

# **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 Sydenham Neighbourhood Development Plan**

**27<sup>TH</sup> MARCH 2019**

## **SUMMARY**

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

## **INTRODUCTION**

1. An initial screening opinion was used to determine whether or not the contents of the emerging Sydenham Neighbourhood Development Plan (Sydenham NDP) required a Strategic Environmental Assessment (SEA) in accordance with the European Directive 2001/42/EC (the Directive) and associated Environmental Assessment of Plans and Programmes Regulations 2004 (the Regulations). A Habitats Regulation Screening Assessment is included in Appendix 2.
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 initial screening opinion was subject to consultation with Historic England, the Environment Agency and Natural England. The results of the screening process are detailed in this Screening Statement.

## **THE SCREENING PROCESS**

1. 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.
2. 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.
3. Table 1 in Appendix 1 sets out the criteria from the Practical Guide, along with an assessment of the Sydenham NDP against each criterion to ascertain whether a SEA is required.

4. Part of the screening process also includes the Habitats Regulations Assessment Screening, which can be found in Appendix 2. The Habitat Regulations Assessment (HRA) screening concluded that the Sydenham NDP is unlikely to have significant effects on Natura 2000 sites, either alone or in combination with other plans or projects, therefore, an Appropriate Assessment for the Sydenham NDP is not required.
5. Appendix 3 considers whether the plan is likely to have likely significant effects on the environment.
6. These two assessments feed into Table 1 and the SEA screening statement.
7. The council's screening opinion concluded that the implementation of the Sydenham NDP would not result in likely significant effects on the environment and therefore would not require an SEA.

## **SYDENHAM NEIGHBOURHOOD DEVELOPMENT PLAN**

8. The Sydenham NDP will contain the following vision, objectives and policies:

### **Vision**

The Sydenham Neighbourhood Plan provides a framework to guide development within the Parish until 2033. The Vision is largely inspired by the responses to the Neighbourhood Plan Questionnaire, the feedback responses and, more broadly, by the consultation with parishioners during the preparation of the Plan.

This framework is based on and supports the following Vision:

“To preserve Sydenham Parish’s rural village environment, by ensuring that appropriate development occurs within the area, recognising the need for a balanced community.”

### **Objectives**

In order to achieve the above Vision, a number of objectives have been identified, as follows:

1. To provide good quality housing at all levels of affordability that respects the distinct characteristics of the village, using styles and materials that currently exist within the village.
2. To conserve and enhance the essential rural character of Sydenham Parish by growing the village in small places that form part of the established pattern of development and by conserving the existing

network of green spaces, trees and hedgerows.

3. To sustain the sensitive landscape setting of Sydenham Parish and the intrinsic relationship between 'village' and green spaces, by avoiding harmful development and by preventing any further elongation of the village into the countryside or precious village green spaces.

4. To sustain and enhance the character and appearance of the Conservation Areas and Listed Buildings of Sydenham Parish and their settings.

### **Policies**

Policy SYD1- Village Boundary and Infill

Policy SYD2- Housing Mix

Policy SYD3- Design

Policy SYD4- Local Heritage Assets

Policy SYD5- Local Green Space

Policy SYD6- Local Gap

Policy SYD7- Important views

Policy SYD8- Community facilities

9. The Sydenham NDP will contain policies to maintain the character of the village and to specify design criteria for new houses.

10. Policies in the Sydenham NDP will aim to support sustainable development in the villages that will not adversely impact on the rural nature of the villages. Retaining the character and appearance of the villages is particularly important. The plan does not allocate any sites for housing but does include the designation of village boundaries.

11. We have considered whether focusing new development within the village boundaries (through infill), which has also been a historic focus of settlement activity, could result in the plan directing new development to sites that could potentially have significant effects on the historic environment including conservation areas, listed buildings and archaeological remains.

12. Careful consideration of the proposed boundaries in relation to how the South Oxfordshire Core Strategy 2012 and the Emerging Local Plan 2034 guides the location and scale of development (mainly through policies CSS1 and CSR1 of the Core Strategy and Policy H16 of the Emerging Local Plan). This indicates that the proposed boundaries merely add detail and aid the interpretation of existing policies.

