

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 Wheatley Neighbourhood Development Plan Review

13 MAY 2022

SUMMARY

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

INTRODUCTION

1. An initial screening opinion was used to determine whether or not the contents of the emerging Wheatley Neighbourhood Development Plan (NDP) Review requires a Strategic Environmental Assessment (SEA) in accordance with the European Directive 2001/42/EC (the Directive) and associated Environmental Assessment of Plans and Programmes Regulations 2004 (the Regulations).
2. Any land use plan or programme 'which sets the framework for future development consent of projects' must be screened according to a set of criteria from Annex II of the Directive and Schedule 1 of the Regulations. These criteria include exceptions for plans 'which determine the use of a small area at local level' or which only propose 'minor modifications to a plan', if it is determined that the plan is unlikely to have significant environmental effects.
3. The initial screening opinion was subject to consultation with Historic England, the Environment Agency and Natural England. The results of the screening process are detailed in this Screening Statement.

THE SCREENING PROCESS

1. Using the criteria set out in Annex II of the Directive and Schedule 1 of the Regulations, a Screening Opinion determines whether a plan or programme is likely to have significant environmental effects.
2. The extract from 'A Practical Guide to the Strategic Environmental Assessment Directive' in Appendix 1 provides a flow diagram to demonstrate the SEA screening process.
3. Table 1 in Appendix 1 sets out the criteria from the Practical Guide, along with an assessment of the Wheatley NDP Review 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.

WHEATLEY NEIGHBOURHOOD DEVELOPMENT PLAN REVIEW

6. The Wheatley NDP Review will cover the following themes:

- Housing and land use
- Social Infrastructure
- Retail services
- Village centre
- Industrial and commercial environment and infrastructure
- Traffic and transport
- Village character
- Quality of the environment and natural landscape
- Employment opportunities

Policies

Policy H1: Design and Character Principles

Policy H2: Landscape Character

Policy H3: Mix and Size of New Housing

Policy H4: In-fill and Self-Build Dwellings

Policy P1: Parking Provision

Policy T1: Impact of Development on the Road Network

Policy SCI1: Safeguarding Community Facilities

Policy SCI2: Improvement to Community Facilities

Policy B1: Burial Provision

Policy VCE1: Wheatley Village Centre

Policy E1: Supporting Wheatley's Economy

Policy EN1: Biodiversity

Policy HE1: Historic Environment

Policy DQS1: Industrial and Community Energy Projects

Policy SPOBU – WHE25

Policy GBBA1: Green Belt Boundary Amendments

Policy SPES1: WHE16

Policy SPES2: WHE22

Policy SPES3: WHE15

Policy SPES4: WHE17

Policy SPGR: Green Route

7. The adopted Wheatley NDP (May 2021) sought to align itself with the at the time, emerging South Oxfordshire Local Plan. However, the delay in the production of the South Oxfordshire Local Plan had a significant effect on the Wheatley NDP which resulted in the deletion of a number of policies and a whole section of the plan.
8. Following the adoption of the South Oxfordshire Local Plan 2035, the qualifying body are taking this opportunity to review their neighbourhood plan. The South Oxfordshire Local Plan 2035 contains policy STRAT6, which sets out:

'Detailed amendments to the Green Belt made by the Wheatley Neighbourhood Development Plan must be in compliance with the requirements of the NPPF and the need identified within the Local Plan.'

9. Through strategic policy STRAT6 the Local Plan establishes the need for changes to Green Belt boundaries and the Wheatley NDP Review is seeking to make detailed amendments to deliver the village enhancement plan. The previously submitted Wheatley NDP attempted to do this, however the Local Plan was not adopted at that point and so this was removed from the plan after the examination.
10. Large amounts of the plan remain unchanged, with all the policies from the adopted Wheatley NDP being carried forward. Some of these policies have minor amendments, but they have largely remained the same. However as drafted the Wheatley NDP Review has re-introduced a number of elements which were previously deleted, including, Policy GBBA1, Policy SPES1: WHE16, Policy SPES3: WHE15, and Policy SPES4: WHE17. In addition to the re-introduction of these policies and the supporting text, the plan is now supported by a detailed design guidance and codes document.
11. The Wheatley NDP as submitted previously was supported by a Strategic Environmental Assessment and therefore, based on the similarity of the content, it is likely that the Wheatley NDP Review would also result in likely significant effects on the environment.
12. The Wheatley NDP Review is seeking to re-introduce Policy GBBA1, which proposes to make detailed amendments to the Green Belt boundary to accommodation allocations at sites WHE15, WHE16, and WHE17. These allocations will deliver a mixture of residential (65 dwellings) and commercial development.
13. As the Plan is seeking to make detailed amendments to the Green Belt in order to bring forward a series of village enhancement sites, that will deliver both residential and commercial uses, it is therefore not possible to rule out likely significant effects on the environment; therefore, the council has concluded that a SEA is required.

