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Cholsey Neighbourhood Plan

Habitats Regulations Assessment

Screening Report
Prepared by LUC
August 2018

Project Title: Cholsey Neighbourhood Plan Habitats Regulations Assessment

Client: South Oxfordshire District Council

Version	Date	Version Details	Prepared by	Checked by	Approved by
1.0	10/08/2018	Draft for client comment	Alex Martin	Sarah Smith	Jeremy Owen



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1 Introduction

- 1.1 LUC was commissioned by South Oxfordshire District Council to carry out a Habitats Regulations Assessment (HRA) of the Cholsey Neighbourhood Development Plan (Spring 2018, v2.32). This report presents the methodology and findings of the HRA screening.
- 1.1 The report is prepared in line with a recent judgment from the Court of Justice of the European Union 'People over Wind, Peter Sweetman v Coillte Teoranta' which ruled that Article 6(3) of the Habitats Directive should be interpreted as meaning that mitigation measures should be assessed as part of an Appropriate Assessment, and should not be taken into account at the screening stage. The precise wording of the ruling is as follows:

"Article 6(3)must be interpreted as meaning that, in order to determine whether it is necessary to carry out, subsequently, an appropriate assessment of the implications, for a site concerned, of a plan or project, it is not appropriate, at the screening stage, to take account of measures intended to avoid or reduce the harmful effects of the plan or project on that site."

Background

- 1.2 The Cholsey Neighbourhood Plan¹ sets out policies and site allocations to guide future development within the town to 2033. The Neighbourhood Plan adds detail to the policies contained within the District-wide South Oxfordshire Local Plan and planning applications in Cholsey would be considered against both plans.
- 1.3 South Oxfordshire District Council (SODC) is producing a new Local Plan for the District², which will replace its Local Plan 2011 and Core Strategy (2012). Once adopted, the Local Plan will set out policies and guidance for development of the District over the next 15 years (2018 to 2033, once published).
- 1.4 The scale of development allowed for in the Cholsey Neighbourhood Plan is proportionate to that allocated within the Local Plan 2011 and Core Strategy 2012 which allocated 1,154 new homes to be delivered across 13 of the larger villages. It exceeds that allocated within the Publication version of South Oxfordshire Local Plan by 14 homes (the Publication version of the Local Plan allocates 175 homes, while the Neighbourhood Plan identifies capacity for 189 homes). The HRA of those plans has informed the HRA screening of the Cholsey Neighbourhood Plan, where applicable.
- 1.5 The HRA of the Cholsey Neighbourhood Plan considers whether the plan could have a significant effect on the integrity of internationally important wildlife sites, either alone or in combination with other plans, including the South Oxfordshire Local Plan.

The requirement to undertake HRA of development plans

- 1.6 The requirement to undertake HRA of development plans was confirmed by the amendments to the Habitats Regulations published for England and Wales in July 2007 and updated in 2010 and again in 2012. These updates were consolidated into the Conservation of Habitats and Species Regulations 2017³.

¹ <http://www.southoxon.gov.uk/sites/default/files/Cholsey%20Neighbourhood%20Plan.pdf>

² <http://www.southoxon.gov.uk/services-and-advice/planning-and-building/planning-policy/emerging-local-plan>

³ *The Conservation of Habitats and Species Regulations 2017* (Statutory Instrument 2017 No. 1012) consolidate the Conservation of Habitats and Species Regulations 2010 with subsequent amendments.

- 1.7 The HRA refers to the assessment of the potential effects of a development plan on one or more European Sites, including Special Protection Areas (SPAs) and Special Areas of Conservation (SACs):
- SPAs are classified under the European Council Directive “on the conservation of wild birds” (79/409/EEC; ‘Birds Directive’) for the protection of wild birds and their habitats (including particularly rare and vulnerable species listed in Annex 1 of the Birds Directive, and migratory species);
 - SACs are designated under the Habitats Directive and target particular habitats (Annex 1) and/or species (Annex II) identified as being of European importance.
- 1.8 Currently, the Government also expects potential SPAs (pSPAs), possible SACs (pSACs) and Ramsar sites to be included within the assessment⁴.
- Ramsar sites support internationally important wetland habitats and are listed under the Convention on Wetlands of International Importance especially as Waterfowl Habitat (Ramsar Convention, 1971).
- 1.9 Candidate SACs (cSACs) and Sites of Community Importance (SCIs), which are sites that have been adopted by the European Commission but not yet formally designated by the government, must also be considered.
- 1.10 For ease of reference during HRA, these three designations are collectively referred to as European sites, despite Ramsar designations being at the wider international level.
- 1.11 The overall purpose of the HRA is to conclude whether or not a proposal or policy, or whole development plan would adversely affect the integrity of the site in question. This is judged in terms of the implications of the plan for a site’s ‘qualifying features’ (i.e. those Annex I habitats, Annex II species, and Annex I bird populations for which it has been designated). Significantly, HRA is based on the precautionary principle. Where uncertainty or doubt remains, an adverse effect should be assumed.

Stages of Habitats Regulations Assessment

- 1.12 **Table 1.1** below summarises the stages involved in carrying out a full HRA based on various guidance documents^{5,6}. This HRA presents the methodology and findings of Stage 1: Screening.

Table 1.1 Stages in HRA

Stage	Task	Outcome
Stage 1: Screening (the ‘Significance Test’)	Description of the plan. Identification of potential effects on European Sites. Assessing the effects on European Sites.	Where effects are unlikely, prepare a ‘finding of no significant effect report’. Where effects judged likely, or lack of information to prove otherwise, proceed to Stage 2.
Stage 2: Appropriate Assessment (the ‘Integrity Test’)	Gather information (plan and European Sites). Impact prediction. Evaluation of impacts in view of conservation objectives. Where impacts considered to affect qualifying features, identify alternative options. Assess alternative options.	Appropriate Assessment report describing the plan, European site baseline conditions, the adverse effects of the plan on the European site, how these effects will be avoided through, firstly, avoidance, and secondly, mitigation including the mechanisms and timescale for these mitigation measures. If effects remain after all alternatives and mitigation measures have been

⁴ Department of Communities and Local Government (July 2018) National Planning Policy Framework (para 176).

⁵ *Planning for the Protection of European Sites. Guidance for Regional Spatial Strategies and Local Development Documents.* Department for Communities and Local Government (DCLG), August 2006.

⁶ *The HRA Handbook.* David Tyldesley & Associates, a subscription based online guidance document: <https://www.dtapublications.co.uk/handbook/>

Stage	Task	Outcome
	If no alternatives exist, define and evaluate mitigation measures where necessary.	considered proceed to Stage 3.
Stage 3: Assessment where no alternatives exist and adverse impacts remain taking into account mitigation	Identify and demonstrate 'imperative reasons of overriding public interest' (IROPI). Demonstrate no alternatives exist. Identify potential compensatory measures.	This stage should be avoided if at all possible. The test of IROPI and the requirements for compensation are extremely onerous.

- 1.13 In assessing the effects of the Neighbourhood Plan in accordance with Regulation 105 of the Conservation of Habitats and Species Regulations 2017⁷, there are potentially two tests to be applied by the competent authority: a 'Significance Test', followed if necessary by an Appropriate Assessment which will inform the 'Integrity Test'. The relevant sequence of questions is as follows:
- Step 1: Under Reg. 105(1)(b), consider whether the plan is directly connected with or necessary to the management of the sites. If not –
 - Step 2: Under Reg. 105(1)(a) consider whether the plan is likely to have a significant effect on the site, either alone or in combination with other plans or projects (the 'Significance Test'). [These two steps are undertaken as part of Stage 1: Screening shown in Table 1.1 above.] If Yes –
 - Step 3: Under Reg. 105(1), make an Appropriate Assessment of the implications for the site in view of its current conservation objectives (the 'Integrity Test'). In so doing, it is mandatory under Reg. 105(2) to consult Natural England, and optional under Reg. 105(3) to take the opinion of the general public. [This step is undertaken during Stage 2: Appropriate Assessment shown in Table 1.1 above.]
 - Step 4: In accordance with Reg.105(4), but subject to Reg.107, give effect to the land use plan only after having ascertained that the plan will not adversely affect the integrity of the European site.
- 1.14 It is normally anticipated that an emphasis on Stages 1 and 2 of this process will, through a series of iterations, help ensure that potential adverse effects are identified and eliminated through the inclusion of mitigation measures designed to avoid, reduce or abate effects. The need to consider alternatives could imply more onerous changes to a plan document. It is generally understood that so called 'imperative reasons of overriding public interest' (IROPI) are likely to be justified only very occasionally and would involve engagement with both the Government and European Commission.
- 1.15 The HRA should be undertaken by the 'competent authority' - in this case SODC, and LUC has been commissioned to do this on its behalf. The HRA also requires close working with Natural England as the statutory nature conservation body⁸ in order to obtain the necessary information and agree the process, outcomes and any mitigation proposals. The Environment Agency, while not a statutory consultee for the HRA, is also in a strong position to provide advice and information throughout the process.

⁷ SI No. 2017/2012

⁸ Regulation 5 of *The Conservation of Habitats and Species Regulations 2017* (Statutory Instrument 2017 No. 1012).

2 Cholsey Neighbourhood Plan

- 2.1 The Cholsey Neighbourhood Plan provides an overall vision and objectives, along with 28 policies and three site allocations to guide development. These are summarised below, along with an explanation of the aspects of the plan that are relevant to this HRA.

Summary of the Neighbourhood Plan

- 2.2 The plan's vision states:

'Our vision is for Cholsey to continue to thrive, meeting the changing needs of the community whilst conserving the distinctive character, landscape and setting of the village that has evolved over eleven centuries of history.'

- 2.3 In order to achieve this vision the plan sets out a number of objectives:

- HO1: To provide sufficient market and affordable housing to meet local Cholsey needs as identified in the emerging South Oxfordshire Local Plan 2033. To secure an appropriate range and mix of homes for specific groups in the community including for self-build, older people, those with special needs, younger or first time buyers.
- HO2: To ensure that opportunities for suitably sited new homes in the village are allowed, and that the countryside around the village is protected to avoid unsustainable and inappropriate development. To provide an attractive rural setting for Cholsey and to retain the separate identities of Wallingford and Cholsey.
- HO3: To ensure that people in housing need with a strong connection to Cholsey receive priority on housing allocations.
- HO4: To ensure new housing is well designed and affordable and private housing are mixed to avoid separate enclaves of one or the other.
- HO5: To ensure new housing sites are well and safely connected with all parts of the village and to the countryside.
- HO6: To ensure new housing sites provide a good quality environment for existing and new residents, and appropriate infrastructure and services for the increased population.
- HO7: To ensure that the main highway access for new housing sites is positioned to minimise traffic through the village and that new housing sites have good access for vehicles, cycles, pedestrians and access to public transport.
- HO8: All new and extended homes should have adequate on-site parking and should not rely on street parking to meet their needs.
- HO9: Extensions to existing homes should be designed to respect the existing building and the character and appearance of the neighbourhood.
- EO1: To ensure that new development in Cholsey is mindful of its sensitive setting in and adjacent to both the Chilterns and North Wessex Downs AONBs. New housing should be at an appropriate density and of a good design with green infrastructure at its heart, acknowledging and enhancing the rural character of Cholsey, and should accord with policies for the AONBs.
- EO2: To prioritise the protection and enhancement of: the River Thames including the Thames Path National Trail, the Agatha Christie Trail, key view, AONBs, biodiversity, existing green spaces.
- EO3: To ensure that rural areas are protected to avoid unsustainable development, to provide an attractive rural setting for Cholsey and to retain the separate identities of Wallingford and Cholsey.