13. Paragraph 13.10 of the South Oxfordshire Core Strategy 2012 defines infill development as:

*'Infill development is defined as the filling of a small gap in an otherwise built-up frontage or on other sites within settlements where the site is closely surrounded by buildings.'*

The emerging South Oxfordshire Local Plan 2034 (Policy H16) provides a similar definition of infill development:

*'Infill development is defined as the filling of a small gap in an otherwise continuous built-up frontage or on other sites within settlements where the site is closely surrounded by buildings. The scale of infill should be appropriate to its location and this will be directed, in part, by the settlement hierarchy.'*

14. The proposed village boundaries have not excluded any sites that could be considered to be a potential infill site in light of the guidance provided by the Core Strategy and Emerging Local Plan definitions. As the boundaries, in practical terms, do not provide a more restrictive interpretation of the relevant policies in the Core Strategy (CSS1 and CSR1) and the Emerging Local Plan 2034 (Policy H16), the council has concluded that the proposals in the plan will not have significant effects on the historic environment.
15. The proposed boundaries do not provide a less restrictive interpretation of the relevant policies in the Core Strategy (CSS1 and CSR1) and the Emerging Local Plan 2034 (Policy H16), therefore, the proposals in the plan are not considered to have likely significant environmental effects.
16. Overall, we note that the plan does not allocate any sites for development and places great emphasis on conserving the character and appearance of the area.
17. It is therefore concluded that the implementation of the Sydenham NDP would not result in likely significant effects on the environment.

## **CONSULTATION RESPONSES**

18. The Screening Opinion was sent to Natural England, the Environment Agency and Historic England on 19<sup>th</sup> December 2018 for a four week consultation period. The responses in full are in Appendix 4.
19. Historic England agree with the council's view that the Sydenham Neighbourhood Plan would not lead to significant effects on the historic environment and therefore the Sydenham Neighbourhood Plan does not require a Strategic Environmental Assessment.
20. Natural England agree with the Initial Screening Opinion and consider that the plan does not require an SEA or Appropriate Assessment.

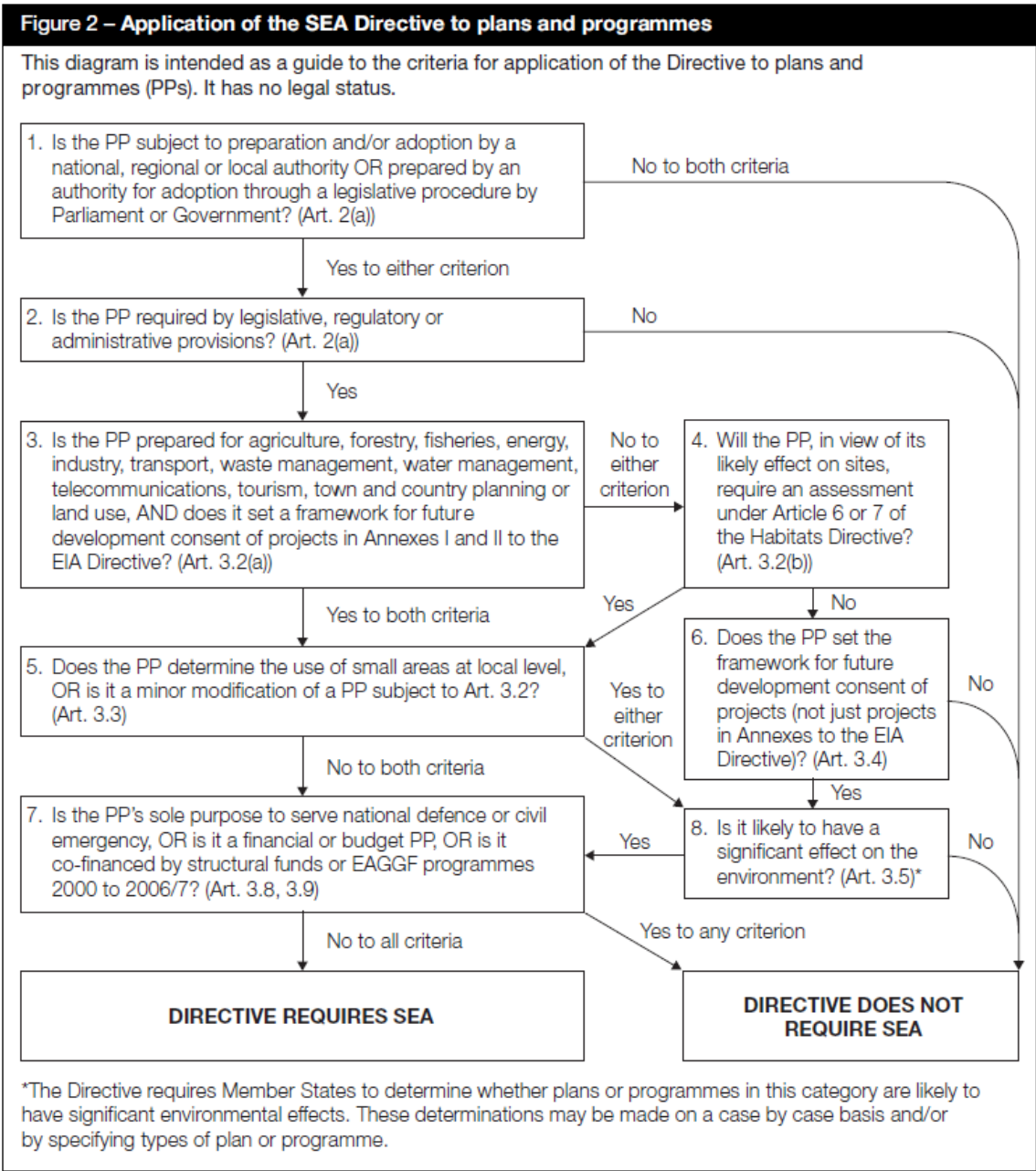
However, should the Neighbourhood Plan decide to allocate sites for a significant number of new developments, the Screening Opinion would need to be reviewed.

