

Revised Screening Statement on the determination of the need for a Strategic Environmental Assessment (SEA) in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004 and European Directive 2001/42/EC for the Long Wittenham Neighbourhood Development Plan

03 MARCH 2017

SUMMARY

Following consultation with the statutory bodies, South Oxfordshire District Council (the 'Council') determines that Long Wittenham Neighbourhood Development Plan (Long Wittenham NDP) does not require a Strategic Environmental Assessment (SEA).

INTRODUCTION

1. In December 2016, a revised screening opinion was used to determine whether or not the contents of the emerging Long Wittenham Neighbourhood Development Plan (Long Wittenham NDP) required a Strategic Environmental Assessment (SEA) in accordance with the European Directive 2011/42/EC (the Directive) and associated Environmental Assessment of Plans and Programmes Regulations 2004 (the Regulations).
2. Any land use plan or programme 'which sets the framework for future development consent of projects' must be screened according to a set of criteria from Annex II of the Directive and Schedule 1 of the Regulations. These criteria include exceptions for plans 'which determine the use of a small area at local level' or which only propose 'minor modifications to a plan', if it is determined that the plan is unlikely to have significant environmental effects.
3. The revised screening opinion was subject to consultation with Historic England, the Environment Agency and Natural England. The results of the screening process and subsequent consultation are detailed in this Screening Statement, which is available to the public.

LONG WITTENHAM NEIGHBOURHOOD DEVELOPMENT PLAN

4. The Long Wittenham NDP supports the provision of community facilities and accepts that additional residential development may enable the delivery of such facilities. However, the NDP does not allocate specific sites for development and seeks to limit housing to small scale infill, in accordance with the district's emerging and adopted Local Plans.

5. It is therefore concluded that the implementation of the Long Wittenham NDP would not result in likely significant effects on the environment.

THE SCREENING PROCESS

6. Using the criteria set out in Annex II of the Directive and Schedule 1 of the Regulations, a Screening Opinion determines whether a plan or programme is likely to have significant environmental effects.
7. The extract from 'A Practical Guide to the Strategic Environmental Assessment Directive' in Appendix 1 provides a flow diagram to demonstrate the SEA screening process.
8. Table 1 in Appendix 1 sets out the criteria from the Practical Guide, along with an assessment of the Long Wittenham NDP against each criterion to ascertain whether a SEA is required.
9. Also part of the screening process is the Habitats Regulations Assessment Screening, which can be found in Appendix 2, and the assessment of likely significance effects on the environment, which can be found in Appendix 3.
10. These two assessments feed into Table 1 and the SEA screening opinion.

STATUTORY CONSULTEES

11. The initial screening opinion was sent to Natural England, the Environment Agency and Historic England on 22 December 2016 giving a 28 days consultation period. A summary of the responses from the statutory consultees is included below and their full responses are attached in Appendix 4.
12. The Environment Agency confirmed that they agree with the council's screening opinion and recommend that a SEA is not required.
13. Natural England confirmed that as the Long Wittenham Neighbourhood Development Plan does not allocate any sites for development they do not foresee any significant effects on designated sites that are not already addressed by the SEA of the emerging Local Plan. They agree with South Oxfordshire District Council's Habitats Regulations screening opinion that there are no likely significant effects on Little Wittenham SAC. They highlight that the Neighbourhood Plan area lies partly within the North Wessex Downs AONB; however, so long as the Neighbourhood Plan policies are in general conformity with national and local plan policies, there should be no significant impacts on designated landscapes.

14. Historic England has confirmed that given the removal of proposed site allocations from the updated pre-submission version of the plan, the plan should not require assessment through SEA.

CONCLUSION

15. As a result of the screening undertaken by the Council, and its consideration by the statutory consultees, the Council has reached the following determination.

16. The Long Wittenham NDP will not have significant effects on Natura 2000 sites, therefore, an Appropriate Assessment is not required.

17. Based on the assessment presented in Appendices 1 & 3 and the responses from the relevant statutory consultees, the Long Wittenham NDP is not likely to have a significant effect on the environment.

18. For the purpose of demonstrating that the Long Wittenham NDP is unlikely to have significant effects on the environment or have any significant effects on European Designated Sites, this document constitutes the statement of reasons required by Regulation 15 of the neighbourhood Planning (General) Regulations 2012 (as amended).

Decision by Head of Planning

Agreed

Signature.....ARD.....

Date.....16 March 2017.....

