

# **Screening Statement on the determination of the need for a Strategic Environmental Assessment (SEA) in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004 and European Directive 2001/42/EC for the Binfield Heath Neighbourhood Development Plan**

**03<sup>RD</sup> MAY 2022**

## **SUMMARY**

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

## **INTRODUCTION**

1. An initial screening opinion was used to determine whether or not the contents of the emerging Binfield Heath Neighbourhood Development Plan (NDP) require a Strategic Environmental Assessment (SEA) in accordance with the European Directive 2011/42/EC (the Directive) and associated Environmental Assessment of Plans and Programmes Regulations 2004 (the Regulations).
2. Any land use plan or programme 'which sets the framework for future development consent of projects' must be screened according to a set of criteria from Annex II of the Directive and Schedule 1 of the Regulations. These criteria include exceptions for plans 'which determine the use of a small area at local level' or which only propose 'minor modifications to a plan', if it is determined that the plan is unlikely to have significant environmental effects.
3. The SEA screening process is concerned with whether a neighbourhood plan is likely to have a significant environmental effect. Within this context, wider considerations of the draft neighbourhood plan's potential conformity with the Basic Conditions are not considered and as a consequence, the council is required to consider the proposals in the plan as they are, not as they may be modified (if necessary) to meet the Basic Conditions.
4. The initial screening opinion was subject to consultation with Historic England, the Environment Agency and Natural England. The results of the screening process are detailed in this Screening Statement.

## **THE SCREENING PROCESS**

1. Using the criteria set out in Annex II of the Directive and Schedule 1 of the Regulations, a Screening Opinion determines whether a plan or programme is likely to have significant environmental effects.

2. The extract from 'A Practical Guide to the Strategic Environmental Assessment Directive' in Appendix 1 provides a flow diagram to demonstrate the SEA screening process.
3. Table 1 in Appendix 1 sets out the criteria from the Practical Guide, along with an assessment of the Binfield Heath NDP against each criterion to ascertain whether a SEA is required.
4. Also, part of the screening process is the Habitats Regulations Assessment Screening, which can be found in Appendix 2, and the assessment of likely significance effects on the environment, which can be found in Appendix 3.
5. These two assessments feed into Table 1 and the SEA screening opinion.

### **BINFIELD HEATH NEIGHBOURHOOD DEVELOPMENT PLAN**

6. The Binfield Heath Neighbourhood Development Plan (NDP) will contain the following objectives:
  - a. Maintain the character and unique identity of the Parish.
  - b. Protect and preserve open spaces and green gaps between neighbouring parishes and between settlements within the parish.
  - c. Further development should be within the existing settlements and in a style that preserves character of Parish.
  - d. To protect the AONB setting of the Parish.
7. The Binfield Heath NDP will seek to protect the character of the area, through protecting the AONB setting, ensuring high quality design and identifying local heritage assets.
8. The plan does not allocate any sites for housing and supports infill development within the settlements. The NDP will also seek to influence the housing stock through addressing the type and size of houses delivered.
9. It is therefore concluded that the implementation of the Binfield Heath NDP would not result in likely significant effects on the environment.

### **CONSULTATION RESPONSES**

10. The screening opinion was sent to Natural England, The Environment Agency and Historic England on 4 January 2022 for a four-week consultation period. The responses in full are presented in Appendix 4.
11. The Environment Agency did not provide comments on this SEA Screening.

12. Historic England confirmed their agreement, that the Binfield Heath NDP does not require an SEA.
13. Natural England did not provide comments on this SEA Screening.

## **CONCLUSION**

14. As a result of the screening undertaken by the Council, the following determination has been reached.
15. The Binfield Heath NDP is unlikely to have significant effects on Natura 2000 sites, therefore, an Appropriate Assessment for the Binfield Heath Neighbourhood Development Plan is not required.
16. Based on the assessment presented in Appendices 1 & 3, the Binfield Heath NDP is unlikely to have a significant effect on the environment.
17. The Binfield Heath NDP therefore does not require a Strategic Environment Assessment.

