

Strategic Planning & the Economy

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11 October 2018

Dear Diane,

Weston on the Green Neighbourhood Plan (2018-2031) - Strategic Environmental Assessment (SEA) and Habitats Regulations Assessment (HRA) Screening

Thank you for the early sighting of the Draft Submission Weston on the Green Neighbourhood Plan.

Draft neighbourhood plan proposals must be assessed to establish whether they are likely to have significant environmental effects. This process must include consultation with the environmental consultation bodies (Environment Agency, Historic England and Natural England).

Cherwell District Council officers undertook an SEA and HRA screening of the Weston on the Green Neighbourhood Plan in collaboration with a member of the Neighbourhood Plan Steering Group and consulted the three environmental consultation bodies to inform the Neighbourhood Plan SEA Screening Statement (May 2018). The Statement concluded it is unlikely that significant environmental effects will arise from the neighbourhood plan and considered that Strategic Environmental Assessment (SEA) and Habitats Regulations Assessment (HRA) are not required. The May 2018 screening statement is appended to this letter.

The Submission Neighbourhood Plan includes a number of changes resulting from further engagement with stakeholders which we have reviewed against the SEA and HRA Screening Statement finalised in May 2018.

Changes relevant to the screening process comprise:

- strengthening nature conservation/biodiversity sections of the plan (including some amendments to Policy C1);
- emphasis on preservation and enhancement of views linking to the rural landscape;
- improved referencing to conservation and enhancement of heritage assets (including amendments to Policy C5);
- clarification of thresholds for transport policy T2;

- cross referencing of relevant NPPF paragraphs and Local Plan policy ESD15 as part of housing policy H4 (previous policy H3); and
- a new housing policy H2.

The elements of change in the Neighbourhood Plan (other than new policy H2) comprise amendments strengthening the environmental content of the Plan resulting from stakeholder engagement and are unlikely to result on a different SEA Screening conclusion.

Although a new policy in most circumstances would result on a reassessment, new housing policy H2 reflects the requirements in adopted Cherwell Local Plan Policy Villages 1 (including references to 'typically but not exclusively for less than 10 dwellings' in adopted Local Plan paragraph C.254). The SEA Screening Statement undertaken previously addresses Policy Villages 1 and therefore the screening assessment has already been undertaken taking into consideration such policy provision.

It is considered that the SEA conclusion in the SEA Screening Statement May 2018 remains valid.

Since the preparation of the Neighbourhood Plan a recent judgement of the Court of Justice of the European Union (People over Wind, Peter Sweetman v Coillte Teoranta (Case C-323/17)) has resulted on changes to the approach in which HRA screenings are undertaken.

Cherwell District Council officers have taken into consideration this JEU judgement when reviewing the changes to the Neighbourhood Plan.

The Neighbourhood Plan does not contain avoidance or mitigation measures relating to the Oxford Meadows Special Area of Conservation (SAC), and as the level of growth resulting from the changes contained in the plan is in accordance with the adopted Cherwell Local Plan Policy Villages 1, it is considered that the original HRA screening conclusions remain valid. A more detailed account of this HRA specific matter is appended to this letter.

I hope you find useful our review of the SEA and HRA screening of the Neighbourhood Plan and this letter's confirmation of findings.

When you submit the Weston on the Green Neighbourhood Plan please make sure this letter accompanies your submission documents. This will ensure the three environmental bodies are aware of the amendments to the Neighbourhood Plan when they are consulted upon the plan's submission.

Yours sincerely,

Maria Dopazo

Maria Garcia Dopazo
Principal Planning Policy Officer - Planning Policy and Growth Strategy

Enc.

**SEA Screening Statement May 2018
HRA Screening Statement post JEU judgement April 2018 on HRA Stage 1 Screenings.**

Draft Weston on the Green Neighbourhood Plan Strategic Environmental Assessment Screening Statement

May 2018

The need for SEA and Habitats Regulation Assessment (HRA)

1. The Strategic Environmental Assessment (SEA) Directive (2001/42/EC) requires an environmental assessment to be made of certain plans or programmes. The SEA Directive has been transposed into UK law through the Environmental Assessment of Plans and Programmes Regulations 2004.
2. As part of the independent examination of the Neighbourhood Plan, the independent examiner will test whether the making of the Weston on the Green Neighbourhood Plan is compatible with European Union obligations, including the SEA Directive.
3. Government advice in Paragraphs 027 Reference ID: 11-027-20150209 and 028 Reference ID: 11-028-20150209 of the Planning Practice Guidance (PPG) makes clear that *“Draft Neighbourhood Plan proposals should be assessed to determine whether the plan is likely to have significant environmental effects”* through a screening process set out in Regulation 9 of the Environment Assessment of Plans and Programmes Regulations 2004. These include a requirement to consult the environmental assessment consultation bodies.
4. Following the screening, *“If likely significant effects are identified, an environmental report must be prepared in accordance with paragraphs (2) and (3) of Regulation 12 of the Environment Assessment of Plans and Programmes Regulations 2004”* (PPG, Paragraph 27 Reference ID: 11-027-20150209). If it is concluded that *“... the plan is unlikely to have significant environmental effects (and accordingly it does not require an environmental assessment), a statement of the determination should be prepared* (PPG, Paragraph 28 Reference ID: 11-028-20150209). A copy of the statement is then submitted for examination alongside the neighbourhood plan.

Habitats Regulation Assessment (HRA)

5. The Conservation of Habitats and Species Regulations (2017) consolidate the 2010 regulations with subsequent amendments. The Regulations require a Habitats Regulations Assessment (HRA) of development plans (including Neighbourhood Development Plans). The HRA assesses the potential effects of a development plan on European Sites, including Special Protection Areas¹ (SPAs) and Special Areas of Conservation² (SACs).
6. The Government also expects potential SPAs (pSPAs), candidate SACs (cSACs) and Ramsar sites³ to be included within the assessment.

¹ SPAs are classified under the European Council Directive “on the conservation of wild birds” (79/409/EEC; ‘Birds Directive’) for the protection of wild birds and their habitats (including particularly rare and vulnerable species listed in Annex 1 of the Birds Directive, and migratory species);

² SACs are designated under the Habitats Directive and target particular habitats (Annex 1) and/or species (Annex II) identified as being of European importance

³ Ramsar sites support internationally important wetland habitats and are listed under the Convention on Wetlands of International Importance especially as Waterfowl Habitat (Ramsar Convention, 1971)

Purpose of the plan

7. The Weston on the Green Neighbourhood Plan proposes policies to guide development within Weston on the Green parish boundaries to 2031. The plan identifies the need for 38 new houses for the period 2017 to 2031 and proposes a site already with outline planning permission for 20 dwellings (13/01796/OUT) as part of Policy H1. The plan proposes to meet the identified need through policy H1 and address the remainder of the housing need through a 'non-identified' site subject to planning consent and meeting appropriate conditions or through windfall housing development. The plan also proposes Area B (the Schoolfield) to be preserved as grassland habitat with access for passive recreation commensurate with the maintenance of a low land meadow as part of Policy C1 and the designation of four Local Green Spaces (LGS) as part of Policy E6. **Appendices 1, 2 and 3** of this screening statement show the neighbourhood plan area, site A, Area B (the Schoolfield) and the proposed LGS designations.
8. The policies seek to respond to those local issues identified in the plan's baseline evidence and follow 4 themes:
 - Theme 1 – Village character and environment
 - Theme 2 – Housing and land use
 - Theme 3 – Community and economy
 - Theme 4 – Transport, Highways, Footpaths/ways
9. Once the plan is brought into legal force following agreement at a referendum, it will become part of the statutory development plan in Cherwell district and planning applications falling within the Neighbourhood Plan area (**Appendix 1**) will be determined in accordance with the development plan unless material considerations indicate otherwise.

