



**South East Milton Keynes- Strategic Urban Extension
Development Framework Supplementary Planning
Document**

**Environmental Assessment Screening Report and
Habitat Regulations Assessment**

**Milton Keynes Council
December 2020**

SEMK SUE Development Framework SPD

Strategic Environmental Assessment Screening Report

1. Title of SPD:

South East Milton Keynes Strategic Urban Extension Development Framework Supplementary Planning Document (SEMK SPD).

2. Subject:

The SEMK SPD is required to provide guidance on the future sustainable development of the South East Milton Keynes strategic urban extension site (SEMK SUE) in terms of Policy SD11 of the adopted Plan:MK.

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

3. Consultation:

Public consultation on the draft SEMK SUE Development Framework SPD will start in early 2021.

4. Consultation Address:

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**SEMK SUE Development Framework SPD
Strategic Environmental Assessment Screening Report**

Table of Contents

1. INTRODUCTION.....	4
2. POLICY CONTEXT.....	4
3. PURPOSE AND CONTENT OF THE SEMK SUE DEVELOPMENT FRAMEWORK SPD.....	4
4. LEGISLATIVE BACKGROUND	5
6. THE SEA SCREENING	7
7. STATEMENT OF REASONS FOR SCREENING OUTCOME.....	10
8. APPROPRIATE ASSESSMENT (AA) FOR THE HABITATS DIRECTIVE	10
9. SCREENING FOR APPROPRIATE ASSESSMENT	11

SEMK SUE Development Framework SPD

Strategic Environmental Assessment Screening Report

1. Introduction

1.1 This screening report is designed to determine whether or not the contents of the SEMK SPD requires:

- A Strategic Environmental Assessment (SEA) in accordance with the European Directive 2001/42/EC and associated Environmental Assessment of Plans and Programmes Regulations 2004; and
- An assessment against the Habitats regulations to establish whether there would be any significant effects on European site(s).

2. Policy context

2.1 Milton Keynes Council prepared and adopted Plan:MK 2016-2031, a Local Plan for the Borough of Milton Keynes, in March 2019 in accordance with the Planning and Compulsory Purchase Act 2004, the Town and Country Planning (Local Planning) (England) Regulations 2012, and national planning policy set out in the National Planning Policy Framework 2012 . Plan:MK now forms part of the statutory Development Plan for Milton Keynes and replaces the saved policies of the Local Plan 2005 and Core Strategy 2013.

2.2 The NPPF (February 2019) states that SPDs are “documents which add further detail to the policies in the development 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. Purpose and content of the SEMK SUE Development Framework SPD

3.1 The Plan:MK allocates SEMK as a strategic urban extension to provide residential-led mixed use development of approximately 3000 homes (Appendix 2) with associated uses including schools and retail and a site to accommodate 7 permanent pitches for Gypsy and Travellers

3.2 The draft SEMK SPD has been prepared to support the implementation of Policies SD11 (which sets out the policy framework for the development of the SEMK site) and SD10 (which requires Development Framework Supplementary Planning Documents for strategic sites to be adopted before any planning permissions can be granted) within Plan:MK (Appendix 3). The draft SPD also considers other relevant policies within Plan:MK, notably Policies SD1, SD9 and INF1.

3.3 The preparation of a Development Framework for the South East Milton Keynes site is an essential first step to guide all future stages of the

SEMK SUE Development Framework SPD Strategic Environmental Assessment Screening Report

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

- 3.4 If necessary and if required, detailed further planning guidance in the form of Master Plans and Design and Access Statements for all subsequent development phases will cascade from and follow the Development Framework.
- 3.5 The SEMK SPD has been evolving 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.
- 3.6 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.
- 3.7 The legislative background set out below outlines the regulations that require the need for this screening exercise. Section 6 provides a screening assessment of the likely significant environmental effects of the SPD and the need for a full SEA.

