

Woughton Neighbourhood Development Plan

Strategic Environmental Assessment Screening Statement Appropriate Assessment Screening November 2016

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?

The Woughton Neighbourhood Plan covers the entire parish area. The parish of Woughton forms one of larger areas of urban Milton Keynes with an ethnically diverse population of 13,300 living in the communities of Netherfield, Eaglestone, Beanhill, Tinker's Bridge, Peartree Bridge, Leadenhall and Coffee Hall. There are significant industrial estates at Bleak Hall and Redmoor and the parish is the home of the city's hospital and major schools.

1.5 Four of the seven residential estates in Woughton have been identified by Milton Keynes Council as part of a major 15 year Regeneration Programme. The goal of the Woughton Community Neighbourhood Plan (WCNP) is not to stop development altogether, but it is to encourage the right types of development based on the priorities of the current population.

1.6 The draft plan includes a range of policies that identify and seek to maintain the distinct characteristics of the grid squares within the parish; they seek to improve the self-sufficiency of those grid squares by encouraging a greater mix of uses in appropriate locations and to protect the green infrastructure and open space of the area.

2. Policy context

2.1 The Development Plan for Milton Keynes currently comprises the Milton Keynes Local Plan (adopted December 2005), the Core Strategy (adopted July 2013), and a number of made neighbourhood plans, none of which adjoin the Woughton parish area.

2.2 The Council is currently preparing a new local plan for Milton Keynes (Plan:MK) which will replace and update both the Milton Keynes Local Plan and the Core Strategy. The Submission Draft Site Allocations Plan is out for publicity until 21 December, 2016 and allocates a number of smaller housing sites within the Milton Keynes urban area in order to increase the amount of deliverable housing sites above those identified in the Core Strategy.

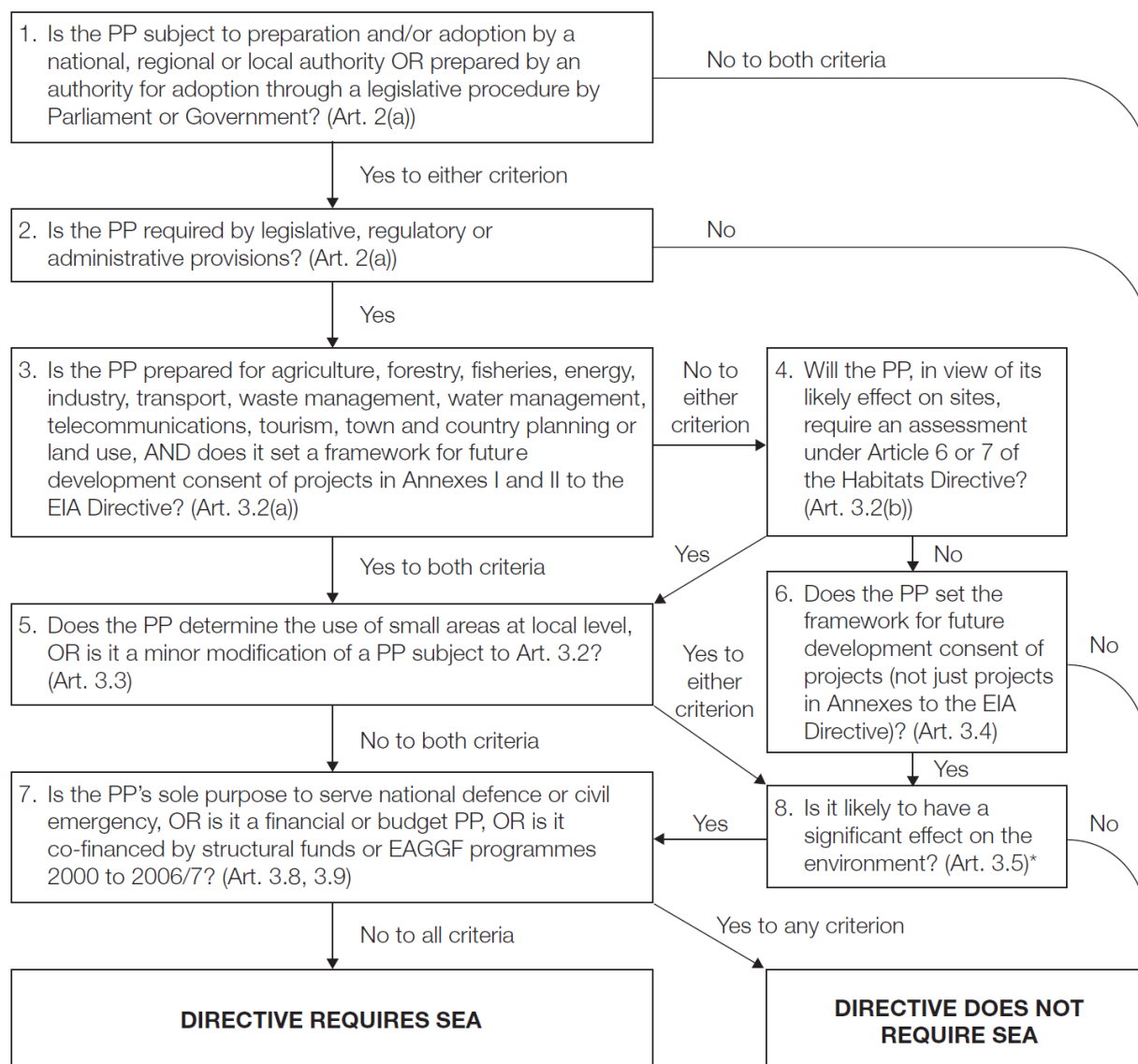
2.3 Although the Neighbourhood Plan must be in general conformity with the strategic policies of the Local Plan and the Core Strategy, it can promote more development, but must not propose less. It will also provide a more local context to the non-strategic policies of the Local Plan. The Neighbourhood 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 Neighbourhood Plan (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 Woughton Parish Council and will be adopted by Milton Keynes Council under the 2012 Neighbourhood Planning Regulations, as subsequently amended.
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, 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'.
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 Neighbourhood Plan 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	✓/✗	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 policy framework for the determination of planning applications for future development projects, in terms of location, nature and scale. Once the Neighbourhood Plan has passed examination and its referendums, it will become part of the Development Plan for the area.
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. It is influenced by the Core Strategy but may influence the preparation of future local plans for the area such as Plan MK as well as the preparation of the regeneration strategy for the area it covers. .
1c) The relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development	✓	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 its policies encourage appropriate development in Woughton parish.
1d) Environmental problems relevant to the plan or programme	✗	It is not considered that there are any particular environmental problems relevant to the plan.
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).	✗	The Neighbourhood Plan 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	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.
2b) The cumulative nature of the	x	The effects of the Neighbourhood Plan

