

# **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 Kidmore End Neighbourhood Development Plan**

**3 JULY 2020**

## **SUMMARY**

Following consultation with the statutory bodies, South Oxfordshire District Council (the 'Council') determines that the Kidmore End Neighbourhood Development Plan (Kidmore End 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 Kidmore End Neighbourhood Development Plan (Kidmore End NDP) required 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**

4. 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.
5. 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.
6. Table 1 in Appendix 1 sets out the criteria from the Practical Guide, along with an assessment of the Kidmore End NDP against each criterion to ascertain whether a SEA is required.

7. Also part of the screening process is the Habitats Regulations Assessment Screening, which can be found in Appendix 2, The Habitat Regulations Assessment (HRA) screening concluded that the Kidmore End 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 Kidmore End NDP is not required. These two assessments feed into Table 1 and the SEA screening opinion.
8. Appendix 3 considers whether the plan is likely to have likely significant effects on the environment.
9. These two assessments feed into Table 1 and the SEA screening statement.

## **KIDMORE END NEIGHBOURHOOD DEVELOPMENT PLAN**

10. The Kidmore End NDP will contain policies to address the following vision and objectives:

### **Vision**

Preserve the rural character and retain the open spaces in and around the Parish through appropriate housing development and by being geographically separate from nearby larger settlements, supporting and enhancing the Chilterns AONB, engaging with our Parish communities, and prioritising road safety.

### **Objectives**

#### **a. Housing Development**

Enable residential development that meets the need of our Parish and achieves the housing [target/allocation] of the 2034 South Oxfordshire Local Plan, recognising and reflecting the distinct character of each of our villages and hamlets, enriching our communities with new residents to our Parish as well as facilitating those who wish to remain.

#### **b. Open Spaces**

Protect, maintain and enhance existing open space between and around our villages and hamlets, with particular emphasis on retaining space between our Parish and nearby larger urban/suburban developments.

#### **c. Supporting and Enhancing Chilterns AONB**

Respect and reinforce the historical and environmental importance of AONB designated land within our Parish [whilst endorsing and supporting the worth of similar adjacent land – the setting of the AONB within the parish].

#### **d. Community Spirit**

Engage with the Parish's communities at all stages in the development and implementation of the NDP to ensure the Plan meets their different needs and expectations, thus maintaining a strong sense of community.

#### **e. Road Safety**

Uphold the current network of roads, lanes and footpaths, which reflect the rural nature of our Parish, for all users (by car, bike, horse or foot) and promote road safety, appropriate traffic quantity, size and speed, road maintenance and considerate parking on narrow lanes/roads.

11. The Kidmore End NDP is currently being prepared and a complete draft has not been prepared yet. However, the drafting of the Kidmore End NDP is at a stage where there is sufficient information for the plan to be screened. The steering group has already undertaken a 'Call for Sites' exercise and AECOM were commissioned to undertake an independent site assessment for Kidmore End Neighbourhood Plan. The neighbourhood group have drafted a housing topic paper following the AECOM site assessment, setting out the proposal to allocate one small site for residential development. This in combination with the objectives provided above is enough to screen the plan.
12. The Neighbourhood Plan proposes to allocate a site for future development that has not already been identified in the adopted Core Strategy, the proposed number of units are minor in scale and their location has been considered to ensure no significant effects arise (as detailed in Appedix 2 and Appendix 3 – sections d, f and g). It is considered the proposals in the plan will not have a significant effect on the environment and therefore an SEA is not required.
13. The AECOM site assessment process used a 'traffic light' rating system, and gave eight sites red ratings, three sites amber ratings, and one site a green rating. The site assessment sets out that sites with a red rating are not currently suitable for allocation, amber sites may be suitable for allocation subject to the resolution or mitigation of constraints, and green sites are considered broadly suitable for allocation subject to the mitigation or resolution of minor constraints. The assessment identified only one site that was green and considered broadly suitable for allocation subject to the mitigation or resolution of minor constraints.
14. At the time of writing, as set out in the emerging South Oxfordshire Local Plan 2034, there is no defined housing requirement for the Kidmore End NDP. The neighbourhood plan proposes to accommodate approximately 4 houses on 1 site.
15. It is therefore concluded that the implementation of the Kidmore End NDP would not result in likely significant effects on the environment.

