

**CASTLETHORPE NEIGHBOURHOOD  
PLAN REVIEW:  
MODIFIED VERSION**

**BASIC CONDITIONS STATEMENT**

**April 2020**

## 1.INTRODUCTION

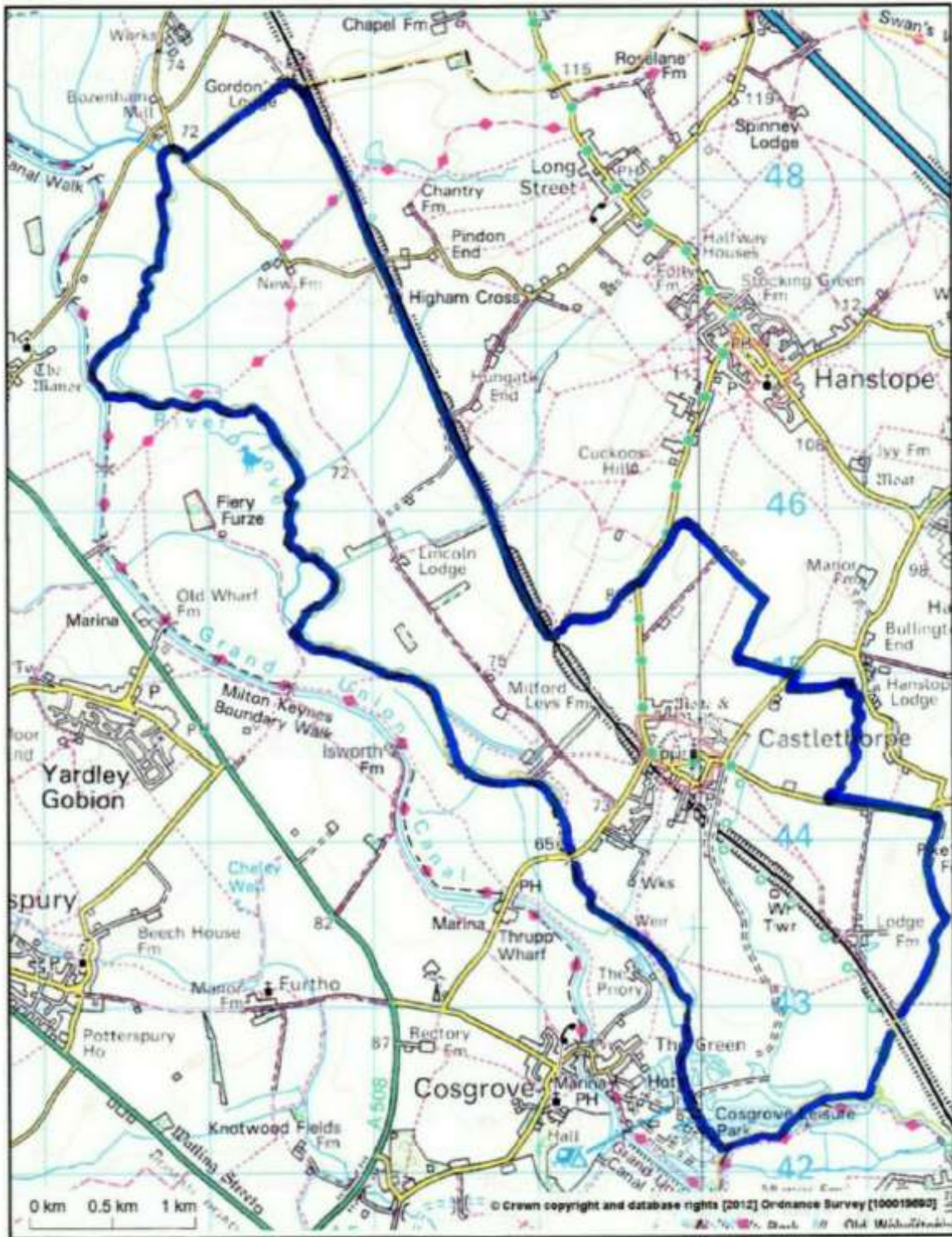
1.1 This statement has been prepared by Castlethorpe Parish Council ("the Parish Council") to accompany its submission of the Modified Version of the Castlethorpe Neighbourhood Plan ("the Modified Plan") to the local planning authority, Milton Keynes Council (MKC), under Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 (as amended) ("the Regulations").