Appendix 1 – Extract from ‘A Practical Guide to the Strategic Environmental Assessment Directive’ (DCLG) (2005)

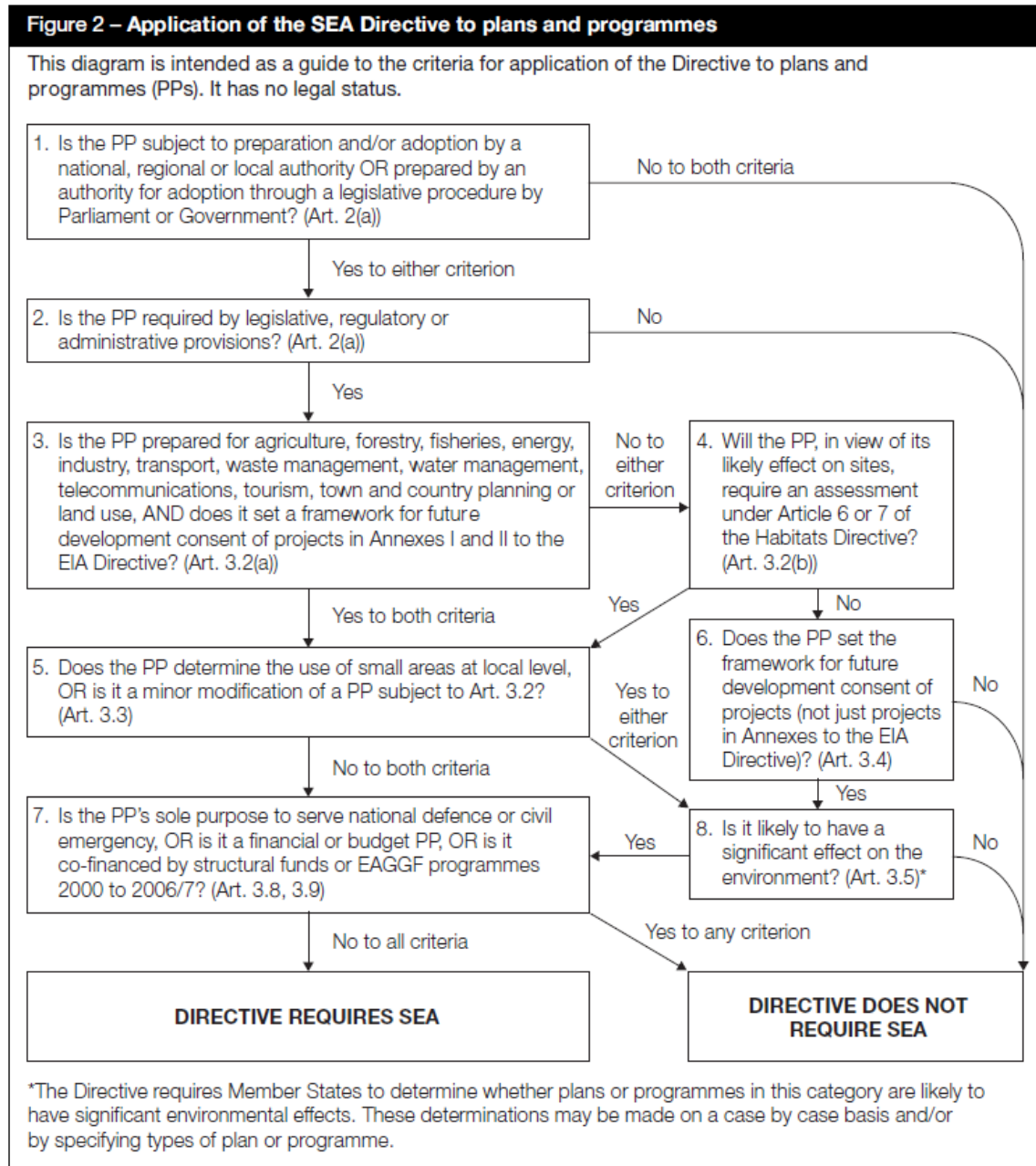


Table 1: Application of SEA Directive as shown in Appendix 1
[Note to author – most of these boxes contain standard text –greyed out.
Those where specific details need to be included are Qs 3,4,5 & 8]