- EO4: To enable residents and visitors to enjoy Cholsey's special riverside location and capacity for water based recreation.
- EO5: To ensure that our heritage and historic environment is retained within an appropriate environment for future generations to appreciate and value.
- IO1: To provide a range of sports, leisure and social facilities to meet the needs of the whole Cholsey community.
- IO2: To apply pressure on the Clinical Commissioning Group (CCG) to provide a 'satellite' or independent surgery in Cholsey and ensure that a suitable space is available in the village for a surgery to operate.
- IO3: To ensure relevant agencies work together to provide adequate surface water drainage and reliable sewerage works for Cholsey and Wallingford. To ensure that new development does not exacerbate and where possible, mitigates any existing flooding, water, drainage and sewage problems.
- IO4: To seek opportunities to improve shopping facilities for the village with room for trolleys, storage for the shops and space for delivery vehicles to park and manoeuvre safely. To protect existing shops, restaurants, cafes and public houses unless they are proven to be no longer viable. Where the change of use of a public house is sought it is recommended that a public house use the CAMRA Public House Viability Test.
- IO5: To require that new housing sites contribute to improving provision for recreation for teenagers.
- IO6: To improve facilities at the recreation ground.
- IO7: To require that all new homes have access to fast broadband.
- IO8: To safeguard employment land and support those who work from home.
- IO9: To safeguard the allotments and the cemetery in Cholsey.
- O10: To further develop tourism within the village.
- TO1: To promote walking, cycling and public transport as the first-choice travel options for Cholsey residents and ensure that new development connects to and where possible improves the walking and cycling network.
- TO2: To ensure that new development and its associated access to the road, footpath, and cycle networks takes place in areas which minimise traffic hazards on existing roads and where opportunities arise, enhance road safety for all users.
- TO3: To support the development of facilities that encourage the use of public transport including the improvement of the railway station through the provision of access for the disabled and secure and adequate cycle parking.
- TO4: To improve parking arrangements in Cholsey at the Forty and the primary school.
- TO5: To improve the safety of cyclists and pedestrians in the village, particularly from excess traffic speed, areas of prime concern include: children getting to and from the primary school in Church Road and pedestrians around The Forty.
- EDO1: To ensure that there are sufficient spaces for all who wish to attend the schools and/or use the education facilities in Cholsey.
- EDO2: To reduce congestion around Cholsey Primary School and to ensure safe accessibility always.
- EDO3: To increase the proportion of children walking or cycling to school.

2.4 The plan outlines 28 policies included under the headings of housing, environment and services, infrastructure, transport and education to achieve these objectives.

2.5 The plan allocates three sites to provide for a maximum of 189 dwellings. The development quantum of each site is as follows:

- East End Farm (CHOL1) together with land west of Wallingford Road (part of CHOL7): around 165 homes.
- Boshers Yard corner of A329 and Papist Way (CHOL9): around 10 homes.
- Fairmile (CHOL10): 14 homes.

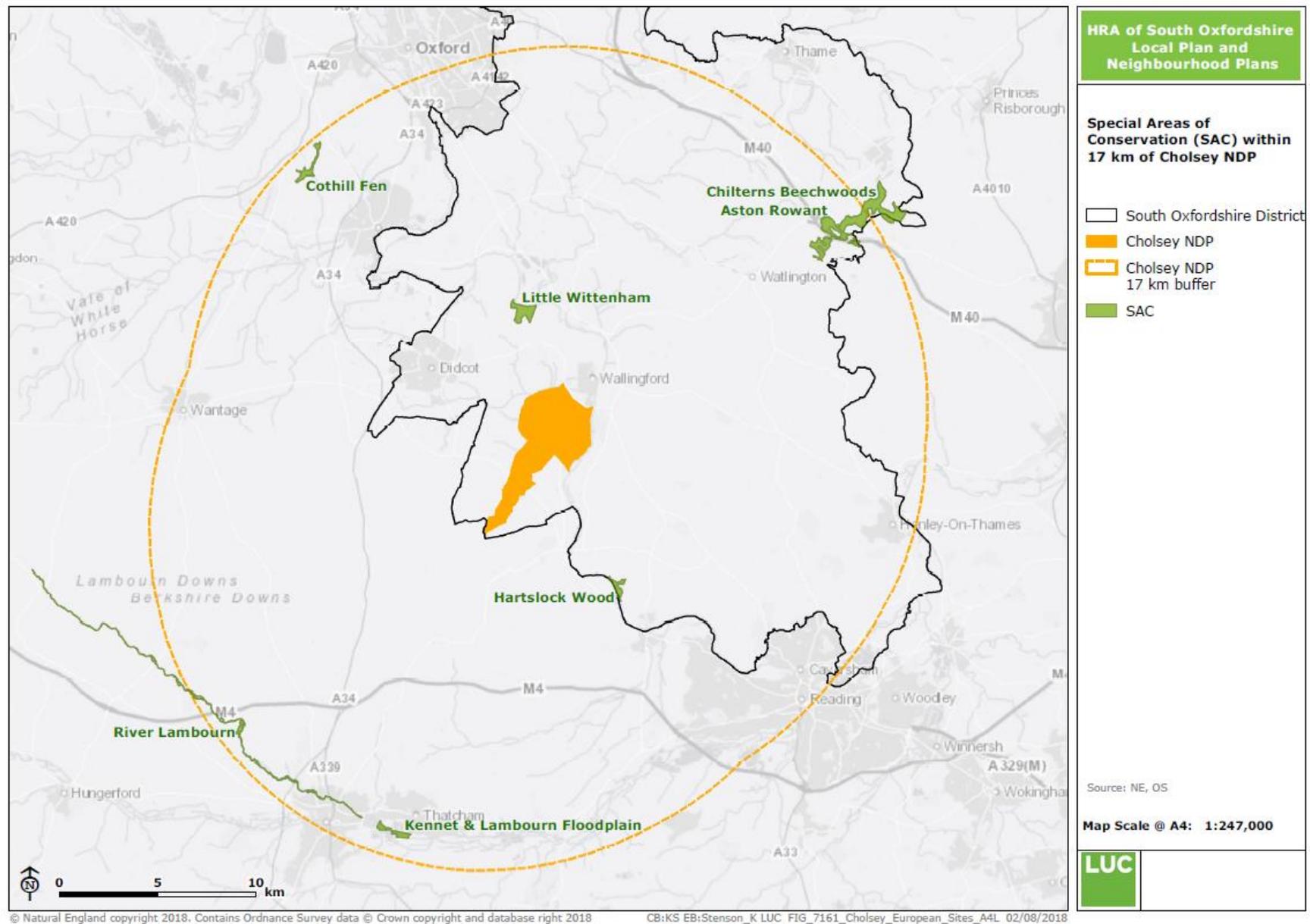
3 HRA Screening Methodology

- 3.1 HRA screening of the Neighbourhood Plan has been undertaken in line with current available guidance and seeks to meet the requirements of the Habitats Regulations, and takes into account the ruling in the 'People over Wind' judgment. The tasks that have been undertaken during the screening stage of the HRA are described in detail below.

European sites which may be affected by the Neighbourhood Plan

- 3.2 The HRA of the emerging new South Oxfordshire Local Plan and the earlier Core Strategy have used a screening distance of 17km to identify European sites which could be affected by development from the plans. This distance has been subject to consultation with Natural England and reflects the average travel to work distance in the District. As such, the same screening distance has been applied in this HRA.
- 3.3 The following European sites lie wholly or partly within 17km of Cholsey and have been included in the HRA:
- Hartslock Wood SAC.
 - Little Wittenham SAC.
 - Aston Rowant SAC.
 - Chilterns Beechwoods SAC.
 - River Lambourn SAC.
 - Kennet and Lambourn Floodplain SAC.
 - Cothill Fen SAC.
- 3.4 Detailed information about the location, qualifying features and vulnerabilities of the European sites included in the assessment is presented in **Appendix 1**. The locations of the European sites are mapped in **Figure 3.1**.

Figure 3.1 European sites within 17km of Cholsey



Assessment of 'likely significant effects' of the Neighbourhood Plan

- 3.5 As required under Regulation 105 of the Conservation of Habitats and Species Regulations 2017⁹ (the 'Habitats Regulations'), an assessment has been undertaken of the 'likely significant effects' of the Neighbourhood Plan. A screening matrix has been prepared in order to identify which policies or site allocations would be likely to have a significant effect on European sites in and around Chosley, without taking mitigation into account, in accordance with the 'People over Wind' judgment.
- 3.6 Within the matrix, consideration has been given to the potential for the development proposed at each site 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.
 - Changes to hydrological regimes.
- 3.7 The determination of which effects to include in the HRA screening of the Cholsey Neighbourhood Plan is designed to be consistent with those included in the HRA screening being undertaken of the emerging new Local Plan.
- 3.8 The detailed screening matrix can be found in **Appendix 2** of this report and the findings are described in more detail in **Chapter 4**.
- 3.9 This approach allows for consideration to be given to the cumulative effects of the site allocations as well as simply focussing on each site individually.
- 3.10 A risk-based approach involving the application of the precautionary principle has been adopted in the assessment, such that a conclusion of 'no significant effect' has only been reached where it is considered very unlikely, based on current knowledge and the information available, that a proposal in the Neighbourhood Plan would have a significant effect on the integrity of a European site.
- 3.11 A 'traffic light' approach has been used in the screening matrix to record the likely effects of the policies and site allocations on European sites and their qualifying habitats and species, using the colour categories shown below.

Red	There are likely to be significant effects (Appropriate Assessment required).
Amber	There may be significant effects, but this is currently uncertain (Appropriate Assessment required).
Green	There are unlikely to be significant effects (Appropriate Assessment not required).

Interpretation of 'likely significant effect'

- 3.12 Relevant case law helps to interpret when effects should be considered as a likely significant effect, when carrying out HRA of a land use plan.
- 3.13 In the Waddenzee case¹⁰, the European Court of Justice ruled on the interpretation of Article 6(3) of the Habitats Directive (translated into Reg. 105 in the Habitats Regulations), including that:
- An effect should be considered 'likely', "*if it cannot be excluded, on the basis of objective information, that it will have a significant effect on the site*" (para 44);

⁹ SI No. 2017/2012

¹⁰ ECJ Case C-127/02 "Waddenzee" Jan 2004.

- An effect should be considered 'significant', "*if it undermines the conservation objectives*" (para 48); and
- Where a plan or project has an effect on a site "*but is not likely to undermine its conservation objectives, it cannot be considered likely to have a significant effect on the site concerned*" (para 47).

3.14 A relevant opinion delivered to the Court of Justice of the European Union¹¹ commented that:

"The requirement that an effect in question be 'significant' exists in order to lay down a de minimis threshold. Plans or projects that have no appreciable effect on the site are thereby excluded. If all plans or projects capable of having any effect whatsoever on the site were to be caught by Article 6(3), activities on or near the site would risk being impossible by reason of legislative overkill."

3.15 This opinion (the 'Sweetman' case) therefore allows for the authorisation of plans and projects whose possible effects, alone or in combination, can be considered 'trivial' or *de minimis*; referring to such cases as those "*that have no appreciable effect on the site*". In practice such effects could be screened out as having no likely significant effect; they would be 'insignificant'.

Screening assumptions and information used in reaching conclusions about likely significant effects

3.16 The screening stage of the HRA has taken the approach of screening each policy and site allocation individually.

3.17 For some types of impacts, screening for likely significant effects has been determined on a proximity basis, using GIS data to determine the proximity of potential development locations to the European sites that are the subject of the assessment. However, there are many uncertainties associated with using set distances as there are very few standards available as a guide to how far impacts will travel. Therefore, during the screening stage a number of assumptions have been applied in relation to assessing the likely significant effects on European sites that may result from the Neighbourhood Plan, as explained below. These assumptions draw from the information gathered during the South Oxfordshire Local Plan HRA work.