## CONSULTATION RESPONSES

16. The Screening Opinion was sent to Natural England, the Environment Agency and Historic England on 12 September 2019 for a four week consultation period. The responses in full are in Appendix 4.
17. Natural England agree with the Initial Screening Opinion and consider that the plan does not require a SEA or Appropriate Assessment.
18. The Oxfordshire County Council's views on the screening opinion is that a SEA is not required given the small scale of the site allocation. However, the site sits within an area of archaeological interest and a program of archaeological investigation may therefore be required.
19. Historic England is content that the plan is unlikely to have significant effects for the environment within any areas of their interest.
20. The Environment Agency agreed with our SEA Screening Opinion based on the information available. The Environment Agency commented on the need for a policy point in the neighbourhood plan to say that the Source Protection Zone will be taken into account when considering any infill development or development of rural buildings within this area. The Environment Agency also made a number of comments on the HRA assessment and made a number of suggestions, including discussing the accumulative impacts of increased number of vehicles on the roads that boarder the protected sites and links to the neighbourhood plan, and the removal of 'where possible' from the wording 'protect, maintain and enhance' to align with the revised NPPF (2019). These comments have been taken on board in this Statement.

## CONCLUSION

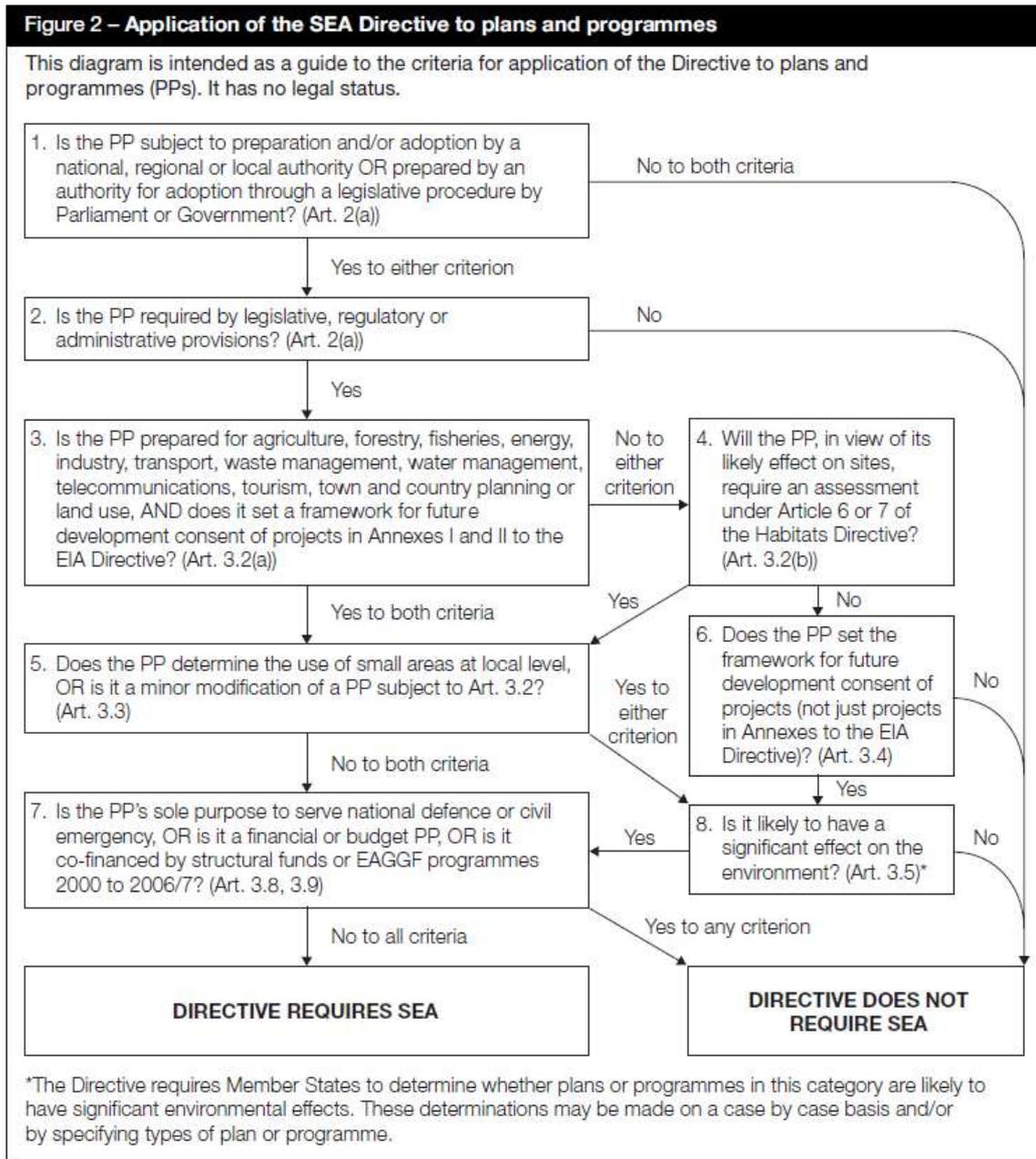
21. As a result of the screening undertaken by the Council, the following determination has been reached.
22. The Kidmore End NDP is unlikely to have significant effects on Natura 2000 sites, either alone or in combination with other plans or projects; therefore, an Appropriate Assessment for the Kidmore End Neighbourhood Development Plan is not required.
23. Based on the assessment presented in Appendices 1 & 3, the Kidmore End NDP is not likely to have a significant effect on the environment.
24. The Kidmore End NDP does not require a Strategic Environment Assessment.