4. Legislative Background

- 4.1 The basis for Strategic Environmental Assessments and Sustainability Appraisal legislation is European Directive 2001/42/EC and was transposed into English law by the Environmental Assessment of Plans and Programmes Regulations 2004, or SEA Regulations.
- 4.2 The Planning and Compulsory Purchase Act 2004 required Local Authorities to produce Sustainability Appraisals (SA) for all local development documents to meet the requirement of the EU Directive on SEA. It is considered best practice to incorporate requirements of the SEA Directive into a SA.
- 4.3 However, the 2008 Planning Act removed the requirement to a Sustainability Appraisal for a Supplementary Planning Document, but not a Strategic Environmental Assessment. This, is because SPD's do not normally introduce new policies or proposals or modify planning documents which have already been subject to Sustainability Appraisal.
- 4.4 Appraisal incorporating SEA has been undertaken during the preparation of Plan:MK (SA of the Plan:MK November 2017) and has been examined as part of the Examination in Public of Plan:MK. The Council, at the request of the

SEMK SUE Development Framework SPD

Strategic Environmental Assessment Screening Report

examination Inspector, prepared an Addendum to the SA/SEA to present information on the proposed modifications, and alternatives, with a view to informing plan finalisation¹.

4.5 This report focuses on screening for SEA and the criteria for establishing whether a full assessment is needed.

4.6 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.

4.7 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.

4.8 Following consultation, the results of the screening process will be detailed in a Screening Statement, which is required to be made available to the public.

4.9 This document will be updated when the consultation response of the three consultation bodies have been received and evaluated.

5. The Screening Process

3.1 Criteria for determining the likely significance of effects referred to in Article 3(5) of Directive 2001/42/EC are set out below:

1. The characteristics of plans and programmes, having regard to:
 - 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 degree to which the plan or programme influences other plans and programmes including those in a hierarchy,
 - the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development,
 - environmental problems relevant to the plan or programme,

¹ At the time Plan:MK was prepared the prevailing national planning policy was set out in the NPPF (published in March 2012). In accordance with paragraph 214 of the revised NPPF (published in July 2018 and subsequently updated in February 2019), Plan:MK was examined against the 2012 NPPF and accompanying Planning Practice Guidance (PPG).

SEMK SUE Development Framework SPD

Strategic Environmental Assessment Screening Report

- 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).

2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to

- the probability, duration, frequency and reversibility of the effects,
- the cumulative nature of the effects,
- the transboundary nature of the effects,
- the risks to human health or the environment (e.g. due to accidents),
- the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected),
- the value and vulnerability of the area likely to be affected due to:
 - special natural characteristics or cultural heritage,
 - exceeded environmental quality standards or limit values,
 - intensive land-use,
- the effects on areas or landscapes which have a recognised national, Community or international protection status.

Source: Annex II of SEA Directive 2001/42/EC

6. The SEA Screening

6.1 The adopted Local Plan (Plan:MK) was subject of Sustainability Appraisal (SA) (incorporating SEA) which included the sustainability of the SEMK allocation for development.

6.2 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.

6.3 This guide has been used as the basis on which to assess. The diagram below illustrates the process for screening a planning document to ascertain whether a full SEA is required.