1.2 The Modified Neighbourhood Plan has been prepared by the Parish Council, a qualifying body, for the Neighbourhood Area, which coincides with the boundary of the Parish and which was designated by MKC on 28 May 2013 (see Plan A below). The Castlethorpe Neighbourhood Plan ("the Made Plan") was made by MKC on 18 October 2017.

1.3 The Neighbourhood Planning Act 2017 contains provisions to amend Section 38 of the Planning & Compensation Act 2004 in relation to modifying a made neighbourhood plan. As a result, the Neighbourhood Planning (General) & Development Management Procedure (Amendment) Regulations 2017, which came into force on 31 January 2018, amended the Neighbourhood Planning (General) Regulations (as amended) 2012 for this purpose.

1.4 Those amendments enable a qualifying body to propose modifications to a made neighbourhood plan that, if considered not to be so significant or substantial as to change the nature of the neighbourhood development plan, requires only an independent examination and not another referendum. The 2017 Regulations amend Regulations 14 to 20 of the 2012 Regulations so that the process for preparing, consulting on, submitting, publicising and examining such modifications matches that for neighbourhood plans in general. However, Regulations 14 and 15 are amended to require the qualifying body to publish a statement alongside the modification proposal at the Pre-Submission stage and alongside the modification proposal and neighbourhood development plan as proposed to be modified at the Submission stage respectively:

*"setting out whether or not the qualifying body consider that the modifications contained in the modification proposal are so significant or substantial as to change the nature of the neighbourhood development plan which the modification proposal would modify, giving reasons for why the qualifying body is of this opinion".*



Plan A: Castlethorpe Designated Neighbourhood Area

1.5 The Parish Council published its Modification Proposal and Modification Proposal Statement in February 2020 for the statutory minimum six-week consultation period in accordance with Regulation 14 as amended. The representations made on those documents have been analysed to inform some minor amendments to the submitted documentation. A full record of the consultation process and outcome is provided in the separate Consultation Statement, as per Regulation 15 (1)(b).

1.6 This Basic Conditions Statement, as per Regulation 15 (1)(d), sets out how the modification proposal meets the basic conditions requirements of how the neighbourhood development plan meets the requirements of paragraph 11 of Schedule A2 to the Planning & Compulsory Purchase Act 2004. Specifically, the Regulations state that the Modified Plan will be considered to have met the conditions if:

- Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to modify the made Neighbourhood Development Plan,
- The modification of the made Neighbourhood Development Plan contributes to the achievement of sustainable development,
- The modification of the made Neighbourhood Development Plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area).
- The modification of the made Neighbourhood Development Plan does not breach, and is otherwise compatible with EU obligations

1.7 Although the Modified Plan is submitted in full, this Statement focuses solely on how the three new policies and the three modified policies meet those tests, rather than revisit policies of the made Plan that remain unmodified. The new and modified policies described in the Neighbourhood Plan continue to relate to the development and use of land in the designated Neighbourhood Area. They do not relate to 'excluded development', as defined by the Regulations, and they will apply for the new plan period to 31 March 2031.

1.8 The submission documents comprise:

- The Modified Plan (incorporating the modified Policies Map)
- The Basic Conditions Statement (including a statement from MKC on the re-screening of the Modified Plan in relation to EU obligations on Strategic Environmental Assessment)
- The Consultation Statement
- The Modification Proposal Statement

## 2. BACKGROUND

2.1 The Made Plan covers the period 2015 – 2030. The designated neighbourhood area covers the same area as the Parish boundary. On 18 October 2017 it was agreed by MKC to 'make' the Castlethorpe Neighbourhood Plan, following a referendum which took place on Thursday 21 September 2017. The results showed 93% of those who voted were in favour of the plan. The Made Plan therefore predates the adoption of the Milton Keynes Local Plan ('Plan:MK') in March 2019 that covers the plan period to March 2031.

2.2 There are five reasons for the Parish Council proposing to make modifications. Firstly, the Made Plan has been used in determining planning applications and, in the light of some issues raised, the Parish Council considers that its Policy 3 on design matters requires modifying to more clearly set out the local community's expectations.

2.3 Secondly, a Conservation Area Review is due to be completed by MKC and in working with the Parish Council, it has resulted in the introduction of a new policy identifying Buildings of Local Interest.