Physical loss of or damage to habitat

3.18 Any development resulting from the Neighbourhood Plan will be located within Chosley. There are no European sites within the Neighbourhood Plan area, therefore loss of habitat from within the boundaries of a European site can be ruled out in relation to all sites.

3.19 Loss of habitat from outside of the boundaries of a European site could still affect the integrity of that site if it occurs in an area used by the qualifying species of the site (e.g. for off-site breeding, foraging or roosting).

3.20 Four of the European sites included in the HRA have mobile species amongst their qualifying features that could travel outside of the site to make use of other areas of habitat:

- Chilterns Beechwoods SAC: stag beetle.
- Little Wittenham SAC: great crested newt.
- River Lambourn SAC: brook lamprey and bullhead.
- Kennet and Lambourn Floodplain SAC: Desmoulins's whorl snail.

3.21 Where stag beetle is a qualifying feature of a site, the individuals may travel outside of the SAC boundary, although it is unlikely that they will travel far: it is generally only the male stag beetle that flies during the summer months, and the female beetle rarely flies.¹² The preferred habitat for stag beetles is old, established woodland, and the larvae feed on rotting tree matter.¹⁶ As the

¹¹ Advocate General's Opinion to CJEU in Case C-258/11 Sweetman and others v An Bord Pleanala 22nd Nov 2012.

¹² <https://www.royalparks.org.uk/parks/richmond-park/richmond-park-attractions/wildlife/stag-beetles>

beetle larvae take years to develop, they are vulnerable to tree clearance and the 'tidying up' of wood in parks and especially gardens.¹³ Research¹⁴ suggests that 2km is an appropriate buffer inside which sites could be functionally connected, as this is the distance that males travel to females during the breeding season. Chilterns Beechwoods SAC lies well beyond 2km from Cholsey, therefore potential loss of or damage to off-site habitats associated with Chilterns Beechwoods SAC can be screened out of further assessment.

- 3.22 Great crested newts will travel away from their breeding ponds, during the terrestrial phase of their lifecycle, but not large distances. 500 metres¹⁵ from their breeding location is considered an appropriate buffer distance inside which great crested newts might be found. The site listing for Little Wittenham SAC¹⁶ states that great crested newts have been found to range several hundred metres into the site's woodland blocks. Research has found that great crested newts at Little Wittenham SAC migrate within woodland and do not over-winter in the arable farmland¹⁷. All of the woodland within 500 metres of the ponds at Little Wittenham SAC is within the SAC boundary. Therefore potential loss of or damage to off-site habitats associated with Little Wittenham SAC can be screened out of further assessment.
- 3.23 The HRA for the Publication version of the South Oxfordshire Local Plan (January 2018) notes that the River Lambourn SAC (15.5km outside the Parish) and Kennet and Lambourn Floodplain SAC (15.5km outside the Parish), have mobile qualifying features that are limited in range and are of a sufficient distance from potential development in South Oxfordshire that potential impacts on off-site habitats can be ruled out. Therefore, potential loss of or damage to off-site habitats associated with the River Lambourn SAC and Kennet and Lambourn Floodplain SAC can be screened out of further assessment.
- 3.24 **Therefore, the potential for likely significant effects in relation to physical loss or damage to habitat can be screened out of further assessment.**

Non-physical disturbance: noise, vibration and light pollution

- 3.25 Noise and vibration effects, for example during the construction of new housing development, are most likely to disturb bird species and are thus a key consideration with respect to European sites where birds are the qualifying features, although such effects may also impact upon some mammals and fish species.
- 3.26 Using a precautionary approach, we have assumed that the effects of noise, vibration and light are most likely to be significant if development takes place within 500 metres of a European site with qualifying features sensitive to these disturbances, or known off-site breeding, foraging or roosting areas. None of the European sites are within 500m of Cholsey.
- 3.27 **Therefore, the potential for likely significant effects in relation to noise, vibration and light pollution can be screened out of further assessment.**

Air pollution

- 3.28 Air pollution is most likely to affect European sites where plant, soil and water habitats are the qualifying features, but some qualifying animal species may also be affected, either directly or indirectly, by any deterioration in habitat as a result of air pollution. Deposition of pollutants to the ground and vegetation can alter the characteristics of the soil, affecting the pH and nitrogen availability that can then affect plant health, productivity and species composition.
- 3.29 In terms of vehicle traffic, nitrogen oxides (NO_x, i.e. NO and NO₂) are considered to be the key pollutants. Deposition of nitrogen compounds may lead to both soil and freshwater acidification, and NO_x can cause eutrophication of soils and water.
- 3.30 Based on the Highways Agency Design for Road and Bridges (DMRB) Manual Volume 11, Section 3, Part 1¹⁸ (which was produced to provide advice regarding the design, assessment and

¹³ <http://www.arkive.org/stag-beetle/lucanus-cervus/>

¹⁴ <http://onlinelibrary.wiley.com/doi/10.1111/j.1469-7998.2006.00282.x/abstract>

¹⁵ <https://www.gov.uk/guidance/great-crested-newts-surveys-and-mitigation-for-development-projects>

¹⁶ <http://jncc.defra.gov.uk/protectedsites/sacselection/sac.asp?EUCode=UK0030184>

¹⁷ http://etheses.dur.ac.uk/6683/1/6683_3987.PDF

¹⁸ <http://www.standardsforhighways.co.uk/ha/standards/dmr/vol11/section3/ha20707.pdf>

operation of trunk roads (including motorways)), it is assumed that air pollution from roads is unlikely to be significant beyond 200m from the road itself. Where increases in traffic volumes are forecast, this 200m buffer needs to be applied to the relevant roads in order to make a judgement about the likely geographical extent of air pollution impacts.

- 3.31 The DMRB Guidance for the assessment of local air quality in relation to highways developments provides criteria that should be applied at the screening stage of an assessment of a plan or project, to ascertain whether there are likely to be significant impacts associated with routes or corridors. Based on the DMRB guidance, affected roads which should be assessed are those where:
- Daily traffic flows will change by 1,000 AADT (Annual Average Daily Traffic) or more; or
 - Heavy duty vehicle (HDV) flows will change by 200 AADT or more; or
 - Daily average speed will change by 10 km/hr or more; or
 - Peak hour speed will change by 20 km/hr or more; or
 - Road alignment will change by 5 m or more.
- 3.32 Recent case law, known as the Wealden judgement¹⁹, has revised the method by which Natural England expects to see in-combination air pollution effects assessed. The implication of the judgement is that, where the road traffic effects of other plans or projects are known or can be reasonably estimated (including those of adopted plans or consented projects), then these should be included in road traffic modelling by the local authority whose local plan or project is being assessed. The screening criteria of 1,000 AADT should then be applied to the traffic flows of the plans in combination.
- 3.33 It has been assumed that only those roads forming part of the strategic road network (motorways and primary 'A' roads) might be likely to experience any significant increases in vehicle traffic as a result of development (i.e. greater than 1,000 AADT). Where a site is not within 200m of a motorway or primary 'A' road, likely significant effects from traffic-related air pollution can be ruled out. This is the case for Hartslock Wood SAC, Little Wittenham SAC, and Cothill Fen SAC. While some areas of the Chiltern Beechwoods SAC fall within 200m of a primary 'A' road, this is not the case for the area of the SAC that lies within 17km of the Cholsey Neighbourhood Plan boundary.
- 3.34 The European sites within 17km of Cholsey that are within 200m of strategic roads are Aston Rowant SAC (M40), Kennet and Lambourn Floodplain SAC (A4, A34) and River Lambourn SAC (M4, A4, A339, A34, A338).
- 3.35 The Site Improvement Plan for Kennet and Lambourn Floodplain SAC and River Lambourn SAC²⁰ does not identify air pollution as a threat or pressure. While Site Improvement Plans provide an indication of the current threats and pressures at a site, and do not predict future changes, they do provide information on the aspects of the site's ecology that is likely to be the most sensitive to development. The Kennet and Lambourn Floodplain SAC and River Lambourn SAC are all sites at which physical changes to the aquatic environment, invasive aquatic species or changes to land management are the main threats or pressures, despite the sites being situated close to a major settlement (Newbury) and the roads that serve this. These sites are therefore not considered to be particularly sensitive to air pollution and air pollution impacts relating to the Neighbourhood Plan alone can be screened out of further assessment for these two European sites.
- 3.36 However, the Site Improvement Plan for Aston Rowant SAC does identify air pollution as a threat or pressure, in particular the risks of atmospheric nitrogen deposition.
- 3.37 **Therefore the potential effects of air pollution have been screened in for further screening assessment in relation to Aston Rowant SAC but screened out in relation to all other European sites.**

¹⁹ Wealden District Council v. (1) Secretary of State for Communities and Local Government; (2) Lewes District Council; (3) South Downs National Park Authority and Natural England

²⁰ <http://publications.naturalengland.org.uk/publication/4738329056641024>

Recreation

- 3.38 Recreation activities and human presence more generally can have an adverse effect on the integrity of a European site, for example as a result of disturbance of sensitive animal species, trampling of plant species or habitat erosion. Where development is likely to result in an increase in the local population, the potential for an increase in visitor numbers and the associated impacts at sensitive European sites has been considered.
- 3.39 We have assumed that all of the sites within the scope of the HRA have the potential to be vulnerable to recreation impacts such as erosion, trampling or species disturbance to some degree. Those European sites that are closest to, most accessible to, or most attractive to the residents of Cholsey, are most likely to be affected by the Neighbourhood Plan.
- 3.40 To identify the distance at which the Neighbourhood Plan could have an impact on recreational pressure, we have used the same distance criteria as the HRA of the Publication version of the South Oxfordshire Local Plan, as follows.
- 3.41 The South Oxfordshire Open Space User Survey (2005) reported that 35% of people are prepared to travel for 15 minutes and 45% of people are prepared to travel by car to access natural and semi-natural greenspace²¹. Visitor surveys²² at Little Wittenham SAC also identified that the majority of the visitors to the site live within 20 minutes driving time.
- 3.42 An alternative measure is to use the 'Zone of Influence' identified by the Thames Basin Heaths SPA Delivery Framework²³. Whilst it is recognised that the European sites scoped into this HRA have different designated features to Thames Basin Heaths SPA, the SPA Delivery Framework is primarily concerned with avoiding adverse recreational or urbanising effects from residential development and the buffer distances it defines are judged to provide a reasonable proxy for the distance from housing development within which likely significant recreational effects cannot be ruled out.
- 3.43 The Framework advises that there is presumption against development within 400m of the European site (assumed adverse effect on integrity unless site-specific Appropriate Assessment demonstrates otherwise), that avoidance measures are necessary in relation to all residential development within a Zone of Influence from 400 metres to 5km from the perimeter of the European site and that applications for large scale development (over 50 houses) between 5km and 7km from the edge of the European site should be assessed on a case by case basis. The potential for effects will depend upon the scale of development proposed and the features for which the site is designated; however, as a conservative estimate, it has been assumed that any development within 7km of a sensitive site could have impacts due to recreation.
- 3.44 Little Wittenham SAC lies c.3.5km and a 10 minute drive away from Cholsey. Hartslock Wood lies c.6km and a 20 minute drive away from Cholsey. Aston Rowant lies c. 13.5km and a 29 minute drive, Chilterns Beechwoods lies c.15.5km and a 30 minute drive, the River Lambourn SAC and Kennet and Lambourn Floodplain SAC are c.15.5km from Cholsey and a 35 minute drive and Cothill Fen SAC is 15.5km from Cholsey and a 28 minute drive. Therefore, only Little Wittenham SAC and Hartslock Wood SAC are within the 7km buffer zone for recreational pressure.
- 3.45 Natural England's Site Improvement Plans record the threats and pressures relevant to each European site. Public access or disturbance is not identified as a current threat or pressure at Hartslock Wood SAC.
- 3.46 **Therefore, the effects of recreation are screened in for further screening assessment in relation to Little Wittenham SAC, but screened out in relation to all other European sites.**

