD required by legislative, regulatory or administrative provisions? (Article 2(a))</b>	Yes	The SPD is required in terms of Plan:MK Policy SD14.
<b>3. Is the SPD 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? (Article 3.2(a))</b>	Yes	The SPD is for town and country planning/land use purposes and which sets a policy framework for future development consent of projects in Annexes I and II to the EIA Directive (Urban Development Projects)
<b>5. Does the SPD determine the use of small areas at local level, OR is it a minor modification a SPD subject to Article 3.2? (Article 3.3)</b>	Yes	The SPD will determine the use of small areas at a local level.
<b>8. Is it likely to have a significant effect on the environment? (Article 3.5)</b>	No	Although the Plan:MK SA identifies some negative environmental impacts, Plan:MK policies and the SPD will have a positive impact on mitigating these negative impacts.  See also <b>Appendix 1</b> below 'Determining the likely significance of effects'

## **6. Statement of Reasons for Determination**

- 6.1 The Council believes that the impact of this SPD through responses to the SEA Directive Criteria will not have significant environmental effects on the local area specifically or on the wider Milton Keynes area generally.
- 6.2 Moreover, the SPD is not setting a new policy framework; it is supplementing and providing further guidance on existing policies, in particular Plan:MK.
- 6.3 The Plan:MK SA does not identify any significant environmental effects associated with South Caldecotte, although it does identify some negative environmental impacts. Plan:MK policies and the SPD will have a positive impact on mitigating these negative impacts.
- 6.4 Therefore, the Council considers that a SEA will not be required for this SPD.
- 6.5 Before this presumption can be confirmed, however, it is necessary to consult with the three statutory environmental bodies over this SEA Screening Statement for the South Caldecotte DF SPD.

## **7. Appropriate Assessment (AA) for the Habitats Directive**

- 7.1 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.
- 7.2 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.

## **8. Screening for Appropriate Assessment**

- 8.1 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.



8.2 As above with the SEA screening, it is not considered that the SCDF SPD would have any impact on sites covered by the Habitats Directive. A Habitats Regulation Assessment of Plan:MK<sup>2</sup> was undertaken when preparing Plan:MK. This concluded 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.” Therefore, an appropriate assessment was not required. The South Caldecotte DF SPD will inform developers about the design considerations in Milton Keynes when submitting applications, or reserved matters. The impact on any important habitats would be considered through the determination of the development proposal itself, and it is therefore considered that a full Appropriate Assessment is not required for the South Caldecotte DF SPD.

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<sup>2</sup> <https://www.milton-keynes.gov.uk/assets/attach/51223/Habitats%20Regulations%20Assessment%20of%20Milton%20Keynes%20Local%20Plan%20FINAL.pdf>

## 9. Conclusions

7.1 The three statutory environmental bodies (Natural England, Historic England and the Environment Agency) were consulted on the draft Screening Opinion. Their comments are detailed below:

Consultation Body	Comments Received
Natural England	<p>We are unable, at this time, to support the SEA's conclusions without changes to the SPD.</p> <p>In our review of the SEA and the draft SPD we note that you are missing any reference to the area of Priority Habitat – Lowland Meadow located in the central west of the site. We have included a map for your reference. NPPF paragraph 117 states; '<i>To minimise impacts on biodiversity and geodiversity, planning policies should: promote the preservation, restoration and re-creation of priority habitats</i>'. No provision has been undertaken to preserve the Priority Habitat on this site.</p> <p>Policy NE3 of Submission Version Plan:MK requires that; '<i>Development proposals maintain and protect biodiversity and geological resources, and wherever possible, enhance biodiversity, and the structure and function of ecological networks</i>'. Without policies to maintain and protect this habitat, or mitigate and compensate for impacts to this habitat this SPD is not aligned with Plan:MK. Loss of this habitat will also result in a loss of biodiversity.</p> <p>The SEA states; '<i>Although the Plan:MK SA identifies some negative environmental impacts, Plan:MK policies and the SPD will have a positive impact on mitigating these negative impacts</i>'. Although it is unclear from the SEA screening report which negative impacts this statement relates to, the statement will not hold true unless the SPD is amended to avoid or mitigate impacts to the Priority Habitat on site.</p> <p>Chapter 2.6 Habitat and Vegetation</p>