**Authorised by:**     Ricardo Rios      
On behalf of Head of Planning

**Signed:** 

**Date:** 03 July 2020

## 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>	Y	<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 Kidmore End NDP Steering Group, a working group who report to the Kidmore End 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) (Amendments) Regulations 2016</li> <li>• The Neighbourhood Planning (General) (Amendments) Regulations 2016</li> <li>• The Neighbourhood Planning (General) (Amendments) Regulations 2017</li> </ul>
<p>2. Is the NP required by legislative, regulatory or administrative provisions? (Art. 2(a))</p>	Y	<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: 027 Reference ID: 11-027-20150209) 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 Kidmore End NDP is prepared for town and country planning and land use and will set out a framework for future development in Kindmore End, including the development of residential/retail/employment* uses. <i>However, these projects are not of the scale referred to in Article 4(2) of the EIA Directive – listed at Annex II of the directive.</i>
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 Kidmore End NDP is unlikely to have significant effects on Natura 2000 sites. See Habitat Regulations Assessment (HRA) Screening Opinion for the Kidmore End 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 Kidmore End 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 Kidmore End NDP will include a series of policies to guide development within the village (and will allocate sites for specific development*). 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	No likely significant effects upon the environment have been identified. See assessment of the likely significance of effects on the environment in Appendix 3.

# Appendix 2 - Habitat Regulations Assessment (HRA) Screening Opinion for the Kidmore End 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 dated March 2019 (link to [Habitats Regulations Assessment](#)) of South Oxfordshire District Council’s emerging Local Plan as its basis for assessment. From this, the Local Authority will determine whether the Kidmore End 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:

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<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 Core Strategy (December 2012) and the South Oxfordshire Local Plan 2011 (January 2006).

*“105.-(1) Where a land use plan-*

- (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.*

## **ASSESSMENT**

5. The HRA (March 2019) of the emerging new South Oxfordshire Local Plan 2034 used a screening distance of 17km to identify European sites which could be affected by development from the plans. This distance has been subject to consultation with Natural England and reflects the average travel to work distance in the district.
6. There are Special Areas of Conservation (SACs) within 17km of the Kidmore End Neighbourhood Development Plan. These are as follows:
  - Chilterns Beechwoods SAC – approximately 12km from the neighbourhood plan boundary;
  - Aston Rowant SAC – approximately 15km from the neighbourhood plan boundary;
  - Little Wittenham SAC approximately 15km from the neighbourhood plan boundary; and
  - Hartslock Wood SAC – approximately 5km from the neighbourhood plan boundary.

### Chilterns Beechwood SAC

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 impact of forestry and woodland management, disease, deer and the invasive species of grey squirrel upon beech. Additionally, the changes in

species distribution of stag beetles as well as the impact of public access and disturbance upon stag beetle. Air pollution and the impact of atmospheric nitrogen deposition also threaten and dry grasslands, beech and stag beetle. With regard to the types of development that may be brought forward in the Local Plan, air pollution and visitor disturbance could impact the site.

