

Haversham-cum-Little Linford Neighbourhood Plan
Strategic Environmental Assessment Screening Statement
Appropriate Assessment Screening
January 2022

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 Haversham-cum-Little Linford Parish Council Area (see Appendix 1), which is a rural parish to the north of Milton Keynes.

1.6 The plan intends to allocate land to deliver a small number of new homes.

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.

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

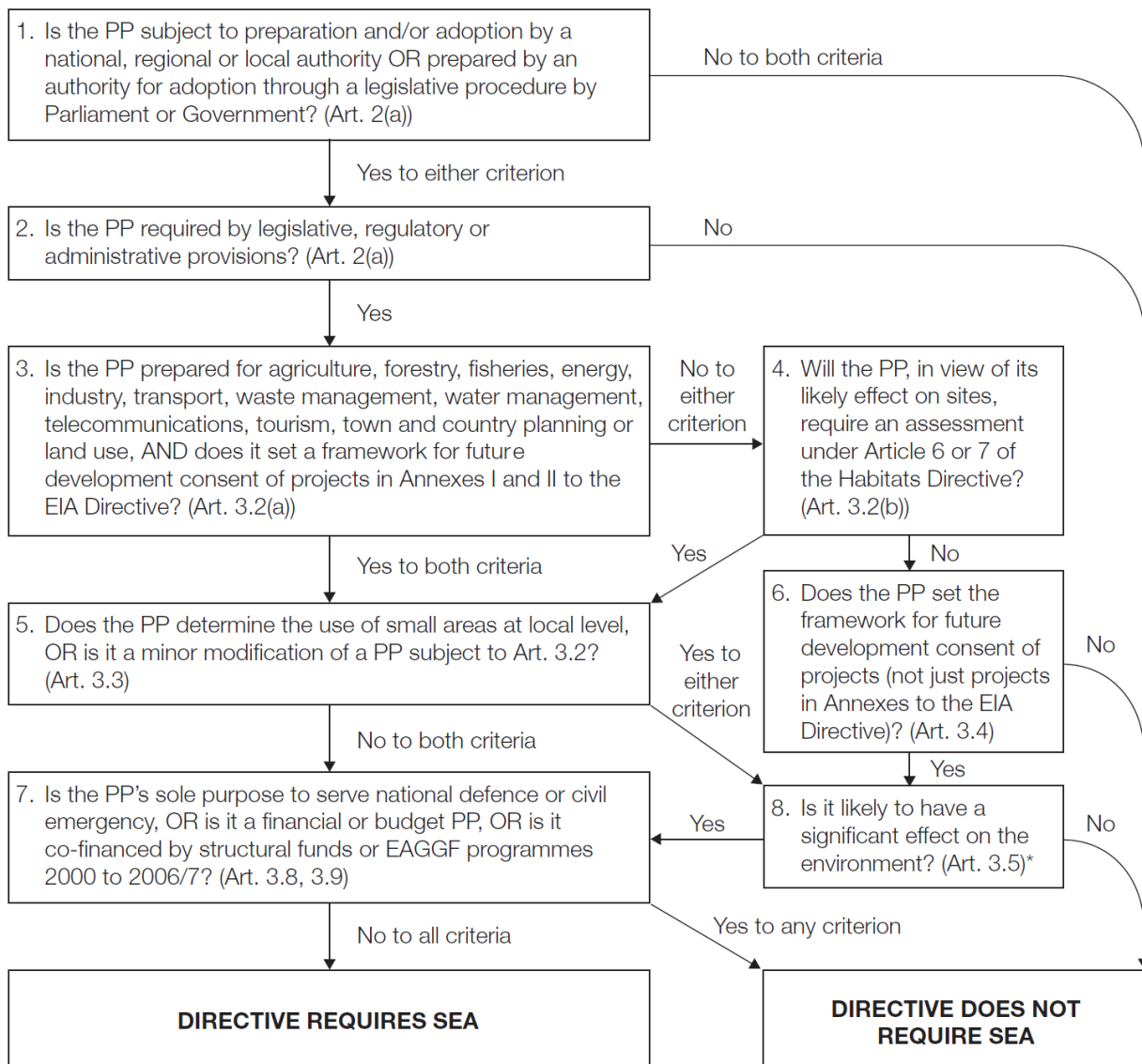
2.3 The Neighbourhood Plan will be subject to public consultation in accordance with the relevant regulations prior to its adoption.