SEMK SUE Development Framework SPD

Strategic Environmental Assessment Screening Report

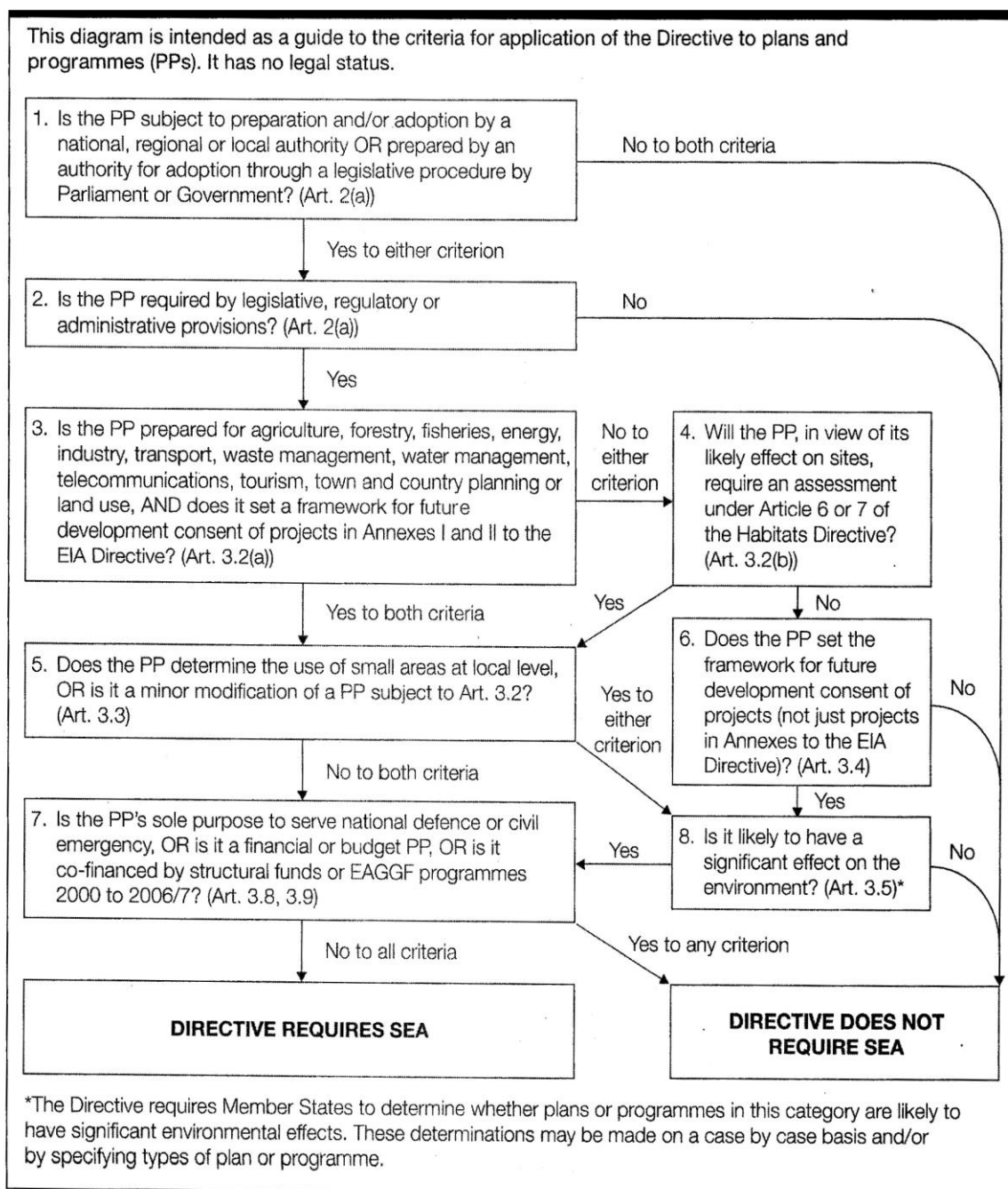


Figure 1. Establishing the need for SEA.

SEMK SUE Development Framework SPD
Strategic Environmental Assessment Screening Report

4.2 The table below shows the assessment of whether the SPD will require a full SEA. The questions below are drawn from the diagram above which sets out how the SEA Directive should be applied.