9. Individual stag beetles may travel outside of the SAC boundary, although it is unlikely that they will travel far – it is generally only the male stag beetles that flies during the summer months, and the females beetles rarely flies. Research suggests that 2km 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.

### Aston Rowant SAC

10. 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.
11. 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. With regard to the types of development that may be brought forward in the Local Plan, air pollution could impact the site.

### Little Wittenham

12. 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.

13. 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.
  
14. The HRA (March 2019) produced alongside the emerging Local Plan 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.

#### Hartslock SAC

15. 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*
  
16. The main threat to the site is air pollution and the risk of atmospheric nitrogen desposition upon the dry grasslands and yew-dominated woodland. With regard to the types of development that may be brought forward in the Local Plan, air pollution could impact the site.

17. All of the above designations are outside of the built-up area of Kidmore End. None of the designations are located within the NDP designated area, with the closest (Hartslock Wood SAC) approximately 5km from the neighbourhood plan boundary.
18. The vision of the plan is to preserve the rural character and retain the open space in and around the Parish. This means that development is likely to be located within or adjoining the existing built form of the most sustainable settlements. The NDP designated area includes five small villages and hamlets, these are Kidmore End, Gallowstree Common, Cane End, Tokers Green, and Chalkhouse Green.
19. On the basis that development should be focused around the most sustainable settlements, this means development should be focused around the village of Kidmore End, which in the emerging Local Plan 2034 is the only village in the NDP designated area to remain as a 'smaller village' in the settlement hierarchy. Gallowstree Common is currently in the settlement hierarchy as a smaller village, however in the most recent Settlement Assessment Background Paper (December 2018), it is proposed to be downgraded to an 'other village'. All the other villages have either been recommended to remain the same, or to be downgraded. Within this context, any site allocation is unlikely to be located within at least 5km from the designations detailed above. Furthermore, the proposed level of growth is very modest and the predicted effects associated to this scale of development are not considered to be significant.
20. As required under Regulation 106 of the Conservation of Habitats and Species Regulations 2017 (the 'Habitats Regulations'), the qualifying body (Kidmore End 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;
  - Non-physical disturbance e.g. noise/vibration or light pollution;
  - Air pollution;
  - Increased recreation pressure; and
  - Change to hydrological regimes.
21. The Council has considered the HRA of the emerging Local Plan (March 2019) in respect of the potential in combination effects of the proposals in the Kidmore End Neighbourhood Plan. As the emerging South Oxfordshire Local Plan 2034 covers the period from 2011 to 2034, 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. We are also aware of the following emerging neighbourhood plans Wheatley, Aston Rowant and Wallingford. All neighbourhood plans propose to allocate sites, Aston Rowant is proposing to allocate a quantum of 17 dwellings, Wheatley 90 dwellings, and Wallingford 502 dwellings, all have already had HRA screening assessments undertaken by the district council where it was concluded that the plans are unlikely to cause significant effects on Natura 2000 sites.

22. The in-combination effect of these new dwellings in the wider area on these nearby Natura 2000 sites which are sensitive to air pollution has been considered. The sites most effected are the Chilterns Beachwood SAC, Aston Rowant SAC and Hartslock SAC. With Chilterns Beachwood SAC and Aston Rowant SAC being within 200m of a strategic road, which is the distance which beyond air pollution from roads is unlikely to be significant from the road itself, based on the Highways Agency Design for Roads and Bridges Manual Volume 11, Section 3, Part 120. Given the likely increase in the number of vehicles on the roads associated with the Kidmore End Neighbourhood Plan and the in-combination effect of the emerging nearby neighbourhood plans, it is unlikely that there will be a significant effect on the Natura 2000 sites.
23. Appendix 2 of this assessment has considered how the development proposed in the Kidmore End Neighbourhood Plan is unlikely to have significant effects on Natura 2000 sites. Given the modest scale of development proposed and having regard to the conclusions of Appendix 2, it is considered that the development proposed in the Kidmore End Neighbourhood Plan is not likely to give rise to significant in combination effects.
24. As the scale and type of development promoted through the Kidmore End NDP is very small, in the council's opinion, the Kidmore End NDP does not require an Appropriate Assessment.