SEA Screening criteria and procedure

10. Weston on the Green Parish Council requested a SEA screening opinion of its neighbourhood plan and has worked with Cherwell District Council to provide information which would enable District Council officers to determine whether the draft neighbourhood plan will give rise to significant environmental effects and require an SEA.
11. An initial SEA Screening prepared in December 2017 for the Weston on the Green NP Draft version 16.10.17 indicated that *'given the localised nature of the neighbourhood plan and the extent of its proposals, it is unlikely that significant environmental effects will arise from the neighbourhood plan. However, the site proposed in the Draft Neighbourhood Plan (version 16.10.17) for community amenity space (site B) is identified as a possible NERC Act S41 grassland habitat some 300 metres south east of the Weston Fen SSSI'*.
12. The December 2017 SEA Screening concluded that it was *'not possible to assess the likely effect of the proposal for amenity uses in Site B without additional grassland survey information and therefore this SEA screening opinion is undetermined'* and recommended that prior to liaison with the 3 environmental sustainability consultation bodies the parish consider liaising with Thames Valley Environmental Records Centre (TVERC) to:
 - i. assess the likelihood that site B comprises NERC ACT S41 grass land habitats;
 - ii. understand the extent of the affected area;
 - iii. establish whether a grassland survey of the area is required to understand the site's potential for grass land habitats;
 - iv. if a survey is required, have regard to the survey results when preparing the proposed submission of the neighbourhood plan and updating this SEA screening opinion.

13. Since then, the Neighbourhood Plan Steering Group engaged with Thames Valley Environmental Records Centre and amended the Neighbourhood Plan to address the biodiversity matters identified in site B. Other aspects of the plan have also been amended in response to the Steering Group's engagement with other stakeholders.
14. The criteria for determining the significance of effects are listed in Schedule 1 Regulations (9 (2) (a) and 10 (4)(a)) of the Environmental Assessment of Plans and Programmes Regulations 2004 . They relate to 2 main areas:
 - the scope and influence of the document and
 - the type of impact and area likely to be affected
15. This screening assessment refers to the Weston on the Green Neighbourhood Plan version provided to Cherwell District Council on 16 February 2018. The assessment has been undertaken using the criteria in Schedule 1 of the Environmental Assessment of Plans and Programmes Regulations 2004 and it is contained in **Appendix 4** of this screening statement.
16. This assessment does not provide any views on the content of the plan. It focuses on the assessment of the plan's content as provided to Cherwell District Council (16.02.2018 Draft Plan version) against the SEA criteria.

HRA Screening

17. The HRA Screening identifies the likely impact upon a European site of a project or plan, either alone or in combination with other projects or plans, and considers whether these impacts are likely to be significant.
18. There is one international site within Cherwell, the Oxford Meadows Special Area of Conservation. The site is located in the south-western corner of the district and is designated due to the low land hay meadow habitats it supports. There are four other international sites within 20 km of Cherwell's boundary: Cothill Fen SAC, Little Wittenham SAC, Aston Rowant SAC and Chiltern Beechwoods SAC.
19. Weston on the Green is located some 10 km north east of the Oxford Meadows Special Area of Conservation, a European designation for the purpose of the EC Habitats Directive 1992 and the Conservation of Habitats & Species Regulations 2017.
20. The Cherwell Local Plan Habitats Regulation Assessment: Stage 1 Screening (October 2014) notes that it is extremely unlikely that there will be any likely significant effect on Cothill Fen SAC, Little Wittenham SAC, Aston Rowant SAC and Chiltern Beechwoods SAC as a result of the Cherwell Local Plan 2011-2031 Part 1 .
21. The 2014 HRA Stage 1 Screening concluded that '*none of the 76 policies (or the proposals there in) present in the Cherwell District Council Submission Cherwell Local Plan incorporating Proposed Modifications (August 2014) will lead to likely significant effects on Oxford Meadows SAC, alone or in combination with other plans and projects*'.
22. A number of policies in the adopted Cherwell Local Plan may lead to development in the long term including the Villages policies which guide development in the rural areas. Policy Villages 1 indicates that proposals for development in Category A villages such as Weston on the Green will be considered suitable for minor development, infilling and conversions (only infilling and conversions in the Green Belt). The adopted Local Plan HRA Stage 1 Screening (2014) specifies that should planning applications arise as a result of these policies (policies without a quantum of development), '*all other policies within the Plan will be taken into account and used as the basis for decision making to determine the application*'.

Therefore, any planning application would also have to take into account the possibility of likely significant effects on the qualifying features of the Oxford Meadow SAC resulting from the proposed works, through consideration of Policy ESD9 and ESD10 (which seek to safeguard and protect biodiversity and the natural environment). The Plan also commits to an HRA at the development control stage (as in accordance with the Protection and Enhancement of Biodiversity and the Natural Environment text supporting Policies ESD9 and ESD10). The HRA of any proposed development will have to prove that the work will not have any likely significant or adverse effects on the integrity Oxford Meadows SAC (or that effects can be adequately mitigated)'.

23. The adopted Cherwell Local Plan 2011-2031 Part 1, its policies and Sustainability Appraisal (including SEA) and supporting HRA screening cover the Weston on the Green Neighbourhood Plan area. The policies in the neighbourhood plan need to be in conformity with the National Planning Policy Framework and in general conformity with the Cherwell Local Plan. It is considered that the degree of influence on future strategic policies will be limited.
24. Policies E1 to E6 (environment), policies C1 to C5 (community facilities) and policies T1 to T3 (transport) in the Draft Weston on the Green Neighbourhood Plan are intended to conserve or enhance the natural, built or historic environment, and enhancement measures will not be likely to have a negative effect on a European site.
25. Policies H2 to H7 address residential design and densities of proposals, housing meeting specific needs identified in the Neighbourhood Plan and developer contributions. These enhancement measures will not be likely to have a negative effect on a European site.
26. Policy H1 proposes a site already with outline planning permission for 20 dwellings (13/01796/OUT). Section 3.1 of the Neighbourhood Plan indicates that the remainder of the housing need identified in the Neighbourhood Plan (38 new houses) will be met through a 'non-identified' site subject to planning consent and meeting appropriate conditions or through windfall housing development.
27. Policy H1 and the Neighbourhood Plan's intention to deal with any windfall sites through the planning application process applying the Neighbourhood Plan policies is subject to the Cherwell adopted Local Plan HRA safeguards in Paragraph 23 above. Policy H1 already has a planning permission and any windfall site coming through the planning application process will be subject to Cherwell's adopted Local Plan policies ESD9 and ESD10. Proposals will need to prove that the work will not have any likely significant or adverse effects on the integrity Oxford Meadows SAC (or that effects can be adequately mitigated).

