

THE BASIC CONDITIONS STATEMENT

To establish policies for the Newport Pagnell Neighbourhood Plan, it is important to ascertain that the plan works within broader policies, at both a national and a local level.

To do so, the Neighbourhood Plan must meet the following basic conditions:

- It must have regard to national policies and advice contained in the guidance issued by the Secretary of State.
- It must contribute to the achievement of sustainable development.
- It must be in general conformity with the strategic policies of the development plan for the area.
- It must be compatible with EU obligations (for example human rights legislation and Strategic Environment Assessments.)

1. How the Neighbourhood Plan has regard to National Planning Policy.

The context for National Planning Legislation as set out by Government changed radically post the 2010 election, with the emergence of the National Planning Policy Framework and the Localism Bill. Both documents sought to drive forward the home building agenda by reducing paperwork and making planning simpler, to deal with the significant shortage of homes across England. A presumption in favour of sustainable development was incorporated as part of this legislation.

1.1 The National Planning Policy Framework

This National Planning Policy Guidance, published in 2012, is one of the key documents to which the Neighbourhood Plan must have regard. The National Planning Policy Framework sets out the principles of achieving sustainable development through the operation of the planning system. It outlines three dimensions to sustainable development:-

1. an economic role, contributing to building a strong, responsive and competitive economy
2. a social role, supporting strong, vibrant and healthy communities
3. an environmental role, contributing to protecting and enhancing our natural, built and historic environment.

The objectives included in the National Planning Policy Framework are:

- making it easier for jobs to be created
- moving from a net loss of bio-diversity to achieving net gains for nature
- replacing poor design with better design
- improving the conditions in which people live, work, travel and take leisure, and
- widening the choice of high quality homes.

To achieve these objectives the planning system should:

- support sustainable economic growth
- avoid the long term protection of employment sites where there is no reasonable prospect for that use
- promote competitive town centres, and support their vitality and viability
- encourage modes of sustainable transport, giving priority to pedestrian and cycle movements, and good access to high quality public transport.
- promote a mix of uses for large scale residential developments, so that key facilities such as

- primary schools and local shops are located within walking distance.
- seek to improve the quality of parking in town centres
- deliver a wide choice of high quality homes, widen opportunities for home ownership, and create sustainable, inclusive and mixed communities.
- develop policies to achieve high quality design
- facilitate social interaction and create healthy, inclusive communities, and safe environments
- ensure a sufficient choice of school places is available for existing and new communities.
- ensure good access to high quality open spaces and to sport and recreation opportunities.
- secure radical reductions in greenhouse gas emissions, and support a low energy future
- plan new developments taking in climate change factors such as flooding.
- contribute to and enhance the natural and local environment, by protecting and enhancing valued landscapes and biodiversity.
- minimise pollution
- encourage the reuse of brownfield land.
- conserve and enhance the historic environment.

The plan meets the basic condition of having regard to National Policy in that it offers significant new, sustainable housing development with commensurate infrastructure, having taken into account employment in the area and the social needs of those people who will live in the housing. The Neighbourhood Plan takes into account the environment by considering sites that offer the best option for housing, whilst protecting both the ecology and history of alternative sites. In allocating the principal development site, whilst it was recognised that there were environmental considerations in building on this greenfield site, other options were significantly worse in impacting on the environment. The Sustainability Appraisal details this. The Neighbourhood Plan does not impact negatively on the conservation area, and does not directly affect historical or listed buildings although it will impact on their setting. Instead, through encouraging development of the Tesco site which has been land-banked for more than 5 years, it improves the conservation area, and allows for mixed use of the three historical buildings on that site, to encourage their preservation and prevent them from falling into disrepair through lack of use. The Neighbourhood Plan does not impact on any trees which fall under a Tree Preservation Order. There are no notable species on the designated sites as listed on the notable species register of Milton Keynes Council. Further, it seeks to protect very valuable common land, and to maintain existing high grade agricultural land.

Policy NP1 makes specific choices of sites based strongly on environmental considerations. The Neighbourhood Plan also takes into account flooding issues, and encourages the re-use of brownfield land, both of which are objectives of the National Planning Policy Framework. Policy NP1 proposes the use of four brownfield sites and protect common land and high value agricultural land. Policy NP3 requires that development should enhance the conservation area and the settling of listed buildings. Policy NP2, and NP3 require of developers a flood assessment, and mitigation to overcome any issues that arise. Policies NP2, NP3 and NP7 actively promote the High Street through the provision of signage, parking and town centre enhancements. Policy NP6 supports sustainable transport within the designated Neighbourhood Area, whilst policies NP2 and NP3 offer sustainable transport options on site. Policy NP2 provides for a wide choice of housing and offers an estate containing its own supporting infrastructure. It takes into account the social and well-being needs of its community by providing associated schooling, open space, play provision and health and well-being facilities. Policy NP2 also improves design, particularly in the North Crawley Road Industrial Estate area.