CONSULTATION RESPONSES

14. The screening opinion was sent to Natural England, The Environment Agency and Historic England on 18 January 2022 for a four-week consultation period. The responses in full are presented in Appendix 4.
15. The Environment Agency did not provide comments on the SEA screening.
16. Historic England confirmed their agreement, that the Wheatley NDP Review does require a Strategic Environment Assessment.
17. Natural England confirmed their agreement, that the Wheatley NDP Review does not require an Appropriate Assessment.

CONCLUSION

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

Authorised by: Harry Barrington-Mountford
Head of Policy and Programmes

Signed:



Date: 13/05/2022

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

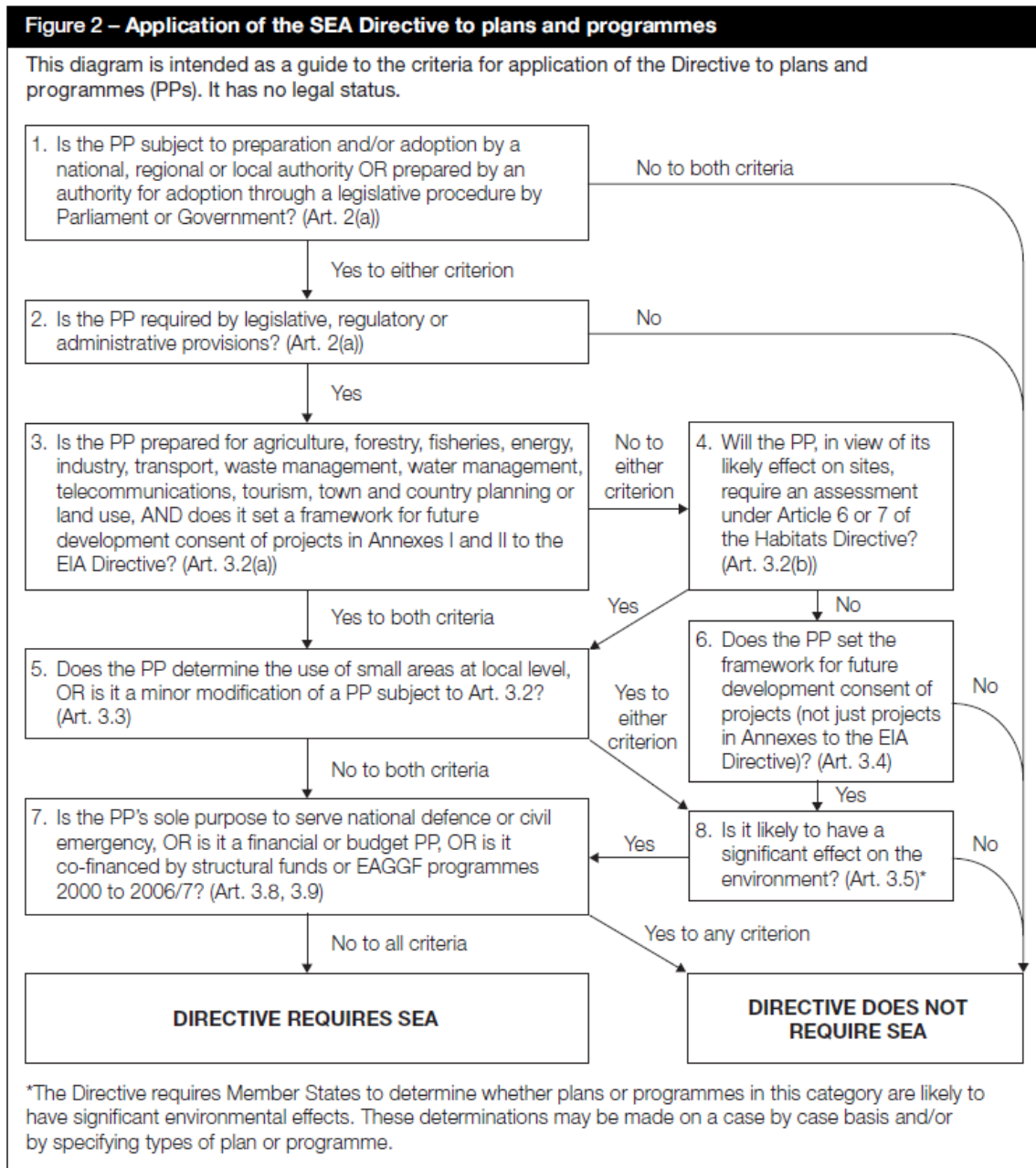


Table 1: Application of SEA Directive as shown in Appendix 1

[Note to author – most of these boxes contain standard text –greyed out. Those where specific details need to be included are Qs 3,4,5 & 8]

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

<p>3. Is the Neighbourhood Plan prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, 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))</p>	<p>N</p>	<p>The Wheatley NDP Review 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.</p>
<p>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))</p>	<p>N</p>	<p>The Wheatley NDP Review is unlikely to have significant effects on Natura 2000 sites. See Habitat Regulations Assessment (HRA) Screening Opinion for the Wheatley NDP Review in Appendix 2.</p>
<p>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)</p>	<p>Y</p>	<p>The Wheatley NDP Review will determine the use of sites/small areas at a local level.</p>
<p>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)</p>	<p>Y</p>	<p>When made, the Wheatley NDP Review 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.</p>
<p>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,</p>	<p>N</p>	<p>N/A</p>

3.9)		
8. Is it likely to have a significant effect on the environment? (Art. 3.5)	Y	The plan is 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 Wheatley Neighbourhood Development Plan Review

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, the Local Authority will determine whether the Wheatley Neighbourhood Development Plan Review 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—

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 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 Wheatley and have been taken into consideration:
 1. Oxford Meadow SAC – approximately 8km (Oxford City)