Consultation

28. Under Regulation 9 of the SEA Regulations, the Council consulted Natural England, Historic England and Environment Agency on the SEA screening determination between 02 March 2018 and 24 April 2018. Natural England and Historic England agreed that an SEA is not required for the Draft Weston on the Green Neighbourhood Plan (16.02.18).
29. In their response, the Environment Agency noted that due to limited resources their priority is *'influencing plans where the environmental risks and opportunities are highest'*. *'For the purposes of neighbourhood planning, we have assessed those authorities who have "up to date" local plans...as being of lower risk. At this time, therefore, we are unable to make any detailed input on neighbourhood plans being prepared within this local authority area'*.

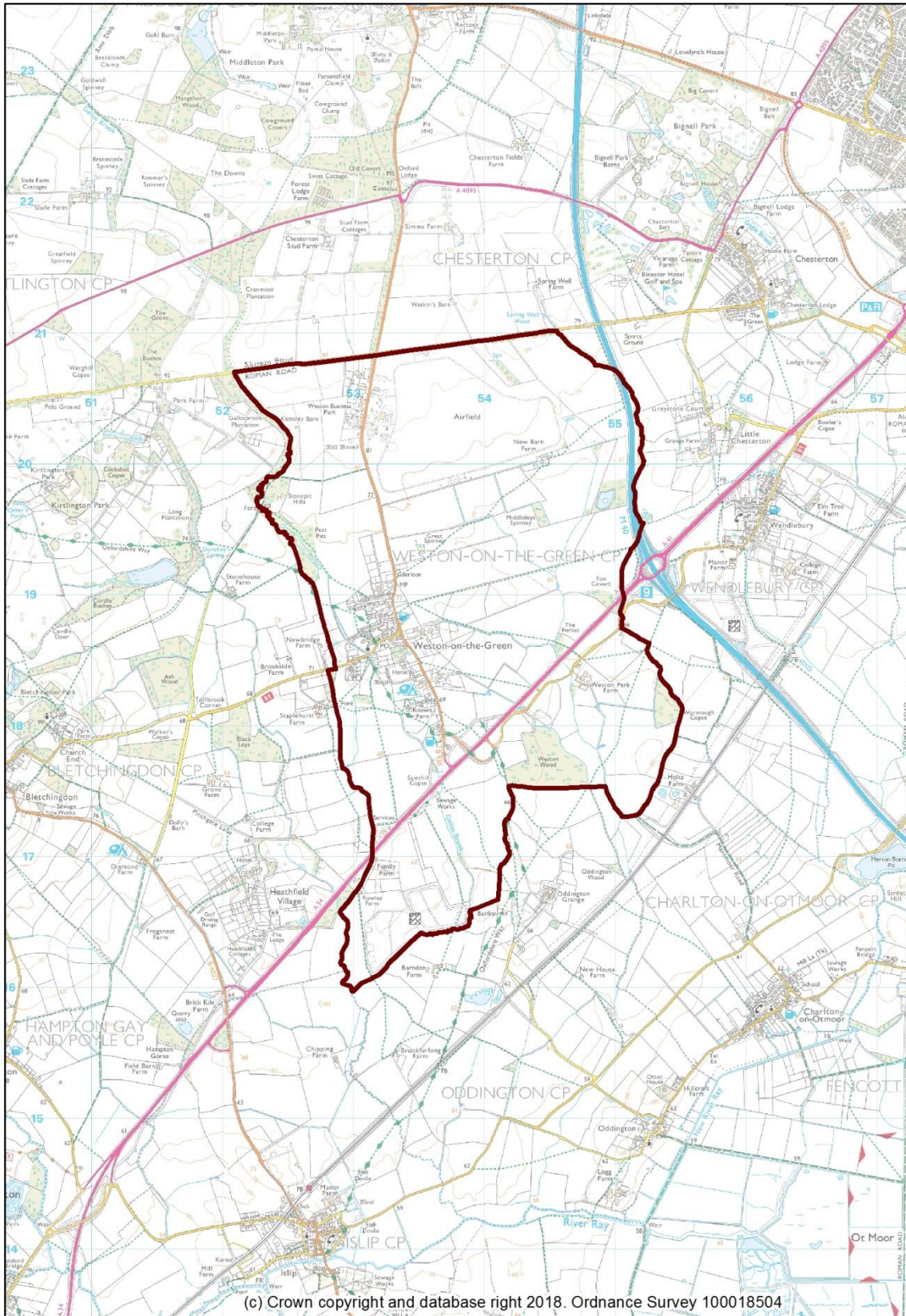
30. Historic England made specific reference to development proposals being also considered against Policy ESD15 of the adopted Cherwell Local Plan 2011-2031 which provides specific protection for heritage assets. Historic England noted that although they '*...would like to see a specific policy in the Neighbourhood Plan for the conservation and enhancement of heritage assets of the Plan area...*' they are satisfied that '*...an adequate policy framework for the consideration of development proposals that might affect the historic environment already exists, and that sufficient protection is therefore provided from harmful development for heritage assets, commensurate with the National Planning Policy Framework*'. The conclusion of this SEA statement (Paragraph 40) addresses Historic England's comment by referring to the safeguards in Cherwell's adopted Local Plan alongside the Neighbourhood Plan.
31. The responses received from the three consultation bodies are presented in **Appendix 5**.

Conclusion

32. Weston on the Green Neighbourhood Plan Steering Group have evidenced how the plan making process has considered relevant environmental, social and economic matters in chapters 2 and 3 of the neighbourhood plan as well as in appendices C, D, F, G and H concerning historical context, social and economic profile, landscape setting, green spaces and village form.
33. The neighbourhood plan supports a residential proposal (Site A) already with outline planning permission (13/01796/OUT) for 20 dwellings, proposes Area B (the Schoolfield) to be preserved as grassland habitat with access for passive recreation commensurate with the maintenance of a lowland meadow and designates four local green spaces.
34. Weston on the Green is located some 10 km north east of the Oxford Meadows Special Area of Conservation.
35. Part of Kirtlington and Bletchingdon Parks and Woods Conservation Target Area (CTA) and the entire Weston Fen Site of Special Scientific Interest (SSSI) fall within the parish boundary.
36. The neighbourhood Plan (Area B, the Schoolfield) is located to the west of the village's built-up area. A footpath and footbridge link Area B (the Schoolfield) to the Kirtlington and Bletchingdon Parks and Woods CTA and Weston Fen SSSI some 300 metres to the north-west of the site.
37. Area B (the Schoolfield) is identified in Cherwell District Council GIS as a possible NERC Act S41 grassland habitat some 300 metres south east of the Weston Fen SSSI. Policy C1 proposals for grass land habitat with access for passive recreation commensurate with the maintenance of a lowland meadow and the plan's commitment to a management plan for Area B, in line with the principles in Natural England's Low Land Grassland Management Handbook are likely to address the potential habitat sensitivity of Area B.
38. The NP is limited geographically to the parish boundaries (and its policies complement policies in the adopted Cherwell Local Plan Part 1 (July 2015) rather than address new environmental considerations other than Area B (the Schoolfield) proposals and the proposals for local green spaces within the context of NPPF paragraphs 76, 77 and 78 and Policy H1 supports a proposal already with outline planning permission.