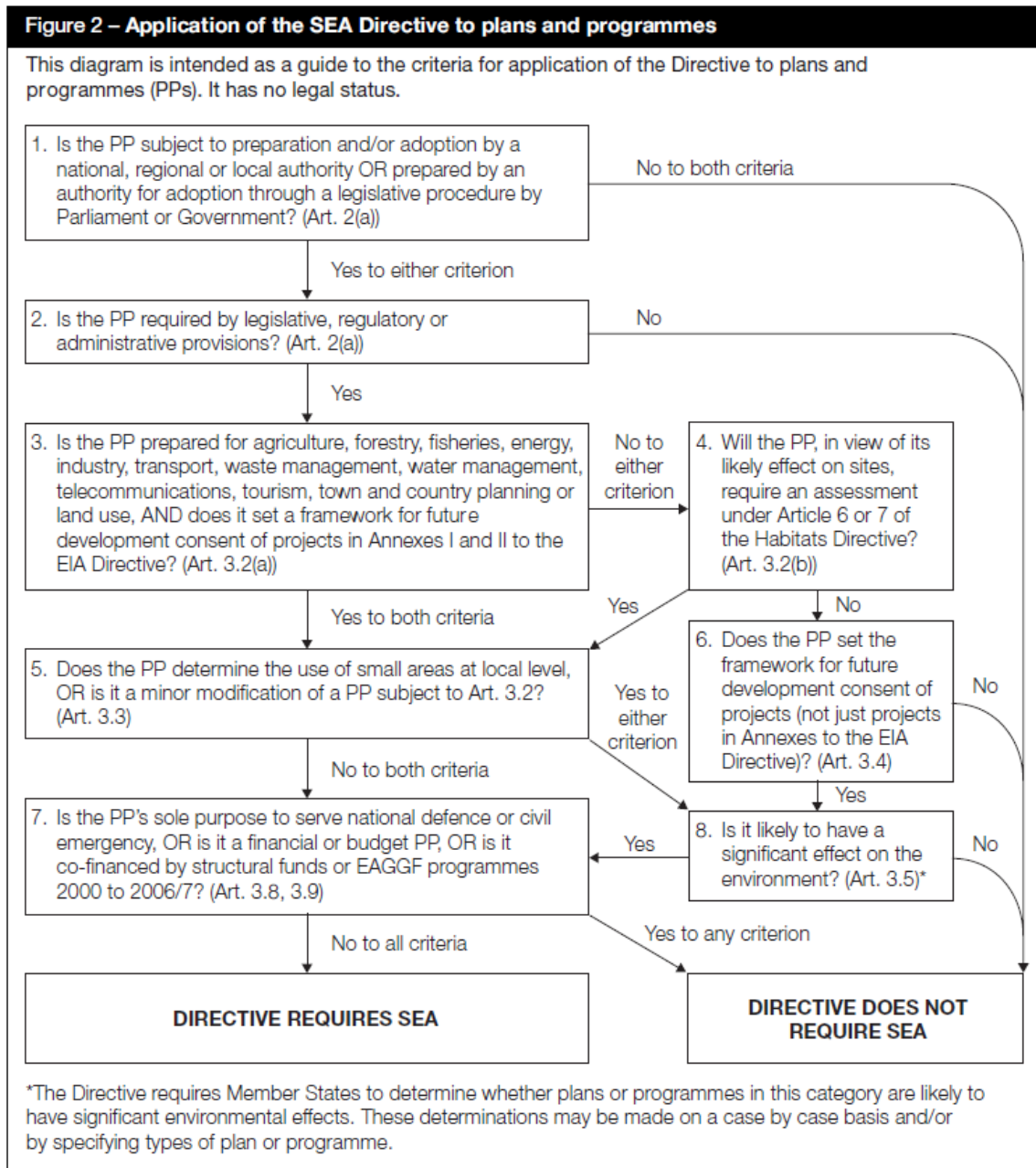
**Authorised by:** Harry Barrington-Mountford

Head of Policy and Programmes

**Signed:** 

**Date:** 03/05/2022

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



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

Stage	Y/N	Explanation
<p>1. Is the Neighbourhood Plan subject to preparation and/or adoption by a national, regional or local authority OR prepared by an authority for adoption through a legislative procedure by Parliament or Government? (Art. 2(a))</p>	<p>Y</p>	<p>The preparation of and adoption of the Neighbourhood Development Plan is allowed under the Town and Country Planning Act 1990 as amended by the Localism Act 2011. The Neighbourhood Plan is being prepared by the Binfield Heath NDP Steering Group, a working group who report to the Binfield Heath Parish Council (as the “relevant body”) and will be “made” by South Oxfordshire District Council as the local authority. The preparation of Neighbourhood Plans is subject to the following regulations:</p> <ul style="list-style-type: none"> <li>• The Neighbourhood Planning (General) Regulations 2012</li> <li>• The Neighbourhood Planning (referendums) Regulations 2012</li> <li>• The Neighbourhood Planning (General) (Amendment) Regulations 2015</li> <li>• The Neighbourhood Planning (Referendums) (Amendment) Regulations 2016</li> <li>• The Neighbourhood Planning (General) (Amendment) Regulations 2016</li> <li>• The Neighbourhood Planning (General) (Amendment) Regulations 2017</li> </ul>
<p>2. Is the Neighbourhood Plan required by legislative, regulatory or administrative provisions? (Art. 2(a))</p>	<p>Y</p>	<p>Whilst the Neighbourhood Development Plan is not a requirement and is optional under the provisions of the Town and Country Planning Act 1990 as amended by the Localism Act 2011, it will, if “made”, form part of the Development Plan for the District. It is therefore important that the screening process considers whether it is likely to have significant environmental effects and hence whether SEA is required under the Directive.</p>