1.2 The Localism Bill

The second bill which impacts upon the Neighbourhood Plan is The Localism Bill which received Royal Assent in 2011. One of its principal motivations was to involve communities more closely in issues which affected them, and in so doing, it devolved powers to Parish Council and Local Communities to write Neighbourhood Plans dealing with matters such as where new houses might be built, how many and what type. In creating the Neighbourhood Plan, Newport Pagnell Town Council has extensively involved the local community through consultation, altering proposals in the Neighbourhood Plan as a result of such consultation feedback.

2. The Local Policy Context

The main policies set by Milton Keynes Council with which the Neighbourhood Plan must be in conformity are the Core Strategy, adopted in 2013 and the Milton Keynes Local Plan adopted 2005. However the Milton Keynes Local Plan is being replaced by Plan:MK, on which Milton Keynes Council is currently consulting.

The two policies set by Milton Keynes Council which most impact on the development of a Neighbourhood Plan are the Core Strategy and the Local Plan:

2.1 The Milton Keynes Core Strategy

The Core Strategy was adopted in July 2013 and sets out the vision, objectives and strategies that will guide development of the Borough between 2010 and 2026. Among its objectives, the following are most relevant to Newport Pagnell:-

- to deliver land for 1760 homes in the rural area between 2010 and 2026
- to pursue a vigorous economic development policy sufficient to deliver 1.5 jobs for every house built in Milton Keynes
- to seek the protection of existing key services and facilities in sustainable rural settlements and to encourage the development of further provision, including shops, education, community and health services
- to manage increased travel demands, including the upgrade of the A509
- to mitigate the Borough's impact on climate change
- to require that new development creates safe, healthy, sustainable built environments, with easy access to open space, public transport, and everyday facilities, and delivering high quality urban design
- to protect, maintain and enhance the important environmental features, character and assets
- to encourage healthy lifestyles with the provision of recreation facilities and biodiversity enhancement.

Below are the strategic policies of the Core Strategy that relate to Newport Pagnell:

Core Strategy CS1 and Table 5.1 lays down a settlement hierarchy in which Newport Pagnell, together with Olney and Woburn Sands, are identified as Key Settlements within the rural area of the Borough. Development in the rural area will be concentrated in the Key Settlements.

Table 5.2 sets a rural housing target of 1760 new homes to be built between 2010 and 2026, of which 1147 homes already have permission or been allocated, leaving a shortfall of 613 homes for which land has yet to be identified.

Policy CS4 identifies Newport Pagnell as one of four town centres, which function primarily as local shopping destinations catering for daily or specialist shopping needs.

Policy CS9 focuses on the delivery on homes in the rural area in which Newport Pagnell is identified as a key settlement.

Policy CS10, Housing, seeks to ensure that a suitable range of house sizes, values, styles, tenures and density are provided, which meet the adopted standards of energy efficiency and are laid out to encourage access by walking, cycling and other modes of non-car travel.

Policy CS11 reinforces the use of non-car modes of transport.

Policy CS12 is about developing Successful Neighbourhoods and requires new developments to create walkable neighbourhoods, and to site key day-to-day facilities, including schools, shops, leisure and employment, in locations easily accessible on foot, by bike and by public transport. It also includes the need to create high quality open spaces, achieve the highest standards of design and safety, and to maintain and improving current flood risk and air quality standards.

Policy CS13 requires all new developments to be of high design quality, and make a positive contribution to the character of the area in which it is located.

Policy CS19 The Historic and Natural Environment, requires developments to protect and enhance the environment, to provide open space in line with adopted standards, achieve a net gain in biodiversity, and be designed to manage flood risk. The proposals should also not compromise the linear park system.

Policy CS21 Delivering Infrastructure, states that new development that generates a demand for infrastructure will only be permitted if the necessary on and off site infrastructure is already in place, or there is a mechanism in place to deliver it.

2.2 The adopted Local Plan and the emerging Local Plan

2.2.1 Milton Keynes Local Plan adopted 2005

The adopted Local Plan covered the period 2001-2011, but in 2008 most of its policies were saved, pending the publication and adoption of the Core Strategy. Although a number of the strategic policies and some others have now been replaced by Core Strategy policies, the vast majority of the saved policies are still retained as part of the development plan for Milton Keynes. They will continue to be relevant until the publication and adoption of Plan:MK.