## **CONCLUSION**

25. The Kidmore End NDP is unlikely to have significant effects on Natura 2000 sites, either alone or in combination with other plans and projects; therefore, an Appropriate Assessment for the Kidmore End NDP 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 Kidmore End 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, the strategic policies of the South Oxfordshire Core Strategy (2012) and Local Plan 2011 (2006); and the emerging Local Plan 2034. Proposed site allocations are of a small scale and are not of the scale referred to in Article 4(2) of the EIA Directive – listed at Annex II of the directive.
(b) the degree to which the plan or programme influences other plans and programmes including those in a hierarchy;	A Neighbourhood Development Plan must have regard to national policy and be in conformity with the Local Plan for the District. It does not influence other plans. It should also take account of the emerging planning policy. The Kidmore End NDP 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 Kidmore End NDP. A basic condition of the Kidmore End NDP is to contribute to the achievement of sustainable development. Within this wider context the Kidmore End NDP itself is unlikely to have a significant positive or negative effect.
(d) environmental problems relevant to the plan or programme; and	<p>The environmental impact of the proposals within the Kidmore End NDP is likely to be minimal due to the scale of development proposed and the plan is only allocating one small site.</p> <p>The Kidmore End NDP contains the following designations:</p> <ul style="list-style-type: none"> <li>• <i>Archaeological constraints</i></li> <li>• <i>Listed buildings</i></li> <li>• <i>BAP priority habitats</i></li> <li>• <i>Local wildlife sites</i></li> <li>• <i>Proposed local wildlife sites</i></li> <li>• <i>Protected species buffer</i></li> </ul>

- *Source Protection Zones for groundwater*

There are four Special Areas of Conservation (SACs) within 17km of Kidmore End Neighbourhood Development Plan. These are as follows:

- Hartslock Wood SAC;
- Chilterns Beechwood SAC;
- Aston Rowant SAC;
- Little Wittenham SAC.

The above designations are located outside of the built-up areas of the settlements. The closest SAC is located approximately 5km from the NDP designated boundary, and 7km from the built-up area of Kidmore End village.

The vision of the NDP includes to preserve the rural character and retain the open spaces in and around the Parish. This means that development is likely to be located within or adjoining the existing built form. AECOM undertook a site assessment and assessed 12 sites in detail, from these 12 sites, 8 were rated as red, 3 sites as amber, and 1 site as green. The only site to be rated green and found to be broadly suitable for allocation subject to the mitigation or resolution of minor constraints was CFS8. Through subsequent work in their housing topic paper the group concluded that they will be looking to allocate CF8 through the neighbourhood plan.

#### Site CFS8

The site adjoins existing development on its northern and eastern sides and as such forms a logical extension to the village. The site is located within the Chilterns AONB, however it adjoins the existing built-up area of Kidmore End and is a modest sized site below 0.5 hectares. The site has potential for 5 dwellings.

The NDP is proposing very modest growth, approximately 4 houses on CFS8. The site assessment process identified this site as broadly suitable which would be able to accommodate the level of growth the NDP is proposing.

	<p>Considering the small level of growth that the NDP proposes to deliver, the predicted effects associated with this scale of development are not considered to be significant.</p> <p>The policies in the Neighbourhood Plan and the adopted development plan will require these designations to be protected and within this context it is considered the Kidmore End NDP would not give rise to significant effects.</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).	<p>The proposed development in the Kidmore End NDP has been judged not to have a likely significant impact on Community legislation due to the amount of proposed residential development being of a local small scale and the proposals likely effects are unlikely to have significant positive or negative effects on community legislation such as waste management or water pollution.</p>
<p><b>2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to:</b></p>	
(a) the probability, duration, frequency and reversibility of the effects;	<p>The Neighbourhood Plan 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 by seeking the preservation of the surrounding countryside, landscape, designated open spaces, farming and ecosystems. The Kidmore End NDP therefore offers an opportunity to enhance the natural environment and the cultural heritage of the area through the proposals being considered.</p> <p>It is clear that a main effect on the parish will be the impact of the allocated site, householder and small-scale infill development on the character and appearance of listed buildings, their settings and the AONB. The effects of this are not likely to be reversible as they relate to development. The effects will be of a local scale and the plan objectives include to ensure development reflects the distinct character of each of the settlements, and protects and maintains the existing open space between and around the settlements. Policies will be developed with these objectives in mind, avoiding placing development or near sensitive</p>

