

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 Blewbury Neighbourhood Development Plan

2 JUNE 2016

SUMMARY

Following consultation with the statutory bodies, the Vale of White Horse District Council (the 'Council') determines that Blewbury Neighbourhood Development Plan (Blewbury NDP) does not require a Strategic Environmental Assessment (SEA).

INTRODUCTION

1. In April 2016, a SEA screening opinion was prepared to determine whether or not the contents of the emerging Blewbury Neighbourhood Development Plan (Blewbury NDP) requires a Strategic Environmental Assessment (SEA) in accordance with the European Directive 2011/42/EC (the Directive) and associated Environmental Assessment of Plans and Programmes Regulations 2004 (the Regulations).
2. Any land use plan or programme 'which sets the framework for future development consent of projects' must be screened according to a set of criteria from Annex II of the Directive and Schedule 1 of the Regulations. These criteria include exceptions for plans 'which determine the use of a small area at local level' or which only propose 'minor modifications to a plan', if it is determined that the plan is unlikely to have significant environmental effects.
3. The screening opinion was subject to consultation with Historic England, the Environment Agency and Natural England. The results of the screening process have informed the production of this, the Screening Statement, which is made available to the public.

THE SCREENING PROCESS

1. Using the criteria set out in Annex II of the Directive and Schedule 1 of the Regulations, the Screening Opinion determined 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 Blewbury NDP against each criterion to ascertain whether a SEA is required.

4. Also part of the screening process is the Habitats Regulations Assessment Screening, which can be found in Appendix 2, and the assessment of likely significance effects on the environment, which can be found in Appendix 3.
5. These two assessments feed into Table 1 and the SEA screening opinion.

BLEWBURY NEIGHBOURHOOD DEVELOPMENT PLAN

6. The Blewbury NDP will contain policies to safeguard the unique character of this ancient village, to protect the landscape that surrounds the village and to ensure sustainable development that meets the needs of residents now and in the future.
7. The Blewbury NDP does not allocate sites for development and does not contain significant proposals beyond those which have already been the subject of a SEA within the Sustainability Appraisal carried out for the emerging Vale of White Horse Local Plan 2031. The National Planning Policy Framework, paragraph 167, advises that assessments, such as SEA, should not repeat policy assessment that has already taken place. This Screening Opinion recognises the need to avoid duplicating work that has previously been undertaken to inform the preparation of higher level documents.
8. It is therefore concluded that the implementation of the Blewbury NDP would not result in likely significant effects on the environment.

STATUTORY CONSULTEES

9. The initial Screening Opinion was sent to Natural England, the Environment Agency and Historic England on 28 April 2016 and given a 4 week consultation period. The responses in full are at Appendix 4.
10. Natural England commented that there are unlikely to be significant environmental effects resulting from the proposed plan.
11. The Environment Agency responded on the 2 June agreeing with the conclusion that an SEA is not required.
12. Historic England commented that it is also our conclusion that it shouldn't require the completion of an SEA.