2.4 Thirdly, some minor errors to the way the Development Boundary of Policy 1 was drawn have been identified and require correcting to bring the policy into line with the new Local Plan ('Plan:MK'), which has been adopted since the Made Plan (see Figure 1 overleaf).

2.5 Fourthly, the revised National Planning Policy Framework (NPPF) of February 2019 has incorporated a previous Written Ministerial Statement of 2016 in respect of maintaining the full weight of made neighbourhood plans in decision making. Its § 14 requires that where a neighbourhood plan has been made within two years and has allocated housing land to meets its identified housing requirement, then the presumption in favour of sustainable development of its § 11 will not be engaged unless the local planning authority cannot demonstrate a three-year supply of housing land or has failed its housing delivery test. In this respect, MKC has confirmed that the Made Plan has already allocated housing land (in its Policy 2) that exceeds its identified housing requirement.

2.6 There is therefore no need for the Modified Plan to make provision for new housing allocations, but it will benefit from an additional two years of 'protection' from § 14 once made. With MKC's advice at the Regulation 14 stage, a new policy has been inserted to address this specific matter and the plan period has been extended to match that of the adopted Plan:MK, i.e. March 2031.

2.7 And fifthly, the Parish Council is using the opportunity presented by the modification of the Made Plan to present further evidence to support the proposed designation of Gobbey's Field as an additional Local Green Space (see Figure 2 on page 6) in Policy 5. Despite previous examinations requiring its removal from the Made Plan, there remains strong community support for the proposal and the Parish Council maintains that the evidence continues to demonstrate Gobbey's Field meets the criteria for designation as a Local Green Space.

2.8 In addition to these primary reasons, it is now timely to update the Made Plan to take account of Plan:MK. Its evidence base informed the preparation of the Made Plan and it recognises the allocation of Policy 2 of the Made Plan as a housing commitment. Plan:MK also continues to define Castlethorpe as 'villages and rural settlements' where new development will occur at locations identified in made neighbourhood plans and within the defined Development Boundary. Additionally, given the recent signing into law the legally binding national target of net zero carbon emissions by 2050, the modification also takes the opportunity to signal the neighbourhood plan's support of actions which will help to mitigate the impact of climate change.

2.9 The Consultation Statement explains in detail the process by which the Modification Proposal has been determined and amended in response to representations made in the consultation period.

### 3.CONFORMITY WITH NATIONAL PLANNING POLICY

3.1 The Modified Plan has been prepared with full regard to national policies as set out in the National Planning Policy Framework (NPPF) of 2019. The review of the Made Plan has taken into account how that version modified the 2012 version of the NPPF, against which the Made Plan was assessed. Account has also been taken of the Planning Practice Guidance (PPG) where relevant.

3.2 Set out in Table A below is the analysis of how the three new and three modified policies of the Modified Plan have had regard to the NPPF:

<b>Table A: Neighbourhood Plan &amp; NPPF Conformity Summary</b>			
<b>No.</b>	<b>Policy Title</b>	<b>NPPF Ref.</b>	<b>Commentary</b>
CAS1	Settlement Boundary	16(d)	This modified policy has been retitled to reflect the 'settlement boundary' term used by Plan:MK and to correct a previous drafting error on the Policies Map. This accords with the need for policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals.
CAS3	Housing Need	66	This new policy reflects the indicative housing figure provided by MKC as requested by the Parish Council, given this review has taken place after relevant strategic policies have been adopted in Plan:MK. It has taken into account factors such as the latest evidence of local housing need, the population of the neighbourhood area and the most recently available advice from MKC.
CAS4	Design Guidance	124, 125, 126	This modified policy reflects the increasing emphasis placed on design quality by the NPPF, the National Design Guide and other Government initiatives to encourage better standards of design in new development. There is a now a clearer expectation that Neighbourhood plans play an important role in identifying the special qualities of each area and explaining how this should be reflected in development. The policy therefore set outs a clear design vision and expectations, so that applicants have as much certainty as possible

			about what is likely to be acceptable. Its content reflects local aspirations and is grounded in an understanding and evaluation of the area's defining characteristics. Its level of detail and degree of prescription has been tailored to the circumstances in the different character areas that make up the village but allows a suitable degree of variety where this would be justified.
CAS5	Buildings of Local Interest	187, 197	This new policy identifies those heritage assets of local historic value having assessed their significance and the contribution they make to the village character and history, including information from the Bucks Historic Environment Record. Their selection accords with the definition of such in the Glossary of the NPPF (i.e. a building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest).
CAS6	Climate Change	148	This new policy reflects the increasing importance of the planning system supporting our transition to a low carbon future in a changing climate. It is intended to make a local contribution to helping shape the Parish in ways that will lead to reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.
CAS8	Local Green Spaces	100	This modified policy proposes an additional candidate space at Gobbey's Field, which is considered to meet the qualifying tests.