Of particular significance to the Newport Pagnell Neighbourhood Plan are policies:-

- S10 Open Countryside
- S11 Areas of Attractive Landscape
- S12 Linear Parks. The Neighbourhood Plan should not compromise the linear park system.
- S13 Areas liable to flooding. Policy deleted in Local Plan, but the Neighbourhood Plan would need to take into account the Milton Keynes flood risk analysis.
- D1 Impact of Development Proposals on Locality
- D2a Urban Design Aspects
- D2 Design of Buildings
- D4 Sustainable Construction
- HE1 Protection of Archaeological Sites
- HE3 Demolition of a Listed Building. The Neighbourhood Plan cannot ignore the basic principles of the policy.
- HE4 Extension/Alteration of a Listed Building
- HE5 Development Affecting the Setting of a Listed Building. The Neighbourhood Plan may go into more specific detail of how a proposal could address a listed building.
- HE6 Conservation Areas

- NE3 Biodiversity and Geological Enhancement
- T3 & T4 Pedestrians and Cyclists
- T6 Transport Interchanges. The Neighbourhood Plan could not hinder the desire to see development enhance the use and access to public transport.
- T11 Transport Assessments and Travel Plans
- T15 Parking provision
- TC1 Character and Function of the Shopping Hierarchy. The role of Newport Pagnell in the retail hierarchy could not be changed.
- H4 & H5 Affordable Housing
- H8 Housing Density
- H9 Housing Mix
- Site NP1 Police Station Houses, High Street
- Site NP2 Former Taylors Mustard Factory, Union Street
- E11 protection of Small Business Units
- TC7,8,9 &10 Newport Pagnell Town Centre
- L1 Facilities in the Parks System
- L2 Protection of Public Open Space and Existing Facilities
- L3 & Appendix L3 Standards of Provision
- C2 Protection of Community Facilities
- P01 and P02 General Policies relating to S106.
- P04 Percent for Art

2.2.2 Plan:MK

This Plan will replace the Milton Keynes Local Plan adopted 2005. It was published in September 2014 for public consultation until 3 December 2014. It is the first stage in preparing a replacement for the Milton Keynes Local Plan and the Core Strategy and therefore carries very little weight at present. It included twelve topic papers covering the subjects of Growth in Housing, Employment and Economic Growth, Transport and Travel, Physical and Social Infrastructure, Quality of Place, Culture Recreation and Quality of Life, Climate Change and Sustainability, Town Centres and Retail, Open Space and the Natural Environment, Rural Issues, Duty to Co-operate, and The Way Forward.

2.3 The emerging Site Allocations Plan, Issues and Options.

The Site Allocation Plan is in the first stage of consultation. Initially it was derived in part from sites put forward for the Strategic Housing Land Availability Assessment. As it stood, the original Site Allocation Plan included the Portfields Farm Site, and the Tickford Field Farm Strategic Reserve Site. In October 2014 the following sites were brought forward for inclusion: The North Crawley Road Industrial Estate, the Tickford Fields Farm East site, and the Marsh End Road site. Three new sites have since been brought forward by landowners. Two of these have already been rejected on the basis that they are within flood zone 3. The third, the Nampak site, is existing occupied employment land, sandwiched between other employment land. Milton Keynes Council has as yet to assess definitive sites for the Site Allocation Plan.

2.4 How the Neighbourhood Plan has regard for Local Policies.

The table on page 6 demonstrates the objectives of the Neighbourhood Plan. It then links these with the relevant National and Strategic Local policies. Further, it outlines which of the Neighbourhood Plan policies delivers each objective.

Table showing how the Neighbourhood Plan objectives fit with National and Local Policies, and which Neighbourhood Plan Policies meet the objectives.

National Plans	Local Plans		
NPPF Paragraph	Core Strategy Policy	Objective	Neighbourhood Plan Policy
P47	CS2, CS9	Provision of new housing to meet Core Strategy targets	NP1, NP2, NP3
P6, P14, P17	CS1, CS9, CS12	Housing sited in the most sustainable locations as outlined in the site assessment constraints and opportunities analysis	NP1, NP2, NP3.
P50	CS10	Mix of housing, affordable housing, housing to meet residents Needs	NP2, NP3, NP5.
	CS12, CS21	Adequate provision of doctor's surgeries	NP2
P72, P38	CS21, CS12	Adequate provision of school places	NP2, NP7
P35	CS10, CS11, CS12	Improve movement into and around the town, specifically promoting cycling, walking and ease of access for the disabled	NP2, NP3, NP6, NP7
P73	CS17	Encourage development that strengthens sport, recreation, play and culture	NP2, NP3, NP7, NP8
P73	CS12, CS19	Ensure quality green space exists in the town	NP2, NP3, NP7
P126	CS19	Ensure development enhances the town and maintains the heritage aspects of the town	NP2, NP3, NP7.