	<p>would be the ideal section to describe this existing habitat. Grassland surveys have identified the grassland type as MG5b with areas of MG5/6. This site is currently linked to the wildlife corridor along the A5 and could easily be incorporated into the development's green infrastructure. Section 3.4.5 should be expanded to include the area of Priority Habitat as retained and enhanced ecological habitats.</p> <p>We would also like to add a comment about Figure 3.4. It would be useful for developers if you were to include an 'indicative green infrastructure' area. This area should include the local Biodiversity Opportunity Area along the A5, the land bordering the waterway and the area of Priority Habitat.</p> <p>Part of the site is also located in the Ouzel Valley Local Biodiversity Opportunity Area. We would recommend that the Bucks and Milton Keynes NEP is consulted on the SPD and the subsequent development Master Plan</p>
Historic England	<p>As we noted in our comments on the Proposed Submission Plan:MK last year, this site is located across the A5 from the northern part of the Roman town of Magiovinium and Roman fort scheduled monument. The site is therefore of potential archaeological interest,</p> <p>We therefore welcomed requirement 9 of the Policy for an archaeological assessment, including a possible field evaluation, to understand the likely presence of archaeological remains within the site and for the recommendations of that assessment to be implemented. It may be that this assessment identifies important archaeological remains, possibly of national significance, that could be harmed by the proposed employment allocation. The proposed allocation</p>

	<p>could, therefore, possibly have significant effects on the historic environment.</p> <p>However, although further detailed archaeological assessment is required, at a strategic level, Historic England is satisfied that the proposed allocation at South Caldecotte has been adequately assessed through the SEA of the Proposed Submission Plan:MK, and, again at the strategic level, that adequate mitigation measures have been included within the policy allocating the site. We do not consider that the proposed SPD will lead to any additional environmental effects over and above those already assessed.</p> <p>We therefore agree with the Council's opinion that the proposed South Caldecotte Development Framework Supplementary Planning Document does not need to be subject to Strategic Environmental Assessment.</p>
Environment Agency	<p>We agree with the conclusions that your Authority has reached, that a Strategic Environmental Assessment (SEA) is not required.</p>

**SEA Screening Conclusion**

- 9.2 Both the Environment Agency and Historic England have agreed with the view of Milton Keynes Council that the Plan's effects are unlikely to have impacts beyond the site area and it is considered that overall the Plan will not have significant effects on the environment. Natural England requested changes to the draft Development Framework to include reference to the priority habitat within the site. The draft Development Framework has subsequently been amended to show the priority habitat and to require that development avoids or mitigates impacts on the priority habitat. It is, therefore, concluded that the South Caldecotte Development Framework SPD does not need to be subject to Strategic Environmental Assessment.