²¹ <http://www.southoxon.gov.uk/sites/default/files/Standards%20summary%20with%20justification.pdf>

²² Earth Trust (2016) *Statement of Need for Improvements to the Earth Trust Centre*

²³ http://www.waverley.gov.uk/downloads/file/3503/thames_basin_heaths_spa_delivery_framework_2009_-_thames_basin_heaths_joint_strategic_partnership_board

Water quantity and quality

- 3.47 European sites at which aquatic or wetland environments support qualifying features have the potential to be affected by changes in water quantity or quality. The following sites within the 17km buffer of Cholsey have aquatic or wetland habitats:
- River Lambourn SAC and Kennet & Lambourn Floodplain SAC: river habitats that support qualifying invertebrate and fish species; identified as sensitive to water pollution and hydrological changes (including water levels, siltation and flood defences)²⁴.
 - Little Wittenham SAC: its ponds support great crested newts, but changes to water quality or quantity have not been identified as an issue at this site²⁵; this site has therefore been screened out.
 - Cothill Fen SAC: has calcium-rich springwater-fed fens that have been identified as sensitive to water pollution and hydrological changes²⁸.
- 3.48 Sensitive European sites could be affected by changes in demand for water supply and disposal as a result of the Neighbourhood Plan e.g. additional housing. In addition, hydrological connectivity can occur in proximity to a river, where development would be upstream of a European site on the same river, or via groundwater where development has the potential to affect an aquifer that the European site lies over.
- 3.49 The potential for effects relating to water supply and disposal has been considered with reference to SODC's Water Cycle Study²⁶, which is based on the Local Plan Preferred Options document.
- 3.50 None of the European sites that are sensitive to changes in water quality or quantity are downstream of those treatment works where water quality has been identified as a significant issue.
- 3.51 In addition, the European sites fed by groundwater are not at risk from abstraction, as confirmed by the Environment Agency in response to previous HRA work for the South Oxfordshire Local Plan:
- "Water supply for Kennet and Lambourn Floodplain and River Lambourn is from the chalk of the Kennet catchment. Under CAMS this aquifer has no available resource - so no new source of water will come from this catchment."*
- 3.52 **Potential water quality and hydrological likely significant effects have therefore been screened out of further assessment for all sites.**

Identification of other plans and projects which may have 'in-combination' effects

- 3.53 Regulation 105 of the Habitats Regulations 2017²⁷ requires an Appropriate Assessment where "a land use plan is likely to have a significant effect on a European site (either alone or in combination with other plans or projects) and is not directly connected with or necessary to the management of the site".
- 3.54 The first stage in identifying 'in-combination' effects involves identifying which other plans and projects in addition to the Neighbourhood Plan may affect the European sites that were the focus of this assessment. Plans that are relevant to this assessment are those that increase the number of homes locally or significantly alter the flow of traffic through other means (for example major transport schemes).

²⁴ Site Improvement Plan for River Lambourn SAC and Kennet & Lambourn Floodplain SAC <http://publications.naturalengland.org.uk/publication/4738329056641024>

²⁵ Site Improvement Plan for Little Wittenham SAC <http://publications.naturalengland.org.uk/publication/6567758347108352>

²⁶ JBA Consulting (2017) South Oxfordshire District Council – Water Cycle Study, Phase 1 & 2 Final Report

²⁷ SI No. 2017/2012

- 3.55 Eight parishes in South Oxfordshire have made (adopted) neighbourhood plans. It is considered that these do not need to be taken into consideration in relation to in-combination effects because:
- Woodcote Neighbourhood Plan allocates a total number of homes that is below that allocated in the Core Strategy.
 - Thame Neighbourhood Plan, Sonning Common Neighbourhood Plan, and the Joint Henley and Harpsden Neighbourhood Development Plan all aim to meet the requirements for housing set by the Core Strategy.
 - Long Wittenham and Chinnor Neighbourhood Plans do not allocate a specific number of homes although the Long Wittenham Neighbourhood Plan considers that it could grow by c.5% (c.15 homes) over the plan period, through minor development and the Chinnor Neighbourhood Plan supports small-scale infill development.
 - The Brightwell-cum-Sotwell Neighbourhood Plan provides land that could accommodate c.60 homes a c.13% increase.
 - The Dorchester on Thames Neighbourhood Plan does not allocate any housing sites and does not have a specific housing allocation in the Core Strategy, as it is classified as a small village.
- 3.56 The South Oxfordshire Core Strategy does not require small villages to allocate housing but suggests they should allow for infill development on sites of up to 0.2ha (c.5-6 homes). The Publication version of the Local Plan provides for a minimum of 500 new homes across all of the smaller villages, based on 5-10% growth. The Brightwell-cum-Sotwell Neighbourhood Plan allows for 13% growth, while Long Wittenham Neighbourhood Plan allows for 5%. Jointly, they are not considered likely to have in-combination effects over and above what is proposed in the Publication version of the Local Plan.
- 3.57 Residents voted for adoption of the Benson Parish Neighbourhood Plan and the Watlington Neighbourhood Plan in June 2018. The Watlington Neighbourhood Plan allocates slightly fewer homes than set out in the Publication version of the South Oxfordshire Local Plan.
- 3.58 The Benson Parish Neighbourhood Plan allocates more homes for the village than are set out in the Publication version of the South Oxfordshire Local Plan, as well as the Local Plan 2011 and Core Strategy 2012 and therefore has potential for in-combination effects on air pollution at Aston Rowant SAC and recreation pressure at Little Wittenham SAC. However, the HRA of the Benson Neighbourhood Plan – Referendum Version (May 2018) concluded that it will not give rise to likely significant effects on European sites, either alone or in-combination with other plans or projects²⁸.
- 3.59 High Wycombe and Princes Risborough, both in Wycombe District, lie <10km from Aston Rowant SAC. Therefore new homes allocated in the Wycombe Local Plan could have in-combination air pollution effects. The HRA²⁹ of the Wycombe District Local Plan³⁰ concluded that the Wycombe Local Plan will not lead to adverse effects on the integrity of European sites, alone or in combination with other plans or projects, in relation to air pollution.
- 3.60 The South Oxfordshire Core Strategy and emerging new Local Plan have the potential for in-combination effects with the Cholsey Neighbourhood Plan. The HRA reports for the Core Strategy and Local Plan have taken into account potential in-combination effects with other neighbouring authorities' plans. Additional development proposed at Cholsey, i.e. the quantum of development that is over and above that allocated in the Core Strategy or Local Plan, has therefore been considered with reference to in-combination effects identified in the HRAs of the Core Strategy and the Local Plan.

²⁸ LUC (July 2018) *Benson Neighbourhood Plan Habitats Regulations Assessment Screening Report*

²⁹ Wycombe District Council (July 2018) *Wycombe District Local Plan Revised Habitats Regulations Assessment Report*

³⁰ Wycombe District Council (October 2017) *Wycombe District Local Plan Regulation 19 Publication Version*

4 HRA Screening Assessment

- 4.1 As described in **Chapter 3**, a screening assessment has been carried out in order to identify the likely significant effects of the Cholsey Neighbourhood Plan on nearby European sites.
- 4.2 The full screening matrix used for this assessment can be found in **Appendix 2** and the findings are summarised in the sections below.
- 4.3 This HRA report has taken the approach of screening each policy individually. In reality, however, the Neighbourhood Plan policies will combine to deliver the overall scale of development within Cholsey and the in-combination effects of the policies together have therefore been taken into consideration where relevant.

Significant effects likely

- 4.4 **None of the policies or site allocations** in the Neighbourhood is considered **likely** to result in significant effects on the European sites within 17km of Cholsey.

Significant effects unlikely

- 4.5 Significant effects are considered **unlikely** in relation to **most of the Neighbourhood Plan policies**, either because the policies will not result in new development or because the scale, nature or location of the development proposed will not have an effect on European sites.
- 4.6 Based on the above, the following policies have been screened out:
- Policy CNP H1a.
 - Policy CNP H1b.
 - Policy CNP H3.
 - Policy CNP H4.
 - Policy CNP H5.
 - Policy CNP H6.
 - Policy CNP H7.
 - Policy CNP H8.
 - Policy CNP E1.
 - Policy CNP E2.
 - Policy CNP E3.
 - Policy CNP I1.
 - Policy CNP I2.
 - Policy CNP I3.
 - Policy CNP I4.
 - Policy CNP I5.
 - Policy CNP I6.
 - Policy CNP I7.

- Policy CNP I8.
- Policy CNP I9.
- Policy CNP I10.
- Policy CNP I11.
- Policy CNP T1.
- Policy CNP T2.
- Policy CNP ED1.
- Policy CNP ED2.

Significant effects uncertain

4.7 For two of the Neighbourhood Plan policies and the three site allocations, it was concluded that there **may** be a significant effect on one or more European sites, **although this is uncertain**. These are considered further below.

Air pollution effects

- 4.8 The policies and site allocations identified as having uncertain effects on Aston Rowant SAC due to increased traffic and air pollution are those that will result in new homes:
- Policy CNP H1.
 - Policy CNP H2.
 - East End Farm (CHOL1) together with land west of Wallingford Road (part of CHOL7) around 165 homes.
 - Boshers Yard corner of A329 and Papist Way (CHOL9) around 10 homes.
 - Fairmile (CHOL10) 14 homes.
- 4.9 Data on commuting by car³¹ indicates that people living in Cholsey travel to a number of locations for work, including Wallingford, Oxford and Didcot. Very few journeys are made to the north east, towards the M40 which would pass Aston Rowant SAC. Furthermore the overall quantum of development proposed at Cholsey would not increase traffic flows by more than 1,000 AADT on the M40.
- 4.10 **Cholsey Neighbourhood Plan alone is therefore unlikely to significantly increase traffic, and therefore air pollution adjacent to sensitive European sites.**
- 4.11 The Neighbourhood Plan does, however, have the potential to have impacts on air pollution in combination with other plans.
- 4.12 The HRA of the Core Strategy³² found that development arising from the Core Strategy as a whole would not have an air pollution effect on Aston Rowant SAC, either alone or in combination with other plans. The small proportion of additional traffic that would pass the site due to the Cholsey Neighbourhood Plan is not considered likely to lead to a significant increase in traffic flows, over and above that produced by the Core Strategy, which is the current District-wide plan.
- 4.13 The HRA of the Benson Neighbourhood Plan – Referendum Version (July 2018)³³ found that very few journeys to work involve trips that would require use of the M40, A404 or A4010 in the direction of Aston Rowant SAC and concluded that the Neighbourhood Plan is unlikely to significantly increase traffic, and therefore air pollution, adjacent to sensitive European sites. The parish of Benson is closer to Aston Rowant SAC than the parish of Cholsey, which suggests that

³¹ UCL's DataShine Commute: <http://commute.datashine.org.uk>

³² http://www.southoxon.gov.uk/sites/default/files/Appropriate%20Assessment_2.pdf

³³ LUC (July 2018) Benson Neighbourhood Plan Habitats Regulations Assessment. Screening Report.

development in Cholsey would be unlikely to generate greater numbers of trips per household than development in Benson, all other things being equal.