7. Oxford Meadow is designated as a SAC for its lowland hay meadows and creeping marshworts.
8. The main pressures and threats to this site include the impacts of hydrological changes and the invasive species of Crassula upon creeping marshwort.
 2. Cothill Fen SAC – approximately 11km (Vale of White Horse District Council)
9. Cothill Fen is designated as a SAC for its calcium-rich, spring fed fens and alder woodlands on floodplains.
10. The main pressures and threats to this site include the impact of water pollution and hydrological changes, as well as air pollution and the impact of atmospheric nitrogen deposition upon the calcium-rich water-fed fens.
 3. Little Wittenham SAC – approximately 12km (South Oxfordshire District Council)
11. 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.

12. 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.

4. Chilterns Beechwood SAC – approximately 14km from NDP boundary (South Oxfordshire District Council)

13. 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.

14. 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.

5. Aston Rowant SAC – approximately 14km (South Oxfordshire District Council)

15. 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.

16. 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

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

18. Any development resulting from the Neighbourhood Plan Review 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.

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). Two 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:

- Long Wittenham SAC; great crested newt.
- Chiltern Beechwoods SAC: stag beetle.

20. 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 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.

21. The HRA (March 2019) produced alongside the Local Plan 2035 states that 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. The preferred habitat for stag beetles is old, established woodland, and the larvae feed on rotting tree matter. As the beetle larvae take years to develop, they can be vulnerable to tree clearance and the 'tidying up' of wood in parks and especially gardens. 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 season. Chilterns Beechwoods SAC is a composite of nine SSSIs.
22. Bisham Woods SSSI, which is the part of the Chiltern Beechwoods SAC that supports the qualifying stag beetle population, is greater than 2 km from the District boundary. Therefore potential loss of or damage to off-site habitats associated with Chilterns Beechwoods SAC can be screened out of further assessment.