		National Planning Practice Guidance (Paragraph: 051 Reference ID: 41-051-20150209) sets out that draft neighbourhood plan proposals should be assessed to determine whether the plan is likely to have significant environmental effects. This assessment should be undertaken in accordance with the requirements set out in <a href="#">regulation 9 of the Environmental Assessment of Plans and Programmes Regulations 2004</a> .
3. Is the Neighbourhood Plan prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use, AND does it set a framework for future development consent of projects in Annexes I and II (see Appendix 2) to the EIA Directive? (Art 3.2(a))	N	The Binfield Heath NDP is prepared for town and country planning and land use and will not set out a framework for future development of projects that would require an EIA.
4. Will the Neighbourhood Plan, in view of its likely effect on sites, require an assessment for future development under Article 6 or 7 of the Habitats Directive? (Art. 3.2 (b))	N	The Binfield Heath NDP is unlikely to have significant effects on Natura 2000 sites. See Habitat Regulations Assessment (HRA) Screening Opinion for the Binfield Heath NDP in Appendix 2.
5. Does the Neighbourhood Plan determine the use of small areas at local level, OR is it a minor modification of a PP subject to Art. 3.2? (Art. 3.3)	Y	The Binfield Heath NDP will determine the use of sites/small areas at a local level.
6. Does the Neighbourhood Plan set the framework for future development consent of projects (not just projects in annexes to the EIA Directive)? (Art 3.4)	Y	When made, the Binfield Heath NDP will include a series of policies to guide development within the village. This will inform the determination of planning applications providing a framework for future development consent of projects.

7. Is the Neighbourhood Plan's sole purpose to serve the national defence or civil emergency, OR is it a financial or budget PP, OR is it co-financed by structural funds or EAGGF programmes 2000 to 2006/7? (Art 3.8, 3.9)	N	N/A
8. Is it likely to have a significant effect on the environment? (Art. 3.5)	N	The plan is not likely to have significant effects on the environment. See assessment of the likely significance of effects on the environment in Appendix 3.

# Appendix 2 - Habitat Regulations Assessment (HRA) Screening Opinion for the Binfield Heath Neighbourhood Development Plan

## INTRODUCTION

1. The Local Authority is the “competent authority” under the Conservation of Habitats and Species Regulations 2017, and needs to ensure that Neighbourhood Plans have been assessed through the Habitats Regulations process. This looks at the potential for significant impacts on nature conservation sites that are of European importance<sup>1</sup>, also referred to as Natura 2000.
2. This Screening Assessment relates to a Neighbourhood Development Plan that will be in general conformity with the strategic policies within the development plan<sup>2</sup> (the higher level plan for town and country planning and land use). This Screening Assessment uses the Habitats Regulations Assessment of South Oxfordshire District Council’s emerging Local Plan<sup>3</sup> as its basis for assessment. From this, the Local Authority will determine whether the Binfield Heath Neighbourhood Development Plan is likely to result in significant impacts on Natura 2000 sites either alone or in combination with other plans and policies and, therefore, whether an ‘Appropriate Assessment’ is required.

## LEGISLATIVE BASIS

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

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

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

*“105.—(1) Where a land use plan—*

---

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

<sup>2</sup> The South Oxfordshire Local Plan 2035 (December 2020)

<sup>3</sup> 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 2035 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 Binfield Heath and have been taken into consideration:
  1. Chiltern Beechwoods SAC - approximately 13km
7. 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.
8. 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.
  2. Hartslock Wood SAC - approximately 12km
9. 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*.

10. The main threat to this site is air pollution and the risk of atmospheric nitrogen deposition upon the dry grasslands and yew-dominated woodland. It is assumed that only those roads forming part of the primary road network (motorways and '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). As such, as the site is not within 200 metres of a motorway or 'A' road, likely significant effects from traffic-related air pollution is ruled out.

### 3. Aston Rowant SAC - approximately 17km

11. Aston Rowant is classified as a 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.

### 4. Thames Basin Heaths SPA – approximately 15km

13. Thames Basin Heaths SPA forms part of an extensive complex of lowland heathlands in southern England that support important breeding bird populations. It is located across the counties of Surrey, Hampshire and Berkshire and within the Thames Basin Heaths National Character Area (NCA) which stretches westwards from Weybridge in Surrey to the countryside around Newbury in Berkshire. The SPA consists of areas of agriculturally-unimproved heathland, scrub and woodland which were once almost continuous but are now

fragmented by roads, urban development and farmland. It supports important breeding populations of a number of birds which are strongly associated with heathland habitat, especially the ground nesting birds Nightjar and Woodlark, and also the Dartford Warbler which often nests close to the ground amongst dense heather and gorse. The geology of the area consists of sand and gravel sediments which give rise to sandy or peaty acidic soils. These support dry heath vegetation in well-draining areas and wet heath vegetation in low-lying shallow slopes and bogs.