39. Environmental, community facilities and transport policies in the NP are likely to have a positive effect on the environment and human health for the parish area. Policy C1 and its associated brief and environmental statement seek to preserve Area B (the Schoolfield) and its role as part of a wider biodiversity corridor linking important neighbouring nature conservation sites including SSSIs and CTAs located in neighbouring parish areas. This is likely to have a positive biodiversity effect across neighbouring parish boundaries.
40. Given the localised nature of the neighbourhood plan, the extent of its proposals, and the safeguards in the adopted Cherwell Local Plan Part 1 (2011-2031), it is unlikely that significant environmental effects will arise from the neighbourhood plan. It is considered that Strategic Environmental Assessment (SEA) and Habitats Regulations Assessment (HRA) are not required.

Appendix 1 Weston on the Green Neighbourhood Plan Area



Appendix 2
Weston on the Green Neighbourhood Plan
Site A proposed for development and Area B, the Schoolfield

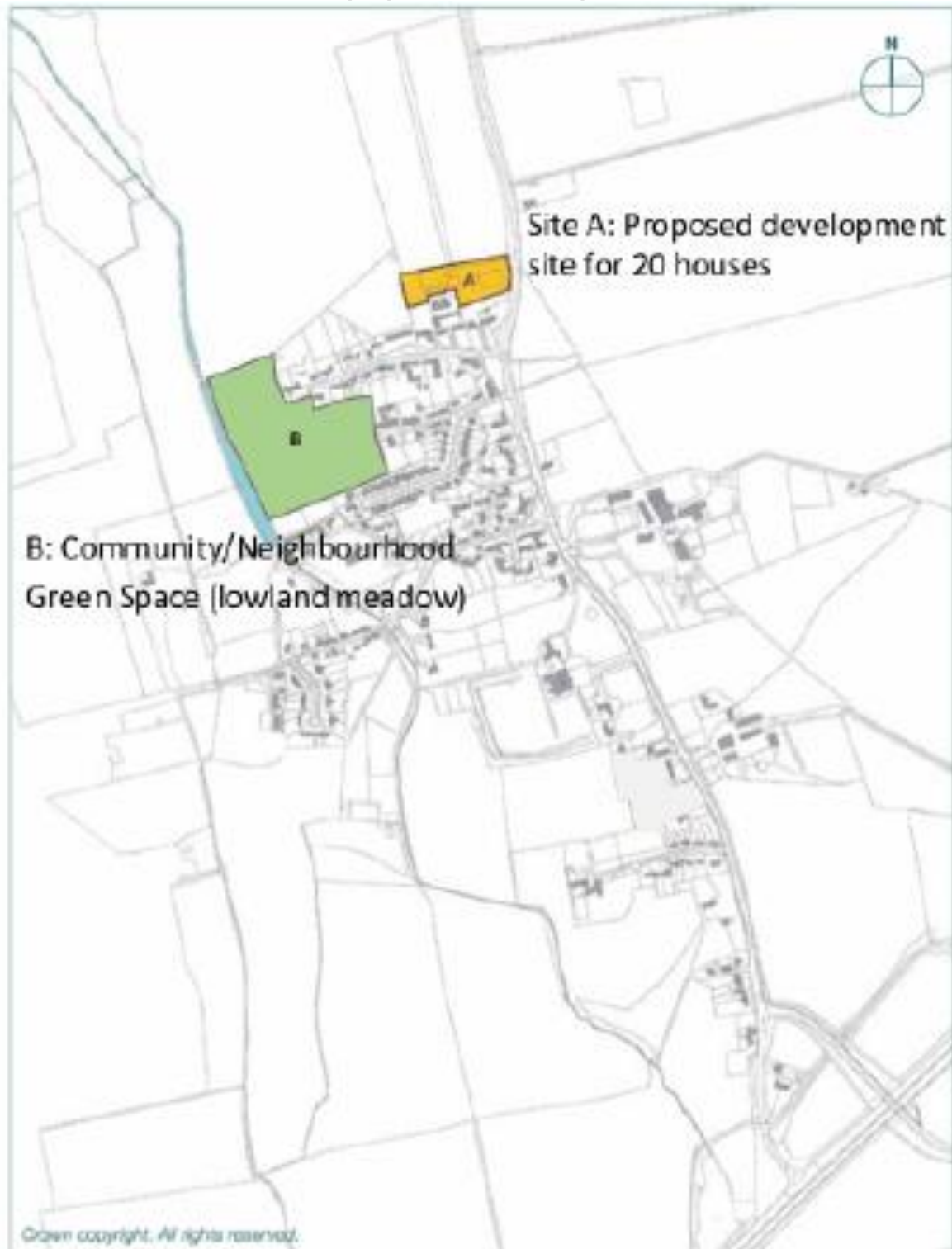


Figure 21: Site A proposed in this Plan (see policy H1) and Area B, the Schoolfield (see policy C1)

Weston on the Green Neighbourhood Plan
Important green spaces and designated Local Green Spaces



Figure 15: Important green spaces (e-h) and new designated Local Green Spaces in this Neighbourhood Plan (I-IV): A full appraisal is given in Appendix G (Crown copyright. All rights reserved)

Appendix 4

SEA screening Draft Plan 16.02.18

SEA Directive Criteria Schedule 1 of Environmental Assessment of Plans and Programmes Regulations 2004	Summary of significant effects Scope and influence of the document	Is the Plan likely to have a significant environmental effect? Y/N
1. Characteristics of the neighbourhood plan having particular regard to:		
(a) The degree to which the Plan sets out a framework for projects and other activities, either with regard to the location, nature, size or operating conditions or by allocating resources.	<p>If the plan is brought into legal force it will become part of the statutory development plan in Cherwell.</p> <p>The neighbourhood plan (NP) is prepared for land use purposes and covers the Weston of the Green parish area.</p> <p>The NP supports a residential proposal for 20 dwellings already with outline planning permission (13/01796/OUT) as part of Policy H1, a new area (Area B, the Schoolfield) to be preserved as grassland habitat with access for passive recreation as part of Policy C1 and proposes the designation of 4 Local Green Spaces (LGS) as part of Policy E6 (mapped in Figure 15)</p> <p>The type of projects and or activities which the neighbourhood plan may set will be at parish level with limited resource implications.</p>	N
(b) The degree to which the Plan influences other plans and programmes including those in a hierarchy.	Cherwell Local Plan 2011-2031 Part 1, its policies and Sustainability Appraisal (including SEA) cover the Neighbourhood Plan area. The policies in the neighbourhood plan need to be in conformity with the National Planning Policy Framework and in general conformity with the Cherwell Local Plan. The degree of influence on future strategic policies will be limited.	N
(c) The relevance of the Plan for the integration of environmental considerations in particular with a view to promoting sustainable development.	<p>The neighbourhood plan proposes policies to address local issues identified in the plan's baseline evidence (NP sections 2 and 3 and appendices C, D, F, G and H concerning historical context, social and economic profile, landscape setting, open spaces and village form).</p> <p>The policies cover four main themes:</p> <ul style="list-style-type: none"> • Village character and environment • Housing and land use 	N

