

Hanslope Neighbourhood Plan
Strategic Environmental Assessment Screening Statement
Appropriate Assessment Screening
May 2023

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 Hanslope Neighbourhood Plan was previously undertaken in February 2019. Following adoption of the Neighbourhood Plan in October 2019, the Parish Council wishes to update the Neighbourhood Plan.

1.6 It is likely to contain minor modification to policies on development boundaries, design, rural economic development, community facilities, and Local Green Spaces. A new policy introducing a local gap may also be included. There are no new allocations proposed.

1.7 What is the Neighbourhood Plan trying to achieve?

1.8 The Neighbourhood Area covers the whole of the Hanslope Parish Council Area (see Appendix 1), which is a rural parish set in attractive landscape and with considerable heritage assets.

1.9 The 'made' plan allocates three housing sites. It includes general policies relating to housing, employment and community facilities development as well as those relating to the protection and enhancement of the natural and historic environment.

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.

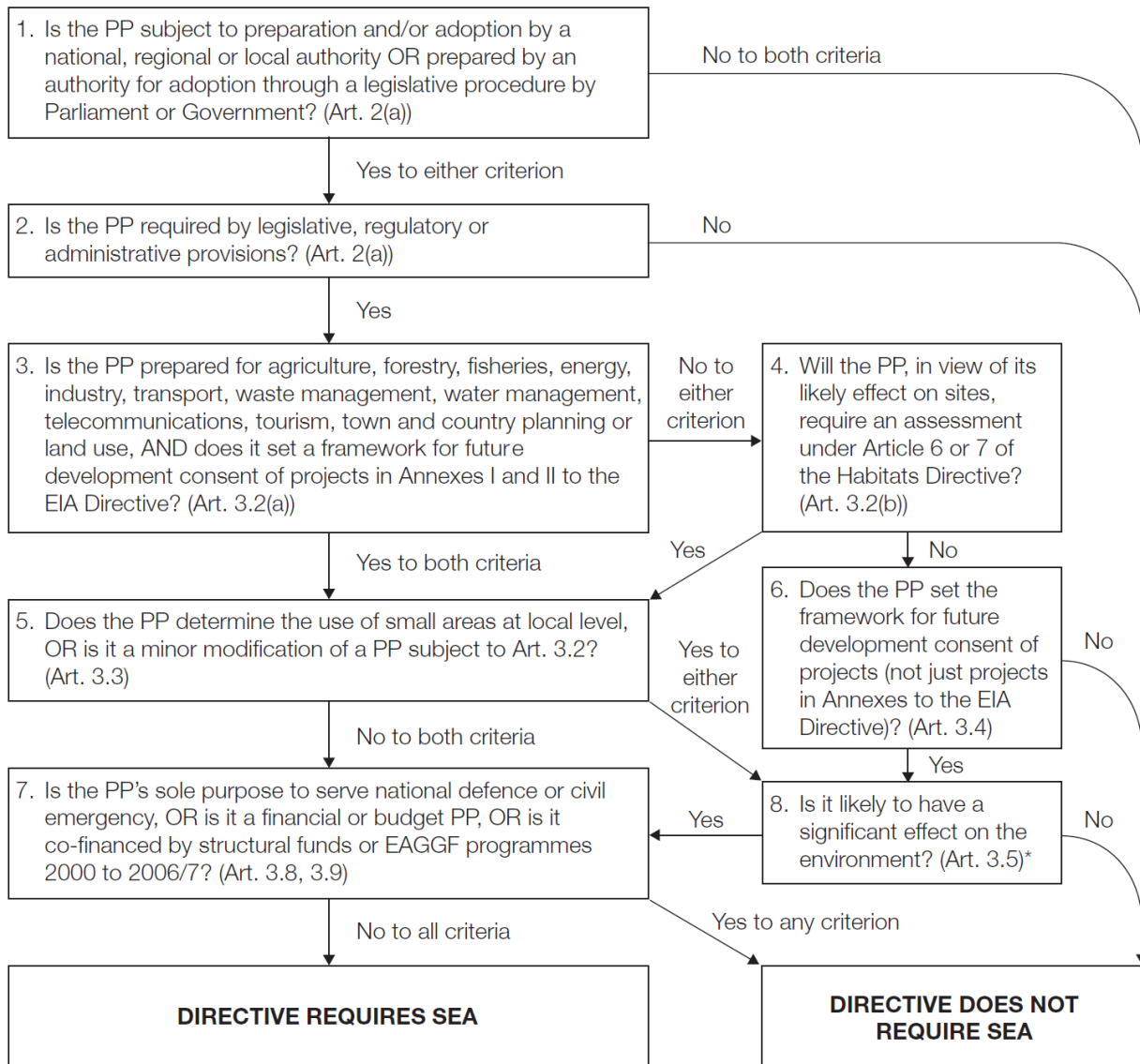
3. SEA Screening

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)¹. These documents have been used as the basis for this screening report.