3. SEA Screening

3.1 The requirement for a Strategic Environmental 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 Parish 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 Neighbourhood Plans, they are subject to formal procedures and regulations laid down by national government. In light the European Court of Justice ruling in the Case C-567/10 it is considered that this means the NP is 'required'.
3. Is the NP prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use, AND does it set a framework for future development consent of projects in Annexes I and II to the EIA Directive? (Art. 3.2(a))	No	The NP is prepared for town and country planning purposes but does not explicitly set a framework for future development consent of projects in Annexes I or II of the EIA Directive.
4. Will the plan in view of its likely effect on sites, require an assessment under Article 6 or 7 of the Habitats directive?	No	An Appropriate Assessment has been undertaken for Plan:MK and that has also concluded that the local plan will not require assessment under the Habitats Directive. The relatively small level of additional development likely to arise from the Neighbourhood Plan means that it is unlikely to require an assessment under Article 6 or 7 of 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.
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	None
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	X	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 environment. Aside from any new land allocations, any effects of the plan are likely to be reversible, as they will influence the general evolution of the townscape, which has been subject to ongoing change over 100s of years.
2b) The cumulative nature of the effects	X	The cumulative impacts 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 development is likely to

		be for housing and ancillary uses.
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 affect 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 a rural area. There are a number of listed buildings predominantly around the older part of the village. There is a scheduled ancient monument at Manor Farm. Any housing allocations should be located so as not to harm the setting of the ancient monument. There are areas of potential archaeological interest within the village which could have significant environmental effects on housing allocations.
2g) The effects on areas or landscapes which have a recognised national, community or international protection status	X	There are no areas or landscapes with these designations in Milton Keynes.

4. SEA Conclusion

- 4.1 The Haversham-cum-Little Linford Neighbourhood Plan will provide a planning policy framework to be used when considering planning applications in the Neighbourhood Area.
- 4.2 The Plan's effects are unlikely to have any significant impacts beyond the Neighbourhood Area and it is considered that overall the plan will not have significant effects on the environment. It is, therefore the opinion of Milton Keynes Council that the Haversham-cum-Little Linford Neighbourhood Plan does not need to be subject to Strategic Environmental Assessment.

5. Consultation on SEA Screening Opinion

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

Historic England: See Appendix 2.

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

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

Further Recommendations

Natural England would also like to highlight that removal of green space in favour of development may have serious impacts on biodiversity and connected habitat and therefore

species ability to adapt to climate change. We recommend that the final neighbourhood plan include:

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

SEA Screening Conclusion

Historic England have advised that SEA is merited in this case for the limited reason of the plan's potential for likely significant environmental effects for sites with potential for remains of archaeological interest which may comprise previously unidentified heritage assets. It is therefore the opinion of Milton Keynes Council that overall the Plan will have significant effects on the environment and that the Haversham-cum-Little Linford Neighbourhood Plan does need to be subject to Strategic Environmental Assessment.

6. Appropriate Assessment (AA) Screening

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

7. Screening for Appropriate Assessment

- 7.1 The first stage in carrying out an Appropriate Assessment for the Habitats Directive is screening, by determining whether the plan is likely to have any significant effect on a European site, either alone or in combination with other plans and projects.
- 7.2 The Neighbourhood Plan will be in general conformity with Plan:MK which itself was screened for Appropriate Assessment. The screening process for Plan:MK demonstrated that Milton Keynes lies in an area void of any Natura 2000 sites. The nearest European site is the Chiltern Beechwoods to the south of the Borough although it was determined that the site would not be affected by Milton Keynes planning policy due to the distance of the site from Milton Keynes and there being no obvious impact pathways.
- 7.3 An Appropriate Assessment has been published for Plan:MK which covers the period to 2031. This considers the impact of the Local Plan on the Upper Nene Valley Gravel Pits SPA and concludes that "development in the Milton Keynes Local Plan will not have a likely significant effect on any internationally important wildlife sites either alone or in

combination with other plans and projects. These conclusions are based on the findings of the AA screening which concludes that no Natura 2000 sites are located within the district and no impact pathways have been identified linking Natura 2000 sites outside of the district e.g. Upper Nene Valley Gravel Pits SPA/Ramsar to development within Milton Keynes Borough. Therefore an Appropriate Assessment is not required.”

