

Habitat Regulations Assessment (HRA) Screening Assessment for the Woodcote Neighbourhood Development Plan

INTRODUCTION

1. The Local Authority is the “competent authority” under the Conservation of Habitats and Species Regulations 2017 and needs to ensure that Neighbourhood Plans have been assessed through the Habitats Regulations process. This looks at the potential for significant impacts on nature conservation sites that are of European importance¹, also referred to as Natura 2000.
2. This Screening Assessment relates to a Neighbourhood Development Plan that will be in general conformity with the strategic policies within the development plan² (the higher level plan for town and country planning and land use). This Screening Assessment uses the Habitats Regulations Assessment of South Oxfordshire District Council’s Local Plan³ as its basis for assessment. From this, as required by European legislation incorporated into UK law, the Local Authority will determine whether the Woodcote Neighbourhood Development Plan is likely to result in significant impacts on Natura 2000 sites either alone or in combination with other plans and programmes and, therefore, whether an ‘Appropriate Assessment’ is required.

LEGISLATIVE BASIS

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

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

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

“105.—(1) Where a land use plan—

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

² The South Oxfordshire Local Plan 2035 (December 2020).

³ South Oxfordshire Local Plan Habitats Regulations Assessment Report (March 2019)

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

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

(2) *In this regulation, “qualifying body” means a parish council, or an organisation or body designated as a neighbourhood forum, authorised for the purposes of a neighbourhood development plan to act in relation to a neighbourhood area as a result of section 61F of the TCPA 1990 (authorisation to act in relation to neighbourhood areas)(159), as applied by section 38C of the 2004 Planning Act (supplementary provisions)(160).*

(3) *Where the competent authority decides to revoke or modify a neighbourhood development plan after it has been made, it must for that purpose make an appropriate assessment of the implications for any*

European site likely to be significantly affected in view of that site's conservation objectives; and regulation 105 and paragraph (1) apply with the appropriate modifications in relation to such a revocation or modification.

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

EUROPEAN SITES

5. The HRA of the South Oxfordshire Local Plan used a screening distance of 17km to identify European sites which could be affected by development from the plan. 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 distance has been applied in this HRA Screening.
6. The following European sites lie wholly or partly within 17km of Woodcote and have been taken into consideration:
 1. Hartslock Wood SAC- approximately 3.5km (South Oxfordshire District Council)
7. 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 agestructure 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*.
8. 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.
 2. Little Wittenham SAC – approximately 13km (South Oxfordshire District Council)
9. 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.

10. 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.

3. Aston Rowant SAC – approximately 16km (South Oxfordshire District Council)

11. 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.

12. 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 beech.

ASSESSMENT

13. As required under Regulation 106 of the Conservation of Habitats and Species Regulations 2017 (the 'Habitats Regulations'), the qualifying body (Woodcote Parish Council) provided the required information to enable South Oxfordshire District Council to determine whether the assessment under Regulation 105 is required. Consideration has been given to the potential for the development proposed by the neighbourhood plan to result in significant effects associated with:

Physical loss of/damage to habitat;

14. Any development resulting from the Neighbourhood Plan will be located within the neighbourhood area. 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.

15. 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). One of the European sites included in this assessment has mobile species amongst their

qualifying features that could travel outside of the site to make use of other areas of habitat:

- Little Wittenham SAC; great crested newt.

16. The HRA (March 2019) produced alongside the Local Plan 2035 states that great crested newts will travel away from their breeding ponds, during the terrestrial phase of their lifecycle, but not a large distance. 500 metres is considered an appropriate buffer distance inside which great crested newts might be found, from their breeding location. The site listing for Little Wittenham SAC 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 farmland. 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.

Non-physical disturbance e.g. noise/vibration or light pollution:

17. The most recent HRA of the emerging South Oxford Local Plan (March 2019) states:

'Using a precautionary approach, we have assumed that the effect 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.'

18. None of the European sites are within 500 metres of the designated area. Therefore, effects in relation to noise, vibration and light pollution can be screened out of further assessment.

19. In addition, noise and vibration only have the potential to affect European sites that are within or immediately adjacent to the District boundary. Hartslock Wood SAC and Aston Rowant SAC are both designated for their habitats and are not therefore sensitive to noise and vibration. The qualifying species of Little Wittenham SAC (great crested newts) are not considered to be sensitive to noise and vibration and so can also be screened out.

Air pollution:

20. Air pollution is most likely to effect European sites where plant, soil and water habitats are the qualifying feature, 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.

21. Based on the Highways Agency Design for Road and Bridges (DMRB) Manual Volume 11, Section 3, Part 120 (which was produced to provide advice

regarding the design, assessment and 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.

22. The European sites within 17km of Woodcote that are within 200m of strategic roads are Aston Rowant SAC (M40). Therefore, Hartslock SAC and Little Wittenham SAC can be screened out.

23. In relation to the Aston Rowant SAC the HRA (March 2019) states:

'In light of the above analysis, it is concluded that the ecological effects of the predicted increase in NO_x concentrations and nutrient nitrogen deposition would either be negligible, or that any small effects would be highly unlikely to result in a deterioration in the condition of the qualifying features, and as such it is concluded that the in-combination effects of planned growth would not result in an adverse effect on the integrity of the Aston Rowant SAC.'