SEA Directive Criteria Schedule 1 of Environmental Assessment of Plans and Programmes Regulations 2004	Summary of significant effects Scope and influence of the document	Is the Plan likely to have a significant environmental effect? Y/N
	<ul style="list-style-type: none"> • Community and economy • Transport, Highways, Footpaths/ways <p>The policies are intended to protect and enhance the natural and historic environment and address specific local issues. The NP supports a residential proposal for 20 dwellings already with outline planning permission (13/01796/OUT) as part of Policy H1, a new area (Area B, the Schoolfield) to be preserved as grassland habitat with access for passive recreation as part of Policy C1 and the designation of 4 Local Green Spaces.</p> <p>The NP is limited geographically to the parish boundaries and its policies complement policies in the adopted Cherwell Local Plan Part 1 (July 2015) rather than address new environmental considerations other than the proposals for local green spaces within the context of NPPF paragraphs 76, 77 and 78.</p>	
(d) Environmental problems relevant to the Plan.	<p>Section 2.4 of the NP identifies issues in relation to shortage of public space and the importance of preserving open spaces in the village from inappropriate development or use for parking. Section 2.4 of the NP notes Policy ESD10 of the adopted Cherwell Local Plan (July 2015) and highlights that areas adjacent to designated (biodiversity) sites can form part of the overall ecological unit and may provide important linkages.</p> <p>The NP identifies Area B (the Schoolfield), in Policy C1 to be 'preserved as grassland habitat with access for passive recreation commensurate with the maintenance of a lowland meadow'.</p> <p>Policy C1 indicates that Area B (the Schoolfield) will be <i>'carefully managed to enhance the natural grassland and wildlife biodiversity'</i> and cross-refers the NP Policy E2 which seeks development to preserve and enhance green infrastructure and the natural environment. Policy C1 commits to a management plan for Area B (the</p>	N

SEA Directive Criteria Schedule 1 of Environmental Assessment of Plans and Programmes Regulations 2004	Summary of significant effects Scope and influence of the document	Is the Plan likely to have a significant environmental effect? Y/N
	<p>Schoolfield) to be drawn up in consultation with the Parish Council in line with the principles in Natural England's Lowland Grassland Habitat Handbook.</p> <p>Area B (the Schoolfield) is located to the west of the village's built-up area and within the designated conservation area. It is accessible via footpaths from Mill Lane, Westlands Avenue and North Lane. Gallos Brook forms the western boundary of the site. A footpath and footbridge link site B to the Kirtlington and Bletchington Parks and Woods CTA and Weston Fen SSSI some 300 metres to the north west of the site.</p> <p>Cherwell District Council's GIS layers indicate Area B (the Schoolfield) is a possible NERC Act S41 grassland habitat.</p> <p>Weston on the Green Conservation Area Appraisal (2009) Paragraph 9.9 notes <i>'The level of traffic, especially at peak hours and when drivers use the B430 to avoid the congestion on the M40 at junctions 9 and 10, undoubtedly has an adverse effect on the character and appearance of what is essentially still an otherwise tranquil rural village.'</i></p> <p>Appendix D of the NP notes a survey undertaken in April 2016 recorded 6,500 vehicles per day using the B430 (primary access to the village) including 200 lorries and HGVs. The NP includes transport objectives and policies encouraging sustainable transport and address parking issues.</p> <p>Appendix F of the NP presents a brief and an environmental statement for Area B (the Schoolfield). It considers Area B, to be part of a biodiversity corridor linking important habitats to the north/northwest of the site (Weston Fen SSSI, Kirtlington and Bletchington Parks and Woods CTA) with others to the south/south east (Weston Wood and Otmoor CTA and Wendelbury Meads and Mansmoor Closes SSSIs).</p>	

SEA Directive Criteria Schedule 1 of Environmental Assessment of Plans and Programmes Regulations 2004	Summary of significant effects Scope and influence of the document	Is the Plan likely to have a significant environmental effect? Y/N
	<p>The neighbourhood plan supports a residential proposal for 20 dwellings already with outline planning permission (13/01796/OUT) as part of Policy H1, and a proposal in Policy C1 intending to secure Area B (the Schoolfield) for passive recreation commensurate with the potential habitat sensitivities of the area (possible NERC Act S41 grassland habitat) , and the designation of 4 Local Green Spaces as part of Policy E6.</p> <p>Given the localised nature of the plan it is unlikely that significant environmental effects will arise. The proposals in policy C1 respond sympathetically to the potential biodiversity sensitivity of Area B (the Schoolfield) and intends to preserve the area's role as part of a wider biodiversity corridor linking important neighbouring nature conservation sites including SSSIs and CTAs and therefore the effect of the NP against this criterion is likely to be positive.</p>	
(e) The relevance of the Plan for the implementation of Community legislation on the environment (for example plans and programmes related to waste management or water protection).	These are not directly relevant to the neighbourhood plan although the plan has been prepared in consultation with relevant organisations which would have to take into account of such legislation in the preparation of their own plans or programmes.	N
2. Characteristics of the effects and area likely to be affected having particular regard to:		
(a)The probability, duration, frequency and reversibility of the effects.	<p>The neighbourhood plan supports a residential proposal for 20 dwellings already with outline planning permission (13/01796/OUT) as part of Policy H1, an area to be 'preserved as grassland habitat with access for passive recreation as part of Policy C1, and the designation of 4 Local Green Spaces as part of Policy E6.</p> <p>Given the localised nature of the plan it is unlikely that significant environmental effects will arise. The proposals in policy C1 respond sympathetically to the potential biodiversity sensitivity of Area B (the Schoolfield) and intends to preserve the area's role as part of a wider biodiversity corridor linking important neighbouring nature conservation sites including SSSIs</p>	N