effects		<p>needs to be considered alongside the Core Strategy however it is not considered that the neighbourhood plan introduces significant additional effects over and above those already considered in the SA for the Core Strategy.</p> <p>Given that the whole borough could potentially be covered by neighbourhood plans, each promoting policies and development, there could be a significant cumulative impact of multiple neighbourhood plans although as plans cannot overlap, their impact would be limited to the area that they cover.</p>
2c) The trans-boundary nature of the effects	x	The Plan is not considered to have any significant effects beyond the Milton Keynes Council boundary.
2d) The risks to human health or the environment (e.g. due to accidents)	x	The Plan's impact on human health is considered to be positive due to its policies seeking to maintain and improve access to open space and to local facilities. It is not likely to have a significant impact on the environment due to accidents.
2e) The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)	x	Given the issues and policies in the plan, it is not considered to have much beyond very local effects.
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	x	The NP is essentially seeking to protect the existing environment whilst allowing appropriate sustainable development. The plan does not directly affect any areas with special natural characteristics or cultural heritage.
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 Woughton 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 Woughton Neighbourhood Plan does not need to be subject to Strategic Environmental Assessment.

5. Appropriate Assessment (AA) Screening

- 5.1 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.
- 5.2 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.

6. Appropriate Assessment Conclusion

- 6.1 Given the role of Neighbourhood Plans and the nature of the Woughton 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.

7. Consultation outcome and SEA conclusion

- 7.1 The advice of the three statutory bodies for the purposes of SEA Screening - Historic England, the Environment Agency and Natural England was sought on the preparation of this screening report. Replies were received from the Environment Agency and Natural England. The Environment Agency agreed with the conclusions of the screening report. Natural England confirmed that it had made comments to Woughton Community Council on the pre-submission draft version of their Neighbourhood Plan and that, as long as those comments were followed, then an SEA would not be required.
- 7.2 On the basis of the above, it is concluded that an SEA will not be required for the Woughton Neighbourhood Plan. A copy of this Screening Statement will now be published on the MKC website.

8. Contact

Further information can be obtained from:

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