## 4.CONTRIBUTING TO ACHIEVING SUSTAINABLE DEVELOPMENT

4.1 It was determined by MKC that the Made Plan did not have the potential for significant environmental effects and so a Strategic Environmental Assessment was not required. MKC has rescreened the Modified Plan and has reached the same conclusion (see Section 6 below).

4.2 In the absence of an Assessment or Sustainability Appraisal, the sustainability performance of the new and modified policies is set out in Table B below, using a simple noting of positive (+), adverse (-) or neutral (0) effects:

<b>Table B: Neighbourhood Plan &amp; Sustainable Development</b>					
<b>Policy</b>		<b>Social</b>	<b>Economic</b>	<b>Environ</b>	<b>Commentary</b>
CAS1	Settlement Boundary	+	0	+	This modified policy will continue to have modest social benefits in providing for small infill housing development schemes and a new housing site allocation within the redefined development boundary of the village. In confining development in this way, the policy will protect the essential rural character of the village and its main heritage assets and landscape setting.
CAS3	Housing Need	0	0	+	This new policy will have a positive environmental benefit in containing the growth of the village to the most sustainable location that is compatible with its small size and relatively isolated rural location (which has been provided for in unmodified Policy CAS2). This will prevent unplanned growth on the edge of the village as harmful incursions into the surrounding countryside. But in making such provision for new homes, the policy has avoided an adverse social effect.
CAS4	Design Guidance	+	0	+	This modified policy will continue to have positive social and environmental benefits in seeking to control the design of new proposals to suit their location in specific character areas of the village. In doing so, it will maintain the strong local community identity and enjoyment of living in a charming village as well as

					ensure that heritage assets are not harmed by inappropriate development.
CAS5	Buildings of Local Interest	0	0	+	This new policy will have a positive environmental benefit in protecting local heritage assets from harmful development that cannot be justified.
CAS6	Climate Change	+	+	+	This new policy will have a range of positive benefits in the long term as the social, economic and environmental effects of climate change become clearer over the plan period.
CAS8	Local Green Spaces	+	0	+	This modified policy will continue to have positive social and environmental benefits by protecting the essential open character of five spaces that are highly cherished by local residents for their recreational, heritage and amenity value, as well as for their contribution to the open rural character of the village.

## 5.GENERAL CONFORMITY WITH THE STRATEGIC POLICIES OF THE DEVELOPMENT PLAN

5.1 The Made Plan was prepared to ensure its general conformity with the development plan for Milton Keynes, that is strategic policies of the Core Strategy of 2013 but also with some saved policies of the Local Plan of 2005. Since then, the new Local Plan ('Plan:MK') has replaced both documents and has established a new strategic policy framework for the city and wider district. Table C below considers the general conformity with the relevant Plan:MK policies.

<b>Table C: Neighbourhood Plan &amp; Plan:MK Conformity Summary</b>		
<b>No.</b>	<b>Policy Title &amp; Refs</b>	<b>Commentary</b>
CAS1	Settlement Boundary	This modified policy is consistent with policies DS1 and DS2 which permit development proposals within the defined settlement boundaries where they comply with all other relevant policies of Plan:MK and neighbourhood plans. It corrects a drafting error on the Made Plan Policies Map to bring it into line with that of Plan:MK.
CAS3	Housing Need	This new policy accords with Policy DS2 by consolidating the Made Plan allocation (now Policy CAS2) with housing commitments in the village to make a local contribution to the District's housing supply over the plan period.
CAS4	Design Guidance	This modified policy translates policies D1 – D3 into specific design guidance that acknowledges the different character areas that make up the village. It identifies those attributes that define local character and a sense of place.
CAS5	Buildings of Local Interest	This new policy refines Policy HE1 by identifying those buildings in the village that meet the definition of heritage assets in the NPPF (i.e. a building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest).
CAS6	Climate Change	This new policy complements policies SC1 – SC3 by setting out local actions that development proposals will be expected to take in respect of climate change.
CAS8	Local Green Spaces	This modified policy complements Policy L2 in protecting open space, as that policy makes no reference to Local Green Spaces.