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

Figure 1: Establishing the need for SEA



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

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

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

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

Figure 3: Determining the likely significance of effects

| SEA Directive Annex II: Criteria for determining likely significance of effects referred to in Article 3(5) | | |
|---|-------------------|--|
| Criteria | ✓/x/ ? | MKCC Comment |
| <i>The characteristics of plans and programmes, having regard, in particular, to:</i> | | |
| 1a) The degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources | ✓ | The NP will set a framework for future development projects, in terms of location, nature and scale/size. However, the plan will need to be in general conformity with higher level plans so the scope of the plan to fully influence projects and activities is somewhat limited. |
| 1b) The degree to which the plan or programme influences other plans and programmes including those in a hierarchy | ✓ | The NP will form part of the statutory development plan for MK with the same status in decision making as development plan documents. |
| 1c) The relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development | ✓ | Sustainable development will be at the heart of NPs and policies could make a significant contribution to promoting sustainable development, particularly ensuring any greenfield allocations are planned in a sustainable way. |
| 1d) Environmental problems relevant to the plan or programme | X | None |
| 1e) The relevance of the plan or programme for the implementation of Community legislation on the environment (e.g. plans and programmes linked to waste-management or water protection). | X | The NP is unlikely to be directly relevant in regard to this criterion. |
| <i>Characteristics of the effects and of the area likely to be affected, having regard, in particular, to:</i> | | |
| 2a) The probability, duration, frequency and reversibility of the effects | X | In the case of new land allocations it is highly probable that policies will lead to development that will have an irreversible impact on the environment, albeit the majority of new land allocations will be on previously developed land. Aside from any new land allocations, any effects of the plan are likely to be reversible, as they will influence the general evolution of the townscape, which has been subject to ongoing change over 100s of years. |
| 2b) The cumulative nature of the effects | X | The cumulative impacts of the effects of the plan on the environment are not expected to be any greater than the individual parts. |
| 2c) The trans-boundary nature of the effects | X | Any impacts are only likely to be felt by the local area. |

| | | |
|--|-----|--|
| 2d) The risks to human health or the environment (e.g. due to accidents) | X | It is unlikely that the nature of any development proposed would impact on human health. Any development is likely to be for housing and ancillary uses. |
| 2e) The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected) | X | The effects of the plan are unlikely to be felt in a spatial area wider than the plan area. The plan is also unlikely to affect any population outside the plan area. |
| 2f) The value and vulnerability of the area likely to be affected due to: I. special natural characteristics or cultural heritage, II. exceeded environmental quality standards or limit values III. intensive land-use | ✓/X | The NP covers a rural area and the village contains a defined Conservation Area. The Plan includes design policies to preserve and enhance the heritage assets of the area as well as the surrounding landscape character based on the Character and Design Statement. Overall, it is considered that the value and vulnerability of the plan area is unlikely to be affected by those elements of the Neighbourhood Plan policies. |
| 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 Hanslope Neighbourhood Plan will provide a planning policy framework to be used when considering planning applications in the Neighbourhood Area.
- 4.2 The Plan's effects are unlikely to have any significant impacts beyond the Neighbourhood Area and it is considered that overall the plan will not have significant effects on the environment. It is therefore the opinion of Milton Keynes City Council that the Hanslope 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: There are a number of designated heritage assets within the area; the information supplied however indicates that the updated plan will not have any significant effects on the historic environment. We also note that the plan does not propose to allocate any new sites for development.

On the basis of the information supplied, and in the context of the criteria set out in Schedule 1 of the Environmental Assessment Regulations [Annex II of 'SEA' Directive], Historic England concurs with the Council that the preparation of a Strategic Environmental Assessment is not required.

Natural England: It is our advice, on the basis of the material supplied with the consultation, that, in so far as our strategic environmental interests (including but not limited to statutory designated sites, landscapes and protected species, geology and soils) are concerned, that there are unlikely to be significant environmental effects from the proposed plan.

Environment Agency: Based on a review of environmental constraints for which we are a statutory consultee, there are no areas of fluvial flood risk or watercourses within the neighbourhood plan area, or any water quality concerns. Therefore, we do not consider there to be potential significant environmental effects relating to these environmental constraints or other environmental sensitivities of interest to us.

Milton Keynes Council's Surface Water Management Plan will indicate if there are any critical drainage areas from local sources of flood risk (e.g. surface water, groundwater and sewerage) which coincide with the neighbourhood plan area.

SEA Screening Conclusion

Having screened the Hanslope Neighbourhood Plan and consulted with Historic England, Natural England and the Environment Agency, it is the view of Milton Keynes City 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 Hanslope 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 overriding 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) which covers the period to 2031. This considers the impact of the Local Plan on the Upper Nene Valley Gravel Pits SPA and concludes that “development in the Milton Keynes Local Plan will not have a likely significant effect on any internationally important wildlife sites either alone or in combination with other plans and projects. These conclusions are based on the findings of the AA screening which concludes that no Natura 2000 sites are located within the district and no impact pathways have been identified linking Natura 2000 sites outside of the district e.g. Upper Nene Valley Gravel Pits SPA/Ramsar to development within Milton Keynes Borough. Therefore, an Appropriate Assessment is not required.”

8. Appropriate Assessment Conclusion

8.1 Given the role of Neighbourhood Plans and the scale of development proposed in the Hanslope Neighbourhood Plan, it is considered that Appropriate Assessment of the plan is not required.

9. Contact

Further information can be obtained from:

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Appendix 1

Map of Hanslope Neighbourhood Area