The Neighbourhood Plan exceeds the requirements of the Core Strategy for housing, whilst relying on greater employment opportunities in the broader Milton Keynes borough. By proposing 1400 new homes against the Core Strategy's requirement for 613 new homes, the Neighbourhood Plan Policy NP5 offers additional affordable housing for the region, whilst Policy NP2 offers the appropriate level of associated infrastructure for developments. This additional planned growth in no way interfering with either rural growth or urban growth planned outside of Newport Pagnell in the Core Strategy. Because the Neighbourhood Plan proposes more housing than is required under the Core Strategy it is appropriate to consider the implications of this on housing provision elsewhere in the borough, particularly on the implementation of CS2. There are three key settlements in the rural area of which Newport Pagnell is the largest with a population of over 15,000 against Olney with a population of around 6,000 and Woburn Sands with a population of around 3,000. Newport Pagnell is by far the nearest largest and closest of these settlements to Milton Keynes. Woburn Sands had already had extensive new development and their Neighbourhood Plan, which has already been made, does not propose new housing. Olney is in the process of developing their Neighbourhood Plan, and has its own special character as a rural market town, making it an attractive place to live within the deeper rural area. Travel time between Olney and Newport Pagnell around peak travel times is at least 20 minutes. Developers will see the two housing markets as distinctly different. It is thus likely that the Newport Pagnell Neighbourhood Plan will have little impact on housing development in the rest of the rural area. In Milton Keynes urban area the

housing allocation is 26,240 new homes. The small over-provision of housing in Newport Pagnell will have no significant impact on the scope of development planned elsewhere in the borough.

Through the attached Sustainability Assessment and the appended site analysis chart (Appendix 1,) Policy NP1 has selected the most sustainable locations for growth and the Historic and Natural Environment is preserved, by reserving some sites for no development. This meets Core Strategy Policies CS9, CS11, CS12 and CS19.

NP5 conforms with Local Plan Policies H4 and H5 in requiring a 30% affordable housing provision, adapting this to take account of local priorities.

NP2 enhances the Core Strategy Policy C12 requirements for healthy and sustainable growth, encouraging the development of local shops, education, community and health services and provision of local parks and local play.

As is required by CS11, Policies NP2, NP3 and NP6 seek to manage increased transport in the town, through choosing development sites that will have the least impact on traffic flows and through reinforcing the use of non-car modes of transport through a sustainable transport plan,

Policies NP2 and NP3 require flood risk assessments and mitigation on affected sites. By using two existing brownfield sites (NP1) covered in concrete for housing will achieve a net gain in biodiversity through garden provision.

3. HOW THIS PLAN CONTRIBUTES TOWARDS ACHIEVING SUSTAINABLE DEVELOPMENT

Paragraph 8 of the National Planning Policy Framework (2012) states that quote "to achieve sustainable development, economic, social and environmental gains should be sought jointly, and simultaneously through the planning system." The Neighbourhood Plan was formulated with this basic principle at the fore.

There were two options in terms of development in Newport Pagnell. The Neighbourhood Plan could propose building in line with the requirements of the Core Strategy or could build more than the requirements of the Core Strategy. It became clear that limited growth in accordance with the Core Strategy would not be able to address the key issues and concerns raised by residents. Evidence demonstrated that providing only the minimum number of dwellings required by the Core Strategy would lead to development without the necessary supporting infrastructure, particularly schools provision. Therefore it was important not only to designate suitable sites for housing development, but also to determine optimum levels of development for the town. The Neighbourhood Plan therefore sets out a requirement for 1400 new homes in Newport Pagnell, which is over and above the minimum that needed to be found. One of the key reasons for undertaking a Sustainability Appraisal was to evaluate in more detail whether this option met the sustainability factors outlined below.

With the option of building more homes on the Tickford Field Estate than are required by the Core Strategy, there are significant social benefits derived from building the infrastructure commensurate with the development such as new schools and a local centre. In the short term however, the environment may be said to suffer negative consequences in that there will be additional building on green field land. It is however more than likely that if only the growth required by the Core Strategy is proposed, after the development of the Strategic Reserve Site the Tickford Fields Farm site and the Neighbourhood Plan comes to an end, further building will take place on the rest of site, without gaining the social benefits and still in time losing the land to building.