## APPENDIX 1: Criteria for determining the likely significance of effects

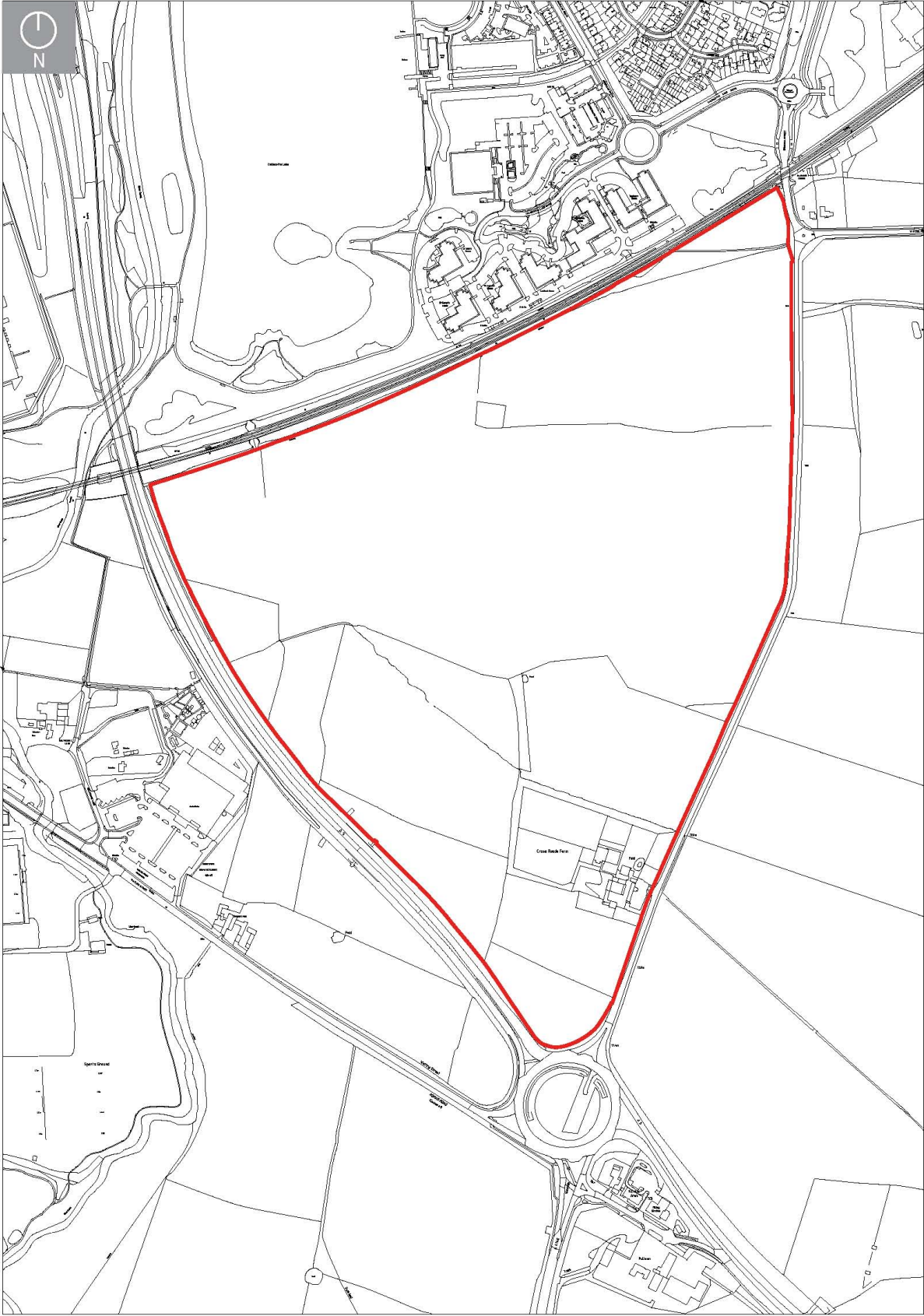
<b>SEA Directive Criteria and Schedule 1 of Environmental Assessment of Plans and Programmes Regulations 2004</b>	<b>Milton Keynes Council Response</b>
<b>1. Characteristics of the SCDF SPD, having regard to:</b>	
The degree to which the SPD sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources.	The SPD provides additional guidance in terms of a policy planning framework for Policy SD14 of Plan:MK and provides guidance on future planning applications for land in the Strategic Employment Allocation.
The degree to which the SPD influences other plans and programmes including those in a hierarchy.	The SPD will not influence any lower level plans or programmes.
The relevance of the SPD for the integration of environmental considerations in particular with a view to promoting sustainable development.	Decisions made through the SPD will seek to integrate environmental considerations and promote sustainable development.
Environmental problems relevant to the SPD.	<p>The Landscape Sensitivity Study identifies this site as falling within a parcel of land with 'medium' sensitivity; however, this conclusion may relate more to land to the south (Eaton Leys, which is now a committed housing site), rather than to the Caldecotte South site. There will be potential to mitigate impacts through careful layout, landscaping and design; however, the necessary height of warehouses will likely mean that some visual impacts are unavoidable.</p> <p>English Nature has identified part of the site as priority habitat (lowland meadow). Development can be designed to mitigate the impacts on priority habitat in accordance with policies NE2 and NE3.</p>
The relevance of the SPD for the implementation of Community legislation on the environment (for example, plans and programmes linked to waste management or water protection).	In the light of the policies within Plan:MK and relevant legislation, the SPD will guide the form, layout and nature of development within the site so that it minimises its impact on the water and natural environment, mitigates carbon dioxide emissions, furthers the ability to adapt to climate change and prevents or