## 6.COMPATABILITY WITH EU LEGISLATIONS

6.1 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. The Plan has been subject to extensive engagement with those people local to the area who could be affected by its policies and their views have been taken into account in finalising the Plan. A screening opinion was issued by MKC for the Made Plan, which confirmed that the Neighbourhood Plan would not have any significant environmental effects and that an SEA would not be required for the Neighbourhood Plan to be in accordance with EU Directive 2001/42. MKC also determined that no Habitats Regulation Assessment was required of the Neighbourhood Plan under the EU Habitats Regulations.

6.2 MKC has now undertaken a re-screening of the Modified Plan for submission, appended to this document. It concludes (in its Section 5 on p6):

*“Having screened the Castlethorpe Neighbourhood Plan and consulted with Historic England, Natural England and the Environment Agency, it is the view of Milton Keynes Council that 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 concluded that the Castlethorpe Neighbourhood Plan does not need to be subject to Strategic Environmental Assessment.”*

6.3 In respect of the Habitats regulations, the rescreening concludes:

*“Given the role of Neighbourhood Plans and the nature of the Castlethorpe Neighbourhood Plan which seeks mainly to maintain the status quo of built development in the parish, it is considered that Appropriate Assessment of the plan is not required.”*

# Castlethorpe Neighbourhood Development Plan

## Strategic Environmental Assessment Screening Statement Appropriate Assessment Screening February 2020

### 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 Why has a revised screening opinion been prepared?

1.5 A screening opinion for the Castlethorpe Neighbourhood Plan was previously undertaken in January 2016. Following adoption of the Neighbourhood Plan in October 2017, the Parish Council wishes to update the Neighbourhood Plan. The update includes new policies on climate change and building conservation, but there are no new allocations proposed.

#### 1.6 What is the Neighbourhood Plan trying to achieve?

The Castlethorpe Neighbourhood Plan covers the entire Castlethorpe parish area (see appendix 1), which is a rural parish set in attractive landscape and with considerable heritage assets, including a conservation area and listed buildings.

1.7 The plan allocates a single housing allocation on the edge of the village, outside of the conservation area. The plan includes policies to protect the village's heritage.