14. The main pressures and threats to this site include the impacts of public access and disturbance, as well as unknowns regarding feature location, extent and condition, upon European nightjar, Woodlark, and Dartford Warbler. In addition, impacts of forestry and woodland management and inappropriate scrub control upon European nightjar, Woodlark, Dartford Warbler

## **ASSESSMENT**

15. As required under Regulation 106 of the Conservation of Habitats and Species Regulations 2017 (the 'Habitats Regulations'), the qualifying body (Binfield Heath 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:

16. 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.
17. 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 have mobile species amongst their qualifying features that could travel outside of the site to make use of other areas of habitat:
  - Chiltern Beechwoods (Stag Beetle)
  - Thames Basin Heath (Dartford Warbler, Nightjar and Woodlark)
18. The HRA (March 2019) produced alongside the Local Plan 2035 states that stag beetle may travel outside of the SAC boundary, although it is

unlikely they will travel far. It is generally only the male stag beetle that flies during the summer months, and the female beetle rarely flies. Research suggests that 2 km may be an appropriate buffer inside which sites could be functionally connected, as this is the distance that males travel to females during the breeding. Chiltern Beechwoods, where the stag beetle is a qualifying feature, is approximately 13km from Binfield Heath. Therefore, potential loss of or damage to off-site habitats associated with Chiltern Beechwoods SAC can be screened out of further assessment.

19. As stated in the HRA produced alongside the Local Plan 2035, Thames Basin Heaths SPA is located approximately 13km outside of the district. This is considered to be far enough that effects on its qualifying bird species can be ruled out in relation to the loss of or damage to off-site habitat used for breeding, foraging or roosting, particularly during breeding seasons, this judgement took into account the Thames Basin Heaths SPA Delivery Framework. This document has been endorsed by the Thames Basin Heaths Joint Strategic Partnership Board, the body established to agree arrangements for the long term protection of the SPA. The Framework advises that avoidance measures are necessary in relation to all residential development within a 'Zone of Influence' from 400m to 5km from the perimeter of the SPA and that applications for large scale development (over 50 houses) between 5km and 7km from the edge of the SPA should be assessed on a case-by-case basis. There is a presumption against development within 400 m of the SPA unless an Appropriate Assessment demonstrates that the development will not have an adverse effect on the integrity of the SPA. As the site is 13km from the district boundary, and approximately 15km from Binfield Heath, potential loss of or damage to off-site habitats associated with Thames Basin Heaths SPA can be screened out of further assessment.

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

20. 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.'*

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

## Air pollution:

22. 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.
23. 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.
24. The European sites within 17km of Binfield Heath that is within 200m of strategic roads is the Aston Rowant SAC (M40) and Chiltern Beechwoods SAC (A404, A4010). As highlighted above Binfield Heath is approximately 12km from the Oxford Meadow SAC.
25. As part of the HRA, the district council commissioned Atkins to model the effects of the Local Plan on traffic flows within the District. No traffic data were available for the roads adjacent to Chilterns Beechwood SAC, as it is located too far outside of the Atkins model network to be reasonably or reliably predicted. Although Chiltern Beechwood SAC lies within the initial screening radius of 17 km, the actual distance which would need to be travelled to reach the location by car from the plan area exceeds the distance for most routes. The HRA therefore found that it can be reasonably expected that the contribution of growth within the Local Plan area to traffic flows at these locations would be de minimis, and as such they are screened out from any further assessment.
26. The Local Plan HRA screened in Aston Rowant SAC for further assessment due to the possible effect of air pollution. It found that the ecological effects of the predicted increases in NO<sub>x</sub> 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 the in combination effects of planned growth would not result in an adverse effect on the integrity of the Aston Rowant SAC.
27. As the Binfield Heath NDP is not setting out any site allocations, and therefore growth, above that which was assessed as part of the Local Plan, effects in relation to air pollution can be screened out of further assessment.

### Increased recreation pressure:

28. The most recent HRA of the emerging 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.'*

29. The HRA of the South Oxfordshire Local Plan 2035 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 7 km 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.

30. Binfield Heath is not within 7km of any European Sites, 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

31. European sites at which aquatic or wetland environments support qualifying features have the potential to be affected by changes in water quantity or quality. There are no European Sites close to Binfield Heath which have aquatic or wetland qualifying features, therefore likely significant effects can be ruled out and do not need to be considered further.

### In combination effects

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 Binfield Heath 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). As the Binfield Heath NDP is not proposing any site allocations, and therefore growth, above that which was assessed as part of the Local Plan, the Binfield Heath NDP will not give rise to in combination effects.