	locations that would cause a likely significant effect.
(b) the cumulative nature of the effects;	It is intended that the positive effects of providing residential development will have positive cumulative benefits for the area, however, given the size of the proposed site allocation within the plan and the likely inclusion of design policies to help conserve the listed buildings and the setting of the AONB, it is considered that the scope and coverage of the plan it is not likely to create any likely significant cumulative effects.
(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 (geographical area and size of the population likely to be affected);	The Kidmore End NDP relates to most of the parish of Kidmore End. The NDP boundary was deliberately drawn to exclude land within the eastern part of the parish which closely relates to Sonning Common, a large village outside the parish boundary. The scale of development proposed is small and therefore the potential for environmental effects is also likely to be small and localised.
(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>Kidmore End contains the following Special Natural Characteristics and Cultural Heritage elements:</p> <ul style="list-style-type: none"> <li>• Listed building</li> <li>• Chilterns AONB</li> <li>• Archaeological Constraints</li> <li>• Ancient woodland</li> <li>• Local wildlife sites</li> </ul> <p>There are four Special Areas of Conservation (SACs) within 17km of the built up area of Kidmore End. These are as follows:</p>

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

- Hartslock Wood SAC;
- Chilterns Beechwood SAC;
- Aston Rowant SAC;
- Little Wittenham SAC

There are also the following significant areas of designation within 5km of Kidmore End:

- Bear, Oveys and Great Bottom Wood SSSI;
- Lambridge Wood SSSI;
- Highlands Farm Pit SSSI;
- Harpsden Wood SSSI.

The Kidmore End NDP offers an opportunity to enhance the natural environment and the cultural heritage of the area through the proposals being considered. It is clear, that the aspects of the plan that are most likely to effect the special natural characteristics and cultural heritage are the site allocations, householder and small scale infill development. These forms of development may impact on the integrity of protected sites and the character and appearance of listed buildings, their setting and the AONB.

Given the small scale of the proposed residential development, the proposals in the plan are not considered to create significant effects.

The SACs and SSSI are located outside the NDP designated area. Hartslock Wood SAC is the closest SAC to the designated neighbourhood area, approximately 5km from the neighbourhood plan boundary. Bear, Oveys and Great Bottom Woods SSSI is the closest SSSI to the neighbourhood area, approximately 3km from the built up area of Kidmore End village.

The majority of the above designations are outside of the built-up area of the village. The vision of the NDP is to preserve the rural character and retain the open spaces in and around the parish. Taking into consideration the location of the potential site allocation, development is to be located within or adjoining the existing built form and therefore is not considered to cause likely significant effects. Furthermore, the proposed level of growth is very modest and the predicted effects associated to this scale of development are not considered to be significant.

The HRA Screening Assessment in appendix 2 concluded that: The Kidmore End Neighbourhood Plan is unlikely to have significant effects on Natura 2000 sites, either alone or in combination with other plans and projects therefore, an Appropriate Assessment of the Kidmore End Neighbourhood Development Plan is not required.

There are sensitivities regarding cultural heritage within the Kidmore End NDP area, with a number of listed buildings spread around the parish. There is currently no collective detailed information on the risks and vulnerability of the listed buildings and their setting readily available. However, the site assessment considered heritage consideration and identified the site as being capable of being taken forward without giving rise to significant effects.

Whilst the objectives imply that policies of the plan will seek to protect the rural character of the parish, the surrounding countryside, landscape, designated open spaces, farming and ecosystems. The neighbourhood plan is considered to have a neutral effect on cultural heritage because there is no indication given in the objectives that the plan would go beyond national and local policy and therefore, it is considered that the effects of the proposals in the plan are not likely to be significant.

Given the nature and scope of the NDP, environmental quality standards or limit values are not considered likely to be significantly effected.