Stage	Y/N	Explanation
1. Is the Neighbourhood Plan 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 or Government? (Art. 2(a))	Y	<p>The preparation of and adoption of the Neighbourhood Development Plan is allowed under the Town and Country Planning Act 1990 as amended by the Localism Act 2011. The Neighbourhood Plan is being prepared by Long Wittenham Parish Council (as the “relevant body”) and will be “made” by South Oxfordshire District Council as the local authority. The preparation of Neighbourhood Plans is subject to the following regulations:</p> <ul style="list-style-type: none"> • The Neighbourhood Planning (General) Regulations 2012 • The Neighbourhood Planning (referendums) Regulations 2012 • The Neighbourhood Planning (General) (Amendment) Regulations 2015 • The Neighbourhood Planning (General) and Development Management Procedure (Amendment) Regulations 2016 • The Neighbourhood Planning (Referendums) (Amendment) Regulations 2016
2. Is the NP required by legislative, regulatory or administrative provisions? (Art. 2(a))	Y	<p>Whilst the Neighbourhood Development Plan is not a requirement and is optional under the provisions of the Town and Country Planning Act 1990 as amended by the Localism Act 2011, it will, if “made”, form part of the Development Plan for the District. It is therefore important that the screening process considers whether it is likely to have significant environmental effects and hence whether SEA is required under the Directive.</p>
3. Is the Neighbourhood Plan prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water	Y	<p>The Long Wittenham NDP is prepared for town and country planning and land use. The Long Wittenham NDP sits within a wider framework, set by the National Planning Policy Framework and the strategic policies within the</p>

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 (see Appendix 2) to the EIA Directive? (Art 3.2(a))		South Oxfordshire District Development Plan. The Long Wittenham NDP will set out a framework for localised projects and activities in Long Wittenham, including supporting additional residential development to enable the provision of identified community facilities. However, <i>these projects are not of the scale referred to in Article 4(2) of the EIA Directive – listed at Annex II of the directive.</i>
4. Will the Neighbourhood Plan, in view of its likely effect on sites, require an assessment for future development under Article 6 or 7 of the Habitats Directive? (Art. 3.2 (b))	N	The Long Wittenham NDP is unlikely to have significant effects on Natura 2000 sites. See Habitat Regulations Assessment (HRA) Screening Opinion for the Long Wittenham NDP in Appendix 2.
5. Does the Neighbourhood Plan determine the use of small areas at local level, OR is it a minor modification of a PP subject to Art. 3.2? (Art. 3.3)	Y	The Long Wittenham NDP will determine the use of sites/small areas at a local level - within the neighbourhood area boundary.
6. Does the Neighbourhood Plan set the framework for future development consent of projects (not just projects in annexes to the EIA Directive)? (Art 3.4)	Y	When made, the Long Wittenham NDP will include a series of policies to guide development within the Long Wittenham Neighbourhood Area. This will inform the determination of planning applications providing a framework for future development consent of projects.
7. Is the Neighbourhood Plan's sole purpose to serve the national defence or civil emergency, OR is it a financial or budget PP, OR is it co-financed by structural funds or EAGGF programmes 2000 to 2006/7? (Art 3.8, 3.9)	N	The Long Wittenham NDP does not relate to defence, civil emergency or financial planning. Nor is its purpose to secure European funds.
8. Is it likely to have a significant effect on the environment? (Art. 3.5)	N	No likely significant effects upon the environment have been identified. See assessment of the likely significance of effects on the environment in Appendix 3.

Appendix 2 - Habitat Regulations Assessment (HRA) Screening Opinion for the Long Wittenham Neighbourhood Development Plan

INTRODUCTION

1. The Local Authority is the “competent authority” under the Conservation of Habitats and Species Regulations 2010, and needs to ensure that Neighbourhood Plans have been assessed through the Habitats Regulations process. This looks at the potential for significant impacts on nature conservation sites that are of European importance¹, also referred to as Natura 2000.
2. This Screening Assessment relates to a Neighbourhood Development Plan that will be in general conformity with the strategic policies within the development plan² (the higher level plan for town and country planning and land use). This Screening Assessment uses the Habitats Regulations Assessment of South Oxfordshire District Council’s emerging Local Plan as its basis for assessment. From this, the Local Authority will determine whether the Long Wittenham Neighbourhood Development Plan is likely to result in significant impacts on Natura 2000 sites either alone or in combination with other plans and policies and, therefore, whether an ‘Appropriate Assessment’ is required.