## **CONCLUSION**

33. The Binfield Heath 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 Binfield Heath NDP is not required.



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

<b>1. Characteristics of the Plan, having regard to:</b>	
(a) the degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources;	The Binfield Heath NDP would, if adopted, form part of the Statutory Development Plan and as such does contribute to the framework for future development consent of projects. However, the Plan will sit within the wider framework set by the National Planning Policy Framework and the strategic policies of the South Oxfordshire Local Plan 2035 (2020).
(b) the degree to which the plan or programme influences other plans and programmes including those in a hierarchy;	A Neighbourhood Development Plan must be in conformity with the Local Plan for the District. It does not influence other plans. The Binfield Heath Neighbourhood Plan is unlikely to influence other Plans or Programmes within the statutory Development Plan.
(c) the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development;	<p>National policy requires a presumption in favour of sustainable development, which should be seen as a golden thread through plan-making, including the Binfield Heath NDP. A basic condition of the Binfield Heath NDP is to contribute to the achievement of sustainable development. Within this wider context the Binfield Heath NDP itself is likely to have some positive effects. It is noted that the Binfield Heath NDP objectives do relate to the three pillars of sustainable development, these include:</p> <ul style="list-style-type: none"> <li>a. To protect the character of the village and AONB.</li> <li>b. To protect the natural environment through by preserving open space and green gaps.</li> <li>c. To ensure any further development contributes positively to the existing settlements.</li> </ul> <p>However, given the nature and scale of the proposals in the plan, the effects are not likely to be significant.</p>

<p>(d) environmental problems relevant to the plan or programme; and</p>	<p>The environmental impacts of the proposals within the Binfield Heath NDP are not likely to be significant as the plan does not allocate sites.</p> <p>The Binfield Heath NDP area contains the following environmental designations:</p> <ul style="list-style-type: none"> <li>- Area of Outstanding Natural Beauty</li> <li>- BAP priority habitats</li> <li>- Ancient Woodland</li> <li>- Local Wildlife Site</li> <li>- Protected species buffer</li> <li>- Tree Preservation Orders</li> </ul> <p>There are the following SACs and SPAs within 17km of the Binfield Heath NDP. These are as follows:</p> <ul style="list-style-type: none"> <li>- Aston Rowant SAC – 13km</li> <li>- Hartslock Wood SAC – 12km</li> <li>- Chiltern Beeches SAC – 17km</li> <li>- Thames Basin Heaths SPA- 15km</li> </ul> <p>There are also the following SSSI's located within the following distances of the Binfield Heath NDP area:</p> <ul style="list-style-type: none"> <li>- Lambridge Wood SSSI- 5km</li> <li>- Highlands Farm Pit SSSI- 2km</li> <li>- Rodbed Wood SSSI- 7km</li> <li>- Harpsden Wood SSSI- 3km</li> <li>- Bix Bottom SSSI- 8km</li> <li>- Berrick Trench SSSI- 10km</li> <li>- Bear, Oveys and Great Bottom Woods SSSI- 5km</li> <li>- Temple Island Meadows SSSI- 5km</li> <li>- Lodge Wood and Sandford Mill SSSI- 6km</li> <li>- Priest's Hill SSSI- 7km</li> </ul> <p>Given the NDP is not allocating sites, the amount of potential infill sites within the village and their relationship to the designations within the NDP area the proposals in the plan are unlikely to significantly effect these designations. The plan's objectives are to conserve the Parish settlements, their character and setting.</p>
<p>(e) the relevance of the plan or programme for the implementation of</p>	<p>The Binfield Heath NDP has been judged not to have an impact on Community legislation.</p>

Community legislation on the environment (for example, plans and programmes linked to waste management or water protection).	
<b>2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to:</b>	
(a) the probability, duration, frequency and reversibility of the effects;	<p>The Binfield Heath NDP is generally likely to influence development for a period of 15 years from its adoption, which is in line with national guidance. The Neighbourhood Plan is likely to have modest but enduring positive environmental effects. The effects are not likely to be reversible as they relate to development.</p> <p>The main influence will be on developments such as householder and small scale infill development, these could impact on the character and appearance on the conservation areas, listed buildings, and their setting.</p> <p>The Plan does not allocate sites for development. It seeks to influence infill and redevelopment within the existing settlements in accordance with policies in the existing development plan.</p> <p>The effects will be of a local scale and the policies in the Neighbourhood Plan will add detail to existing development plan policies. No development is proposed near sensitive locations that would cause likely significant effects.</p>
(b) the cumulative nature of the effects;	It is intended that the positive social effects of supporting sustainable development will have positive cumulative effects for the area. However, given the nature and scale of the proposals in the plan these are not likely to be significant.
(c) the transboundary nature of the effects;	The effects of the Plan are unlikely to have transboundary <sup>3</sup> impacts.
(d) the risks to human health or the environment (for example, due to accidents);	The policies in the plan are unlikely to present risks to human health or the environment.
(e) the magnitude and spatial extent of the effects	The Binfield Heath NDP relates to the parish of Binfield Heath. The Binfield Heath NDP does not seek to allocate development sites and therefore