Economically, whilst the plan does not offer much additional employment land, it does provide for wider economic gain, in that there is more choice for developers in home building, in particular by gaining housing land in a desirable and marketable area close to the M1, and also in conforming with the Core Strategy which demonstrates that there is sufficient employment land within the wider Milton Keynes borough to meet the 1.5 jobs required per household.

A sustainability assessment, completed alongside The Neighbourhood Plan, shows that the Plan contributes to the achievement of sustainable development, i.e. development that leads to an improvement in resources used, or that has an economic or social benefit in the following ways:

- The Neighbourhood Plan improves the appearance of two large brownfield sites: the North Crawley Road Industrial Estate and the Tesco site, encouraging the use of the historical buildings on the Tesco site, rather than allowing them to fall into disrepair.
- It creates infrastructure that leads to a reduced carbon footprint through diminished school travelling, and provides for sustainable transport options through cycle route provision and a bus route. A Sustainable Transport Plan is appended to the Neighbourhood Plan. Appendix 6.

- It requires effective flood mitigation which is likely, in the area of Chicheley Brook, to improve the flood situation for homes in the Tickford Park area.
- Health and well-being of the population is addressed through provision of open space, play area and health and well-being facility. This also provides a social benefit.

This Sustainability Appraisal considers the extent to which the principles of sustainable development have been taken into account throughout the preparation of the Neighbourhood Plan. For the most part sustainable development forms a significant component of the Plan, with many social elements scoring very highly, and with both economic and environmental factors playing an important role. Environmental factors were assessed in relation to the choice of sites, and the housing sites proposed in the Neighbourhood Plan offer the best environmental factors. There is some additional employment allocated through the introduction of a local centre and school on the Tickford Field Farm Estate, and reserving some land for employment on the Tesco site.

Sustainability Objectives that offer the potential for conflict are:

- Conflict between designating land for housing versus land designated for employment.
- Conflict between protecting diversity and providing additional housing. Biodiversity offsetting has now been built into the Site Brief and Neighbourhood Plan policy statements, setting out a requirement to compensate for habitats and species lost to development in one area, with the creation, enhancement or restoration of habitat in another.

High Level Findings of the Neighbourhood Plan were:

- The Neighbourhood Plan was for the most part in conformity with the three sustainability elements these being social, economic and environmental factors. Social factors ranked highly, but there were elements of both the economic and environmental factors being met.
- The Neighbourhood Plan was in conformity with sustainability objectives, particularly when considering a long term view of development in the town.
- Whilst there was conflict between the objectives of protecting biodiversity and providing additional housing there was scope to introduce biodiversity offsetting into the plan, which has now been done.
- Air quality would be affected by the growth in the town, but there was scope to introduce tree planting into the plan, which has now been done.
- Transport links would be affected by growth in the town, but growth has been introduced in such a way as to minimize disruption, particularly through the town centre.
- There was tension between providing employment land or housing land, but the Milton Keynes Employment Strategy provides sufficient land for employment outside the rural town.

4. COMPATIBILITY WITH EU OBLIGATIONS

The Neighbourhood Plan has regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights and complies with the Human Rights Act 1998

A letter from Milton Keynes Council, appended to this document below, demonstrates that a Strategic Environmental Assessment (SEA) is not required for this Neighbourhood Plan. The letter also confirms that an Appropriate Assessment (AA) under the EU Habitats Directive is not required in the Neighbourhood Plan. Nevertheless the steering group have completed a Sustainability Appraisal, attached to the Neighbourhood Plan, to demonstrate compliance with sustainability objectives and EU obligations.



Carole Mills
Chief Executive

Anna Rose Service Director Planning and Transport

Our Ref: NPagnell NP

Reply To: Mark Harris

Direct Line: 01908 252732

e-mail: mark.harris@milton-keynes.gov.uk

Shar Roselman
Town Clerk
Newport Pagnell Town Council
80 High Street
Newport Pagnell
Buckinghamshire
MK16 8AQ

9th March 2015

Dear Shar

Strategic Environmental Assessment (SEA) Screening Report

The Planning Practice Guidance sets out that as part of its duty to advise or assist groups in preparing neighbourhood plans, Local Planning Authorities should consider putting in place processes to determine whether proposed neighborhood plans will require a Strategic Environmental Assessment (SEA).