	<p>In light of the small quantum of development proposed, particularly in the form of small residential site allocation, the plan is not likely to cause significant effects in relation to intensive land use.</p>
<p>(g) the effects on areas or landscapes which have a recognised national, Community or international protection status.</p>	<p>The area covered by the Kidmore End NDP includes part of the Chilterns AONB, recognised to contain some of the finest landscapes in England. The site identified as the most appropriate through the site assessment is located within the Chilterns AONB. However, the scale of proposed development is modest and one of the NDP objectives is to respect and reinforce the historical and environmental importance of the AONB.</p> <p>The Chilterns Area of Outstanding Natural Beauty Management Plan 2014-2019 identifies that housing developments should only be permitted if its scale, massing and density reflect the local context and have regard to the special qualities of the AONB.</p> <p>The scale of development proposed is modest and given the objectives of the plan, the proposed site allocation is likely to closely related to the built form and will not significantly intrude into open countryside and AONB. Within this context, the effects predicted above are not likely to be significant.</p>

## APPENDIX 4 – CONSULTATION RESPONSES

### NATURAL ENGLAND

Date: 08 October 2019  
Our ref: 294844

[planning.policy@southoxon.gov.uk](mailto:planning.policy@southoxon.gov.uk)

**BY EMAIL ONLY**



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

T 0300 060 3900

Dear Dorottya Faludi,

#### **Kidmore End Neighbourhood Plan SEA Screening Opinion Consultation Request**

Thank you for your consultation on the above dated 12 September 2019 which was received by Natural England on the same date.

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**

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.

However, Kidmore End is within the Chilterns Area of Outstanding Natural Beauty (AONB). A landscape visual impact assessment (LVIA) or equivalent landscape assessment should be completed as part of the neighbourhood plan. In addition, there are areas of ancient woodland within close proximity of Kidmore End. You should consider any impacts on ancient woodland and veteran trees in line with paragraph 175 of the NPPF. Natural England maintains the Ancient Woodland Inventory which can help identify ancient woodland. Natural England and the Forest Commission have produced standing advice for planning authorities in relation to ancient woodland and veteran trees. It should be taken into account by planning authorities when determining relevant planning applications. Natural England will only provide bespoke advice on ancient woodland/veteran trees where they form part of a SSSI or in exceptional circumstances

#### **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/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.

For any queries relating to the specific advice in this letter only please contact Lauren Schofield on 020802 61443. For any new consultations, or to provide further information on this consultation please send your correspondences to [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk).

Yours sincerely,

Lauren Schofield  
Adviser  
Sustainable Development  
Thames Team

## HISTORIC ENGLAND

**From:** Lloyd Sweet, Robert <Robert.LloydSweet@HistoricEngland.org.uk>  
**Sent:** 15 October 2019 13:33  
**To:** Faludi, Dorottya  
**Subject:** Fw: Kidmore End Neighbourhood Plan - SEA Screening Opinion - reply by 11/10/2019

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Dear Dorottya

Thank you for inviting our comment on the draft scoping opinion for SEA of the Kilmore End Neighbourhood plan. Having reviewed the scale of allocation and the process of site assessment, including the potential impact to heritage assets, both designated and non-designated. I am content that the plan is unlikely to have significant effects for the environment within any areas of interest to Historic England.

We reserve the right to request a review of this screening opinion should the plan change significantly in scope at a later stage of preparation.

Yours sincerely

Robert Lloyd-Sweet

Rob Lloyd-Sweet | Historic Places Adviser | South East England | Historic England  
Mobile: 07825 907288

Cannon Bridge House | 25 Dowgate Hill | London | EC4R 2YA



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## ENVIRONMENT AGENCY

creating a better place



Planning Policy  
South Oxfordshire District Council  
135 Eastern Avenue  
Milton Park  
Abingdon  
OX14 4SB

**Our ref:** WA/2006/000324/SE-  
22/SC1-L01  
**Your ref:** SEA Screening  
**Date:** 31 October 2019

Dear Dorottya Faludi

### **SA/SEA Screening – Kidmore End Neighbourhood Plan**

Thank you for consulting us on the draft SEA screening report.

We **agree** with your SEA screening opinions given the information you have supplied. We have not seen the draft Neighbourhood Plan and so are unable to comment on the policies in the plan and their potential impact on the environment.