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

23. The most recent HRA of the South Oxford Local Plan 2035 (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.'*
24. 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.

Air pollution:

25. 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.
26. 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.
27. The European sites within 17km of Wheatley that are within 200m of strategic roads are Aston Rowant SAC (M40), Chilterns Beechwoods

SAC (A404, A4010) and Oxford Meadow SAC (A34, M40). As highlighted above Wheatley is approximately 8km from the Oxford Meadow SAC and 14km from the Aston Rowant SAC and Chiltern Beechwoods SAC.

28. The HRA sets out how SODC commissioned Atkins to model the effects of the Local Plan on traffic flows within the District. The modelling resulted in the HRA concluding that the South Oxfordshire Local Plan will not result in adverse effects on the integrity of Oxford Meadow SAC as a result of air pollution, either alone or in-combination with other plans. In reaching this conclusion the HRA (March 2019) highlights show previous work undertaken demonstrates that a substantial amount of additional traffic could be accommodated on the A40 without adverse impacts to the integrity of the SAC, including growth from other local authorities. Wheatley is located east of Oxford and Oxford Meadow SAC is located west of Oxford, given the modest scale of the proposed development in the NDP, distance between the Oxford Meadow SAC and Wheatley, the potential impact associated with Oxford Meadow SAC can be screened out of further assessment.
29. The HRA sets out that SODC 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 Burnham Beeches SAC, Chilterns Beechwoods SAC and Windsor Forest & Great Park SAC, as they are located too far outside of the Atkins model network to be reasonably or reliably predicted. Although these locations lie within the initial screening radius of 17 km, the actual distance which would need to be travelled to reach these locations by car from the plan area exceeds this distance for most routes (e.g. Henley on Thames to Burnham Beeches is 17 km as the crow flies, however the quickest route by car is 32km). It can therefore reasonably be 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.
30. 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.'
31. Therefore, given the modest scale of proposed development in the Wheatley Neighbourhood Plan and 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; and

32. The most recent HRA of the South Oxford Local Plan 2035 (March 2009) 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.'
33. 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.
34. Wheatley is approximately 12km from Little Wittenham SAC, which is part of a larger site managed by the Earth Trust as a nature reserve. The areas which are most important to the population of great crested newts (GCN) have restricted access which is designed to prevent conflicts between the visiting public, the newts and their habitat.
35. The increased visitor levels which are likely to occur as a result of the modest increase in population in Wheatley may result in increased pressure on the habitats on the reserve as a whole. However, due to restricted access to the areas where newts are primarily found, the increased visitor numbers will be concentrated onto other habitats on the reserve. These habitats are not related to the primary reasons for the selection of the SAC.
36. Great crested newts are not believed to be particularly sensitive to human disturbance provided their breeding ponds are not affected and their primary terrestrial habitat and hibernacula are not adversely affected. Provided controls on access to the most sensitive areas are maintained (i.e. ponds and hibernacula are not disturbed) there is no reason to believe that there would be any significant effect on the integrity of the site or the primary reason for the selection of the site.
37. The HRA of the Local Plan 2035 identifies that at the Chiltern Beechwoods SAC, public access / disturbance is only identified in relation to the stag beetle population. The portion of the SAC that supports the stag beetle population (Bisham Woods SSSI) is greater than 7km from the District boundary, and therefore is considered unlikely to result in likely significant effects from development within South Oxfordshire, either alone or in-combination with other plans or projects.

38. 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

39. 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 Wheatley are:
- Cothill Fen SAC: has calcium rich springwater-fed fens that have been identified as sensitive to water pollution and hydrological changes.
 - Oxford Meadow SAC: lowland hay meadow, identified as sensitive to hydrological changes.
 - 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.
40. 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.
41. The scale of development proposed in the Wheatley 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.
42. 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 Wheatley Neighbourhood Plan. As the South Oxfordshire Local Plan 2035 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 35 of this assessment has considered how the development proposed in the Wheatley Neighbourhood Plan Review is unlikely to have significant effects on Natura 2000 sites. Given the modest scale of development proposed and having regard to conclusions of paragraphs 5 to 35, it is considered that the

development proposed in the Wheatley Neighbourhood Plan is not likely to give rise to significant in combination effects.