To fulfil this requirement the Development Plans team has a standard template that is completed to form a SEA Screening Report. This report is used to establish if the plan is likely to have significant environmental effects. The statutory consultees (Environment Agency, Natural England and English Heritage) are consulted on the report, which is then updated with their conclusions. The report is then finalised as a Screening Statement for publication. This fulfils the requirements set out in regulation 9 of the Environmental Assessment of Plans and Programmes Regulations 2004.

Last year you provided detail of the likely scope of the Neighborhood Plan. These were included in a Screening Report which was sent to the statutory consultees requesting their opinion as to whether SEA is required.

Two of the statutory consultees responded (the Environment Agency and Natural England) and both agreed that SEA was not required. Their responses can be seen in the appendix to the enclosed Screening Report.

As the Neighborhood Plan has progressed, it has emerged that the plan is likely to allocate more development land than original envisaged and was set out in the original screening report. I therefore felt it was appropriate to contact the two statutory consultees with the revised position to see if they felt it changed their original position.

Both responded to confirm their original advice remained and that they did not feel the SEA was required. These responses are also included in the appendix to the Report.

Based on this advice from the statutory consultees, it is advised that the Neighborhood Plan does not need to be subject to formal SEA. The main reasons for this are that the Neighbourhood Plan:

- Is unlikely to have any significant impact on environmentally sensitive areas.
- Will not affect any areas or landscapes which have recognised national, community or international protection status.
- Is unlikely to have significant impacts beyond its boundary or the population of the town.
- Is unlikely to propose anything that will be of risk to human health.
- Is unlikely to contain any proposals that in combinations will have significant environmental effects.
- Does not deal with any particular environmental issues.

The plan does set a framework for development that will see changes to the environment within the plan area. However, the feedback from the statutory consultees is that neither the nature of the development or the sensitivity of the environment in the plan area triggers the need for SEA.

Advice from the Environment Agency is that any environmental issues can be dealt with at the planning application stage. Natural England also highlighted the need to consider the

cumulative impact of loss of open space and consider the inclusion of open space as part of new housing allocations.

It needs to be remembered that the Town Council will still be required to satisfy the basic conditions. This includes a requirement to for the Town Council to demonstrate how the plan to contribute to the achievement of sustainable development.

In addition to screening for SEA, the Neighbourhood Plan has also been screened to assess the need for an Appropriate Assessment (AA) under the EU Habitats Directive. It has also been concluded that no AA is needed of the Neighbourhood Plan. The reasons for this are set out on page 6 of the enclosed Screening Statement.

If you have any queries about anything above, please let me know.

Yours sincerely,

Mark Harris

Senior Planning Officer

Development Plans

Enc. Strategic Environmental Assessment (SEA) Screening Statement

Also by email: townclerk@newport-pagnell.org.uk

Strategic Environmental Assessment Screening Report

Appropriate Assessment Screening

1. Introduction

1.1 What is the screening opinion?

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

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

1.4 What is the Neighbourhood Plan trying to achieve?

1.5 The Neighbourhood Area covers the whole of the Newport Pagnell Town Council Area (see Appendix 1), which consists of a town centre, surrounding residential areas, an edge of town industrial estate and a rural hinterland. The town is fairly self-contained with much of the north and south of the town being restricted by flood plain. The emerging aims of the Neighbourhood Plan are wide ranging and revolve around maintaining the vibrancy of the town centre, developing the heritage offer and expanding the facilities, particularly leisure and sporting, in the town.