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

<p>(geographical area and size of the population likely to be affected);</p>	<p>the magnitude and spatial extent of the plan is likely to be limited.</p>
<p>(f) the value and vulnerability of the area likely to be affected due to:  (i) special natural characteristics or cultural heritage;  (ii) exceeded environmental quality standards or limit values; or  (iii) intensive land-use; and</p>	<p>The impacts of the proposals within the Binfield Heath NDP due to special characteristics, environmental standards or intensive land use are not likely to be significant as the plan does not allocate sites.</p> <p>The Binfield Heath NDP area contains the following environmental and cultural designations:</p> <ul style="list-style-type: none"> <li>- Area of Outstanding Natural Beauty</li> <li>- BAP priority habitats</li> <li>- Ancient Woodland</li> <li>- Local Wildlife Site</li> <li>- Protected species buffer</li> <li>- Tree Preservation Orders</li> <li>- Listed Buildings</li> </ul> <p>There are the following SACs and SPAs within 17km of the Binfield Heath NDP. These are as follows:</p> <ul style="list-style-type: none"> <li>- Aston Rowant SAC – 13km</li> <li>- Hartslock Wood SAC – 12km</li> <li>- Chiltern Beeches SAC – 17km</li> <li>- Thames Basin Heaths SPA- 15km</li> </ul> <p>There are also the following SSSI's located within the following distances of the Binfield Heath NDP area:</p> <ul style="list-style-type: none"> <li>- Lambridge Wood SSSI- 5km</li> <li>- Highlands Farm Pit SSSI- 2km</li> <li>- Rodbed Wood SSSI- 7km</li> <li>- Harpsden Wood SSSI- 3km</li> <li>- Bix Bottom SSSI- 8km</li> <li>- Berrick Trench SSSI- 10km</li> <li>- Bear, Oveys and Great Bottom Woods SSSI- 5km</li> <li>- Temple Island Meadows SSSI- 5km</li> <li>- Lodge Wood and Sandford Mill SSSI- 6km</li> <li>- Priest's Hill SSSI- 7km</li> </ul> <p>Given the NDP is not allocating sites, the amount of potential infill sites within the village and their relationship to the designations within the NDP</p>

	<p>area the proposals in the plan are unlikely to significantly effect these designations. The plan's objectives are to conserve the Parish settlements, their character and setting.</p>
<p>(g) the effects on areas or landscapes which have a recognised national, Community or international protection status.</p>	<p>The Neighbourhood Plan area is partly designated as an Area of Outstanding Natural Beauty (AONB). This is the Chilterns AONB.</p> <p>The Neighbourhood Plan's aim is to conserve and protect the AONB. It also does not allocate any sites for development; therefore it is not likely to have a significant effect on the AONB area within the designated Neighbourhood Plan Area.</p>

## Appendix 4 – Statutory Consultee Responses

### HISTORIC ENGLAND

**From:** Lloyd Sweet, Robert <Robert.LloydSweet@HistoricEngland.org.uk>  
**Sent:** 15 February 2022 09:17  
**To:** Duffy, Ben  
**Cc:** Peats, Richard  
**Subject:** Re: Binfield Heath Neighbourhood Plan - SEA and HRA Screening Opinion - please reply by 2 February

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

---

**\*\*EXTERNAL\*\***

---

Thank you Ben

Given the absence of site allocations, the dispersed nature of the Parish's designated heritage assets and absence of a conservation area I'm happy to agree in this case that the protection of the historic environment provided by the policies of the local plan (which have been subject to SEA) is unlikely to be affected by the neighbourhood plan such that SEA may be merited.

with best wishes

Rob Lloyd-Sweet

Robert Lloyd-Sweet | Senior Policy Adviser | National Strategy | Strategy and Listing | Historic England  
Cannon Bridge House | 25 Dowgate Hill | London | EC4R 2YA  
Mobile: 07825 907288

**From:** Duffy, Ben <ben.duffy@southandvale.gov.uk>  
**Sent:** 15 February 2022 08:25  
**To:** Lloyd Sweet, Robert <Robert.LloydSweet@HistoricEngland.org.uk>  
**Cc:** Peats, Richard <Richard.Peats@HistoricEngland.org.uk>  
**Subject:** RE: Binfield Heath Neighbourhood Plan - SEA and HRA Screening Opinion - please reply by 2 February

**THIS IS AN EXTERNAL EMAIL: do not click any links or open any attachments unless you trust the sender and were expecting the content to be sent to you**

Hi Robert,

Thank you for your comments.

In terms of the cultural heritage assets there are a number of listed buildings in the Neighbourhood Area, 26 in total, and local heritage assets for which I have added reference to in the report.