SEA Directive Criteria Schedule 1 of Environmental Assessment of Plans and Programmes Regulations 2004	Summary of significant effects Scope and influence of the document	Is the Plan likely to have a significant environmental effect? Y/N
	and CTAs and therefore the effect of the NP against this criterion is likely to be positive.	
(b)The cumulative nature of the effects of the Plan.	The policies in the neighbourhood plan are expected to help the implementation at the local level of environmental policies in the adopted Cherwell Local Plan and potentially the NPPF green space principles in paragraphs 76, 77 and 78.	N
(c)The trans boundary nature of the effects of the Plan.	The administrative area of the neighbourhood plan is that of the parish boundaries with no known significant effect on other parishes or on districts outside Cherwell. Other than Policy C1 and its associated brief and environmental statement which seek the preservation of Area B (the Schoolfield) and its role as part of a wider biodiversity corridor linking important neighbouring nature conservation sites including SSSIs and CTAs located in neighbouring parish areas. This is likely to have a positive effect across Parishes boundaries.	N
(d)The risks to human health or the environment (e.g. due to accident).	<p>The neighbourhood plan policies seek to address locally identified issues and support a residential proposal for 20 dwellings already with outline planning permission (13/01796/OUT) as part of Policy H1, an area to be 'preserved as grassland habitat with access for passive recreation as part of Policy C1, and the designation of 4 Local Green Spaces as part of Policy E6.</p> <p>There are no known risks to human health risk as a result of the plan and its measures regarding transport, housing and green space could result on positive effects on human health. Given the localised nature of the plan it is unlikely that significant environmental effects will arise. The proposals in policy C1 respond sympathetically to the potential biodiversity sensitivity of Area B (the Schoolfield) and intends to preserve the area's role as part of a wider biodiversity corridor linking important neighbouring nature conservation sites including SSSIs and CTAs and therefore the effect of the NP against this criterion is likely to be positive.</p>	N

SEA Directive Criteria Schedule 1 of Environmental Assessment of Plans and Programmes Regulations 2004	Summary of significant effects Scope and influence of the document	Is the Plan likely to have a significant environmental effect? Y/N
(e)The magnitude and spatial extent of the effects (geographic area and size of the population likely to be affected) by the Plan.	The plan covers the area of the parish of Weston on the Green with a population of 523 people according to the Census 2011.	N
(f)The value and vulnerability of the area likely to be affected by the Plan due to: <ul style="list-style-type: none"> • Special natural characteristics or cultural heritage • Exceeded environmental quality standards or limit values • Intensive land use. 	<p>Section 2 of the neighbourhood plan shows Weston on the Green Conservation Area, identifies historic features and maps listed structures.</p> <p>Kirtlington Park located c. 1km west of the parish boundary is a Registered Historic Park and Garden.</p> <p>Otley Grange SAM lies immediately adjacent the parish's southern boundary.</p> <p>The NP provides a context to the village's pattern of development and shows in Figures 9 and 10 a summary of street pattern characteristics and views.</p> <p>In Appendix C (Historical context for the village) the NP notes that <i>'Certain areas of the village have remained undeveloped and are now valued as important open and green spaces: Wetland areas around North Lane, Gallowsbrook and the Millpond, the ridge and furrow field near the of School (the Schoolfield), the Manor moat, and areas to the west of Knowle Lane'</i>.</p> <p>In Section 2.4 the NP explains the parish's landscape setting and local green spaces. The NP indicates Area B (the Schoolfield) <i>'forms a link between existing preserved areas of rich biodiversity in the parish, including Weston Fen SSSI, the ancient woodland Weston Wood and the Conservation target areas of Otmoor and Kirtlington and Bletchingdon Park and Woods'</i>. It indicates that <i>'this will be protected as ancient lowland meadow'</i> under Policy C1.</p> <p>Section 2.4 of the NP identifies Area B (the Schoolfield) as a <i>'priority habitat'</i>. Cherwell District Council GIS records identify Area B as a possible NERC Act S41 grassland habitat. If the 'possible' status of Area B has changed to a confirmed priority habitat</p>	N

SEA Directive Criteria Schedule 1 of Environmental Assessment of Plans and Programmes Regulations 2004	Summary of significant effects Scope and influence of the document	Is the Plan likely to have a significant environmental effect? Y/N
	<p>during the Neighbourhood Plan Steering Group further work on the NP, this has not been made clear in the NP.</p> <p>Appendix G of the NP contains an assessment of landscape setting and important internal Green Spaces within the village which informs the proposed designation of 4 Local Green Spaces as part of Policy E6.</p> <p>The NP policies seek to address the protection and enhancement of identified historic and landscape features through policies such as E1 on locally distinctive character, E2 on preserving and enhancing GI and the natural environment, E3 to E5 on previously development land, residential gardens, lighting visual intrusion and grass verges, and E6 on designated local green spaces.</p> <p>The neighbourhood plan is unlikely to result in intensive land use or exceed environmental quality standards.</p>	
(g)The effects of the Plan on areas or landscapes which have recognised national Community or international protected status.	<p>Weston on the Green is located some 10 km north east of the Oxford Meadows Special Area of Conservation, a European designation for the purpose of the EC Habitats Directive 1992 and the Conservation of Habitats & Species Regulations 2017.</p> <p>Part of Kirtlington and Bletchington Parks and Woods CTA and the entire Weston Fen SSSI fall within the parish boundary.</p> <p>Otmoor CTA and Otley Grange SAM are located immediately adjacent the parish's southern boundary.</p> <p>The Wendlebury Meads and Mansmoor Closes SSSI some 600 metres south east of the parish boundary overlaps with the Otmoor CTA.</p> <p>There are no Areas of Outstanding Natural Beauty affected by the neighbourhood plan.</p>	N

SEA Directive Criteria Schedule 1 of Environmental Assessment of Plans and Programmes Regulations 2004	Summary of significant effects Scope and influence of the document	Is the Plan likely to have a significant environmental effect? Y/N
	<p>The adopted Cherwell Local Plan 2011-2031 Part 1, its policies and Sustainability Appraisal (including SEA) and supporting HRA screening cover the Weston on the Green Neighbourhood Plan area. The policies in the neighbourhood plan need to be in conformity with the National Planning Policy Framework and in general conformity with the Cherwell Local Plan. It is considered that the degree of influence on future strategic policies will be limited.</p> <p>A number of policies in the adopted Cherwell Local Plan may lead to development in the long term including the Villages policies which guide development in the rural areas. Policy Villages 1 indicates that proposals for development in Category A villages such as Weston on the Green will be considered suitable for minor development, infilling and conversions (only infilling and conversions in the Green Belt). The adopted Local Plan HRA Stage 1 Screening (2014) specifies that should planning applications arise as a result of these policies (policies without a quantum of development), <i>'all other policies within the Plan will be taken into account and used as the basis for decision making to determine the application. Therefore, any planning application would also have to take into account the possibility of likely significant effects on the qualifying features of the Oxford Meadow SAC resulting from the proposed works, through consideration of Policy ESD9 and ESD10 (which seek to safeguard and protect biodiversity and the natural environment). The Plan also commits to an HRA at the development control stage (as in accordance with the Protection and Enhancement of Biodiversity and the Natural Environment text supporting Policies ESD9 and ESD10). The HRA of any proposed development will have to prove that the work will not have any likely significant or adverse effects on the integrity Oxford Meadows SAC (or that effects can be adequately mitigated)'</i>.</p>	