24. Therefore, given the modest scale of proposed development in the Woodcote Neighbourhood Plan, which would not exceed the requirement for Woodcote as set out in Policy H4 of the Local Plan, and the distance of the SACs from the proposed development, effects in relation to air quality can be screened out and do not need to be considered further.

Increased recreation pressure

25. The most recent HRA of the South Oxford Local Plan (March 2019) states:

'Natural England's Site Improvement Plans record the threats and pressures relevant to each European site. Public access or disturbance are not identified as current threats or pressures at the following sites, despite their lying close to large settlements: Aston Rowant SAC, Hartslock Wood SAC, Cothill Fen SAC, and Oxford Meadow SAC.'

26. The HRA of the South Oxfordshire Local Plan sets out that the potential for effects depends upon the scale of development proposed and the features for which the site is designated. However, as a conservative estimate, it is assumed that any development within 7km of a sensitive site could have impacts due to recreation. Where site specific information indicates that development beyond 7 km could produce recreation impacts, this will be taken into account; for example at Little Wittenham SAC, where development in the eastern fringes of the Vale of White Horse District could be relevant.

27. Woodcote is approximately 3.5km from Hartslock SAC and is therefore within the 7km radius stated above which may lead to an impact. However, the HRA of the South Oxfordshire Local Plan recognised that housing would be delivered at the Larger Villages some of which would be expected to be within

7km of a European Site³. The HRA also states that public access and disturbance is not identified as a current threat or pressure, despite the site being less than 2km from the settlements of Goring and Pangbourne. Consultation as part of the preparation of the HRA with the Berkshire, Buckinghamshire and Oxfordshire Wildlife Trust did not suggest that Hartslock SAC should be screened in for further assessment. The HRA concluded that the Hartslock SAC could be screened out.

28. Therefore, likely significant effects in relation to visitor pressure and the impact of recreation can be ruled out and do not need to be considered further.

Changes to hydrological regimes

29. 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 European sites close to Woodcote are:
- 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 site – the site has therefore been screened out.
30. The types of development that have the potential to affect water quality / quantity or flow regimes at sensitive European sites are residential or employment development that would involve significant increase in demand for water supply and treatment, and infrastructure development that requires significant excavation in proximity to watercourses or groundwater.
31. The scale of development proposed in the Woodcote Neighbourhood Plan is modest; therefore, likely significant effects in relation to water quality and quantity can be screened out and does not need to be considered further.
32. The Council has considered the HRA of the Local Plan (March 2019) in respect of the potential in combination effects of the proposals in the Woodcote Neighbourhood Plan. As the South Oxfordshire Local Plan covers the period from 2011 to 2035, the quantum of development proposed in the Local Plan includes some completed and committed development (Committed development includes sites under construction, with planning permission, made neighbourhood plan allocations and allocations carried forward from the Local Plan 2011 and Core Strategy). The policies that enabled those developments to be permitted have already been subject to HRA as part of the Core Strategy, Local Plan 2011 or as part of the HRA for the relevant NDP. Paragraph 5 to 32 of this assessment has considered how the development proposed in the Woodcote Neighbourhood Plan is unlikely to have significant effects on Natura 2000 sites. Given the modest scale of development proposed, which does not exceed the requirement set out in the Local Plan, and having regard to conclusions of paragraphs 5 to 33 of the

³ Para 4.34, Page 29, South Oxfordshire Local Plan Habitats Regulation Assessment, available from https://data.southoxon.gov.uk/ccm/support/dynamic_serve.jsp?ID=1421409632&CODE=9DF2BC1C7CB78CA1B3757EC9E2568BDB

HRA of the Local Plan (March 2019), it is considered that the development proposed in the Woodcote Neighbourhood Plan is not likely to give rise to significant in combination effects.

CONCLUSION

33. This screening assessment was sent to Natural England on 28 April 2021 for a four-week consultation. The response in full is in Appendix 1.
34. Natural England agree with the screening assessment and agree with the conclusion that there will be no likely significant effects of the plan on Natura 2000 sites.
35. All of the designations are outside the built-up area of Woodcote. None of the designations are within the Woodcote Neighbourhood Plan area, with the closest (Hartslock Wood SAC) approximately 3.5 km from the built-up area of Woodcote.
36. The Woodcote NDP is unlikely to have significant effects on Natura 2000 sites, either alone or in combination with other plans or projects, therefore, an Appropriate Assessment for the Woodcote NDP is not required.

Signed: Harry Barrington-Mountford

Date: 30/11/2021

APPENDIX 1

From: Jack, Isabella <Isabella.Jack@naturalengland.org.uk>
Sent: 07 May 2021 16:34
To: Faludi, Dorottya
Subject: NE Response Woodcote Neighbourhood Plan HRA Screening Opinion South Oxfordshire DC

Good Afternoon,

Thank you for sending through this consultation.

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

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

Having reviewed the HRA Screening Report, I can confirm that we are in agreement with the conclusion that there are no likely significant effects of the Woodcote Neighbourhood Plan on Natura 2000 sites. This is based on the information in the screening report, which indicates that the scale of development in the Neighbourhood Plan and distance from the closest sites means that there are no likely significant effects from air pollution, recreational pressure or hydrological changes.

Please don't hesitate to contact me if you have any further queries about our comments.

Best wishes,

Isabella Jack
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