

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 Crowmarsh Gifford Neighbourhood Development Plan

MARCH 2018

SUMMARY

Following consultation with the statutory bodies, South Oxfordshire District Council (the 'Council') determines that the Crowmarsh Gifford Neighbourhood Development Plan (Crowmarsh Gifford NDP) **does require a Strategic Environmental Assessment (SEA).**

INTRODUCTION

1. In January 2018 a screening opinion was prepared to determine whether or not the contents of the emerging Crowmarsh Gifford Neighbourhood Development Plan requires 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).
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 Crowmarsh Gifford NDP against each criterion to ascertain whether a SEA is required.

4. 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.
5. These two assessments feed into Table 1 and the SEA screening opinion.

CROWMARSH GIFFORD NEIGHBOURHOOD DEVELOPMENT PLAN

6. The Crowmarsh NDP will contain policies relating to: community, environment and heritage, resources, transport, allocations for residential development, industry and jobs.
7. The objective of the Crowmarsh Gifford NDP is to set out a vision of the area to provide planning policies to decide what types of new homes and businesses should be built, where and what they should look like. The plan will be supported by evidence studies including a Housing Needs Assessment, a landscape survey and impact assessment and a traffic survey.
8. The National Planning Policy Framework, paragraph 167, advises that assessments, such as SEA, should not repeat policy assessment that has already taken place. The Screening Opinion recognises the need to avoid duplicating work that has previously been undertaken to inform the preparation of higher level documents (i.e. the emerging Local Plan 2033 for South Oxfordshire). According to the information provided by the Neighbourhood plan group in the screening questionnaire, the Crowmarsh Gifford NDP proposes to allocate three sites to accommodate the future development of a total of 110 houses. One site will accommodate 100 houses and two further small sites will provide 5 houses each. This is in line with the level of development allocated to Crowmarsh Gifford in the emerging Local Plan 2033, to be delivered through the neighbourhood plan.
9. The proposed housing allocation for 100 houses is in the Chilterns Area of Outstanding Natural Beauty. This allocation could have a significant effect on the environment, therefore SEA is required.

STATUTORY CONSULTEES

10. The initial screening opinion was sent to Natural England, Historic England and the Environment Agency on 30 January 2018 giving a six-week consultation period. The responses in full can be found at Appendix 4.
11. Natural England agreed with the initial assessment that the neighbourhood plan does require an SEA due to there being designated sites or protected landscapes within the impact zones of the neighbourhood plan.