21. The Environment Agency confirmed that on the basis that the plan is not allocating sites and after reviewing the environmental constraints within the plan area, they do not think there are potential significant environmental effects that relate to the Neighbourhood Plan area.

## **CONCLUSION**

22. As a result of the screening undertaken by the council and the responses from the statutory consultees the following determination has been reached.
23. The Sydenham NDP is unlikely to have significant effects on Natura 2000 sites, therefore, an Appropriate Assessment for the Sydenham Neighbourhood Development Plan is not required.
24. Based on the assessment presented in Appendices 3, the Sydenham NDP is unlikely to have a significant effect on the environment.
25. The Sydenham NDP does not require a Strategic Environment Assessment.

# 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
<p>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))</p>	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 the Sydenham NDP Steering Group, a working group who report to the Sydenham 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"> <li>• The Neighbourhood Planning (General) Regulations 2012</li> <li>• The Neighbourhood Planning (referendums) Regulations 2012</li> <li>• The Neighbourhood Planning (General) (Amendment) Regulations 2015</li> <li>• The Neighbourhood Planning (Referendums) (Amendment) Regulations 2016</li> <li>• The Neighbourhood Planning (General) (Amendment) Regulations 2016</li> <li>• The Neighbourhood Planning (General) (Amendment) Regulations 2017</li> </ul>
<p>2. Is the NP required by legislative, regulatory or administrative provisions? (Art. 2(a))</p>	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>

		National Planning Practice Guidance (Paragraph: 027 Reference ID: 11-027-20150209) sets out that draft neighbourhood plan proposals should be assessed to determine whether the plan is likely to have significant environmental effects. This assessment should be undertaken in accordance with the requirements set out in <a href="#">regulation 9 of the Environmental Assessment of Plans and Programmes Regulations 2004</a> .
3. Is the Neighbourhood Plan 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 (see Appendix 2) to the EIA Directive? (Art 3.2(a))	N	The Sydenham NDP is prepared for town and country planning and land use and will not set out a framework for future development of projects that would require an EIA.
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 Sydenham NDP is unlikely to have significant effects on Natura 2000 sites. See Habitat Regulations Assessment (HRA) Screening Opinion for the Sydenham 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 Sydenham NDP will determine the use of sites/small areas at a local level.
6. Does the Neighbourhood Plan set the framework for future development consent	Y	When made, the Sydenham NDP will include a series of policies to guide development within the village. This will inform the determination of



of projects (not just projects in annexes to the EIA Directive)? (Art 3.4)		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	N/A
8. Is it likely to have a significant effect on the environment? (Art. 3.5)	N	The plan is not likely to have significant effects on the environment. See assessment of the likely significance of effects on the environment in Appendix 3.