LEGISLATIVE BASIS

3. Article 6(3) of the EU Habitats Directive provides that:

“Any plan or project not directly connected with or necessary to the management of the [European] site but likely to have a significant effect thereon, either individually or in combination with other plans or projects, shall be subject to appropriate assessment of its implications for the site in view of the site’s conservation objectives. In the light of the conclusions of the assessment of the implications for the site and subject to the provisions of paragraph 4, the competent national authorities shall agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the site

¹ Special Protection Areas (SPAs) for birds and Special Areas of Conservation (SACs) for other species, and for habitats.

² The South Oxfordshire Core Strategy (December 2012) and the South Oxfordshire Local Plan 2011 (January 2006).

concerned and, if appropriate, after having obtained the opinion of the general public.”

ASSESSMENT

1. There is one Special Area of Conservation (SACs) within 2km of the Long Wittenham Neighbourhood Area; Little Wittenham SAC. Little Wittenham SAC is internationally important for its great crested newt population.
2. The Long Wittenham NDP supports the provision of community facilities and accepts that additional residential development may enable the delivery of such facilities. However, the NDP does not allocate specific sites for development.
3. The Long Wittenham NDP and its evidence base identifies that whilst the additional development supported by the NDP may fall within the 1-2km Impact Risk Zone (IRZ) of the Little Wittenham SAC where residential development of 100 units or more may present likely risks for the designated site, the scale of development necessary to enable the delivery of the identified community facilities would not exceed 100 dwellings. Therefore it is considered unlikely that the proposals in the NDP would have any significant effect on the interest features of the Little Wittenham SAC.
4. The South Oxfordshire District Development Plan has an appropriate policy mechanism in place to ensure that adverse effects on the integrity of the Little Wittenham SAC will be avoided. Furthermore, should large scale developments come forward, they will need to be screened and scoped for likely significant environmental effects under the Environmental Impact Assessments and Habitats Regulations Assessments Regulations at the pre-application stage. Appropriate mitigation would be sought at this stage.
5. As there are no likely significant effects on the features of the SAC, the NDP can be screened out from any further assessment.

CONCLUSION

6. The Long Wittenham NDP is unlikely to have significant effects on Natura 2000 sites, therefore, an Appropriate Assessment for the Long Wittenham NDP is not required.
7. There is one Special Area of Conservation (SACs) within 2km of the Long Wittenham Neighbourhood Area; Little Wittenham SAC. Little

Wittenham SAC is internationally important for its great crested newt population.

8. The Long Wittenham NDP supports the provision of community facilities and accepts that additional residential development may enable the delivery of such facilities. However, the NDP does not allocate specific sites for development.
9. The Long Wittenham NDP and its evidence base identifies that whilst the additional development supported by the NDP may fall within the 1-2km Impact Risk Zone (IRZ) of the Little Wittenham SAC where residential development of 100 units or more may present likely risks for the designated site, the scale of development necessary to enable the delivery of the identified community facilities would not exceed 100 dwellings. Therefore it is considered unlikely that the proposals in the NDP would have any significant effect on the interest features of the Little Wittenham SAC.
10. The South Oxfordshire District Development Plan has an appropriate policy mechanism in place to ensure that adverse effects on the integrity of the Little Wittenham SAC will be avoided. Furthermore, should large scale developments come forward, they will need to be screened and scoped for likely significant environmental effects under the Environmental Impact Assessments and Habitats Regulations Assessments Regulations at the pre-application stage. Appropriate mitigation would be sought at this stage.
11. As there are no likely significant effects on the features of the SAC, the NDP can be screened out from any further assessment.

CONCLUSION

12. The Long Wittenham NDP is unlikely to have significant effects on Natura 2000 sites, therefore, an Appropriate Assessment for the Long Wittenham NDP is not required.

Appendix 3 - Assessment of the likely significance of effects on the environment

[Note to author – most of these boxes contain standard text (greyed out). Those where specific details need to be included are Qs 1a,c,d, 2a,b,e,f and g]