SEA Directive Criteria Schedule 1 of Environmental Assessment of Plans and Programmes Regulations 2004	Summary of significant effects Scope and influence of the document	Is the Plan likely to have a significant environmental effect? Y/N
	<p>Policies E1 to E6 (environment), policies C1 to C5 (community facilities) and policies T1 to T3 (transport) in the Draft Weston on the Green Neighbourhood Plan are intended to conserve or enhance the natural, built or historic environment, and enhancement measures will not be likely to have a negative effect on a European site.</p> <p>Policies H2 to H7 address residential design and densities of proposals, housing meeting specific needs identified in the Neighbourhood Plan and developer contributions. These enhancement measures will not be likely to have a negative effect on a European site.</p> <p>Policy H1 proposes a site already with outline planning permission for 20 dwellings (13/01796/OUT). Section 3.1 of the Neighbourhood Plan indicates that the remainder of the housing need identified in the Neighbourhood Plan (38 new houses) will be met through a 'non-identified' site subject to planning consent and meeting appropriate conditions or through windfall housing development.</p> <p>Policy H1 and the Neighbourhood Plan's intention to deal with any windfall sites through the planning application process applying the Neighbourhood Plan policies are subject to the Cherwell adopted Local Plan HRA safeguards (above). Policy H1 already has a planning permission and any windfall site coming through the planning application process will be subject to Cherwell's adopted Local Plan policies ESD9 and ESD10. Proposals will need to prove that the work will not have any likely significant or adverse effects on the integrity Oxford Meadows SAC (or that effects can be adequately mitigated).</p> <p>Area B (the Schoolfield) is identified in Cherwell District Council GIS as a possible NERC Act S41 grassland habitat some 300 metres south east of the Weston Fen SSSI.</p>	

SEA Directive Criteria Schedule 1 of Environmental Assessment of Plans and Programmes Regulations 2004	Summary of significant effects Scope and influence of the document	Is the Plan likely to have a significant environmental effect? Y/N
	<p>Policy C1 proposals for grass land habitat with access for passive recreation commensurate with the maintenance of a lowland meadow and the plan's commitment to a management plan for Area B, in line with the principles in Natural England's Low Land Grassland Management Handbook are likely to address the potential habitat sensitivity of Area B.</p> <p>Environmental, community facilities and transport policies in the NP are likely to have a positive effect on the environment and human health. Given the localised nature of the plan it is unlikely that significant environmental effects will arise.</p>	

Name of officer producing the screening opinion	Maria Garcia Dopazo Principal Planning Policy Officer Place and Growth Directorate Cherwell and South Northamptonshire Councils
Date of assessment	23 February 2018
Person requesting Screening Opinion	Mike Finbow Member of Weston on the Green Neighbourhood Plan Steering Group
Conclusion of assessment	No SEA is required No HRA is required
Name of officer approving the Screening Statement	Adrian Colwell Executive Director for Place and Growth Cherwell and South Northamptonshire Councils
Date of approval	04 May 2018

Appendix 5
Environmental Sustainability Consultation responses

Environmental Sustainability Consultation Body	Consulted on:	Response received on:
Environment Agency	02 March 2018	06 March 2018
Historic England	02 March 2018	25 March 2018
Natural England	02 March 2018	24 April 2018

Maria Dopazo

From: [REDACTED]
Sent: 06 March 2018 14:25
To: Maria Dopazo
Subject: RE: SEA/HRA Draft Weston on the Green Neighbourhood Plan (1 of 2)

Dear Ms Maria Garcia Dopazo,

Thank you for consulting the Environment Agency on your SEA screening opinion for Weston on the Green, Draft Neighbourhood Plan.

We regret that at present, the Thames Area Sustainable Places team is unable to review this consultation. This is due to resourcing issues within the team, a high development management workload and an increasing volume of neighbourhood planning consultations. We have had to prioritise our limited resource, and must focus on influencing plans where the environmental risks and opportunities are highest. For the purposes of neighbourhood planning, we have assessed those authorities who have "up to date" local plans (plans adopted since 2012, or which have been confirmed as being compliant with the National Planning Policy Framework) as being of lower risk. At this time, therefore, we are unable to make any detailed input on neighbourhood plans being prepared within this local authority area.

However, together with Natural England, English Heritage and Forestry Commission, we have published joint guidance 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

Kind Regards

Thames Sustainable Places Team

Environment Agency | [REDACTED]
[REDACTED]

Speak to us early about environmental issues and opportunities - We can provide a free pre-application advice note or for more detailed advice / meetings / reviews we can provide a project manager to coordinate specialist advice / meetings which costs £84 per hour. For more information email us at [REDACTED]



Creating a better place
for people and wildlife



From: Maria Dopazo [REDACTED]
Sent: 02 March 2018 09:41
To: [REDACTED]
Cc: [REDACTED]

Subject: SEA/HRA Draft Weston on the Green Neighbourhood Plan (1 of 2)

Please find attached a SEA and HRA Screening opinion for your consideration. It relates to Weston on the Green Draft Neighbourhood Plan. This e-mail has the Draft Plan and Screening Opinion attached but the appendices are sent on a separate e-mail due to their size.

Do not hesitate to contact me, if you need any clarifications or further information.

Maria Garcia Dopazo



Historic England

Maria Garcia Dopazo
Principal Planning Policy Officer
Planning Policy & Growth Strategy
Place & Growth Directorate
Cherwell and South Northamptonshire Councils
Bodicote House
Bodicote
Banbury, OX15 4AA.

Our ref: HD/P5352/
Your ref:

Fax

25th March 2018

Dear Maria,

Weston-on-the-Green Neighbourhood Plan SEA Screening

Thank you for your e-mails of 15th March seeking the opinion of Historic England on whether or not the Weston-on-the-Green Neighbourhood Plan would be likely to have significant environmental effects and therefore whether or not it should be subject to strategic environmental assessment.

Weston-on-the-Green has a rich historic environment, with 33 listed buildings, a conservation area and potential archaeological interest. There is, therefore, potential for new development to have significant effects on the significance of heritage assets within the village, depending, of course, on where that development takes place.

We note that the Plan identifies a need within the parish for 38 new dwellings during the Plan period but only allocates one site for development, for 20 dwellings. This site is adjacent to the Conservation Area and therefore has potential impacts on the special interest, character and appearance of the Area, or views into or out of the Area, that Policy C5 of the Plan seeks to protect. However, we understand that this site already has outline planning permission so we trust that these issues will have already been considered.

The remaining 18 dwellings are to be met through an as yet unidentified site or sites. The Plan contains a number of policies that set out criteria that any new development should meet in order to be permitted. However, we note that none of these policies seek to conserve or enhance the heritage assets of the parish, with the exception of Policy C5, which only relates, as regards heritage assets, to views identified in the conservation area appraisal.

The Neighbourhood Plan therefore provides no specific protection to listed buildings or archaeological remains (and consequently we do not entirely agree with the statement in paragraph 25 of the Council's draft Screening Opinion regarding the Draft Plan having policies intended to conserve or enhance the historic environment).



Please note that Historic England operates an access to information policy.

Correspondence or information which you send us may therefore become publicly available.