# Appendix 2 - Habitat Regulations Assessment (HRA) Screening Statement for the Sydenham Neighbourhood Development Plan

## INTRODUCTION

1. The Local Authority is the “competent authority” under the Conservation of Habitats and Species Regulations 2017, 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 importance<sup>1</sup>, 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 plan<sup>2</sup> (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<sup>3</sup> as its basis for assessment. From this, the Local Authority will determine whether the Sydenham 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 concerned and, if appropriate, after having obtained the opinion of the general public.”*

4. Regulations 105-106 of the Conservation of Habitats and Species Regulations 2017 state:

*“105.—(1) Where a land use plan—*

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

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

<sup>3</sup> South Oxfordshire Local Plan Habitats Regulations Assessment Report (December 2018)

- (a) *is likely to have a significant effect on a European site or a European offshore marine site (either alone or in combination with other plans or projects), and*
- (b) *is not directly connected with or necessary to the management of the site, the plan-making authority for that plan must, before the plan is given effect, make an appropriate assessment of the implications for the site in view of that site's conservation objectives.*
- (2) *The plan-making authority must for the purposes of the assessment consult the appropriate nature conservation body and have regard to any representations made by that body within such reasonable time as the authority specifies.*
- (3) *The plan-making authority must also, if it considers it appropriate, take the opinion of the general public, and if it does so, it must take such steps for that purpose as it considers appropriate.*
- (4) *In the light of the conclusions of the assessment, and subject to regulation 107, the plan-making authority must give effect to the land use plan only after having ascertained that it will not adversely affect the integrity of the European site or the European offshore marine site (as the case may be).*
- (5) *A plan-making authority must provide such information as the appropriate authority may reasonably require for the purposes of the discharge by the appropriate authority of its obligations under this Chapter.*
- (6) *This regulation does not apply in relation to a site which is—*
- (a) *a European site by reason of regulation 8(1)(c), or*
- (b) *a European offshore marine site by reason of regulation 18(c) of the Offshore Marine Conservation Regulations (site protected in accordance with Article 5(4) of the Habitats Directive).*

106.—(1) *A qualifying body which submits a proposal for a neighbourhood development plan must provide such information as the competent authority may reasonably require for the purposes of the assessment under regulation 105 or to enable it to determine whether that assessment is required.*

(2) *In this regulation, “qualifying body” means a parish council, or an organisation or body designated as a neighbourhood forum, authorised for the purposes of a neighbourhood development plan to act in relation to a neighbourhood area as a result of section 61F of the TCPA 1990 (authorisation to act in relation to neighbourhood areas)(159), as*

*applied by section 38C of the 2004 Planning Act (supplementary provisions)(160).*

*(3) Where the competent authority decides to revoke or modify a neighbourhood development plan after it has been made, it must for that purpose make an appropriate assessment of the implications for any European site likely to be significantly affected in view of that site's conservation objectives; and regulation 105 and paragraph (1) apply with the appropriate modifications in relation to such a revocation or modification.*

*(4) This regulation applies in relation to England only."*

## **ASSESSMENT**

5. There is 2 Special Area of Conservation (SACs) within 5km of the Sydenham Neighbourhood Development Plan. This is as follows:

### Within South Oxfordshire

- Chilterns Beechwoods SAC 3.12km
  - Aston Rowant SAC 3.9km
6. Detailed information about the location, qualifying features and vulnerabilities of the European sites included in the screening assessment is presented in Appendix 1 of South Oxfordshire Local Plan Habitats Regulations Assessment Report ([December 2018](#)).
  7. As required under Regulation 106 of the Conservation of Habitats and Species Regulations 2017 (the 'Habitats Regulations'), the qualifying body (Sydenham Parish Council) provided the required information to enable South Oxfordshire District Council to determine whether the assessment under Regulation 105 is required. Consideration has been given to the potential for the development proposed by the neighbourhood plan to result in significant effects associated with:
    - Physical loss of/damage to habitat;
    - Non-physical disturbance e.g. noise/vibration or light pollution;
    - Air pollution;
    - Increased recreation pressure; and
    - Changes to hydrological regimes.
  8. The Plan does not allocate any sites for development or promote additional development beyond what is supported in the adopted Development Plan.