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

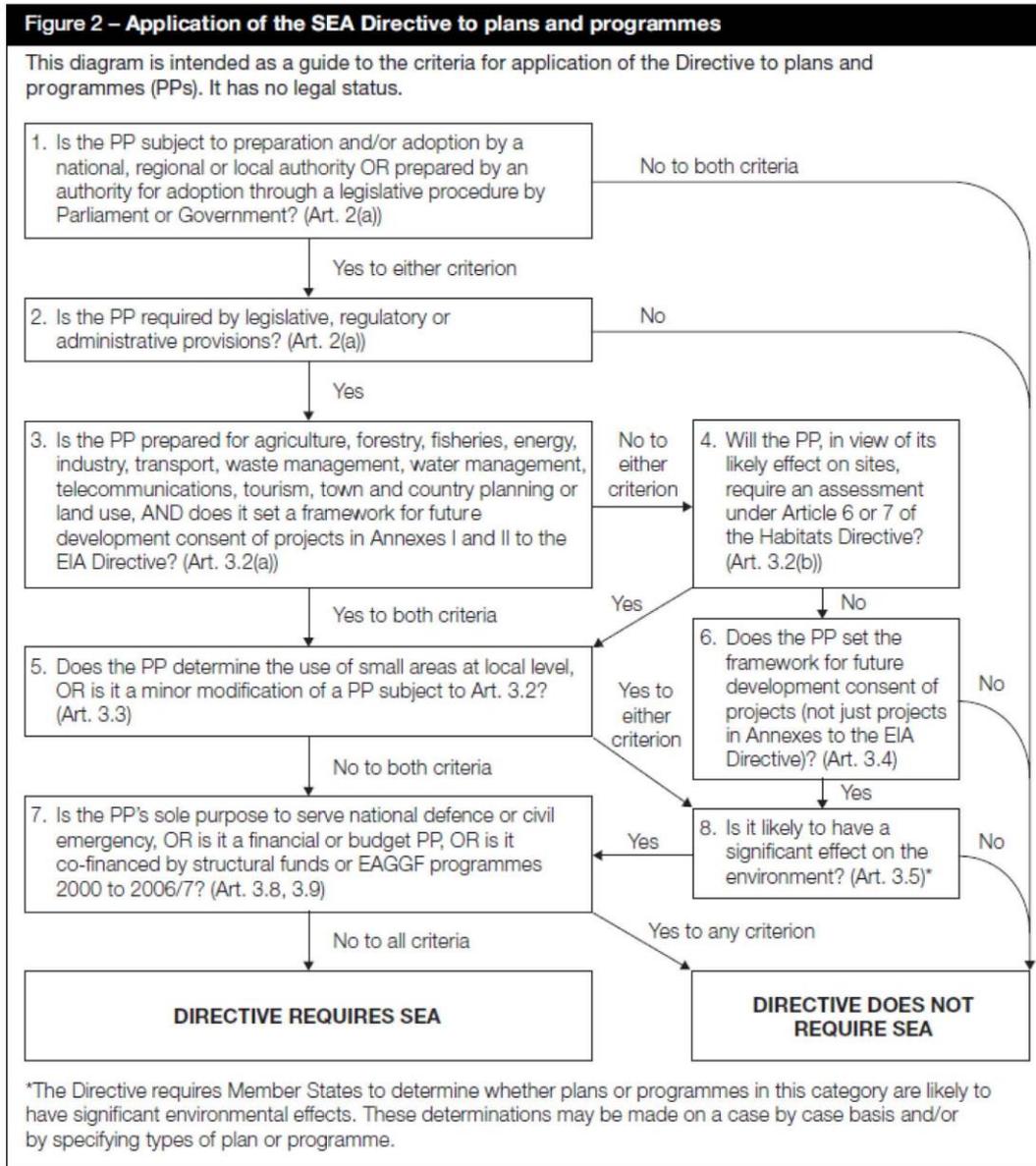


Table 1: Application of SEA Directive as shown in Appendix 1

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>	<p>Y</p>	<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 Crowmarsh NDP Steering Group, a working group who report to the Crowmarsh Gifford 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
<p>2. Is the NP required by legislative, regulatory or administrative provisions? (Art. 2(a))</p>	<p>Y</p>	<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>
<p>3. Is the Neighbourhood Plan prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications,</p>	<p>N</p>	<p>The Crowmarsh NDP is prepared for town and country planning and land use and will set out a framework for future development in Crowmarsh Gifford, including the development of residential uses. However, these</p>

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))		projects are not of the scale referred to in Article 4(2) of the EIA Directive – listed at Annex II of the directive.
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 Crowmarsh NDP is unlikely to have significant effects on Natura 2000 sites.
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 Crowmarsh 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 of projects (not just projects in annexes to the EIA Directive)? (Art 3.4)	Y	When made, the Crowmarsh NDP will include a series of policies to guide development within the village and will allocate sites for specific development. 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	N/A
8. Is it likely to have a significant effect on the environment? (Art. 3.5)	Y	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 Crowmarsh Gifford 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 Crowmarsh Gifford 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.”

ASSESSMENT

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).

4. There is one Special Areas of Conservation (SAC) within 5km³ of the Crowmarsh Gifford Neighbourhood Development Plan:
 - Little Wittenham SAC

5. The HRA to support the South Oxfordshire Local Plan 2033 found that in relation to development at Crowmarsh Gifford, there are uncertain effects on recreation pressure at Little Wittenham SAC. Crowmarsh Gifford lies <7km from Little Wittenham SAC and could therefore potentially contribute to an increase in visitors to the SAC. However, the number of proposed homes is small and unlikely to contribute to significant recreational pressure. There is the potential for recreational effects in combination with other policies in the Local Plan (eg development at Wallingford).

6. The scale and type of development promoted through the Neighbourhood Plan is directly comparable to the development assessed by the HRA for the emerging local plan. This concluded that the South Oxfordshire Local Plan would not have any adverse effects on the Natura 2000 network of sites, either alone or in combination with other plans and projects. Therefore, the Crowmarsh NDP does not require an appropriate assessment.

CONCLUSION

7. The Crowmarsh Gifford NDP is unlikely to have significant effects on Natura 2000 sites, therefore, an Appropriate Assessment for the Crowmarsh 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	The Crowmarsh 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

³ **[Note for authors]** There is no hard and fast rule on distances as it depends on environmental pathways (e.g. watercourses). I've suggested 5km here as a guide but needs to be considered on a case-by-case basis (and NE advice).