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

### 3. SEA Screening

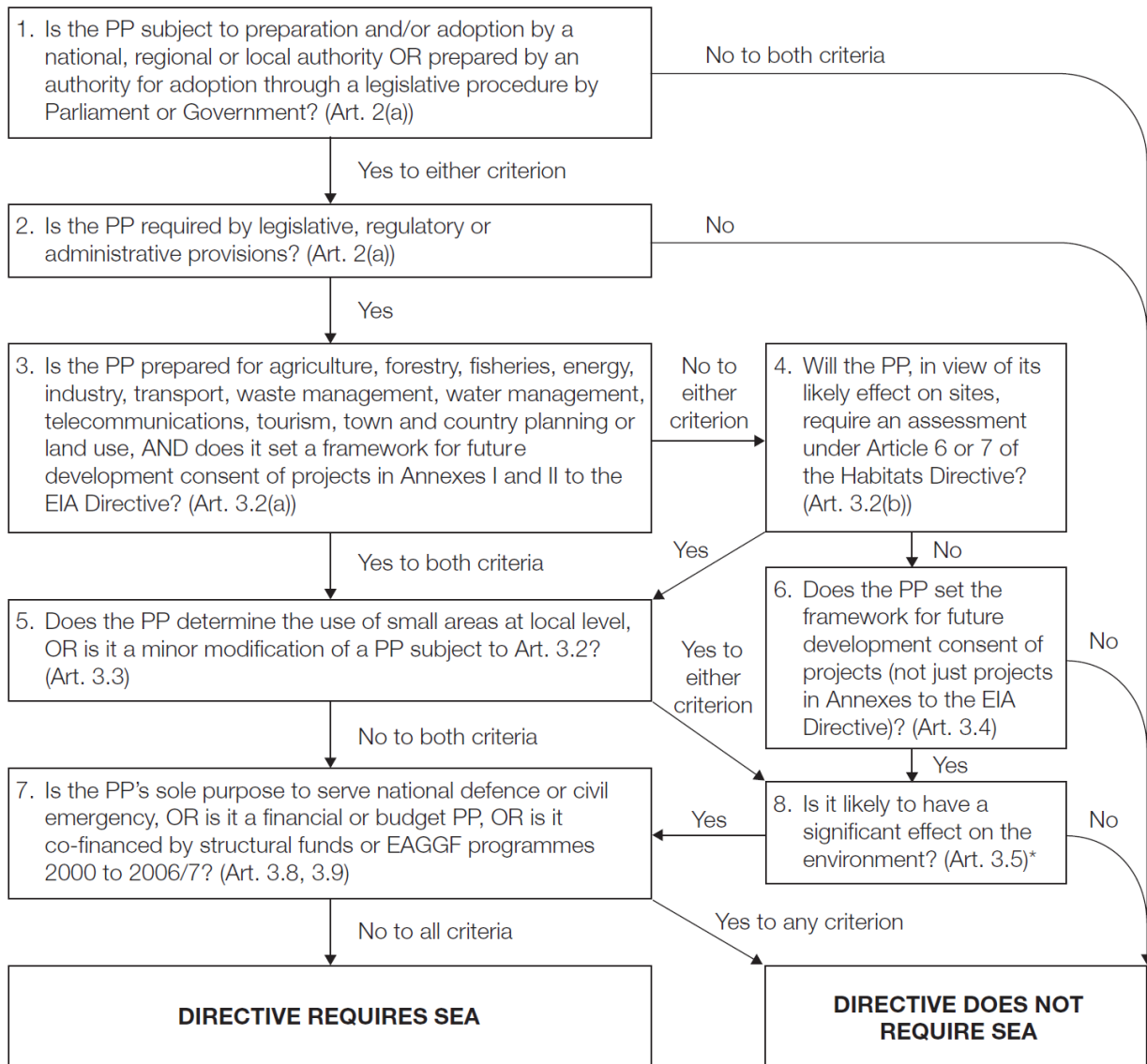
3.1 The requirement for a Strategic Environment Assessment (SEA) is set out in the "Environmental Assessment of Plans and Programmes Regulations 2004". There is also practical guidance on applying European Directive 2001/42/EC produced by the ODPM (now DCLG)<sup>1</sup>. These documents have been used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

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<sup>1</sup> A Practical Guide to the Strategic Environmental Assessment Directive (2005) (ODPM)

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.

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

Stage	Answer	Reason
<b>1. Is the SPD subject to preparation and/or adoption by a national, regional or local authority OR prepared by an authority for adoption through a legislative procedure by Parliament of Government? (Article 2(a))</b>	Yes	It will be prepared by Castlethorpe Parish Council and will be adopted by Milton Keynes Council under the 2012 Neighbourhood Planning Regulations.
<b>2. Is the NP required by legislative, regulatory or administrative provisions? (Article 2(a))</b>	Yes	Although there is no requirement to produce a Neighbourhood Plan, when Plans are produced they are subject to formal procedures and regulations laid down by national government. In light of the European Court of Justice ruling in the Case C-567/10 it is considered that this means the NP is 'required'.
<b>3. Is the SPD prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use, AND does it set a framework for future development consent of projects in Annexes I and II to the EIA Directive? (Art. 3.2(a))</b>	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.
<b>4. Will the plan in view of its likely effect on sites, require an assessment under Article 6 or 7 of the Habitats directive?</b>	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.
<b>6. Does the plan set the framework for future development consent of projects?</b>	Yes	The Neighbourhood Plan will provide a framework for future development consent of projects in the area.
<b>8. Is the Neighbourhood Plan likely to have a significant effect on the environment?</b>	See results of Figure 3: Determining the likely significance of effects	