## **CONCLUSION**

9. The Sydenham NDP is unlikely to have significant effects on Natura 2000 sites, either alone or in combination with other plans or projects, therefore, an Appropriate Assessment for the Sydenham NDP is not required.

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

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;	The Sydenham 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 2034.
(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 conformity with the Local 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 with a view to promoting sustainable development;	National policy requires a presumption in favour of sustainable development, which should be seen as a golden thread through plan-making, including the Sydenham NDP. A basic condition of the Sydenham NDP is to contribute to the achievement of sustainable development.
(d) environmental problems relevant to the plan or programme; and	<p>The environmental impact of the proposals within the Sydenham NDP is likely to be minimal as the plan does not allocate any sites for development or support additional development beyond what is supported in the Development Plan. Policies in the Sydenham NDP will aim to support sustainable development in the village that will not adversely impact on the rural nature of the village. Retaining the character and appearance of the village is particularly important.</p> <p>The Sydenham NDP will contain policies to maintain the character of the village and to specify design criteria for new houses.</p> <p>Policies in the Sydenham NDP will aim to support sustainable development in the village that will not adversely impact on the rural nature of the village. Retaining the</p>

character and appearance of the village is particularly important. The plan does not allocate any sites for housing but does propose to use settlement boundaries

We have considered whether focusing new development within the village boundaries (through infill), which has also been a historic focus of settlement activity, could result in the plan directing new development to sites that could potentially have significant effects on the historic environment including conservation areas, listed buildings and archaeological remains.

Careful consideration of the proposed boundaries in relation to how the South Oxfordshire Core Strategy 2012 and the emerging Local Plan 2034 guides the location and scale of development (mainly through policies CSS1 and CSR1 of the Core Strategy 2012 and Policy H16 of the Emerging Local Plan 2034). This indicates that the proposed boundaries merely add detail and aid the interpretation of existing policies.

Paragraph 13.10 of the Core Strategy 2012 defines infill development as:

*'Infill development is defined as the filling of a small gap in an otherwise built-up frontage or on other sites within settlements where the site is closely surrounded by buildings.'*

The council's emerging Local Plan 2034 (Policy H16) provides a similar definition of infill development:

*'Infill development is defined as the filling of a small gap in an otherwise continuous built-up frontage or on other sites within settlements where the site is closely surrounded by buildings. The scale of infill should be appropriate to its location and this will be directed, in part, by the settlement hierarchy.'*

The proposed village boundaries have not excluded any sites that could be considered

to be a potential infill site in light of the guidance provided by the Core Strategy and emerging Local Plan definitions. As the boundaries, in practical terms, do not provide a more restrictive interpretation of the relevant policies in the Core Strategy (CSS1 and CSR1) and the Emerging Local Plan 2034 (H16), the council has concluded that the proposals in the plan will not have significant effects on the historic environment.

The proposed boundaries do not provide a less restrictive interpretation of the relevant policies in the Core Strategy (CSS1 and CSR1) and the Emerging Local Plan 2034 (H16), therefore, the proposals in the plan are not considered to have likely significant environmental effects.

The Sydenham NDP area contains the following designations:

*Conservation area*  
*Listed buildings*  
*Flood Zones*  
*Archaeological constraints*

There are 2 Special Areas of Conservation (SACs) within 5km of the Sydenham Neighbourhood Development Plan. These are as follows:

Within South Oxfordshire

- Chilterns Beechwoods SAC 3.12km
- Aston Rowant SAC 3.9km

The following SSSI's are also located within the following distances of the built up area of Sydenham:

- Chinnor Chalk Pit SSSI- 3km
- Aston Rowant SSSI- 4km
- Wormsey Chalk Banks SSSI – 5.3km
- Aston Rowant Woods SSSI- 3.5km
- Aston Rowant cutting SSSI- 4.7km
- Shirburn Hill SSSI- 5.4km
- Knightsbridge Lane SSSI- 6km