Stage	Y/N	Reason
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 or Government? (Art. 2(a))	Yes	The SPD is to be adopted by Milton Keynes Council
2. Is the SPD required by legislative, regulatory or administrative provisions? (Art. 2(a))	Yes	The SPD is required in terms as per Policy SD10 and needs to be in accordance with the Policy SD11.
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? (Art 3.2(a))	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)
5. Does the SPD Determine the use of small areas at local level, OR is it a minor modification of a SPD subject to Art. 3.2? (Art. 3.3)	Yes	The SPD will determine the use of small areas at a local level.
6. Is it likely to have a significant effect on the environment? (Article 3.5)	No	The Plan:MK SA does identify significant negative effects in respect of 'Natural resources' objectives, since the SEMK site would result in significant loss of 'best and most versatile' agricultural land. However, Plan:MK policies and the SPD will have a positive impact on mitigating these negative impacts (development to be in accordance with Policy SD11 and in line with all relevant policies in

SEMK SUE Development Framework SPD
Strategic Environmental Assessment Screening Report

		Plan:MK, particularly Policy SD1, SD9, SD10, NE1-7 and INF1.
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7. Statement of Reasons for screening outcome

7.1 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.

7.2 Moreover, the SPD is not setting a new policy framework; it is supplementing and providing further guidance on existing policies, in particular the adopted Plan:MK.

7.3 The Plan:MK SA does identify significant negative effects in respect of 'Natural resources' objectives, since the SEMK site would result in significant loss of 'best and most versatile' agricultural land. However, Plan:MK policies and the SPD will have a positive impact on mitigating these negative impacts. (development to be in accordance with Policy SD11 and in line with all relevant policies in Plan:MK, particularly Policy SD1, SD9, SD10, NE1-7 and INF1)

7.4 Therefore, the Council considers that a SEA will not be required for this SPD.

7.5 Before this presumption can be confirmed however, it is necessary to consult with the three statutory environment bodies over this SEA Screening Statement for the Biodiversity SPD.

8. Appropriate Assessment (AA) for the Habitats directive

8.1 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.

SEMK SUE Development Framework SPD

Strategic Environmental Assessment Screening Report

8.2 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.

9. Screening for Appropriate Assessment

9.1 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.

9.2 As above with the SEA screening, it is not considered that the SEMK SUE Development Framework SPD would have any negative impact on sites covered by the Habitats Directive. A Habitats Regulation Assessment of Plan:MK² 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 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 SEMK SUE Development Framework SPD.

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

SEMK SUE Development Framework SPD
Strategic Environmental Assessment Screening Report

APPENDIX 1. Criteria for determining the likely significance of effects

Criteria for determining the likely significance of effects of the environment	Potential effects of the SPD	Is there a likely significant effect?
1. Characteristics of the SEMK SPD, having regard to:		
(a) 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 SPD provides additional guidance in terms of a policy planning framework for Policy SD11 of the adopted Plan:MK and provides guidance on future planning applications for land at SEMK site. It does not establish new policy. The adopted Local Plan was prepared with continuous, iterative input from the SA (inc. SEA). The Local Plan was considered sound by an independent Inspector.	No
(b) the degree to which the plan or programme influences other plans and programmes including those in a hierarchy;	The SPD sits in a hierarchy of documents. It does not directly affect any other plans or programmes but is influenced by the adopted Local Plan and other higher tier planning policy documents including the National Planning Policy Framework (NPPF).	No
c) the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development;	<p>The adopted Local Plan and other higher-level policies set the context for achieving sustainable development in the borough.</p> <p>Options considered through the development of the SPD will not change the higher-level policy requirements which have, in themselves, been subject to SA (inc. SEA).</p> <p>The SPD will assist with meeting the SA (inc. SEA) objectives such as: 5 Ensure that everyone has the opportunity to live in an affordable, sustainably constructed home; 8 Conserve and enhance the borough's biodiversity, 13 Limit and reduce road congestion and encourage sustainable</p>	No