- 4.14 The HRA of the Publication version of the Local Plan (January 2018)³⁴ has considered the potential in-combination effects of local growth on the Natura 2000 network through increasing traffic related air pollution, and also took account of the development identified in this neighbourhood plan. It was not possible to screen out in-combination effects upon Aston Rowant SAC.
- 4.15 An air quality model confirmed that while the in-combination effects of growth would result in increased NO_x concentrations across part of Aston Rowant SAC, these would not result in any N deposition on the SAC. The potential ecological effects of the predicted NO_x concentrations were also considered. The HRA concluded that they would be unlikely to result in an adverse effect on the qualifying features, based on long-term trends and past monitoring at the SAC.
- 4.16 It was therefore concluded that the Publication version of the 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, and it is possible to rely on that assessment to reach the same conclusion for this Neighbourhood Plan without the need to carry out a further Appropriate Assessment.
- 4.17 Furthermore, traffic modelling of the effects of the Publication version of the Local Plan demonstrated that, even when taking a precautionary approach, the change in traffic flows due to the Local Plan is likely to be significantly below the 1,000 AADT screening criteria, for the M40 adjacent to Aston Rowant SAC. As such, it is considered that the additional 14 homes allocated in the Cholsey Neighbourhood Plan over and above the number allocated in the Publication version of the Local Plan are expected to have a negligible effect on air quality at Aston Rowant SAC, even in-combination with other plans.
- 4.18 This conclusion is corroborated by the findings of the HRA of the Regulation 19 Publication version of the Wycombe District Local Plan, which took into account potential in-combination effects of growth in traffic in South Oxfordshire.
- 4.19 **The Cholsey Neighbourhood Plan would not result in likely significant effects on Aston Rowant SAC as a result of air pollution, either alone or in-combination with other plans or projects, and no Appropriate Assessment is required.**

Recreation effects

- 4.20 The policies and site allocations identified as having uncertain effects on Little Wittenham SAC, due to increased visitor numbers are again those which would result in new homes:
- Policy CNP H1.
 - Policy CNP H2.
 - East End Farm (CHOL1) together with land west of Wallingford Road (part of CHOL7) around 165 homes.
 - Boshers Yard corner of A329 and Papist Way (CHOL9) around 10 homes.
 - Fairmile (CHOL10) 14 homes.
- 4.21 South Oxfordshire is expected to have an average household size of 2.18³⁵ by 2026 (close to the end of the plan period). Therefore, the 189 new homes that these policies provide for could result in a local population increase of c.412. Little Wittenham SAC has approximately 62,564³⁶ people living within 7km of the site, based on 2011 Census data. Therefore the increase in population due to the Neighbourhood Plan represents an increase of only 0.7%. Furthermore it is unlikely that Little Wittenham SAC will see an increase in regular visitors of 412 as many of these people will not choose to visit the SAC.

³⁴ LUC (January 2018) South Oxfordshire Local Plan, Habitats Regulations Assessment Report

³⁵ <http://www.whitehorsedc.gov.uk/sites/default/files/Oxfordshire%20Population%20Forecasts%20to%202026.pdf>

³⁶ Based on 2011 census data for Lower Super Output Areas in South Oxfordshire that are 7km from Little Wittenham SAC; calculated using GIS

- 4.22 Little Wittenham SAC currently receives approximately 150,000 visits each year³⁷ and the Earth Trust, which manages Little Wittenham, is planning for an increase in visits of 36% by 2030, Natural England has raised no objection to proposals³⁸ that plan to accommodate these additional visitors.
- 4.23 **Cholsey Neighbourhood Plan alone is therefore not expected to have a likely significant effect on Little Wittenham SAC due to recreational pressure.**
- 4.24 The housing numbers allocated in the Cholsey Neighbourhood Plan are in line with those allocated in the adopted Core Strategy and therefore no in-combination effects with the Core Strategy are expected.
- 4.25 Cholsey Neighbourhood Plan in combination with the Publication version of the Local Plan has the potential for more substantial increases in visitors to Little Wittenham SAC. The Publication version of the Local Plan is expected to result in an increase in visits to the site of c.32% alone and c.50% in combination with already-committed developments, over the plan period. However, Natural England is of the view³⁹ that the site's qualifying feature, its great crested newt population, is not particularly sensitive to disturbance from recreation. As the Earth Trust is actively managing the site to reduce the visitor pressure on the SAC, and as the expected increases in visitor numbers due to the Cholsey Neighbourhood plan is so low, the expected increase in visitor numbers in-combination is not expected to have a significant effect on Little Wittenham SAC.
- 4.26 **Cholsey Neighbourhood Plan therefore, is not expected to have any likely significant effects on Little Wittenham SAC from recreational pressures, either alone or in-combination with other plans.**

³⁷ Earth Trust (2016) *Statement of Need for Improvements to the Earth Trust Centre*

³⁸ Natural England response dated 5th December 2016:

<http://www.southoxon.gov.uk/ccm/support/Main.jsp?MODULE=ApplicationDetails&REF=P16/S3133/FUL>

³⁹ Conversations with Natural England's SSSI officers for the site, as part of the Local Plan HRA work

5 Conclusions

- 5.1 The HRA screening of the Cholsey Neighbourhood Development Plan has been undertaken in accordance with currently available guidance and based on a precautionary approach as required under the Habitats Regulations.
- 5.2 The HRA screening has concluded that likely significant effects in the integrity of European sites around South Oxfordshire from policies and site allocations in the Neighbourhood Plan will not occur in relation to:
- Physical loss of or damage to habitat.
 - Non-physical disturbance: noise, vibration and light pollution.
 - Water quantity and quality.
- 5.3 In addition none of the policies or site allocations in the Neighbourhood Plan is considered *likely* to result in significant effects on the European sites within 17km of Cholsey, due to air pollution or recreation pressure.
- 5.4 Two policies and three site allocations that would result in new homes were identified as having, uncertain effects on Aston Rowant SAC due to increase traffic and air pollution, and uncertain effects on Little Wittenham SAC due to increased visitor numbers:
- Policy CNP H1.
 - Policy CNP H2.
 - East End Farm (CHOL1) together with land west of Wallingford Road (part of CHOL7) around 165 homes.
 - Boshers Yard corner of A329 and Papist Way (CHOL9) around 10 homes.
 - Fairmile (CHOL10) 14 homes.
- 5.5 Data on commuting by car indicates that people living in Cholsey travel to a number of different locations for work, including Wallingford, Didcot and Oxford. Very few journeys would require the use of the M40 in the direction of Aston Rowant SAC. Furthermore the overall quantum of development proposed at Cholsey would not increase traffic flows by more than 1,000 AADT on the M40.
- 5.6 The Council may rely upon the conclusions of the HRA of the Publication version of the Local Plan in respect of the potential effects of traffic related air pollution. The assessment concluded that the in-combination effects of growth could have likely significant effects on the Aston Rowant SAC. However, an Appropriate Assessment of those effects has confirmed that they would not result in an adverse effect on the integrity of the site, and as such no further Appropriate Assessment of the Cholsey Neighbourhood Plan is required. This conclusion is corroborated by the findings of the HRA of the Regulation 19 Publication version of the Wycombe District Local Plan, which took into account potential in-combination effects of growth in traffic in South Oxfordshire.
- 5.7 The Cholsey Neighbourhood Plan alone is not expected to have likely significant effects on Little Wittenham SAC as a result of recreation pressure. The increase in population within 7km of the SAC as a result of housing allocations in Cholsey is calculated to be only 0.7% and so the expected increase in visitor numbers to the SAC is likely to be negligible. In combination with the Publication version of the Local Plan there is potential for more substantial increases in visitor numbers. However, Natural England is of the view⁴⁰ that the site's qualifying feature, its great crested newt population, is not particularly sensitive to disturbance from recreation and, as the

⁴⁰ Conversations with Natural England's SSSI officers for the site, as part of the Local Plan HRA work

Earth Trust is actively managing the site to reduce the visitor pressure on the SAC the expected increase in visitor numbers is not expected to have a significant effect on Little Wittenham SAC.

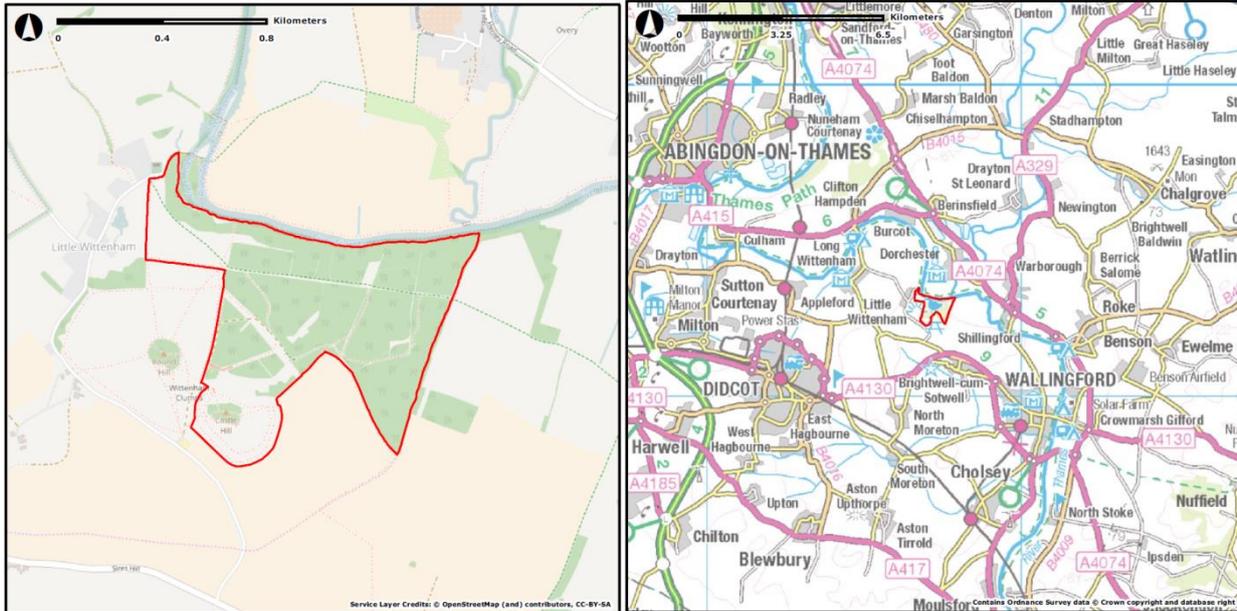
- 5.8 **In conclusion the Cholsey Neighbourhood Plan will not give rise to likely significant effect on European sites, either alone or in-combination with other plans or projects, and Appropriate Assessment is therefore not required.**

LUC

August 2018

Appendix 1 - European sites within 17km of Cholsey

1. Little Wittenham Special Area of Conservation



Site description

One of the best-studied great crested newt sites in the UK, Little Wittenham comprises two main ponds set in a predominantly woodland context (broadleaved and conifer woodland is present). There are also areas of grassland, with sheep grazing and arable bordering the woodland to the south and west. The River Thames is just to the north of the site, and a hill fort to the south. Large numbers of great crested newts *Triturus cristatus* have been recorded in the two main ponds, and research has revealed that they range several hundred metres into the woodland blocks.