8. Appropriate Assessment Conclusion

8.1 Given the role of Neighbourhood Plans and the scale of development likely to be proposed in the Haversham-cum-Little Linford Neighbourhood Plan, it is considered that Appropriate Assessment of the plan is not required.

9. Contact

Further information can be obtained from:

UDLA

Placemaking

Civic Offices

1 Saxon Gate East

Central Milton Keynes

MK9 3EJ

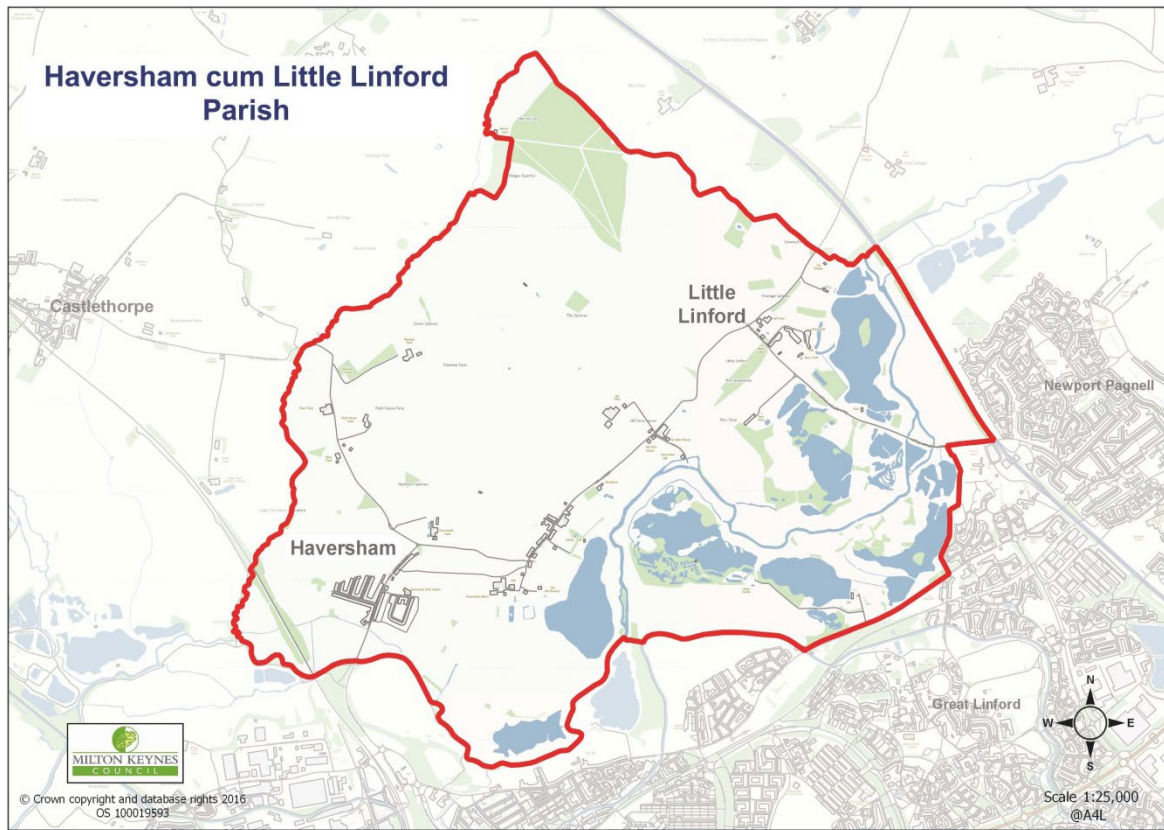
W: www.miltonkeynes.gov.uk/planning-policy