SEMK SUE Development Framework SPD
Strategic Environmental Assessment Screening Report

	transportation; 14 Maintain and improve water quality and minimise the risk of flooding..	
(d) environmental problems relevant to the plan or programme; and	<p>The Council's Landscape Sensitivity Study to Residential Development 2016 appraises the site as having low landscape sensitivity.</p> <p>There are a number of designated heritage assets within the wider vicinity of the site. These assets are not considered to present an overriding constraint to the development of the site or be significantly affected.</p> <p>The site includes an area of designated Wildlife Corridor which runs along each side of the railway. The SEMK site is also in close proximity to the extensive woodlands associated with the Greensand Ridge, some of which is ancient woodland, which is designated as a Local Wildlife Site and priority habitat. The ecological assets and constraints are capable of being accommodated in line with the mitigation hierarchy set out in Policy NE2 and NE3 to avoid any significant negative effects upon them.</p> <p>The SEMK includes areas of Best and Most Versatile agricultural land, including some land classed as Grade 2. The SEMK SPD sets out principles, framework and distribution of land uses within the SEMK site. It takes into account site constraints including the BMV land to ensure that the design response "seeks to use areas of poorer quality land in preference to that of a higher quality".</p>	No
(e) the relevance of the plan or programme for the implementation of	In the light of the policies within Plan:MK and relevant legislation, the SPD will guide the form, layout	No

SEMK SUE Development Framework SPD
Strategic Environmental Assessment Screening Report

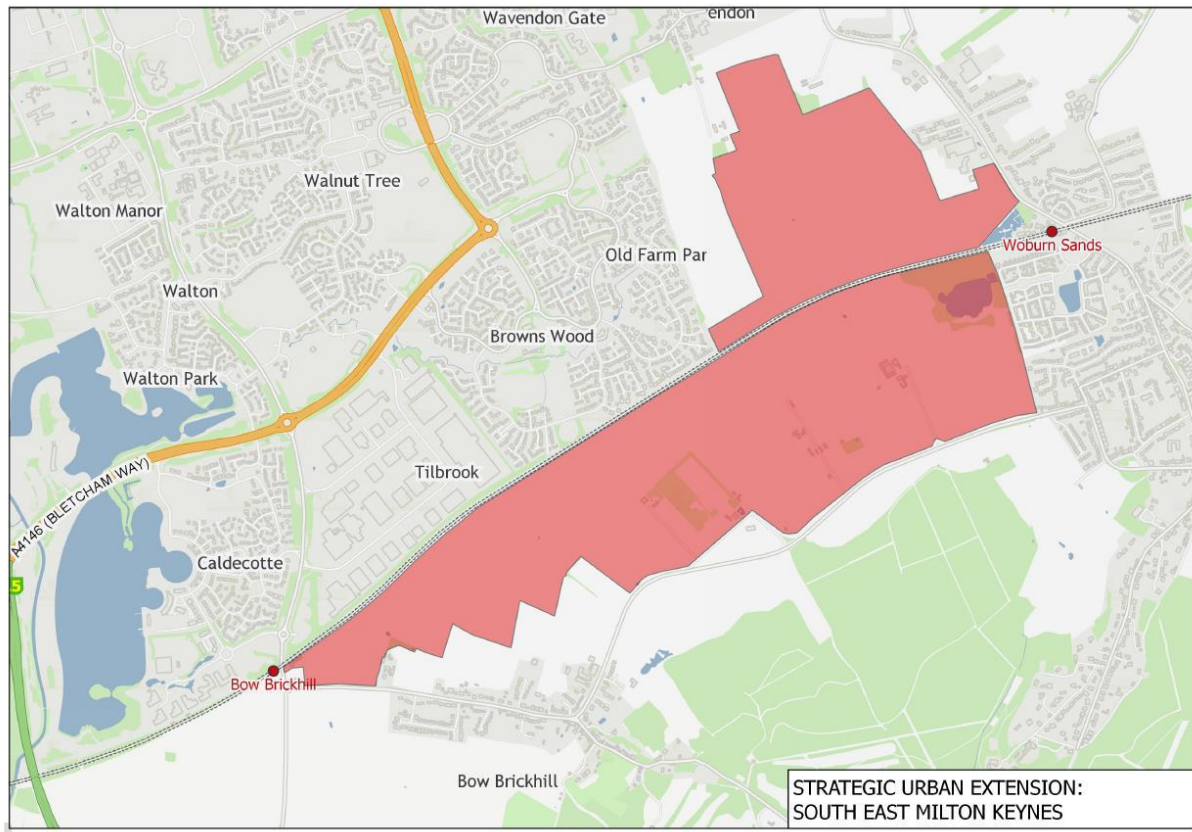
Community legislation on the environment (e.g. plans and programmes linked to waste management or water protection).	and nature of development within the site so that it minimises its impact on the water and natural environment, mitigates carbon dioxide emissions, furthers the ability to adapt to climate change and prevents or minimises pollution of the wider environment. It is unlikely that there would be any significant environmental effects resulting from the SEMK SUE Development Framework SPD which would not be mitigated.	
2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to:		
(a) the probability, duration, frequency and reversibility of the effects;	The anticipated effects on the sustainability of the SEMK SPD are expected to be positive and enduring with no negative effects.	No
(b) the cumulative nature of the effects;	<p>Preparation and adoption of the SPD would allow development to occur within SEMK. 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 SEMK site would give rise to significant effects upon the environment.</p> <p>Milton Keynes and the site in question reside with the Oxford-Milton Keynes-Cambridge Arc, a geographical area identified and described by the National Infrastructure Commission as being an area which could and should accommodate the provision of new and significant transport infrastructure and housing development. At this time, no discrete plans or programmes have been established by the UK Government, local authorities or other bodies which prescribes the scale and location of how such infrastructure and housing</p>	No