CONCLUSION

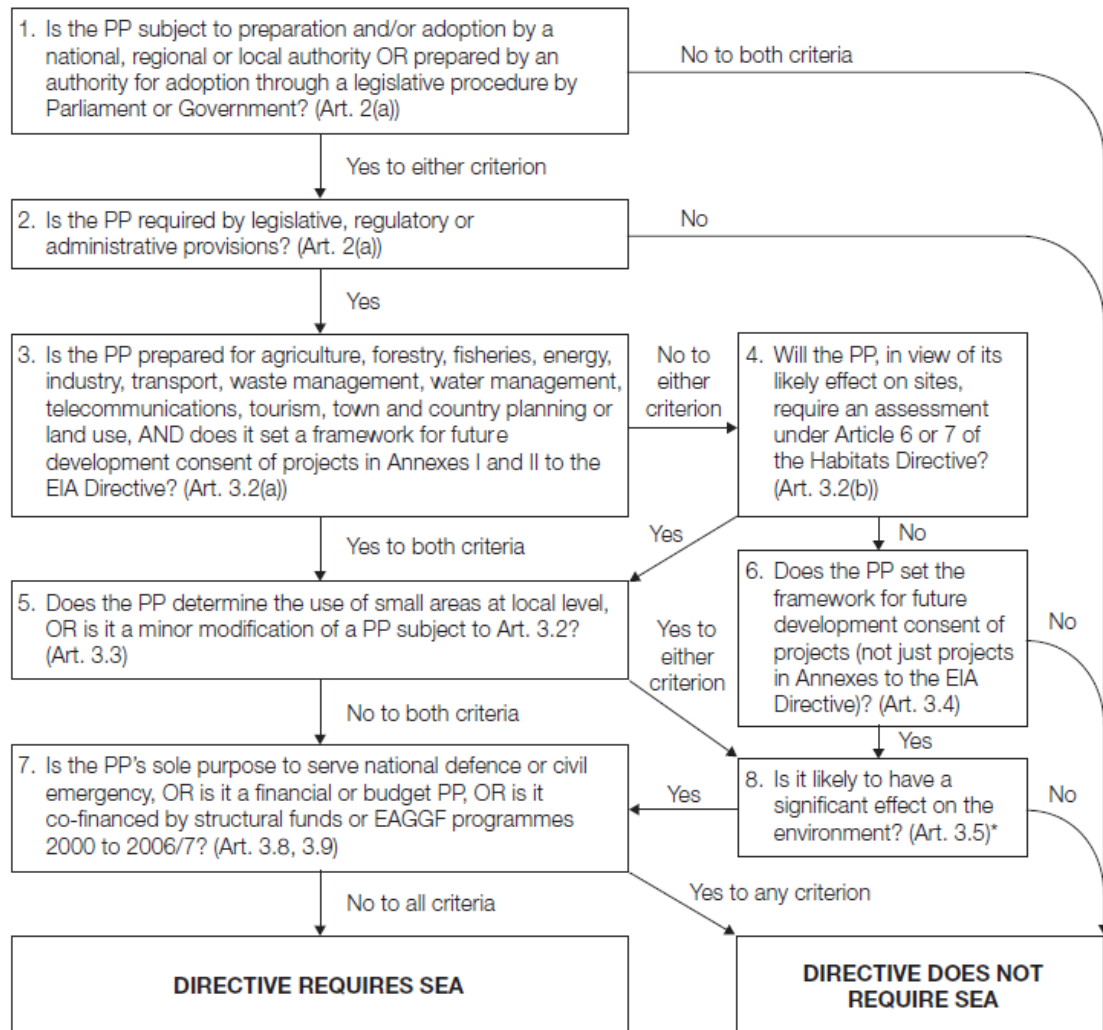
13. As a result of the screening undertaken by the Council, the following determination has been reached.

14. The Blewbury NDP is unlikely to have significant effects on Natura 2000 sites, therefore, an Appropriate Assessment for the Example Neighbourhood Development Plan is not required.
15. Based on the assessment presented in Appendices 1 & 3, the Blewbury NDP is not likely to have a significant effect on the environment.
16. The Blewbury NDP does not require a Strategic Environment Assessment.

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

Figure 2 – Application of the SEA Directive to plans and programmes

This diagram is intended as a guide to the criteria for application of the Directive to plans and programmes (PPs). It has no legal status.



*The Directive requires Member States to determine whether plans or programmes in this category are likely to have significant environmental effects. These determinations may be made on a case by case basis and/or by specifying types of plan or programme.

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
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))	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 Blewbury NDP Steering Group, a working group who report to the Blewbury Parish Council (as the “relevant body”) and will be “made” by Vale of White Horse 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
2. Is the NP required by legislative, regulatory or administrative provisions? (Art. 2(a))	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>
3. Is the Neighbourhood Plan prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications,	N	<p>The Blewbury NDP is prepared for town and country planning and land use and will set out a framework for future development in Blewbury, However, these projects are unlikely to be of the scale referred to in Article 4(2) of the EIA Directive – listed at Annex II of the directive.</p>

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))		
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 Blewbury NDP is unlikely to have significant effects on Natura 2000 sites. See Habitat Regulations Assessment (HRA) Screening Opinion for the Blewbury 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 Blewbury 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 Blewbury NDP will include a series of policies to guide development within the village. This will inform the determination of planning applications providing a framework for future development consent of projects.
7. Is the Neighbourhood Plan's sole purpose to serve the national defence or civil emergency, OR is it a financial or budget PP, OR is it co-financed by structural funds or EAGGF programmes 2000 to 2006/7? (Art 3.8, 3.9)	N	N/A
8. Is it likely to have a significant effect on the environment? (Art. 3.5)	N	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 Blewbury Neighbourhood Development Plan

INTRODUCTION

1. The Local Authority is the “competent authority” under the Conservation of Habitats and Species Regulations 2010, 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 plan (the higher level plan for town and country planning and land use). This Screening Assessment uses the Habitats Regulations Assessment of Vale of White Horse District Council’s emerging Local Plan as its basis for assessment. From this, the Local Authority will determine whether the Blewbury 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.”