1. Characteristics of the Plan, having regard to:	
(a) 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;	<p>The Long Wittenham NDP would, if adopted, form part of the Statutory Development Plan and as such does contribute to the framework for future development consent of projects. However, the Plan will sit within the wider framework set by the National Planning Policy Framework, the strategic policies of the South Oxfordshire Core Strategy (2012) and Local Plan 2011 (2006); and the emerging Local Plan 2032. There are no site allocations proposed by the Long Wittenham NDP. Other policies in the plan will encourage local scale projects, for example:</p> <ul style="list-style-type: none"> • The relocation of the school and village hall onto a new site, to form a new village hub. • Support the provision of additional housing to enable the relocation of the school and village hall and the provision a shop and café on a future village hub site.
(b) the degree to which the plan or programme influences other plans and programmes including those in a hierarchy;	A Neighbourhood Development Plan must be in general conformity with the strategic policies contained in the development plan for the District. It does not influence other plans.
(c) the relevance of the plan or programme for the integration of environmental considerations in particular	National policy requires a presumption in favour of sustainable development, which should be seen as a golden thread through plan-making, including the Long Wittenham

with a view to promoting sustainable development;	<p>NDP. A basic condition of the Long Wittenham NDP is to contribute to the achievement of sustainable development. The Long Wittenham NDP focuses on the infrastructure needs of the local community, considered important to ensure that the neighbourhood can grow in a sustainable way.</p> <p>The NDP contains policies seeking to address how identified additional infrastructure requirements might be delivered, thus contributing positively to the achievement of sustainable development.</p>
(d) environmental problems relevant to the plan or programme; and	<p>Long Wittenham lies in proximity to the North Wessex Downs AONB. However, the Long Wittenham NDP is void of firm site-specific allocation policies where physical change is advocated and/or a quantum is identified.</p> <p>The South Oxfordshire District Development Plan provides an appropriate policy mechanism that allows the pursuit of the objectives of the Long Wittenham NDP whilst avoiding any significant impact.</p>
(e) the relevance of the plan or programme for the implementation of Community legislation on the environment (for example, plans and programmes linked to waste management or water protection).	<p>There are no site allocations proposed by the Long Wittenham NDP. The Long Wittenham NDP is not considered to be directly responsible or related to implementing community legislation on the environment.</p> <p>Working with the relevant statutory agents the South Oxfordshire District Development Plan provides the appropriate framework to avoid significant harmful effects.</p>
2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to:	
(a) the probability, duration, frequency and reversibility of the effects;	The Long Wittenham NDP is likely to have small but irreversible environmental effects, local in scale. The plan is also likely to have positive social effects through the provision community facilities and some residential development.
(b) the cumulative nature of the effects;	The positive social effects of providing better and new community facilities as well as some residential development will have positive cumulative benefits for the area.
(c) the transboundary nature of the effects;	The effects of the Plan are unlikely to have transboundary ³ impacts.

³ Transboundary effects are understood to be in other Member States.

(d) the risks to human health or the environment (for example, due to accidents);	The policies in the plan are unlikely to present risks to human health or the environment.
(e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected);	The Long Wittenham NDP relates to the parish of Long Wittenham. The scale of development proposed is small and therefore the potential for environmental effects is likely to be mostly small and localised. (See 1d)
(f) 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; or (iii) intensive land-use; and	The main vulnerability of the parish is the impact of small scale developments on the setting of the AONB. The plan aims to ensure development conserves and enhances these designations through detailed design policies. The South Oxfordshire District Development Plan has appropriate policy mechanisms in place to ensure that significant effects are avoided.
(g) the effects on areas or landscapes which have a recognised national, Community or international protection status.	There are no site allocations proposed by the Long Wittenham NDP. However, there is potential vulnerability on the setting of the nearby AONB from development likely to come forward as a result of the NDP's support for the improvement/provision of community facilities and acceptance that this may be enabled by residential development.

APPENDIX 4 - RESPONSES FROM STATUTORY CONSULTEES

From: Lloyd Sweet, Robert
[mailto:Robert.LloydSweet@HistoricEngland.org.uk]
Sent: 20 January 2017 16:38
To: Ricardo Rios <Ricardo.Rios@southandvale.gov.uk>
Subject: RE: SEA Screening Opinion for Neighbourhood Development Plan - Consultation Request

Dear Ricardo

Thank you for consulting Historic England on the updated Screening Opinion for the Long Wittenham Neighbourhood Plan. I am pleased to confirm that, given the removal of proposed site allocations from the updated pre-submission version of the plan, we agree that the plan should not require assessment through SEA.

Please do not hesitate to contact me if you have any queries relating to our comments or require any further information.