SEMK SUE Development Framework SPD
Strategic Environmental Assessment Screening Report

	development may take place.	
(c) the transboundary nature of the effects;	There are no trans-boundary issues.	No
(d) the risks to human health or the environment (e.g. due to accidents);	There are no perceived risks to human health or the environment arising from the SPD.	No
(e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected);	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.	No
(f) 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; or. (iii) intensive land-use; and	Not relevant. The SPD covers an area already identified for development; such development will need to satisfy relevant national and local planning policy guidance.	No
(g) the effects on areas or landscapes which have a recognised national, Community or international protection status.	No effects identified. The SPD covers an area that is not in national, community or international protected landscape areas and will not have any impacts on nearby national, community or international protected landscape areas.	No

SEMK SUE Development Framework SPD
Strategic Environmental Assessment Screening Report

APPENDIX 2: Map of the SEMK Strategic Urban Extension Site.



SEMK SUE Development Framework SPD

Strategic Environmental Assessment Screening Report

APPENDIX 3 Policy framework from Plan:MK for the SEMK site.

Plan:MK - Policy SD11

SOUTH EAST MILTON KEYNES STRATEGIC URBAN EXTENSION

- A. Land is allocated at South East Milton Keynes – as shown on the Key Diagram and Policies Map – for a comprehensive residential-led mixed use development of approximately 3,000 dwellings to meet the needs of Milton Keynes up to 2031 and beyond. If the chosen corridor for the Oxford Cambridge Expressway (OCE) maintains the possibility that the OCE could be routed through the site, then planning permission for housing and associated uses will not be permitted until the detailed alignment of the OCE is known.
- B. In addition to the requirements set out in other policies within this plan, including policies INF1, SD1, SD11 and SD12, development of the site will be required to:
1. Provide schools to accommodate seven forms of entry for secondary education and 6 forms of entry for primary education, as well as necessary nursery and early years provision. Schools should be capable of dual use as community facilities.
 2. Ensure development is well connected and integrated with adjacent grid squares, public transport services and the strategic and local highway network in line with the Council's Mobility Strategy. Provision of grade separated crossings of the railway should be provided or retained as appropriate to ensure connectivity of the southern areas of the site with the remainder of the site and the city to the north in line with policies CT1-CT3 and CT5. The number, location and purpose of any such crossings will be set out within the Development Framework.
 3. Incorporate buffer areas, structural landscaping and strategic green infrastructure within the site to prevent coalescence with Woburn Sands and Bow Brickhill, respect and reinforce the distinct character of Wavendon, Woburn Sands and Bow Brickhill, ensure ecological connectivity and mitigate any harm caused to the Brickhills area and wider landscape character.
 4. Be informed by an archaeological field study, including a geophysical survey, to identify potential below ground archaeology. Where feasible, the Council will expect below ground archaeology to be kept in situ in preference to its removal.
 5. A site to accommodate 7 pitches for Gypsies and Travellers shall be provided as part of this development.
- C. The development will be brought forward in line with all relevant policies in Plan:MK, particularly Policy SD1, SD11, SD12, NE1-6 and INF1. A comprehensive development framework for the site will be prepared in accordance with policies SD1, SD11, SD12 and INF1 and approved by the Council prior to planning permissions being granted.