CONCLUSION

43. The Wheatley NDP Review 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 Wheatley NDP Review is not required.

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

[Note to author – most of these boxes contain standard text (greyed out). Those where specific details need to be included are Qs 1a,c,d, 2a,b,e,f and g]

1. Characteristics of the Plan, having regard to:	
(a) the degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources;	The Wheatley NDP Review 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, the strategic policies of the South Oxfordshire Local Plan 2035.
(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 Wheatley NDP Review 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;	National policy requires a presumption in favour of sustainable development, which should be seen as a golden thread through plan-making, including the Wheatley NDP Review. A basic condition of the Wheatley NDP Review is to contribute to the achievement of sustainable development.
(d) environmental problems relevant to the plan or programme; and	<p>The environmental impact of the proposals within the Wheatley NDP Review is likely to be significant as the plan allocates multiple sites for residential and commercial development as part of a wider village enhancement plan.</p> <p>The Wheatley NDP area contains the following environmental designations:</p> <ul style="list-style-type: none"> - Green Belt - BAP priority habitat - SSSI – Little Brick Pit - Local Wildlife site - Tree Preservation Orders - Ecologically important area <p>There are the following SACs within 17km of the Wheatley NDP. These are as follows:</p> <ul style="list-style-type: none"> - Oxford Meadow -11km - Cothill Fen – 11km

	<ul style="list-style-type: none"> - Little Wittenham SAC – 12km - Aston Rowant SAC - 14km - Chilterns Beechwood SAC – 14km <p>There are also the following SSSI's located within the following distances of the Wheatley NDP area:</p> <ul style="list-style-type: none"> - Little Brick Pit – within area - Leyhill Quarry – adjacent - Brasenose Wood and Shotover Hill – adjacent - Holton Wood – less than 1km - Waterperry Wood – 2km - Stanton Great Wood – 2km - Siding's Copse and College Pond – 4km - Shabbington Woods Complex – 4km - Spartum Fen – 4km <p>The Wheatley NDP Review is proposing to allocate new residential and commercial sites through making detailed amendments to the Green Belt, carry forward an existing allocation in the made neighbourhood plan and introduce a design guidance and code. As the proposed plan review is proposing development in a sensitive area, it is not possible to rule out any likely significant effects on the environment and therefore an SEA is required.</p>
(e) the relevance of the plan or programme for the implementation of Community legislation on the environment (for example, plans and programmes linked to waste management or water protection).	The proposed development in the Wheatley NDP Review has been judged not to have an impact on Community legislation.
2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to:	
(a) the probability, duration, frequency and reversibility of the effects;	The Wheatley NDP Review proposes to identify land for new housing and commercial uses; as well as carrying over most of the objectives and policies from the made Wheatley NDP. All of the existing policies will be retained and reviewed, and new policies

	<p>concerning detailed amendments to the Green Belt and associated allocations will be re-introduced where necessary. The made Wheatley NDP required a SEA; however, following the examination of the neighbourhood plan sections of the plan were deleted, the qualifying body are now looking to re-introduce these previously removed sections.</p> <p>Due to the nature of the proposed allocations, it is not possible to rule out likely significant effects.</p>
(b) the cumulative nature of the effects;	It is intended that the positive social effects of providing residential and commercial development will have positive cumulative benefits for the area.
(c) the transboundary nature of the effects;	The effects of the Plan are unlikely to have transboundary ³ impacts.
(d) the risks to human health or the environment (for example, due to accidents);	The policies in the plan are unlikely to present risks to human health or the environment.
(e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected);	The Wheatley NDP Review relates to the parish of Wheatley, and part of the parish of Holton which contains the built-up area of the Oxfordshire Brookes University site. The NDP Review is proposing to allocate sites as part of the village enhancement plan which are not required by the South Oxfordshire Local Plan 2035. Due to the nature of the proposed allocations, it is not possible to rule out likely significant effects.
(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>The Wheatley NDP area contains the following special natural characteristics and cultural heritage elements:</p> <ul style="list-style-type: none"> - Listed Buildings - Local heritage assets - Archaeological constraints - Tree Preservation Orders <p>There are the following SACs within 17km of the Wheatley NDP. These are as follows:</p> <ul style="list-style-type: none"> - Oxford Meadow -11km - Cothill Fen – 11km - Little Wittenham SAC – 12km - Aston Rowant SAC - 14km - Chilterns Beechwood SAC – 14km

³ Transboundary effects are understood to be in other Member States.