	<ul style="list-style-type: none"> <li>• Lodge Hill SSSI- 5.6km</li> <li>• Chinnor Hill SSSI- 3.7km</li> <li>• Fern Hill SSSI-7.2km</li> </ul> <p>The NDP is not proposing to allocate sites. It is expected that limited infill development will be accommodated within the proposed boundaries. As the proposed boundaries are considered to merely interpret and add detail to existing policy and do not represent a more or less restrictive approach, the proposed boundaries are unlikely to exert undue pressure on heritage assets.</p> <p>The policies in the Neighbourhood Plan will require heritage assets to be protected. The protection of heritage assets also provide a suitable mechanism to ensure the NDP proposals do not give rise to likely significant effects on the historic environment.</p>
<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>	<p>The proposed development in the Sydenham NDP has been judged not to have an impact on Community legislation.</p>
<p><b>2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to:</b></p>	
<p>(a) the probability, duration, frequency and reversibility of the effects;</p>	<p>The Sydenham NDP is likely to have modest but enduring positive environmental effects. The effects are not likely to be reversible as they relate to development. However, they will be of a local scale through limited infill sites within the village boundaries.</p> <p>The plan proposes to protect local green spaces, important views and existing facilities. This will have positive cumulative benefits for the area. However given the scale of what is proposed the positive effect is not likely to be significant.</p> <p>The plan is also likely to have positive social effects through the provision of residential</p>

	development through infill and the protection of local green space and a local gap.
(b) the cumulative nature of the effects;	It is intended that the positive social effects of providing 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 <sup>3</sup> impacts.
(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 Sydenham NDP relates to the parish of Sydenham. The NDP is not allocating any sites for development and therefore as it will not promote any development that is above and beyond what is already supported in the Development Plan and therefore the potential for environmental effects is also likely to be small and localised.
(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	<p>The Sydenham NDP offers an opportunity to enhance the natural environment and the cultural heritage of the area through the proposals being considered.</p> <p>The main vulnerability of the parish is the impact of householder and small scale developments within the village boundaries on the character and appearance of the Conservation Area, listed buildings and archaeological sites. However, given the limited amount of potential infill sites and their relationship to the designated areas and that the plan aims to ensure development conserves and enhances the Conservation Area through detailed design policies it is considered there would not be likely significant effects to the environment.</p>
(g) the effects on areas or landscapes which have a recognised national, Community or international protection status.	There are no areas or landscapes with recognised national, Community or international protection status affected by the neighbourhood plan.

## Appendix 4 – Statutory Consultee Responses

<sup>3</sup> Transboundary effects are understood to be in other Member States.

Historic England:



Mr Sam Townley  
Neighbourhood Planning Enquiries Officer  
South Oxfordshire and Vale of White Horse District  
Councils  
135 Eastern Avenue  
Milton Park  
Oxfordshire, OX14 4SB.

Our ref: HD/P5355/  
Your ref:  
Telephone 01483 252040  
Fax

25<sup>th</sup> January 2019

Dear Mr Townley,

**Sydenham Neighbourhood Plan SEA Screening Opinion**

Thank you for your e-mail of 19<sup>th</sup> December 2018 seeking the views of Historic England on ~~whether or not~~ the Sydenham Neighbourhood Plan is likely to have significant environmental effects and should, therefore, be subject to Strategic Environmental Assessment.

The National Heritage List for England has 23 listed building entries and one Registered Historic Park and Garden for Sydenham parish. We also note that a conservation area has been designated for Sydenham and that the Council's Initial Screening Opinion refers to archaeological constraints.

Accordingly, Sydenham is a sensitive historic environment that could potentially be affected by the policies and proposals of the Plan, depending, of course, on what form and location of development to which those policies and proposals relate.

We note that, according to the Council's Initial Screening Opinion, the Plan does not allocate any sites for development, but does designate village boundaries. We note that the Council's Core Strategy does not identify any settlement boundary for Sydenham and that therefore only allows development within Sydenham as infill development on sites of up to 0.2ha under Policy CSR1 of the Core Strategy.

The designation of a village boundary in the Neighbourhood Plan could, in theory, allow development other than infill, however defined. The village boundary is also likely to encompass the most historically significant areas, with the conservation area and a concentration of listed buildings, and presumably the areas of greatest archaeological interest. Concentrating development within that boundary is therefore most likely to potentially affect heritage assets.

However, although paragraph 29 of the National Planning Policy Framework (2018) states "*Neighbourhood plans should not promote less development than set out in the strategic policies for the area*", it also states "*or undermine those strategic*



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Please note that Historic England operates an access to information policy.  
Correspondence or information which you send us may therefore become publicly available.



*policies*" and that *"Neighbourhood plans must be in general conformity with the strategic policies contained in any development plan that covers their area"*.