In regards to a conservation area, apologies this reference was in error. There is no conservation area in Binfield Heath, I have amended the report and attached.

As the plan is not seeking to allocate development and only infill and household developments would be appropriate for a smaller village like Binfield Heath, we consider that the Neighbourhood Plan is unlikely to have significant effects on any listed buildings. Particularly as the plan is seeking to conserve the character and setting of the area. In addition, the [South Oxfordshire Local Plan](#) sets out policies to protect the historic environment and listed buildings through policies ENV6 and ENV7.

I hope this helps to clarify, are you able to let me know if you have any further comments?

Kind regards

**Ben Duffy**  
**Planning Policy Officer (Neighbourhood)**  
**Policy and Programmes**  
Vale of White Horse and South Oxfordshire District Council  
Email: [Ben.Duffy@southandvale.gov.uk](mailto:Ben.Duffy@southandvale.gov.uk)

Customer service: 01235 422600

Please visit our websites: [www.southoxon.gov.uk](http://www.southoxon.gov.uk) or [www.whitehorsedc.gov.uk](http://www.whitehorsedc.gov.uk)

To read our privacy policy, please go to this link for [South Oxfordshire](#) or this link for [Vale of White Horse](#)

---

**From:** Lloyd Sweet, Robert <Robert.LloydSweet@HistoricEngland.org.uk>  
**Sent:** 08 February 2022 09:34  
**To:** Duffy, Ben <ben.duffy@southandvale.gov.uk>  
**Cc:** Peats, Richard <Richard.Peats@HistoricEngland.org.uk>  
**Subject:** Re: Binfield Heath Neighbourhood Plan - SEA and HRA Screening Opinion - please reply by 2 February

**\*\*EXTERNAL\*\***

Hi Ben

I'm not sure why, but I don't remember this one appearing on my weekly list in January so there may have been a failure to register it in our business team.

Looking at the Screening report I'm not clear what cultural heritage assets are in the plan area (you list all of the natural heritage designations).

I note the plan does not seek to allocate sites for development.

We have previously asked South Oxfordshire and Vale of White Horse to consider whether policies designed to manage infill development (including settlement boundaries) defined through neighbourhood plans could create pressure for development within conservation area and in the setting of other heritage assets within settlements in a similar way to site allocations. This is a matter of judgement for the screening authority effectively to determine whether the settlements have sufficient space to accommodate infill without creating understanding pressure and that existing local plan policy is sufficient to manage the impact of such development. I note that you do state that there is potential for effects on the conservation area. Without recommending whether the plan should be screened one way or another I think it is worth establishing what that effect might be and whether it is 'significant' - i.e. whether it requires assessment to determine its nature and extent, its impact on the significance of the asset and whether the plan requires mitigation measures to avoid, minimise or offset it.

I hope those comments are of assistance.

Kind regards

Rob Lloyd-Sweet

Robert Lloyd-Sweet | Senior Policy Adviser (Places) | Strategy and Listing | Historic England  
Cannon Bridge House | 25 Dowgate Hill | London | EC4R 2YA  
Mobile: 07825 907288



Historic England

Work with us to champion heritage and improve lives. Read our Future Strategy and get involved at [historicengland.org.uk/strategy](https://historicengland.org.uk/strategy).

Follow us: [Facebook](#) | [Twitter](#) | [Instagram](#) Sign up to our [newsletter](#)

This e-mail (and any attachments) is confidential and may contain personal views which are not the views of Historic England unless specifically stated. If you have received it in error, please delete it from your system and notify the sender immediately. Do not use, copy or disclose the information in any way nor act in reliance on it. Any information sent to Historic England may become publicly available. We respect your privacy and the use of your information. Please read our full [privacy policy](#) for more information.

---

**From:** Duffy, Ben <[ben.duffy@southandvale.gov.uk](mailto:ben.duffy@southandvale.gov.uk)>  
**Sent:** 08 February 2022 08:52  
**To:** South East ePlanning <[e-seast@HistoricEngland.org.uk](mailto:e-seast@HistoricEngland.org.uk)>  
**Cc:** Lloyd Sweet, Robert <[Robert.LloydSweet@HistoricEngland.org.uk](mailto:Robert.LloydSweet@HistoricEngland.org.uk)>  
**Subject:** Binfield Heath Neighbourhood Plan - SEA and HRA Screening Opinion - please reply by 2 February

**THIS IS AN EXTERNAL EMAIL: do not click any links or open any attachments unless you trust the sender and were expecting the content to be sent to you**

Good morning,

I just wanted to check whether Historic England have any comments on the Binfield Heath SEA screening opinion, following my previous email below. If you do have any comments please let me know.