ASSESSMENT

4. There are no Special Areas of Conservation (SACs) within 5km of the Blewbury Neighbourhood Development Plan.

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

CONCLUSION

5. The Blewbury NDP is unlikely to have significant effects on Natura 2000 sites, therefore, an Appropriate Assessment for the Blewbury NDP is not required.

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

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 Blewbury 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 Vale of White Horse Local Plan (2011) and the emerging Local Plan 2031. The Blewbury NDP does not allocate sites for development and does not contain significant proposals beyond those which have already been the subject of a SEA within the Sustainability Appraisal carried out for the emerging Vale of White Horse Local Plan 2031.
(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.
(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 Blewbury NDP. A basic condition of the Blewbury NDP is to contribute to the achievement of sustainable development. The Blewbury NDP has been assessed against the presumption for SD in the NPPF and found compliant.
(d) environmental problems relevant to the plan or programme; and	There are no significant environmental issues in the parish of Blewbury.
(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 Blewbury NDP has been judged not to have an impact on Community legislation as there are no allocated sites, and the policies within are likely to have positive local effects.
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 Neighbourhood Plan is likely to have modest but enduring positive environmental and social effects, for example by including policies on water resources, drainage and access provision in new developments. The effects are not likely to be reversible as they relate to development. However, they will be of a local scale.
(b) the cumulative nature of the effects;	It is intended that the positive social effects of providing appropriate residential development and supporting retail provision 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 ² 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 Blewbury NDP relates solely to the parish of Blewbury. The NDP contains policies to steer the location of development and does not allocate sites. No particular sensitivities have been identified. Therefore the potential for environmental effects is 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	The Blewbury NDP offers an opportunity to enhance the natural environment and the cultural heritage of the area through the proposals being considered.
(g) the effects on areas or landscapes which have a recognised national, Community or international protection status.	Blewbury is located within the AONB. The NDP contains policies that will ensure any development is aligned with the Local Plan and limited to the existing built up area. Edge of settlement development has been omitted from the plan due to adverse impacts on the AONB.

² Transboundary effects are understood to be in other Member States.

APPENDIX 4 – RESPONSES FROM STATUTORY CONSULTEES

NATURAL ENGLAND

Date: 23 May 2016
Our ref: 184730
Your ref: SEA Screening Opinion for Blewbury Neighbourhood Development Plan



Ms Gayle Woolton
Vale of White Horse District Council
135 Eastern Avenue
Milton Park
Milton Abingdon
Oxon
OX14 4SB

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

BY EMAIL ONLY

T 0300 060 3900

Dear Ms Woolton

Planning consultation: SEA Screening Opinion for Blewbury Neighbourhood Development Plan
Location: Blewbury, Oxon.

Thank you for your consultation on the above dated 26 April 2016 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.

Draft Blewbury Neighbourhood Plan

Screening Request: Strategic Environmental Assessment and 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 are concerned (including but not limited to statutory designated sites, landscapes and protected species, geology and soils), there are unlikely to be significant environmental effects resulting from the proposed plan.

Further Advice:

Designated Sites

Whilst no designated sites exist within the plan area, it should be noted that the Aston Upthorpe Down Site of Special Scientific Interest (SSSI) exists to the south of the southern plan boundary. Protection of the designated features of this SSSI should be paramount in assessing the suitability of any new development and it should be noted that proposals should not cause damage or disturbance to the features of this site.

Landscape

It is noted that the Blewbury Neighbourhood Plan contains a comprehensive Landscape Character Assessment which identifies specific character areas within the boundaries of the plan. It is noted within the plan that the parish is situated within the North Wessex Downs Area of Outstanding Natural beauty (AONB). It is suggested that any proposed development which may affect the character of the landscape within the AONB, should be discussed with the AONB partnership who will be able to provide detailed guidance on this matter.