conditions or by allocating resources;	Policy Framework, the strategic policies of the South Oxfordshire Core Strategy (2012) and Local Plan 2011 (2006); and the emerging South Oxfordshire Local Plan 2033. The largest of the three site allocations for residential development proposed by the Crowmarsh NDP (for 100 houses) has been considered as part of the SEA and HRA of those higher level plans.
(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 Crowmarsh NDP. A basic condition of the Crowmarsh NDP is to contribute to the achievement of sustainable development. The NDP contains policies to deliver 110 homes, which has been assessed via the SEA of the emerging Local Plan as contributing positively to sustainable development in the area by providing needed residential development.
(d) environmental problems relevant to the plan or programme; and	The Crowmarsh Gifford designated area contains the following environmental designations: <ul style="list-style-type: none"> • Conservation area • Listed buildings • Ancient monuments • Ancient Woodland • Area of Outstanding Natural Beauty
(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).	The proposed development in the Crowmarsh NDP has been judged not to have an impact on Community legislation as the level of development proposed has been included as part of the SEA and HRA of the emerging Local Plan.
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 Crowmarsh NDP is likely to have irreversible environmental effects, local in scale. The plan is also likely to have positive

	social effects through the provision of residential development.
(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 ⁴ 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 Crowmarsh NDP relates to the parish of Crowmarsh Gifford, which includes the villages of North Stoke and Mongewell. The scale of development proposed is small 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	The Crowmarsh Gifford designated area contains the following designations: <ul style="list-style-type: none"> • Conservation area • Listed buildings • Ancient monuments • Ancient Woodland • Area of Outstanding Natural Beauty
(g) the effects on areas or landscapes which have a recognised national, Community or international protection status.	There is potential vulnerability on the Chilterns AONB from the sites proposed for allocation. The SEA of the emerging Local Plan suggests that a landscape and visual impact assessment would be required to determine the capacity of sites.

⁴ Transboundary effects are understood to be in other Member States.

APPENDIX 4 – RESPONSES FROM STATUTORY CONSULTEES

Natural England

Date: 01 March 2018
Our ref: 237876



South Oxfordshire District Council

BY EMAIL ONLY

Customer Services
Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

T 0300 060 3900

Dear [REDACTED]

Planning Consultation: Crowmarsh Gifford Neighbourhood Plan SEA Screening

Thank you for your consultation on the above dated 30 January 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 Crowmarsh Gifford Neighbourhood Plan SEA screening we note that;

- there are designated sites or protected landscapes within the impacts zones of the Neighbourhood Plan area and there are less than 500 additional dwelling sites or 1000 sqm of commercial sites proposed.

As a result we agree with the assessment that the Neighbourhood Plan does require an SEA.

However, 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 section 109 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. Although the Plan has not been to referendum yet, 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:

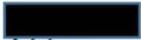
- Policies around connected Green Infrastructure (GI) within the parish. Elements of GI such as open green space, wild green space, allotments, and green walls and roofs can all be used to create connected habitats suitable for species adaptation to climate change. Green

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



Adviser
Sustainable Development
Thames Team

Environment Agency

████████

The Crowmarsh Gifford Neighbourhood Plan Area includes large areas of Flood Zone 2/3 and has a large portion of the River Thames which forms the western boundary.

Therefore, given that allocated housing is proposed we support your judgement that the NP does indeed require an SEA.

Thanks,

████████

Sustainable Places Team Leader/FCRM Planning Specialist

EPE/PSO - Thames Area

Historic England



Historic England

[REDACTED]
Planning Policy
South Oxfordshire District Council
135 Eastern Avenue
Milton Park
Abingdon, OX14 4SB.

Our ref: HD/P5355/

Your ref:

Telephone [REDACTED]
Fax [REDACTED]

26th February 2018

Dear [REDACTED]

Crowmarsh Gifford Neighbourhood Plan - SEA Screening Assessment

Thank you for your e-mail of 30th January seeking Historic England's opinion on whether or not the proposed Crowmarsh Gifford Neighbourhood Plan would be likely to lead to significant environmental effects and, therefore, whether or not it should be subject to Strategic Environmental Assessment.

Crowmarsh Gifford has a number of listed buildings. We note that it is anticipated that the Neighbourhood Plan will allocate three sites to accommodate the future development of a total of 110 houses.

We therefore consider that the Plan could have significant effects on the historic environment in addition to the likely effect on the Chilterns AONB. We therefore agree with the Council's draft Screening Opinion that the Crowmarsh Gifford Neighbourhood Plan should be subject to Strategic Environmental Assessment.

We hope these comments are helpful. Please contact me if you have any queries.

Thank you again for consulting Historic England.

Yours sincerely,

[REDACTED]

[REDACTED]
Principal Adviser, Historic Environment Planning
(Bucks, Oxon, Berks, Hampshire, IoW, South Downs National Park and Chichester)

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Telephone 01483 25 2020 HistoricEngland.org.uk
Please note that Historic England operates an access to information policy.
Correspondence or information which you send us may therefore become publicly available.



Decision by Planning Policy Manager

Agree

Signature

Date