We therefore presume that the proposed policy in the Plan designating a boundary for the village and setting out the presumption for development within that boundary will not allow more development than Policy CSR1 of the adopted Core Strategy already allows. Indeed, we note that the Council confirms that *"The proposed boundaries do not provide a less restrictive interpretation of the relevant policies in the Core Strategy (CSS1 and CSR1)"*. In addition, any development proposals would be subject to Policy CSEN3 of the Core Strategy.

Therefore, based on the information currently available to us (which does not include the draft policies of the Plan), we agree that it does not appear that the Sydenham Neighbourhood Plan would not lead to significant effects on the historic environment beyond those already allowed for by the adopted Core Strategy, which itself has been subject to Strategic Environmental Assessment.

We therefore agree with the conclusion of the Council's Initial Screening Opinion that the Sydenham Neighbourhood Plan does not require a Strategic Environmental Assessment. However, we may wish to review our opinion when we are consulted on the draft Plan.

We hope these comments are helpful.

Thank you again for consulting Historic England.

Yours sincerely,



Martin Small Principal Adviser, Historic Environment Planning  
(Bucks, Berks, Oxfordshire, Hampshire, IoW, South Downs NP and Chichester)  
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# Natural England:

Date: 23 January 2019  
Our ref: 268302



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South Oxfordshire District Council

**BY EMAIL ONLY**

Dear Sir or Madam,

## **Planning Consultation: Sydenham Neighbourhood Plan SEA Screening and HRA Screening**

Thank you for your consultation on the above dated 19<sup>th</sup> December 2018.

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 our interests would be affected by the proposals made.

In our review of the Sydenham Neighbourhood Plan SEA and HRA screenings we note that;

- The draft Neighbourhood Plan has not yet been prepared,
- The initial screening opinion states that "the plan does not allocate any sites for development"

Based on the initial screening opinion provided, we agree with the assessment that the Neighbourhood Plan does not require an SEA or Appropriate Assessment. However, should the Neighbourhood Plan decide to allocate a significant number of new developments, these screenings may need to be reviewed.

We would like to draw your attention to the requirement to conserve biodiversity and provide a net gain in biodiversity through planning policy (Section 40 of the Natural Environment and Rural Communities Act 2006 and sections 170 and 175 of the National Planning Policy Framework). Please ensure that any development policy in your plan includes wording to ensure "all development results in a biodiversity net gain for the parish".

The recently produced [Neighbourhood Plan for Benson](#), in South Oxfordshire provides an excellent example. We are of the opinion that the policy wording around the Environment, Green Space and Biodiversity is exemplar. We would recommend you considering this document, when reviewing yours.

### 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 local 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. Examples of calculation methods are included in Annex A;

Annex A provides information on the natural environment and issues and opportunities for your Neighbourhood planning.

Yours sincerely

Milena Petrovic  
Adviser  
Sustainable Development  
Thames Team

# Environment Agency:

creating a better place



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**Our ref:** WA/2006/000324/OR-  
56/IS1-L01

**Your ref:**

**Date:** 04 February 2019

Dear Sir/Madam

## **Sydenham Neighbourhood Plan – Strategic Environmental Assessment screening opinion**

Thank you for consulting the Environment Agency on the screening opinion for the Sydenham Neighbourhood Plan. We are a statutory consultee in the SEA process and aim to reduce flood risk and protect and enhance the water environment. We understand that the plan does not allocate any sites for housing. On this basis, we have reviewed the environmental constraints within the plan area, and we do not think there are potential significant environmental effects that relate to the Neighbourhood Plan area.

We have identified that the neighbourhood plan area will be affected by the following environmental constraints:

### Flood risk

There are some areas of flood zones 2 and 3 within the neighbourhood plan area. These areas are at the north-eastern boundary of the plan area, the north-western boundary, the western boundary and between Sydenham and Kingston Stert.

### Main river

The Cuttle Brook adjoins the north-western boundary of the plan area. A number of other watercourses flow through the neighbourhood plan area. The Cuttle Brook 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.

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:

Cont/d..

[http://webarchive.nationalarchives.gov.uk/20140328084622/http://cdn.environment-agency.gov.uk/LIT\\_6524\\_7da381.pdf](http://webarchive.nationalarchives.gov.uk/20140328084622/http://cdn.environment-agency.gov.uk/LIT_6524_7da381.pdf)

Yours faithfully

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