Kind regards

**Ben Duffy**  
**Planning Policy Officer (Neighbourhood)**  
**Policy and Programmes**  
Vale of White Horse and South Oxfordshire District Council  
Email: [Ben.Duffy@southandvale.gov.uk](mailto:Ben.Duffy@southandvale.gov.uk)

Customer service: 01235 422600

Please visit our websites: [www.southoxon.gov.uk](http://www.southoxon.gov.uk) or [www.whitehorsedc.gov.uk](http://www.whitehorsedc.gov.uk)

To read our privacy policy, please go to this link for [South Oxfordshire](#) or this link for [Vale of White Horse](#)



**From:** Duffy, Ben  
**Sent:** 04 January 2022 09:31  
**To:** Steere-Smith, Sarah - Communities <[Sarah.Steere-Smith@Oxfordshire.gov.uk](mailto:Sarah.Steere-Smith@Oxfordshire.gov.uk)>; Natural England <[consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk)>; Planning\_THM <[Planning\\_THM@environment-agency.gov.uk](mailto:Planning_THM@environment-agency.gov.uk)>; South East ePlanning <[e-seast@HistoricEngland.org.uk](mailto:e-seast@HistoricEngland.org.uk)>  
**Cc:** Whiteley, Rosalynn <[Rosalynn.Whiteley@southandvale.gov.uk](mailto:Rosalynn.Whiteley@southandvale.gov.uk)>  
**Subject:** Binfield Heath Neighbourhood Plan - SEA and HRA Screening Opinion - please reply by 2 February

Good morning,

I am writing on behalf of South Oxfordshire District Council to seek your views on the attached draft SEA and HRA Screening Opinion for the Binfield Heath Neighbourhood Plan.

Please could you review the opinion and provide a response by noon on **Wednesday 2 February**, even if you have no comments.

Kind regards

**Ben Duffy**  
**Planning Policy Officer (Neighbourhood)**  
**Policy and Programmes**  
Vale of White Horse and South Oxfordshire District Council  
Email: [Ben.Duffy@southandvale.gov.uk](mailto:Ben.Duffy@southandvale.gov.uk)

Customer service: 01235 422600

Please visit our websites: [www.southoxon.gov.uk](http://www.southoxon.gov.uk) or [www.whitehorsedc.gov.uk](http://www.whitehorsedc.gov.uk)

To read our privacy policy, please go to this link for [South Oxfordshire](#) or this link for [Vale of White Horse](#)

## NATURAL ENGLAND

Date: 13 January 2022  
Our ref: 379300  
Your ref: Binfield Heath NDP – SEA & HRA Screening



Mr Ben Duffy  
Planning Policy Officer  
Policy & Programmes  
Vale of White Horse and South Oxfordshire District Council

Hombeam House  
Crewe Business Park  
Electra Way  
Crewe  
Cheshire  
CW1 6GJ

**BY EMAIL ONLY - [Ben.Duffy@southandvale.gov.uk](mailto:Ben.Duffy@southandvale.gov.uk)**

T 0300 060 3900

Dear Mr Duffy

### **Binfield Heath Neighbourhood Plan - SEA and HRA Screening Opinion**

Thank you for your consultation request on the above dated and received by Natural England on 4<sup>th</sup> January 2022.

At this time, Natural England is not able to fully assess the potential impacts of this plan on statutory nature conservation sites or protected landscapes or, provide detailed advice in relation to this consultation. If you consider there are significant risks to statutory nature conservation sites or protected landscapes, please set out the specific areas on which you require advice.

The lack of detailed advice from Natural England does not imply that there are no impacts on the natural environment. It is for the deciding authority to determine whether or not the plan is consistent with national and local environmental policies. Other bodies and individuals may provide information and advice on the impacts of the plan on the natural environment to assist the decision making process.

Guidance on the assessment of Neighbourhood Plans, in light of the Environmental Assessment of Plans and Programmes Regulations 2004 (as amended), is contained within the [National Planning Practice Guidance](#). The guidance highlights three triggers that may require the production of an SEA, for instance where:

- a neighbourhood plan allocates sites for development
- the neighbourhood area contains sensitive natural or heritage assets that may be affected by the proposals in the plan
- the neighbourhood plan may have significant environmental effects that have not already been considered and dealt with through a sustainability appraisal of the Local Plan.

Natural England does not routinely maintain locally specific data on all potential environmental assets. As a result the responsible authority should raise environmental issues that we have not identified on local or national biodiversity action plan species and/or habitats, local wildlife sites or local landscape character, with its own ecological and/or landscape advisers, local record centre, recording society or wildlife body on the local landscape and biodiversity receptors that may be affected by this plan, before determining whether an SA/SEA is necessary.

Page 1 of 2

---

Please note that Natural England reserves the right to provide further comments on the environmental assessment of the plan beyond this SEA/SA screening stage, should the responsible authority seek our views on the scoping or environmental report stages. This includes any third party appeal against any screening decision you may make.

Yours sincerely

Sharon Jenkins  
Operations Delivery  
Consultations Team  
Natural England