

Revised Habitat Regulations Assessment (HRA) Screening Statement for the Warborough and Shillingford Neighbourhood Development Plan

14 June 2018

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 Revised HRA 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 Warborough and Shillingford 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).

1. The following European sites fall within 17 km of South Oxfordshire District and have been included in the HRA of the emerging Local Plan 2033:
 - Aston Rowant SAC;
 - Burnham Beeches SAC;
 - Chilterns Beechwoods SAC;
 - Cothill Fen SAC;
 - Hackpen Hills SAC;
 - Hartslock Wood SAC;
 - Kennet and Lambourn Floodplain SAC;
 - Little Wittenham SAC;
 - Oxford Meadows SAC;
 - River Lambourn SAC;
 - Thames Basin Heaths SPA; and
 - Windsor Forest and Great Park SAC.

The 17 km buffer distance, which was subject to consultation with Natural England, reflects the average travel to work distance in the district and recognises the fact that the effects of development within South Oxfordshire may be transmitted to sites beyond its boundary.

4. The HRA concluded that at this stage in the Local Plan preparation that adverse effects on the integrity of European sites around South Oxfordshire from policies and site allocations in the Local Plan will not occur in relation to:
 - a) Physical loss or damage to on- or off-site habitat;
 - b) Noise/vibration and light pollution; or
 - c) Changes to water quality or quantity
5. Impacts on Little Wittenham SAC due to increases in visitor numbers were able to be screened out by the emerging Local Plan 2033's HRA. An 'Appropriate Assessment' was carried out to determine whether increases in visitor number due to the Local Plan in combination with other plans or projects would have an adverse effect on the integrity of Little Wittenham SAC. The assessment has concluded that there will be no adverse effects on the site's integrity, due to the low sensitivity of the great crested newt population to recreation disturbance, and the responsible management of the site and its habitats.
6. An air quality assessment was also carried out that screened out significant effects from the emerging Local Plan 2033 on Aston Rowant SAC.
7. Given that the scale of development proposed (29 houses) is not, either on its own or in combination with other plans, more than that prescribed in policy H8 of the emerging Local Plan 2033, the Warborough and Shillingford NDP's allocation is covered by the conclusions of the Appropriate Assessment, HRA and air quality assessment of the emerging Local Plan 2033. Significant effects have been screened out by these assessments.
8. Therefore, it is considered that the allocation in Warborough and Shillingford neighbourhood plan would not have potential significant effects on European sites even when cumulative impact is considered.

STATUTORY CONSULTEES

1. The revised HRA screening opinion was consulted upon as part of the 6-week publicity period of the Warborough and Shillingford NDP which started on the 31 January 2018. The response from Natural England can be found at appendix 1.

CONCLUSION

2. The Warborough and Shillingford NDP is unlikely to have significant effects on Natura 2000 sites, therefore, an Appropriate Assessment for the Warborough and Shillingford NDP is not required.

Decision by Planning Policy Manager

Agreed

Signature: 

Date: 14 June 2018

APPENDIX: NATURAL ENGLAND

South Oxfordshire District Council

BY EMAIL ONLY



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Dear Jodie Wales

Planning Consultation: Warborough and Shillingford Neighbourhood Plan

Thank you for your consultation on the above dated 31 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.

Neighbourhood Plan

In our review of the Warborough and Shillingford Neighbourhood Plan we have a few minor comments to make which had been added to a copy of the Plan.

We would like to draw your attention to the recently produced [Neighbourhood Plan for Benson](#), in South Oxfordshire which 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 the use of greenfield sites for 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 Biodiversity Net Gain should propose the use of a biodiversity measure for development proposals. Examples of calculation methods are included in Annex A;

Strategic Environmental Assessment and Habitats Regulation Assessment

We have no further comment to make on the SEA or HRA screening and agree that an HRA is not required.

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

Yours sincerely

Kirsty Macpherson
Lead Adviser
Sustainable Development
Thames Team