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

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

2. Policy context

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

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

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

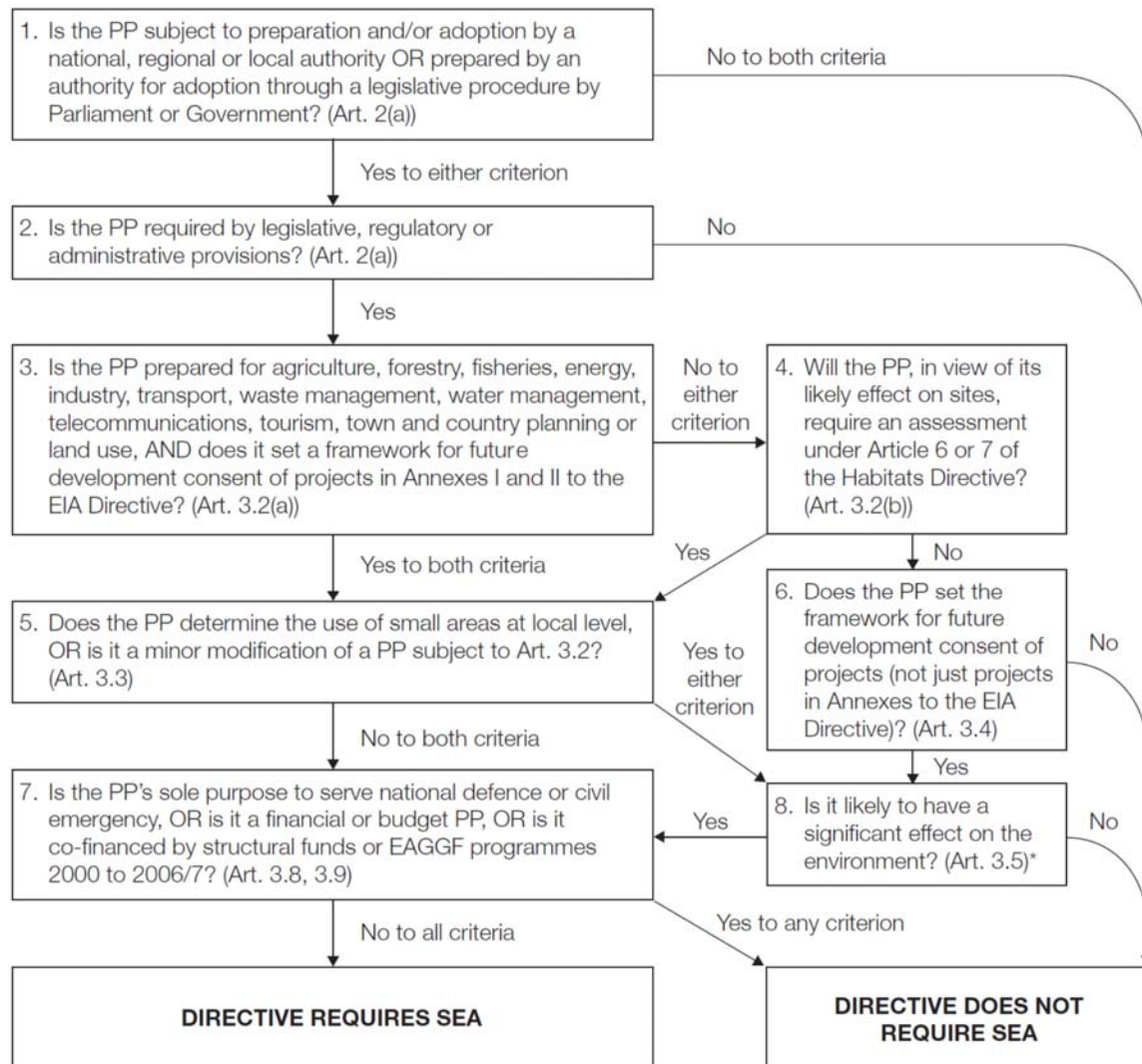
- 2.4 The Neighbourhood Plan will be subject to public consultation in accordance with the relevant regulations prior to its adoption.

3. SEA Screening

3.1 The requirement for a Strategic Environment Assessment (SEA) is set out in the “Environmental Assessment of Plans and Programmes Regulations 2004”. There is also practical guidance on applying European Directive 2001/42/EC produced by the ODPM (now DCLG)¹. These documents have been used as the basis for this screening report.

3.2 Neighbourhood Plans must be screened to establish whether or not they will require Strategic Environmental Assessment. The ODPM practical guidance provides a checklist approach based on the SEA regulations to help determine whether SEA is required. This guide has been used as the basis on which to assess the need for SEA as set out below.

Figure 1: Establishing the need for SEA



*The Directive requires Member States to determine whether plans or programmes in this category are likely to have significant environmental effects. These determinations may be made on a case by case basis and/or by specifying types of plan or programme.

¹ A Practical Guide to the Strategic Environmental Assessment Directive (2005) (ODPM)