Figure 3: Determining the likely significance of effects

<b>SEA Directive Annex II: Criteria for determining likely significance of effects referred to in Article 3(5)</b>		
<b>Criteria</b>	<b>✓/✗</b>	<b>MKC Comment</b>
<b><i>The characteristics of plans and programmes, having regard, in particular, to:</i></b>		
<b>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</b>	✓	The NP will set a policy framework for the determination of planning applications for future development projects, in terms of location, nature and scale. 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.
<b>1b) The degree to which the plan or programme influences other plans and programmes including those in a hierarchy</b>	✓	The NP will form part of the statutory development plan for MK with the same status in decision making as development plan documents.
<b>1c) The relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development</b>	✓	The achievement of sustainable development is one of the basic conditions that a Neighbourhood Plan must meet. The Neighbourhood Plan aims to improve the quality of the area whilst not delaying sustainable development and will promote a limited amount of new development in Castlethorpe village through a site allocation.
<b>1d) Environmental problems relevant to the plan or programme</b>	✗	It is not considered that there are any particular environmental problems relevant to the plan.
<b>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).</b>	✗	The Neighbourhood Plan is unlikely to be directly relevant in regard to this criterion.
<b><i>Characteristics of the effects and of the area likely to be affected, having regard, in particular, to:</i></b>		
<b>2a) The probability, duration, frequency and reversibility of the effects</b>	x	Overall the effects of the plan on SEA topics are considered to be neutral. Where new development might have a negative effect this will be reasonably long term, although the effect is potentially reversible as redevelopment can occur.
<b>2b) The cumulative nature of the effects</b>	x	The cumulative impacts of the effects of the plan on the environment are not expected



		to be any greater than the individual parts.
<b>2c) The trans-boundary nature of the effects</b>	x	Policy 8 of the plan refers to access to Cosgrove Leisure Park which is both outside the parish and outside the Milton Keynes Council area, being in South Northamptonshire. The policy essentially seeks to maintain the status quo by allowing the continued occasional use of Fox Covert Lane to remove mobile homes but seeks to prevent any intensification of use of this access. Given the nature of Policy 8 and the other issues and policies in the plan, the Plan is not considered to have any significant effects beyond the Milton Keynes Council boundary.
<b>2d) The risks to human health or the environment (e.g. due to accidents)</b>	x	The Plan's impact on human health is considered to be limited and it is not likely to have a significant impact on the environment due to accidents.
<b>2e) The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)</b>	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.
<b>2f) The value and vulnerability of the area likely to be affected due to:</b> <b>I. special natural characteristics or cultural heritage,</b> <b>II. exceeded environmental quality standards or limit values</b> <b>III. intensive land-use</b>	x	The NP is essentially seeking to protect the existing environment whilst allowing appropriate sustainable development. The site allocation does not directly affect any areas with special natural characteristics or cultural heritage.
<b>2g) The effects on areas or landscapes which have a recognised national, Community or international protection status</b>	x	There are no areas or landscapes with these designations in Milton Keynes.

#### 4. SEA Conclusion

4.1 The Castlethorpe 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 beyond the plan boundary and it is considered that overall the plan will not have significant effects on the environment. It is, therefore, concluded that the Castlethorpe 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:** No response.

**Environment Agency:** We do not consider that SEA is required.

**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.

There is a SSSI, Mill Crook, situated adjacent to the parish area to the West. We recommend a consideration of this SSSI and Nature Reserve is incorporated within the Neighbourhood Plan itself, to ensure no future encroachment or damage.

#### 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

**Having screened the Castlethorpe Neighbourhood Plan and consulted with Historic England, Natural England and the Environment Agency, it is the view of Milton Keynes Council that 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, concluded that the Castlethorpe Neighbourhood Plan does not 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 ([http://miltonkeynes.objective.co.uk/portal/planmk/plan\\_mk\\_submission/planmk\\_sa\\_hra?pointId=1510067377589](http://miltonkeynes.objective.co.uk/portal/planmk/plan_mk_submission/planmk_sa_hra?pointId=1510067377589)) 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 nature of the Castlethorpe Neighbourhood Plan which seeks mainly to maintain the status quo of built development in the parish, it is considered that Appropriate Assessment of the plan is not required.

## **9. Contact**

Further information can be obtained from:

UDLA  
Growth, Economy & Culture  
Civic Offices  
1 Saxon Gate East  
Central Milton Keynes  
MK9 3EJ

W: [www.milton-keynes.gov.uk/planning-policy](http://www.milton-keynes.gov.uk/planning-policy)

T: 01908 691691

E: [neighbourhoodplanning@milton-keynes.gov.uk](mailto:neighbourhoodplanning@milton-keynes.gov.uk)

**Appendix 1**  
**Map of Castlethorpe Neighbourhood Area**