Yours sincerely

Robert Lloyd-Sweet

Rob Lloyd-Sweet | Historic Places Adviser | Historic Places | South East
Direct Line: 01483 252028
Mobile: 07825 907288

Historic England | Eastgate Court | 195 – 205 High Street
Guildford | GU1 3EH

Date: 01 February 2017
Our ref: 204649
Your ref: Long Wittenham Neighbourhood Development Plan - Revised SEA
Screening Consultation



Ricardo.Rios@southandvale.gov.uk

BY EMAIL ONLY

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Crew e
Cheshire
CW1 6GJ

T 0300 060 3900

Dear Ricardo,

Long Wittenham Neighbourhood Development Plan - Revised SEA Screening Consultation

Thank you for your consultation on the above dated 22/12/2016.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Natural England is a statutory consultee in neighbourhood planning and must be consulted on draft neighbourhood development plans by the Parish/Town Councils or Neighbourhood Forums where they consider our interests would be affected by the proposals made.

As the Long Wittenham Neighbourhood Development Plan does not allocate any sites for development Natural England does not foresee any significant impacts on designated sites that are not already addressed by the SEA of the emerging Local Plan. We agree with the Habitats Regulations screening opinion; there are no likely significant effects on Little Wittenham SAC. The boundary of the Neighbourhood Plan area lies partly within the North Wessex Downs AONB, however so long as the Neighbourhood Plan policies are in general conformity with national and local plan policies, there should be no significant impacts on designated landscapes.

For clarification of any points in this letter, please contact Rebecca Micklem on 020822 57686. For any further consultations on your plan, please contact: consultations@naturalengland.org.uk.

We really value your feedback to help us improve the service we offer. We have attached a feedback form to this letter and welcome any comments you might have about our service.

Yours sincerely

Rebecca Micklem
Sustainable Development
Thames Team

Mr Ricardo Rios
South Oxfordshire District Council
Environmental Services Directorate
Vale of White Horse District Council
135 Eastern Avenue
Milton Park
Abingdon
OX14 4SB

Our ref: WA/2006/000281/SE-
12/SC1-L01

Your ref:

Date: 21 February 2017

Dear Mr Rios

Screening Opinion for Long Wittenham Neighbourhood Plan

Thank you for consulting the Environment Agency on the revised screening opinion for the Long Wittenham Neighbourhood Plan. We are a statutory consultee in the SEA process and aim to reduce flood risk and protect and enhance the water environment. Based on our review of the draft plan, we think there are potential environmental effects that relate to the Neighbourhood Plan area which have not been identified.

The neighbourhood plan area will be affected by the following environmental constraints, however we do not consider these to be significant. Further drafts of the Plan will need to consider these issues.

Flood risk

The Neighbourhood Plan proposes site allocations within areas of flood zone 2 and 3 within the neighbourhood plan area, specifically potential sites 2b, 4 and possibly 3a.

Main river

The River Thames runs through the neighbourhood plan area. This watercourse is currently failing to reach good ecological status/potential under the Water Framework Directive. It is currently classified as having moderate status.

Developments within or adjacent to this watercourse should not cause further deterioration and should seek to improve the water quality based on the recommendations of the Thames River Basin Management Plan. An assessment of the potential impacts of the neighbourhood plan on this watercourse under WFD should be included within the SEA/SA appraisal.

Cont/d..



Please refer to the Thames River Basin Management Plan for further information.
<https://www.gov.uk/government/collections/river-basin-management-plans-2015>

For your information we have published joint advice with Natural England, English Heritage and the Forestry Commission on neighbourhood planning which sets out sources of environmental information and ideas on incorporating the environment into plans.

This is available at:
http://webarchive.nationalarchives.gov.uk/20140328084622/http://cdn.environment-agency.gov.uk/LIT_6524_7da381.pdf

If I can be of any further assistance on this matter, please do not hesitate to contact me.

Yours sincerely

Miss Sarah Green
Sustainable Place - Planning Advisor

Direct dial 0208 474 9253
Direct e-mail planning_THM@environment-agency.gov.uk

From: _THM, Planning [mailto:Planning_THM@environment-agency.gov.uk]
Sent: 02 March 2017 11:50
To: Ricardo Rios <Ricardo.Rios@southandvale.gov.uk>
Subject: RE: SEA Screening Opinion for Neighbourhood Development Plan - Consultation Request

Dear Ricardo,

Firstly thank you for clarifying that the Plan is not allocating any sites.

We have recently moved away from making recommendations on whether Plans require SA/SEA as it can sometimes cause some confusion to members of the public who then consider we are the competent authority in that matter.

However, providing it is clear that our advice relates **specifically to our remit** then I would be happy to recommend the Plan does not require SA/SEA.

Please let me know if this email is sufficient to address your questions or whether you require a more formal response.

Kind regards,

Sarah