Figure 2: Establishing the need for SEA of the Neighbourhood Plan

Stage	Answer	Reason
1. Is the NP subject to preparation and/or adoption by a national, regional or local authority OR prepared by an authority for adoption through a legislative procedure by Parliament of Government? (Article 2(a))	Yes	It will be prepared by the Town Council and adopted by Milton Keynes Council under the 2012 Neighbourhood Planning Regulations.
2. Is the NP required by legislative, regulatory or administrative provisions? (Article 2(a))	Yes	Although there is no requirement to produce a Neighbourhood Plan, they are subject to formal procedures and regulations laid down by national government. In light the European Court of Justice ruling in the Case C-567/10 it is considered that this means the NP is 'required'.
3. Is the NP prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use, AND does it set a framework for future development consent of projects in Annexes I and II to the EIA Directive? (Art. 3.2(a))	No	The NP is prepared for town and country planning purposes but does not explicitly set a framework for future development consent of projects in Annexes I or II of the EIA Directive.
4. Will the plan in view of its likely effect on sites, require an assessment under Article 6 or 7 of the Habitats directive?	No	The Core Strategy was screened and it was concluded that appropriate assessment was not required. The Neighbourhood Plan must be in general conformity with the Core Strategy and, although it can propose more development, it is unlikely to be significant enough to require assessment under the Habitats Directive.
6. Does the plan set the framework for future development consent of projects?	Yes	The Neighbourhood Plan will provide a framework for future development consent of projects in the area.
8. Is the NP likely to have a significant effect on the environment?	See results of Figure 3: Determining the likely significance of effects	

Figure 3: Determining the likely significance of effects

SEA Directive Annex II: Criteria for determining likely significance of effects referred to in Article 3(5)		
Criteria	✓/x/ ?	MKC Comment
<i>The characteristics of plans and programmes, having regard, in particular, to:</i>		
1a) The degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources	✓	The NP will set a framework for future development projects, in terms of location, nature and scale/size. However, the plan will need to be in general conformity with higher level plans so the scope of the plan to fully influence projects and activities is somewhat limited.
1b) The degree to which the plan or programme influences other plans and programmes including those in a hierarchy	✓	The NP will form part of the statutory development plan for MK with the same status in decision making as development plan documents. As the plan is likely to include significant land allocations, there is scope for future development briefs/master plans to follow.
1c) The relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development	✓	Sustainable development will be at the heart of NPs and policies could make a significant contribution to promoting sustainable development, particularly ensuring any greenfield allocations are planned in a sustainable way.
1d) Environmental problems relevant to the plan or programme	x	It is not considered that there are any particular environmental problems relevant to the plan. The area does contain an area of flood risk, which will be taken into account through the plan making process.
1e) The relevance of the plan or programme for the implementation of Community legislation on the environment (e.g. plans and programmes linked to waste-management or water protection).	x	The NP is unlikely to be directly relevant in regard to this criterion.
<i>Characteristics of the effects and of the area likely to be affected, having regard, in particular, to:</i>		
2a) The probability, duration, frequency and reversibility of the effects	✓/?	In the case of new land allocations it is highly probable that policies will lead to development that will have an irreversible impact on the green environment. However, the green environment in question is not of a quality to be specially designated (see 2f below). 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 impact of the effects of the plan on the environment are not expected to be any greater than the individual parts.
2c) The trans-boundary nature of the effects	x	Any impacts are only likely to be felt by the local area.
2d) The risks to human health or the environment (e.g. due to accidents)	x	It is unlikely that the nature of any development proposed would impact on human health. Any major development is likely to be for housing with opportunities for leisure facilities, which could improve human health, integrated.
2e) The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)	x	The effects of the plan are unlikely to be felt in a spatial area wider than the plan area. The plan is also unlikely to 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 an area which includes a conservation area (town centre). However, any policies will need to be in accordance with higher level plans which should prevent any proposals leading to a negative impact. The plan area also includes areas of flood risk. However any proposals will consider, and avoid, the location of any areas of flood risk, therefore these areas are unlikely to be significantly affected by the plan.
2g) The effects on areas or landscapes which have a recognised national, community or international protection status	x	There are no areas or landscapes with these designations in Milton Keynes.

4. Advice of the statutory consultees

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

5. SEA Conclusion

- 5.1 Newport Pagnell Neighbourhood Plan has the potential to identify a significant amount of development (relative to the size of the town) in the plan area. However, in determining the need for SEA consideration needs to be given to the nature of the potential development and the characteristics of the area affected to assess whether SEA needs to be undertaken.

- 5.2 Based on the points covered above, there is an argument either way as to whether as SEA is required. The scale of potential development would initially suggest that SEA would be required. But there are several factors that counter this.
- 5.3 The Plan area in general is free from any significant environmental designations, with only some areas of flood risk and the conservation area potentially being affected by the Plan. Any proposed development is likely to be for housing (and related facilities) and not of a nature that is likely to be of detriment to public health. This is in accordance with the adopted Core Strategy which sets out for the need for new development in the rural area, including Newport Pagnell (although the Core Strategy is not site specific). The magnitude of any effects are also unlikely to be felt in an area any wider than the Plan area or affect a significant level of population.
- 5.4 Therefore on balance, it is not considered that a SEA will be required for the Newport Pagnell Neighbourhood Plan, as advised by the statutory consultees.