SEMK SUE Development Framework SPD

Strategic Environmental Assessment Screening Report

Plan:MK - Policy SD9

GENERAL PRINCIPLES FOR STRATEGIC URBAN EXTENSIONS

- A. Proposals for Strategic Urban Extensions, and the documents required under SD10 to guide their development, should be prepared in accordance with the principles set out below. This policy will also be applied to any planning application(s) for unallocated strategic development sites.
1. To provide an appropriate amount of employment and retail uses consistent with the role of the site within the wider strategy and relevant policies guiding those types of uses in the Borough.
 2. To provide the necessary social, grey and green infrastructure at the appropriate stage, rate and scale to support the proposed development, in accordance with an approved Infrastructure Delivery Plan. Strategic Urban Extensions will be expected to make a contribution proportionate to its scale and impact for the delivery of strategic infrastructure requirements identified in the Local Investment Plan.
 3. To be supported by or incorporate:
 - i. Environmental impact and transport assessment.
 - ii. An archaeological investigation (with reference to the Historic Environment Record and further assessment if required) and consideration of the Historic Landscape Characterisation to inform the layout of development.
 - iii. Design, land use, transport routes and mobility measures that integrate the Strategic Urban Extension with the existing built up area and enable future expansion beyond the Strategic Urban Extension where appropriate.
 - iv. Where national planning policy indicates that urban expansion beyond the Strategic Urban Extension would be inappropriate and should be restricted, then the Strategic Urban Extension should incorporate layout and design features that create a permanent long-term development boundary.
 - v. A green infrastructure and open space strategy to improve biodiversity, provide advanced structural planting, extend the "forest city" concept, create green road and street scenes, and incorporate public art and leisure and recreation facilities.
 - vi. A management and maintenance strategy for open space and landscaping, outlining details of the owner, the responsible maintenance body, and how long term maintenance will be funded.
 - vii. Planning obligations relating to the phasing of development and the provision of on-site and off-site infrastructure and facilities, to include land, capital and initial running costs.
 - viii. The monitoring of biodiversity or green infrastructure improvement should be delivered in accordance with the relevant Development Brief.

SEMK SUE Development Framework SPD

Strategic Environmental Assessment Screening Report

Plan:MK - Policy SD10

DELIVERY OF STRATEGIC URBAN EXTENSIONS

- A.** To ensure that Strategic Urban Extensions are brought forward in a strategic and comprehensive manner, planning permission will only be granted for land within Strategic Urban Extensions, following the approval by the Council of a comprehensive development framework, incorporating any necessary design codes, or phasing of development and infrastructure delivery, including green infrastructure delivery, for the Strategic Urban Extension as a whole.
- B.** Development frameworks will be produced by the Council in conjunction with and with the support of the developer(s). Development frameworks will also be prepared in partnership with landowners, adjoining local planning authorities, parish or town councils, infrastructure providers, regional and local agencies and services, statutory consultees, the Parks Trust and other stakeholders. Development frameworks will be prepared in consultation with the local community. The Council will adopt development frameworks as supplementary planning documents to guide future planning applications.