	minimises pollution of the wider environment.
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<b>2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to:</b>	
The probability, duration, frequency and reversibility of the effects.	The anticipated effects on the sustainability of the SCDF are expected to be positive and enduring with no negative effects.
The cumulative nature of the effects of the SPD.	Preparation and adoption of the SPD would allow development to occur within South Caldecotte. There are other permitted and anticipated urban development sites within the immediate area and the wider MK borough. However, these are not of a scale that together with South Caldecotte would give rise to significant effects upon the environment.
The trans-boundary nature of the effects of the SPD.	There are no trans-boundary issues.
The risks to human health or the environment (e.g. due to accidents).	Every effort will be made by the Council to mitigate the impact of the scheme on the living conditions of Bow Brickhill residents through careful layout, landscaping and design. The proposed routing plan will direct traffic away from Bow Brickhill.
The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected) by the SPD.	The magnitude and accumulation of impacts is not likely to cause any local adverse environmental impacts and any impacts will be at the very local level and limited to a small geographic area.
The value and vulnerability of the area likely to be affected by the SPD due to: <ul style="list-style-type: none"> <li>• Special natural characteristics or cultural heritage,</li> <li>• Exceeded environmental quality standards or limit values, or</li> <li>• Intensive land use.</li> </ul>	There is a Scheduled Monument adjacent to the site, described as Roman town of Magiovinium and Roman fort.  The area is also within an area where there is a likelihood of archaeological interest, and any below ground heritage will need to be explored and considered through the development framework.
The effects of the SPD on areas or landscapes which have recognised	No effects identified. The SPD covers an area that is not in national, community or

national, community or international protection status.	international protected landscape areas and will not have any impacts on nearby national, community or international protected landscape areas.
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**APPENDIX 2: South Caldecotte Strategic Employment Allocation: Draft Development Framework SPD**





## **APPENDIX 3: Policy framework within Plan:MK for South Caldecotte**

### Policy SD14 Strategic Employment Allocation, Land South of Milton Keynes, South Caldecotte

A. Land south of Milton Keynes in South Caldecotte, as shown on the Key Diagram and Policies Map, is allocated for the development of a mix of Class B2 and B8 employment floorspace within the plan period.

B. A comprehensive development framework for the site will be prepared and the development will be brought forward in line with all relevant policies in Plan:MK, particularly Policy SD1, SD9, SD10, NE1-6 and INF1 prior to planning applications being approved.

C. The development must accord with the following principles:

1. A minimum of 195,000m<sup>2</sup> of Class B2/B8 and ancillary B1 employment floorspace.
2. Access to be taken from Brickhill Street, which will be upgraded to grid road standard.
3. The development will be subject to a Transport Assessment, which will investigate the development's impact on the local highway network, including the A5/Watling Street roundabout. The development will contribute to any necessary improvements, as agreed by the relevant highway authorities and Highways England. The Transport Assessment will also set out the basis for effective public connections to and from the site to be implemented prior to completion of the development.
4. A green open space link will be created on the site, linking into Caldecotte Lake to the north and providing future opportunity to link the park to the south/east. The open space link should include access and connectivity to Caldecotte Lake with mechanisms in place for its sustainable management over the long term and balancing ponds as part of a Sustainable Urban Drainage system across the site.
5. Direct footpath connections to Bow Brickhill railway station and the existing Public Right of Way running along the site's northern boundary will be effectively integrated into the development.
6. Building heights should be informed by the Landscape and Visual Impact Assessment (LVIA) and should avoid unacceptable impact on the wider landscape and heritage assets.
7. The design and appearance of buildings should be sensitive to the neighbouring uses, with development fronting Brickhill Street being sensitive to views into the site from the wider landscape. Buildings should be designed to provide an attractive entrance to Milton Keynes from the south.
8. Existing vegetation to site boundaries should be maintained and enhanced to screen the development from wider views where a LVIA deems this necessary. New planting should be of native species to mitigate the loss of hedgerows necessary to facilitate development.
9. A desktop Archaeological Assessment should be undertaken to understand the likely presence of archaeological remains within the site. The recommendations of the Assessment will be implemented prior to each phase of development commencing. It may be necessary to undertake a field investigation to understand the archaeological potential and significance of this site and to inform the layout of development.