BAP (Biodiversity Action Plan) Priority Habitat

Natural England notes there are several BAP Priority habitats within the boundary of the Neighbourhood Plan. The value of these areas and their contribution to the ecological network of locally protected sites should be considered when located new development. The neighbourhood plan should, in accordance with paragraph 117 of the NPPF, encourage the preservation, enhancement and creation of priority habitats where these opportunities exist.

Green Infrastructure

Multi-functional green infrastructure (GI) can perform a range of functions including improved flood risk management, provision of accessible green space, climate change adaptation and biodiversity enhancement. Natural England would encourage the incorporation of GI into the Neighbourhood Plan. Evidence and advice on green infrastructure, including the economic benefits of GI can be found on the Natural England Green Infrastructure web pages.

Protected species

You should consider whether your plan has any impacts on protected species. To help you do this, Natural England has produced [Standing Advice](#) to help understand the impact of particular developments on protected or Biodiversity Action Plan species should they be identified as an issue. The standing advice also sets out when, following receipt of survey information, you should undertake further consultation with Natural England.

Soil and Agricultural Land Quality

The Neighbourhood Plan should give appropriate weight to the roles performed by the area's soils. These should be valued as a finite multi-functional resource which underpin our well-being and prosperity. Decisions about development should take full account of the impact on soils, their intrinsic character and the sustainability of the many ecosystem services they deliver.

Opportunities for enhancing the natural environment

Neighbourhood plans and proposals may provide opportunities to enhance the character and local distinctiveness of the surrounding natural and built environment, use natural resources more sustainably and bring benefits for the local community, for example through green space provision and access to and contact with nature.

Opportunities to incorporate features into new build or retro fitted buildings which are beneficial to wildlife, such as the incorporation of roosting opportunities for bats or the installation of bird nest boxes should also be considered as part of any new development proposal. Natural England welcomes the inclusion of these measures as important elements in the consideration of new development.

We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us

For any queries relating to the specific advice in this letter only please contact Michael Miller on 0208 7256263. For any new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

We really value your feedback to help us improve the service we offer. We have attached a feedback form to this letter and welcome any comments you might have about our service.

Yours sincerely

Michael Miller
Sustainable Development Advisor





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HISTORIC ENGLAND

FW: SEA Screening Opinion for Blewbury Neighb...

FILE

MESSAGE



Thu 26/05/2016 20:38

Lloyd Sweet, Robert <Robert.LloydSweet@HistoricEngland.org.uk>

FW: SEA Screening Opinion for Blewbury Neighbourhood Development Plan

To: Gayle Wootton

i Follow up. Start by 27 May 2016. Due by 27 May 2016.
We removed extra line breaks from this message.

Dear Gayle

Thank you for consulting Historic England on the Initial Screening Opinion for SEA of the Blewbury Neighbourhood Plan. I am happy to confirm that as the plan does not allocate sites for development and provides a framework of policies and information for the management of the historic environment that we consider is in conformance with higher level documents that have been subject to appropriate assessment, it is also our conclusion that it shouldn't require the completion of an SEA.

Please don't hesitate to contact me if you have any queries relating to our comments or require any further information that we might be able to provide.

Yours sincerely

Robert Lloyd-Sweet

Lloyd Sweet, Robert FW: SEA Screening Opinion for Neighbourhood Development Plan - Consultation Request - East Hagbourne



South Oxfordshire District Council
Planning
Milton Park
Abingdon
OX14 4SB

Our ref: WA/2006/000324/SE-14/SC1-L01

Date: 02 June 2016

Dear Ms Wooton,

Screening Opinion for Blewbury Neighbourhood Development Plan

Thank you for consulting us on this matter. We received the letter on 01 June 2016 and we are now in a position to respond.

We agree with the conclusion of the screening opinion that a Strategic Environmental Assessment (SEA) is not required for the Blewbury Neighbourhood Development Plan.

We note that no allocations will be included in the plan, therefore the plan will not have a significant impact on the environment.

Yours sincerely,

Mr Jack Moeran
Planning Specialist

Direct dial 02030259655

Direct e-mail planning-wallingford@environment-agency.gov.uk

End