	<p>There are also the following SSSI's located within the following distances of the Wheatley NDP area:</p> <ul style="list-style-type: none"> - Little Brick Pit – within area - Leyhill Quarry – adjacent - Brasenose Wood and Shotover Hill – adjacent - Holton Wood – less than 1km - Waterperry Wood – 2km - Stanton Great Wood – 2km - Siding's Copse and College Pond – 4km - Shabbington Woods Complex – 4km - Spartum Fen – 4km <p>The Wheatley NDP Review offers an opportunity to enhance the natural environment and the cultural heritage of the area through the proposals being considered.</p> <p>The Wheatley NDP Review is seeking to pursue a village enhancement plan through amending the Green Belt boundary and allocating a series of sites for commercial and residential uses. Due to the nature of the proposed allocations, it is not possible to rule out likely significant effects.</p>
<p>(g) the effects on areas or landscapes which have a recognised national, Community or international protection status.</p>	<p>There are no areas or landscapes with recognised national, Community or international protection status affected by the neighbourhood plan.</p>

Appendix 4 – Statutory Consultee Responses

NATURAL ENGLAND

Date: 01/02/2022
Our ref: 380544



South Oxfordshire District Council

BY EMAIL ONLY

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

T 0300 060 3900

Dear Sir, Madam

Wheatley Neighbourhood Plan - SEA Screening Opinion (CONSULTATION REQUEST)

Thank you for your consultation on the above dated 18 January 2022 which was received by Natural England on the same day.

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.

Screening Request: Strategic Environmental Assessment / Habitats Regulations Assessment

It is our advice, on the basis of the material supplied with the consultation, that, in so far as our strategic environmental interests (including but not limited to statutory designated sites, landscapes and protected species, geology and soils) are concerned, that there are unlikely to be significant environmental effects from the proposed plan. We therefore agree with the screening conclusion that an HRA is not required.

Neighbourhood Plan

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.

We have checked our records and based on the information provided, we can confirm that in our view the proposals contained within the plan will not have significant effects on sensitive sites that Natural England has a statutory duty to protect.

We are not aware of significant populations of protected species which are likely to be affected by the policies / proposals within the plan. It remains the case, however, that the responsible authority should provide information supporting this screening decision, sufficient to assess whether protected species are likely to be affected.

Notwithstanding this advice, 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.

Please note that Natural England reserves the right to provide further comments on the environmental assessment of the plan beyond this SEA/HRA 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.

For any queries relating to the specific advice in this letter only please contact me at Lorraine.Boast-Millar@naturalengland.org.uk. For any new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

Yours faithfully

Lorraine Boast-Millar
Sustainable Development Adviser

HISTORIC ENGLAND

From: Winter, Edward <Edward.Winter@HistoricEngland.org.uk>
Sent: 14 March 2022 12:25
To: Planning Policy S&V
Subject: Wheatley Neighbourhood Plan SEA Screening

****EXTERNAL****

Dear Ms Whiteley

Thank you for consulting Historic England on the SEA and HRA screening of the Wheatley NP. Our remit does not extend to matters concerning HRA, and as such our comments concern only SEA.

With regard to the need for SEA, we agree with the Council's opinion that a full SEA will be required. This is because the NPA includes an number of heritage assets, including several highly graded ones, and the NP proposes to allocate sites for development.

Kind regards

Edward Winter LLB MA MRTPI
Historic Environment Planning Adviser
Regions Group (London & South East)
Historic England, Floor 4, The Atrium, Cannon Bridge House, 25 Dowgate Hill, London, EC4R 2YA
07557 831241