Qualifying features

S1166	Great crested newt
Site status	100% in favourable condition

Special Area of Conservation objectives

1	<p>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying features, by maintaining or restoring;</p> <ul style="list-style-type: none"> • The extent and distribution of habitats and qualifying species • The structure and function of the habitats of qualifying species • The supporting processes on which the habitats of qualifying species rely • The populations of qualifying species rely • The populations of qualifying species and • The distribution of qualifying species within the site.
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Site Improvement Plan⁴¹: pressures, threats and related development

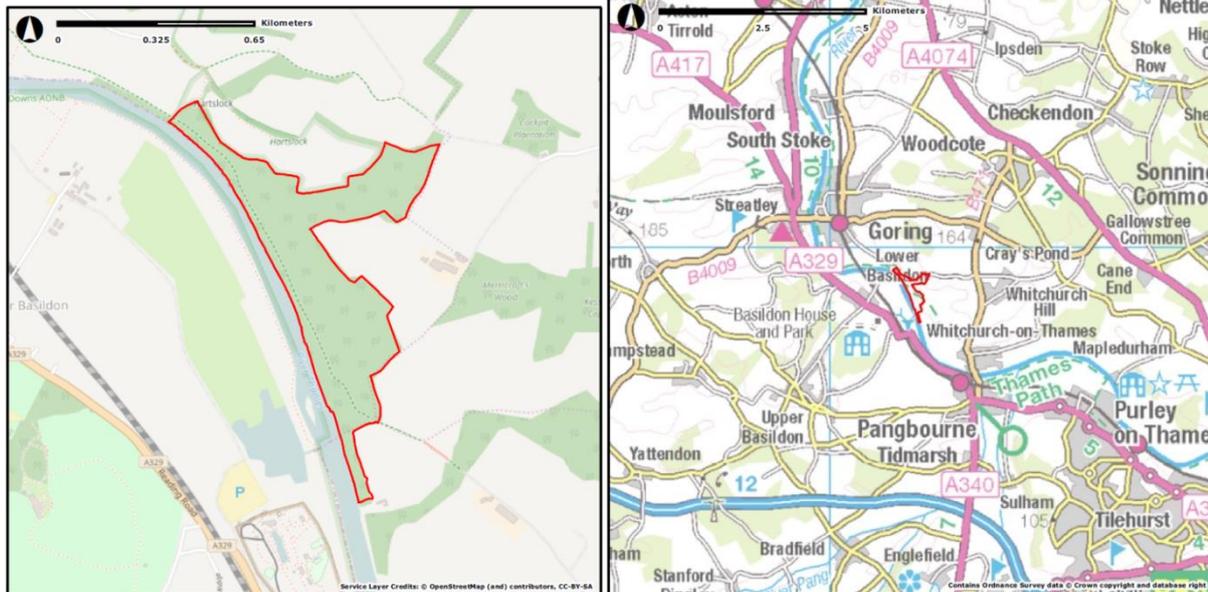
The main pressures and threats to this site include the impacts of public access and disturbance, and invasive fish species upon great crested newt. With regard to the types of development that may be brought forward in the Local Plan, visitor disturbance could impact the site.

Key environmental conditions supporting the site

1. Suitable foraging and refuge habitat within 500 metres of the pond
2. Relatively unpolluted water of neutral pH
3. Some ponds deep enough to retain water throughout February to August at least one year in three

⁴¹ Natural England - Site Improvement Plan: Little Wittenham (SIP122)
<http://publications.naturalengland.org.uk/publication/6567758347108352?category=6149691318206464>

2. Hartslock Wood Special Area of Conservation



Site description

This site hosts the priority habitat type "orchid rich sites". The steep slopes of this site on the chalk of the Chilterns comprise a mosaic of chalk grassland, chalk scrub and broadleaved woodland. The chalk grassland mostly consists of a mosaic of shorter-turf NVC type CG2 *Festuca ovina*–*Avenula pratensis* grassland and taller CG3 *Bromus erectus* grassland. The site supports one of only three UK populations of monkey orchid *Orchis simia*, a nationally rare Red Data Book species. The bulk of this site lies on a steep slope above the River Thames. Recent storms and landslips have resulted in a diverse age-structure for the yew population. Open patches show a rich flora including local species such as southern wood-rush *Luzula forsteri*, wood barley *Hordelymus europaeus* and narrow-lipped helleborine *Epipactis leptochila*.

Qualifying features

H6210	Dry grasslands and scrublands on chalk or limestone
H91J0	Yew dominated woodland
Site status	88% in favourable condition; 12% in an unfavourable condition, recovering

Special Area of Conservation objectives

1	<p>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;</p> <ul style="list-style-type: none"> • The extent and distribution of the qualifying natural habitats • The structure and function (including typical species) of the qualifying natural habitats, and, • The supporting processes on which the qualifying natural habitats rely
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Site Improvement Plan⁴²: pressures, threats and related development

The main threat to this site is air pollution and the risk of atmospheric nitrogen deposition upon the dry grasslands and yew-dominated woodland. With regard to the types of development that may be brought forward in the Local Plan, air pollution could impact the site.

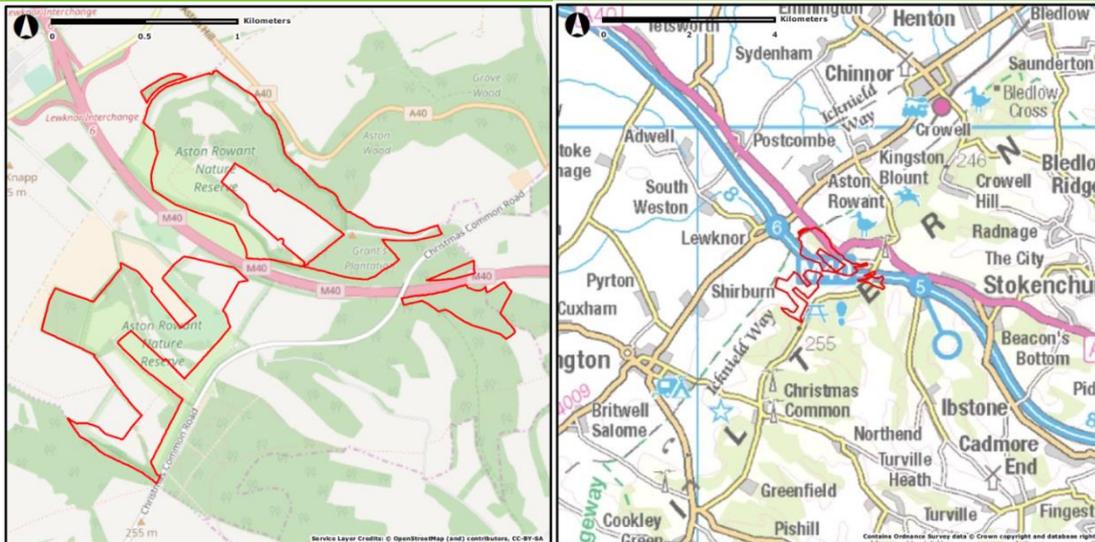
Key environmental conditions supporting the site

1. Appropriate management of grazing
2. Minimal air pollution
3. Absence of direct fertilisation

3. Aston Rowant Special Area of Conservation

⁴² Natural England - Site Improvement Plan: Hartslock Wood (SIP100)
<http://publications.naturalengland.org.uk/publication/4874314121740288?category=6149691318206464>

3. Aston Rowant Special Area of Conservation



Site description

Aston Rowant is classified as SAC because it supports one of the largest remaining populations of juniper in lowland Britain. It is selected as an example of juniper formations on the chalk in the south east of England. At this site juniper is present as part of a mixed scrub community but also occurs as isolated bushes in chalk grassland. In common with most lowland populations of juniper, successful reproduction and survival of new generations of bushes is extremely rare and conservation is currently dependent upon significant levels of management intervention. The low level of reproductive success is the main threat to the feature at this site. Aston Rowant also supports *Asperulo-Fagetum* beech forests although this is not a primary reason for classification as SAC.

Qualifying features

H5130	Juniper on heaths or calcareous grassland
H9130	Beech forests on neutral to rich soils
Site status* ⁴³	100% in favourable condition

Special Area of Conservation objectives

1	<p>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;</p> <ul style="list-style-type: none"> • The extent and distribution of qualifying natural habitats • The structure and function (including typical species) of qualifying natural habitats, and • The supporting processes on which qualifying natural habitats rely
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Site Improvement Plan⁴⁴: pressures, threats and related development

The main pressures and threats to this site include an unsustainable on-site population, changes in species distribution, disease of juniper as well as the impacts of air pollution and the risks of atmospheric nitrogen deposition upon juniper. Additionally, conflicting conservation objectives threaten juniper and deer threaten beech. With regard to the types of development that may be brought forward in the Local Plan, air pollution could impact the site.

Key environmental conditions supporting the site

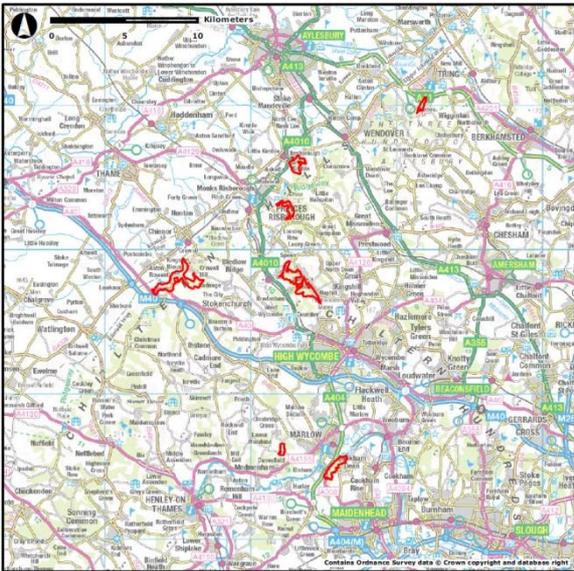
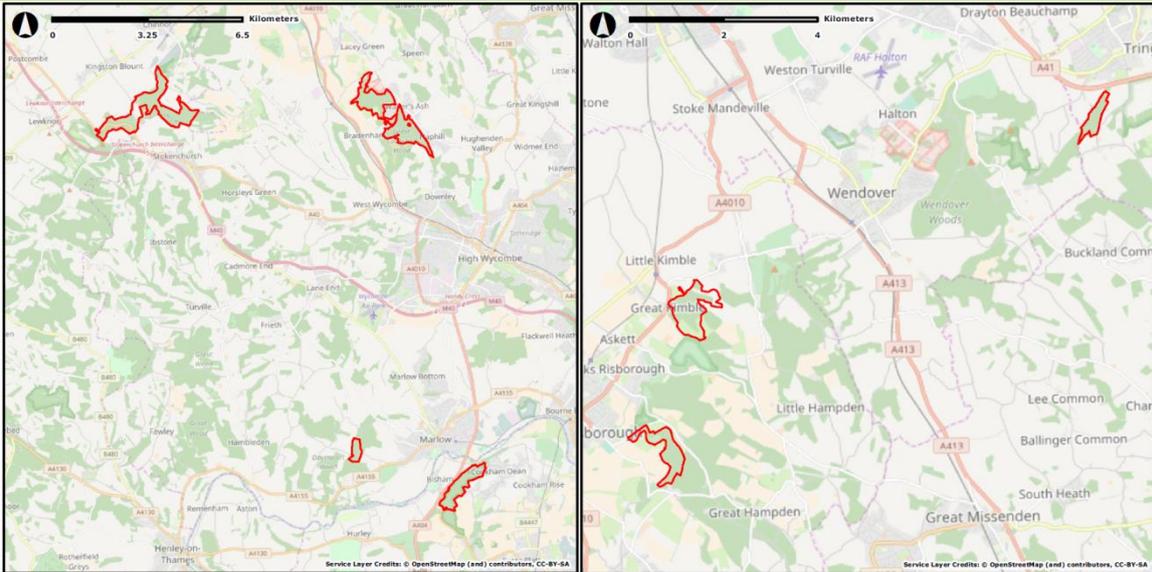
1. Regular management to keep vegetation open and allow seedlings to establish
2. Prevention of rabbit grazing on seedlings
3. Minimal air pollution

⁴³ Site status is an assessment by Natural England of the status of the SSSIs within the SAC

⁴⁴ Natural England - Site Improvement Plan: Aston Rowant (SIP007)

<http://publications.naturalengland.org.uk/publication/4960794580090880?category=6149691318206464>

4. Chilterns Beechwoods Special Area of Conservation



Site description

The Chilterns Beechwoods SAC comprises nine separate sites scattered across the Chilterns. There are three features of interest: semi-natural grasslands and scrubland on chalk; Asperulo-Fagetum beech woodland (for which this is considered to be one of the best areas in the UK and lies in the centre of the habitat's UK range); and Stag beetle *Lucanus cervus*, for which the area is considered to support a significant presence. The rare coralroot *Cardamine bulbifera* is found in these woods.