Based on a review of environmental constraints for which we are a statutory consultee, there are no areas of fluvial flood risk or watercourses affected by the neighbourhood plan area. There is a Source Protection Zones (SPZs) for groundwater within your neighbourhood plan area, but as you are only allocating a site for 4-5 residential dwellings outside the SPZ we do not consider there to be potential for significant environmental effects relating to this environmental constraint. However, we will require a policy point in your neighbourhood plan to say that the SPZ will be taken into account when considering any infill development or development of rural buildings within this area, in line with paragraph 170e of the National Planning Policy Framework (NPPF).

The Habitat Regulations Assessment (HRA) Screening Opinion for the Kidmore End Neighbourhood Development Plan covers the protected sites in the vicinity of the neighbourhood plan area. It mentions the nearby protected sites and their sensitivity to air pollution. It also talks about an in-combination assessment of adjoining neighbourhood plan areas. It does not, however, discuss any assessment of the accumulative impacts of increased number of vehicles on the roads that boarder the protected sites and any links to this neighbourhood plan. With an in-combination effect of 111 new dwellings in the wider area, it is unlikely that there will be a significant effect but we would expect to see wording to show that this was considered as part of the HRA screening opinion. Natural England provides advice on air quality assessment.

Cont/d..

Appendix 3 of the screening document lists the designations and constraints within the plan area. Source Protection Zones (SPZs) for groundwater should be added to this list.

We note the use of the wording “protect, maintain and enhance where possible” when referring to the natural environment and greenspaces. The use of “where possible” is an artefact of the previous version of the NPPF. The latest version of the NPPF (Feb 2019) uses the wording “protect and enhance” throughout the framework when referring to the natural environment and green infrastructure. Please remove “where possible” from the neighbourhood plan and SEA screening. In this vein we would also expect to see a reference to NPPF paragraph 170b and how the neighbourhood plan intends to identify and pursue opportunities for securing measurable net gains for biodiversity.

Please note the Environment Agency no longer comments on surface water flooding issues. This is now covered by Lead Local Flood Authorities (LLFA). Your LLFA’s Surface Water Management Plan will indicate if there are any critical drainage areas from local sources of flood risk (e.g. surface water, groundwater and sewerage) which coincide with the neighbourhood plan area. This document should be reviewed as part of completing the neighbourhood plan.

For your information we have published joint advice with Natural England, English Heritage and the Forestry Commission on neighbourhood planning which sets out sources of environmental information and ideas on incorporating the environment into plans. This is available at:

[http://webarchive.nationalarchives.gov.uk/20140328084622/http://cdn.environment-agency.gov.uk/LIT\\_6524\\_7da381.pdf](http://webarchive.nationalarchives.gov.uk/20140328084622/http://cdn.environment-agency.gov.uk/LIT_6524_7da381.pdf)

Yours sincerely

**Kirsty Macpherson**  
**Planning Specialist**

Direct dial 02030256243

Email [Planning\\_THM@environment-agency.gov.uk](mailto:Planning_THM@environment-agency.gov.uk)

## OXFORDSHIRE COUNTY COUNCIL

**From:** Hughes, Lynette - Communities <Lynette.Hughes@Oxfordshire.gov.uk>  
**Sent:** 09 October 2019 11:25  
**To:** Planning Policy South  
**Subject:** RE: Kidmore End Neighbourhood Plan - SEA Screening Opinion - reply by 11/10/2019

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

Dear Planning Policy

We note that a single allocation for some four dwellings is proposed for the Kidmore End Neighbourhood Plan. The draft screening opinion is that SEA is not required given the small scale.

There are no known archaeological sites or features on this site that could be of such significance to prevent allocation or development. However, the site does lie in an area of archaeological interest and a Roman coin was recovered directly opposite the site. As such the site does have the potential to contain previously unidentified archaeological remains and a programme of archaeological investigation may therefore be required to assess the impact on any unidentified archaeological deposits.

The site is not within, nor does it affect, any Mineral Consultation Area.

Given the above, we do not disagree with the draft screening opinion.

Best regards

**Lynette Hughes**

Senior Planner / Strategic Planning Team / Infrastructure Strategy & Policy /  
Planning & Place / Communities / Oxfordshire County Council / County Hall, New Road, Oxford, OX1 1ND /  
<https://www.oxfordshire.gov.uk/>