T: 01908 691691

E: neighbourhoodplanning@milton-keynes.gov.uk

Appendix 1

Map of Haversham-cum-Little Linford Neighbourhood Area





Historic England

Milton Keynes Council
Civic
1 Saxon Gate East
Milton Keynes MK9 3EJ

Our ref: 2021.12.16
Haversham NP
Screening HE
RLS
Comments

david.blandamer@milton-keynes.gov.uk
by email only

16th December 2021

Dear David

Re: Haversham-cum-Little Linford Neighbourhood plan Screening

Thank you for consulting Historic England on the screening of the Haversham-cum-Little Linford Neighbourhood Plan and for the additional detail provided by the City Archaeologist which you have forwarded. Historic England's remit is for the historic environment and as such our assessment of the plan's potential for likely significant environmental effects is limited to those within our remit. Silence on environmental effects in areas outside our remit should not be regarded as agreement or consent. The views stated here are without prejudice to comments we may make on individual planning applications or site allocations.

The Neighbourhood Plan group intend to allocate land for development and have indicated a number of sites that they intend to consider. Development can have long term or permanent effects for heritage assets, which are considered to be a fragile and non-renewal resource. These effects may be direct, through change to the physical fabric of the assets, or indirect, through changes in their setting that affect their significance or viability for future conservation. The NPPF is clear that planning authorities should assess the impact of proposals on the conservation of the significance of heritage assets they could have effects for. This should include known heritage assets be they designated or non-designated heritage assets (such as those recorded by the Council in a 'local list'), but should also include areas that have been identified as having potential for the presence of previously unidentified heritage assets (such as sites of archaeological interest). In effect this provides a relatively low bar for requiring SEA for plans that include site allocations in areas with numerous heritage assets or potential for previously unidentified heritage assets (for example with rich archaeological landscapes).

We have noted in our initial response that we feel the sites under consideration have relatively low potential for environmental effects for designated heritage assets, such as listed buildings or conservation areas.



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Correspondence or information which you send us may therefore become publicly available.



The comments provided by The Council's archaeological advisor are extremely helpful in understanding the potential for presence of previously unidentified archaeological remains and the need for assessment of each site for the effects its development could have. Whilst he identifies that none of the sites contain 'show-stoppers' (i.e. evidence of archaeological interest that is likely to entirely rule them out for allocation and future development alone), several of the sites do have sufficient potential for archaeological interest that they would require investigation prior to submission of an application for planning permission. This suggests that there is sufficient potential for environmental effects to require assessment of the alternative sites and their different effects at the allocation stage also and, therefore, that the effects would be considered 'significant' and 'likely' if one of these sites were allocated. As such, we must conclude that SEA is merited in this case for the limited reason of the plan's potential for likely significant environmental effects for sites with potential for remains of archaeological interest which may comprise previously unidentified heritage assets (including those recorded on the Historic Environment Record).

In coming to our conclusion, we would recommend the following points are made to the neighbourhood plan group:

- SEA should not require the collection of more evidence than otherwise required for a robustly evidenced local plan.
- SEA provides a transparent record of the decision making involved in developing the Neighbourhood plan and can help to demonstrate that the plan meets the basic conditions of general conformity with the local plan and promotion of sustainable development as defined by the NPPF.
- SEA provides a helpful assessment of the internal consistency of the neighbourhood plan policies and can help to prevent unexpected consequences or conflict between policies.
- It should be an iterative process undertaken alongside the and informing the development of the plan.
- SEA should be limited in scope to the plan's likely significant environmental effects and, therefore, need not consider every environmental aspect of the plan area (it is possible to undertake a single issue SEA that fulfils the requirements of the regulations).

Whilst the Neighbourhood Plan group may feel that archaeological effects are not of sufficient importance to merit undertaking a formal assessment of the plan we would point out that several plans have reached an advanced stage without paying sufficient regard to their effects on archaeological remains and have either failed at examination or faced considerable delay that would have been avoided by timely engagement. Funding is provided by Locality to support SEA and other technical studies if needed for neighbourhood planning, whilst it is up to the owners and promoters of land proposed for allocations to fund archaeological field investigations needed to demonstrate they are suitable for developments. It is entirely acceptable for the neighbourhood planning group to require a site owner to provide such an investigation, which is common good-practice in the local plan making process.



We hope these comments are of assistance to the Council in determining whether SEA should be required but would be pleased to answer queries or provide further information to aid the examination process if needed.

Yours sincerely

Robert Lloyd-Sweet

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