Qualifying features	
H6210	Dry grasslands and scrublands on chalk or limestone
H9130	Beech forests on neutral to rich soils
S1083	Stag beetle
Site status*	83% in favourable condition; 17% in an unfavourable condition, recovering

Special Area of Conservation objectives

1	<p>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;</p> <ul style="list-style-type: none"> • The extent and distribution of qualifying natural habitats and habitats of qualifying species • The structure and function (including typical species) of qualifying natural habitats • The structure and function of the habitats of qualifying species • The supporting processes on which qualifying natural habitats and the habitats of qualifying species rely • The populations of qualifying species, and, • The distribution of qualifying species within the site.
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4. Chilterns Beechwoods Special Area of Conservation

Site Improvement Plan⁴⁵: pressures, threats and related development

The main pressures and threats to this site include the impacts of forestry and woodland management, disease, deer and the invasive species of grey squirrel upon beech. Additionally, the changes in species distribution of stag beetle as well as the impact of public access and disturbance upon stag beetle. Air pollution and the impact of atmospheric nitrogen deposition also threaten the dry grasslands, beech and stag beetle. With regard to the types of development that may be brought forward in the Local Plan, air pollution and visitor disturbance could impact the site.

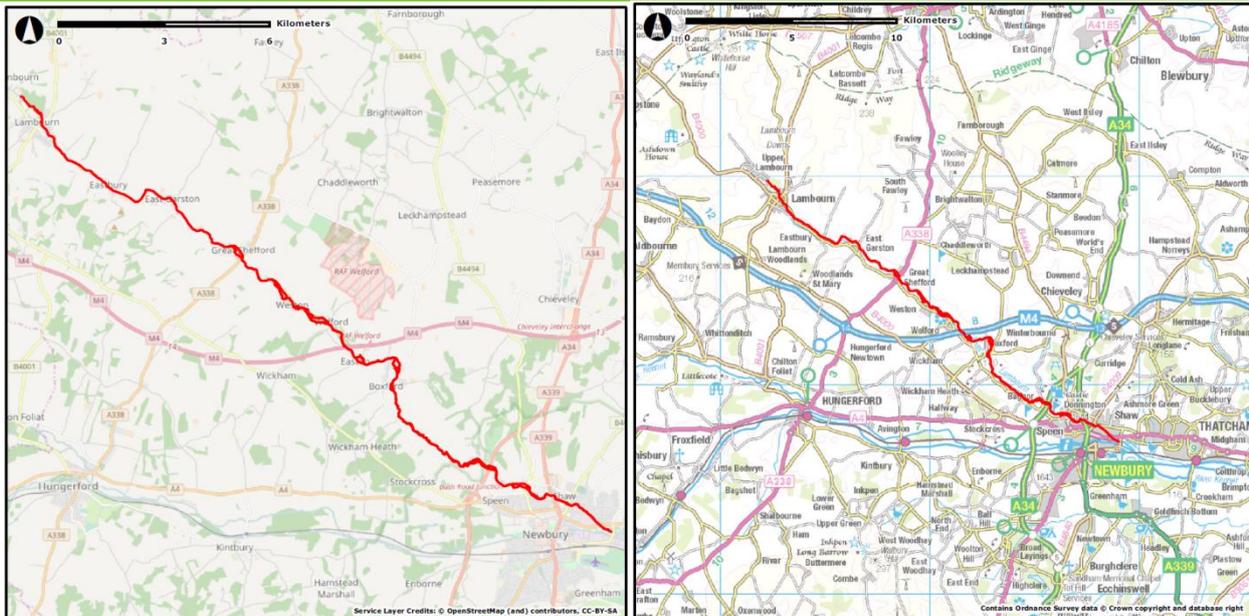
Key environmental conditions supporting the site

1. Minimal air pollution
2. Managed public access
3. Appropriate management of grasslands
4. Absence of direct fertilisation

*Site status is an assessment by Natural England of the status of the Site of Special Scientific Interest within the SAC

⁴⁵ Natural England - Site Improvement Plan: Chilterns Beechwoods (SIP045)
<http://publications.naturalengland.org.uk/publication/6228755680854016?category=6149691318206464>

5. River Lambourn Special Area of Conservation



Site description

The River Lambourn is an example of a classic chalk stream with a seasonally dry winterbourne section. It is relatively unmodified and has near-natural flow characteristics. The river supports a characteristic range of aquatic plant communities of the *Ranunculion fluitantis* and *Callitricho-Batrachion* types. As well as being classified as SAC for its river type, the Lambourn is also of importance in supporting self-sustaining populations of Bullhead. An additional qualifying feature present is Brook lamprey.

Qualifying features

H3260	Rivers with floating vegetation often dominated by water-crowfoot
S1096	Brook Lamprey
S1163	Bullhead
Site status*	100% unfavourable condition, no change

Special Area of Conservation objectives

1	<p>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;</p> <ul style="list-style-type: none"> • The extent and distribution of qualifying natural habitats and habitats of qualifying species • The structure and function (including typical species) of qualifying natural habitats • The structure and function of the habitats of qualifying species • The supporting processes on which qualifying natural habitats and the habitats of qualifying species rely • The populations of qualifying species, and, • The distribution of qualifying species within the site.
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Site Improvement Plan⁴⁶: pressures, threats and related development

The main pressures and threats to this site include the impacts of siltation and water pollution, the invasive species of crayfish, hydrological changes, inland flood defence works and inappropriate cutting and mowing upon the following features; rivers with floating vegetation often dominated by water-crowfoot, Brook lamprey, and Bullhead.

With regard to the types of development that may be brought forward in the Local Plan, water quality and quantity could impact the site.

Key environmental conditions supporting the site

1. Water quality

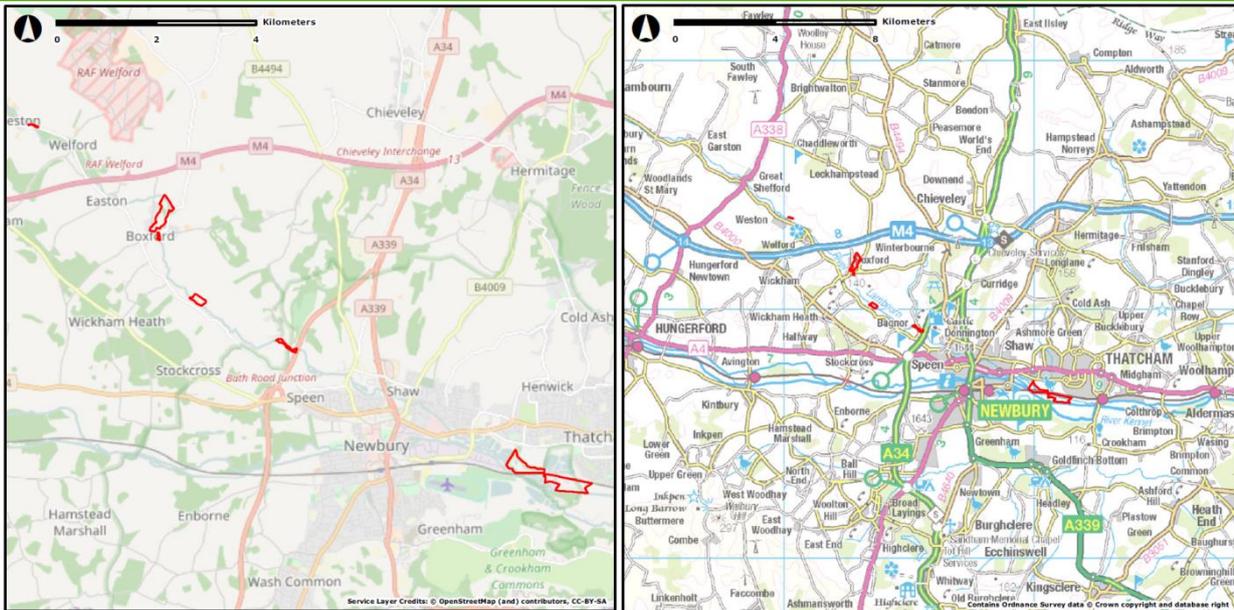
⁴⁶ Natural England - Site Improvement Plan: River Lambourn and Kennet-Lambourn Floodplain (SIP112) <http://publications.naturalengland.org.uk/publication/4738329056641024?category=6149691318206464>

5. River Lambourn Special Area of Conservation

2. Water quantity
3. Habitat quality

*Site status is an assessment by Natural England of the status of the Site of Special Scientific Interest within the SAC

6. Kennet and Lambourn Floodplain Special Area of Conservation



Site description

The Kennet and Lambourn Floodplain SAC consists of a cluster of sites in the Kennet and Lambourn river valleys. These areas represent locations where the terrestrial snail *Vertigo moulinsiana* is particularly abundant.

Qualifying features

S1016	Desmoulin's whorl snail
Site status*	69% in favourable condition; 15% in unfavourable condition, recovering; 1% in unfavourable condition, no change; 16% in unfavourable condition, declining

Special Area of Conservation objectives

1	<p>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;</p> <ul style="list-style-type: none"> • The extent and distribution of the habitats of qualifying species • The structure and function of the habitats of qualifying species • The supporting processes on which the habitats of qualifying species rely • The populations of qualifying species, and, • The distribution of qualifying species within the site.
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Site Improvement Plan⁴⁷: pressures, threats and related development

The main pressures and threats to this site include the impacts hydrological changes caused by the decline of *Vertigo moulinsiana*, water pollution caused by molluscicides, changing land management and inappropriate water levels, upon Desmoulin's whorl snail. Also, the impacts of water pollution and hydrological changes upon these features as well as Desmoulin's whorl snail.

With regard to the types of development that may be brought forward in the Local Plan, water quality and quantity could impact the site.

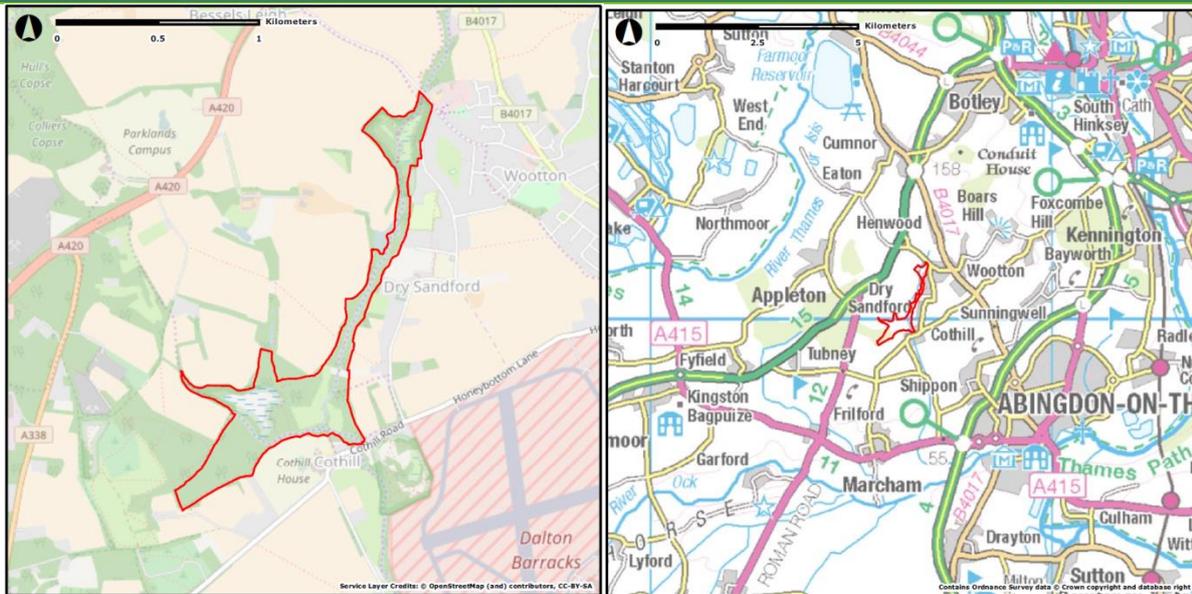
Key environmental conditions supporting the site

1. Open, unshaded areas
2. Adequate supply of high quality water

*Site status is an assessment by Natural England of the status of the SSSIs within the SAC

⁴⁷ Natural England - Site Improvement Plan: River Lambourn and Kennet-Lambourn Floodplain (SIP112) <http://publications.naturalengland.org.uk/publication/4738329056641024?category=6149691318206464>

7. Cothill Fen Special Area of Conservation



Site description

Cothill Fen is an exceptionally important site with an outstanding range of nationally rare habitats which support a large number of rare invertebrates and plants. The habitats consist of calcareous fen, calcareous grassland, woodland and scrub of varying degrees of wetness. The habitat supports over 330 species of vascular plant and over 120 nationally scarce or rare invertebrates, including the nationally rare Southern Damselfly (*Coenagrion mercuriale*).

Qualifying features

H7230	Alkaline Fens; Calcium-rich springwater-fed fens
H91E0	Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> ; Alder woodland on floodplains
Site status*	65% in favourable condition; 35% in unfavourable condition, recovering

Special Area of Conservation objectives

1. Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;
 - The extent and distribution of qualifying natural habitats
 - The structure and function (including typical species) of qualifying natural habitats, and
 - The supporting processes on which qualifying natural habitats rely

Site Improvement Plan⁴⁸: pressures, threats and related development

The main pressures and threats to this site include the impacts of water pollution and hydrological changes, as well as air pollution and the impact of atmospheric nitrogen deposition upon the calcium-rich spring water-fed fens.

With regard to the types of development that may be brought forward in the Local Plan, air pollution, and water quality and quantity could impact the site.

Key environmental conditions supporting the site

1. High water table
2. Calcareous base rich water supply

*Site status is an assessment by Natural England of the status of the Site of Special Scientific Interest within the SAC

⁴⁸ Natural England - Site Improvement Plan: Cothill Fen (SIP047)
<http://publications.naturalengland.org.uk/publication/6482436405854208?category=6149691318206464>

Appendix 2 - Screening matrix for the Neighbourhood Plan

The screening matrix below shows which types of likely significant effects on European sites could potentially result from each of the policies and sites allocated in the Local Plan. Where a site is not expected to have a particular type of likely significant effect, the relevant cell is shaded **green**. Where a site could potentially have a certain type of likely significant effect, this is shown in **orange**. The final column sets out the screening conclusions.

	Likely activities (operation) to result as a consequence of the proposal	Likely effects if proposal implemented	European site(s) potentially affected	Could the proposal have likely significant effects on European sites?
Policies				
Policy CNP H1 Housing allocations	Residential development Increase in vehicle traffic Increase in recreational pressure	Disturbance from recreation Air pollution	Aston Rowant SAC Little Wittenham SAC	Uncertain: air pollution and recreation This policy states that new residential development in Cholsey will be concentrated in the three proposed housing allocations which are assessed separately for likely significant effects below. The scale of development could contribute to increases in air pollution and recreation alone and in-combination with other policies.
Policy CNP H1a Sites CHOL1 and CHOL7	None – the policy is proposing an improved junction , footpath and cycle links and traffic calming for CHOL1 and CHOL7 (East End Farm) housing allocation but will not itself result in new development.	n/a	n/a	n/a
Policy CNP H1b Use of natural resources and density	None – the policy is promoting the use of natural resources and setting out density requirements for housing sites but will not itself result in new development.	n/a	n/a	n/a
Policy CNP H2 Infill sites and built up area boundary	Residential Development Increase in vehicle traffic Increase in recreation pressure	Disturbance form recreation Air pollution	Aston Rowant SAC Little Wittenham SAC	Uncertain: air pollution and recreation The policy sets out when permission will be granted for new homes on infill sites within the village built up area boundary and homes outside of the built up area. The scale of development in infill sites or outside of the built up area is unlikely to generate significant increases in

	Likely activities (operation) to result as a consequence of the proposal	Likely effects if proposal implemented	European site(s) potentially affected	Could the proposal have likely significant effects on European sites?
				recreational pressure or air pollution alone, but could contribute to increases in – combination with other policies.
Policy CNP H3 Housing Mix	None - the policy sets out the housing mix required on allocated sites but will itself not result in new development.	n/a	n/a	n/a
Policy CNP H4 Affordable housing and starter homes	None – the policy sets out the need for affordable housing and starter homes in new developments but will itself not result in new development.	n/a	n/a	n/a
Policy CNP H5 Context, design and scale	None – the policy sets out the requirements for new development in Cholsey in regards to: good design, context, access, facilities and environment but will itself not result in new development.	n/a	n/a	n/a
Policy CNP H6 Distance to neighbouring homes	None – the policy sets out the distance requirements between new homes / extensions to existing homes and neighbouring homes and so does not result in new development.	n/a	n/a	n/a
Policy CNP H7 Residential parking	None – the policy sets out parking standards for new housing, and so does not itself result in new development.	n/a	n/a	n/a
Policy CNP H8 Housing extensions	Residential development	None - while this will result in some minor development it would not increase the population of the area.	n/a	n/a
Policy CNP E1 Protection of landscape, countryside and rural areas	None - the policy sets out the protection of Cholsey’s landscape, countryside and rural areas and will not result in new development.	n/a	n/a	n/a
Policy CNP E2 Enjoyment / use of the riverside	New riverside development	None - development and visitors will be centred around the Cholsey Riverside.	n/a	n/a

	Likely activities (operation) to result as a consequence of the proposal	Likely effects if proposal implemented	European site(s) potentially affected	Could the proposal have likely significant effects on European sites?
Policy CNP E3 Conservation Area	None – the policy provides protection for the Cholsey Conservation Area and other heritage assets.	n/a	n/a	n/a
Policy CNP I1 Provision of open space and facilities	New open space and facilities	None - this will not itself result in increased residents or visitors to Cholsey and will cater for increases in population resulting from the new development.	n/a	n/a
Policy CNP I2 Provision of doctors surgery	New community facility	None – this will cater for the increased population in Cholsey as a result of new housing development.	n/a	n/a
Policy CNP I3 Water and wastewater	None - the policy sets out the requirement for water and wastewater impact assessments, and appropriate facilities for water supply and sewage. It will not result in new development.	n/a	n/a	n/a
Policy CNP I4 Drainage and flooding	None – the policy requires new development to incorporate SuDS where possible and avoid the exacerbation of flooding problems. It will not result in new development.	n/a	n/a	n/a
Policy CNP I5 Parking for shops	None – the policy supports improved parking, delivery and operational arrangements for shops, it will itself not result in development.	n/a	n/a	n/a
Policy CNP I6 Loss of community facilities or services	None – the policy protects against the loss of essential community facilities but will itself not result in development.	n/a	n/a	n/a
Policy CNP I7 Recreation ground facilities	New community facilities	None – development would be minor and any increases in visitors will be centred around the recreation	n/a	n/a

	Likely activities (operation) to result as a consequence of the proposal	Likely effects if proposal implemented	European site(s) potentially affected	Could the proposal have likely significant effects on European sites?
		ground.		
Policy CNP I8 Working from home	Facilities for working from home	None – the development will not increase the population of the area and will be centred on existing residential properties.	n/a	n/a
Policy CNP I9 Small scale business uses	Employment development	None – the policy does not itself allocate development but supports small scale businesses in the village. Any increases in visitors will be centred around the village.	n/a	n/a
Policy CNP I10 Allotments and cemetery	New community facility	None – new allotments will only be provided on major housing schemes and will cater for the local increase in population.	n/a	n/a
Policy CNP I11 Local tourism	Local Tourism	None – the policy promotes small scale proposals for local tourism and so visitors are expected to be local and centred around Cholsey.	n/a	n/a
Policy CNP T1 Improvements to walking and cycling network	None – the policy requires connections to and improvements to the walking and cycling network, and any traffic calming and new junction arrangements that are necessary. It does not itself result in new development.	n/a	n/a	n/a
Policy CNP T2 Improvements to public transport	None – the policy supports proposals which improve access to public transport and does not result in new development.	n/a	n/a	n/a

	Likely activities (operation) to result as a consequence of the proposal	Likely effects if proposal implemented	European site(s) potentially affected	Could the proposal have likely significant effects on European sites?
Policy CNP ED1 Cholsey Primary School	New community facility.	None – the policy does not in itself allocate the expansion of the primary school and any expansion is likely to serve the increased population in the local area as a result of new housing development.	n/a	n/a
Policy CNP ED2 Expanded Pre-school	New community facility.	None – the policy does not in itself allocate the expansion of the pre-school and any expansion is likely to serve the increased population in the local area as a result of new housing development.	n/a	n/a
Site allocations				
East End Farm and land west of Wallingford Road (165 homes)	Residential development Increase in vehicle traffic Increase in recreational pressure	Disturbance form recreation Air pollution	Aston Rowant SAC Little Wittenham SAC	Uncertain: air pollution and recreation The site allocation will result in approximately 165 new homes in Cholsey. This is likely to result in an increase in population and traffic flows on roads in and around the site. Development of 165 homes is unlikely to exceed the screening threshold of 1,000 AADT adjacent to sensitive sites on its own, but could in combination with other policies or plans. Owing to the proximity of Cholsey to Little Wittenham SAC, new development has the potential to increase visitor numbers at the site and cause disturbance from recreation.
Boshers Yard corner of A329 and Papist Way (10 homes)	Residential development Increase in vehicle traffic Increase in recreational pressure	Disturbance form recreation Air pollution	Aston Rowant SAC Little Wittenham SAC	Uncertain: air pollution and recreation The site allocation will result in approximately 10 new homes in Cholsey. This is likely to result in an increase in

	Likely activities (operation) to result as a consequence of the proposal	Likely effects if proposal implemented	European site(s) potentially affected	Could the proposal have likely significant effects on European sites?
				<p>population and traffic flows on roads in and around the site.</p> <p>Development of 10 homes is very unlikely to exceed the screening threshold of 1,000 AADT adjacent to sensitive sites on its own, but could in combination with other policies or plans.</p> <p>Owing to the proximity of Cholsey to Little Wittenham SAC, new development has the potential to increase visitor numbers at the site and cause disturbance from recreation. While it is unlikely that this site would have recreational effects on its own, it could in combination with other policies or plans.</p>
Fairmile (14 homes)	<p>Residential development</p> <p>Increase in vehicle traffic</p> <p>Increase in recreational pressure</p>	<p>Disturbance form recreation</p> <p>Air pollution</p>	<p>Aston Rowant SAC</p> <p>Little Wittenham SAC</p>	<p>Uncertain: air pollution and recreation</p> <p>The site allocation will result in approximately 14 new homes in Cholsey. This is likely to result in an increase in population and traffic flows on roads in and around the site.</p> <p>Development of 14 homes is very unlikely to exceed the screening threshold of 1,000 AADT adjacent to sensitive sites on its own, but could in combination with other policies or plans.</p> <p>Owing to the proximity of Cholsey to Little Wittenham SAC, new development has the potential to increase visitor numbers at the site and cause disturbance from recreation. While it is unlikely that this site would have recreational effects on its own, it could in combination with other policies or plans.</p>