Consequently, considering the Neighbourhood Plan in isolation, it does not appear to limit the number of new houses that may be developed during the Plan period, it provides only a limited indication of where new development should not take place, and it does not provide any specific protection for listed buildings or archaeological remains and only very limited protection for the special interest, character and appearance of the conservation area.

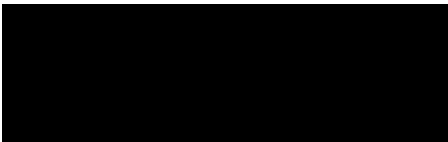
However, development proposals will also need to be considered against Policy ESD15 of the adopted Cherwell Local Plan 2011-2031, which does provide specific protection from development that would harm any heritage asset. Therefore, whilst we would like to see a specific policy in the Neighbourhood Plan for the conservation and enhancement of the heritage assets of the Plan area, we are satisfied that an adequate policy framework for the consideration of development proposals that might affect the historic environment already exists, and that sufficient protection is therefore provided from harmful development for heritage assets, commensurate with the National Planning Policy Framework.

We therefore agree with the Council's conclusion that Strategic Environmental Assessment of the Weston-on-the-Green Neighbourhood Plan is **not required**, although because adequate safeguards for the historic environment already exist, not because "*Given the localised nature of the neighbourhood plan and the extent of its proposals, it is unlikely that significant environmental effects will arise from the neighbourhood plan*" as concluded by the Council.

We hope these comments are helpful. Please contact me if you have any queries.

Thank you again for consulting Historic England.

Kind regards,



Martin Small
Principal Adviser, Historic Environment Planning
(Bucks, Oxon, Berks, Hampshire, IoW, South Downs National Park and Chichester)



Please note that Historic England operates an access to information policy.
Correspondence or information which you send us may therefore become publicly available.



Date: 24 April 2018
Our ref: 244262



Cherwell District Council

BY EMAIL ONLY



Dear Sir or Madam

Planning Consultation: Weston On The Green Neighbourhood Plan SEA Screening

Thank you for your consultation on the above dated 16 April 2018.

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

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

In our review of the Weston On The Green Neighbourhood Plan SEA screening we note that;

- there are designated sites or protected landscapes within the impacts zones of the Neighbourhood Plan area, however, the Plan does not allocate any additional sites for development.

As a result we agree with the assessment that the Neighbourhood Plan does not require an SEA.

However, we would like to draw your attention to the requirement to conserve biodiversity and provide a net gain in biodiversity through planning policy (Section 40 of the Natural Environment and Rural Communities Act 2006 and section 109 of the National Planning Policy Framework). Please ensure that any development policy in your plan includes wording to ensure "all development results in a biodiversity net gain for the parish.

The recently produced [Neighbourhood Plan for Benson](#), in South Oxfordshire provides an excellent example. Although the Plan has not been to referendum yet, we are of the opinion that the policy wording around the Environment, Green Space and Biodiversity is exemplar. We would recommend you considering this document, when reviewing yours.

Further Recommendations

Natural England would also like to highlight that removal of green space in favour of development may have serious impacts on biodiversity and connected habitat and therefore species ability to adapt to climate change. We recommend that the final local plan include:

- Policies around connected Green Infrastructure (GI) within the parish. Elements of GI such as open green space, wild green space, allotments, and green walls and roofs can all be used to create connected habitats suitable for species adaptation to climate change. Green infrastructure also provides multiple benefits for people including recreation, health and well-

being, access to nature, opportunities for food growing, and resilience to climate change. Annex A provides examples of Green Infrastructure;

- Policies around Biodiversity Net Gain should propose the use of a biodiversity measure for development proposals. Examples of calculation methods are included in Annex A;

Annex A provides information on the natural environment and issues and opportunities for your Neighbourhood planning.

Yours sincerely

Pierre Fleet
Adviser
Sustainable Development
Thames Team

Annex A - Neighbourhood planning and the natural environment: information, issues and opportunities

Natural Environment Information Sources

The [Magic](http://magic.defra.gov.uk/)¹ website will provide you with much of the nationally held natural environment data for your plan area. The most relevant layers for you to consider are: **Agricultural Land Classification, Ancient Woodland, Areas of Outstanding Natural Beauty, Local Nature Reserves, National Parks (England), National Trails, Priority Habitat Inventory, public rights of way (on the Ordnance Survey base map) and Sites of Special Scientific Interest (including their impact risk zones)**. Local environmental record centres may hold a range of additional information on the natural environment. A list of local record centres is available [here](#)².

Priority habitats are those habitats of particular importance for nature conservation, and the list of them can be found [here](#)³. Most of these will be mapped either as **Sites of Special Scientific Interest**, on the Magic website or as **Local Wildlife Sites**. Your local planning authority should be able to supply you with the locations of Local Wildlife Sites.

National Character Areas (NCAs) divide England into 159 distinct natural areas. Each character area is defined by a unique combination of landscape, biodiversity, geodiversity and cultural and economic activity. NCA profiles contain descriptions of the area and statements of environmental opportunity, which may be useful to inform proposals in your plan. NCA information can be found [here](#)⁴.

There may also be a local **landscape character assessment** covering your area. This is a tool to help understand the character and local distinctiveness of the landscape and identify the features that give it a sense of place. It can help to inform, plan and manage change in the area. Your local planning authority should be able to help you access these if you can't find them online.

If your neighbourhood planning area is within or adjacent to a **National Park** or **Area of Outstanding Natural Beauty** (AONB), the relevant National Park/AONB Management Plan for the area will set out useful information about the protected landscape. You can access the plans on from the relevant National Park Authority or Area of Outstanding Natural Beauty website.

General mapped information on **soil types** and **Agricultural Land Classification** is available (under 'landscape') on the [Magic](http://magic.defra.gov.uk/)⁵ website and also from the [LandIS website](http://www.landis.org.uk/)⁶, which contains more information about obtaining soil data.

Natural Environment Issues to Consider

The [National Planning Policy Framework](https://www.gov.uk/government/publications/national-planning-policy-framework--2)⁷ sets out national planning policy on protecting and enhancing the natural environment. [Planning Practice Guidance](http://planningguidance.planningportal.gov.uk/blog/guidance/natural-environment/)⁸ sets out supporting guidance.

Your local planning authority should be able to provide you with further advice on the potential impacts of your plan on the natural environment and the need for any environmental assessments.

¹ <http://magic.defra.gov.uk/>

² <http://www.nbn-nfbr.org.uk/nfbr.php>

³ <http://webarchive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx>

⁴ <https://www.gov.uk/government/publications/national-character-area-profiles-data-for-local-decision-making>

⁵ <http://magic.defra.gov.uk/>

⁶ <http://www.landis.org.uk/index.cfm>

⁷ <https://www.gov.uk/government/publications/national-planning-policy-framework--2>

⁸ <http://planningguidance.planningportal.gov.uk/blog/guidance/natural-environment/>

Landscape

Paragraph 109 of the National Planning Policy Framework (NPPF) highlights the need to protect and enhance valued landscapes through the planning system. Your plans may present opportunities to protect and enhance locally valued landscapes. You may want to consider identifying distinctive local landscape features or characteristics such as ponds, woodland or dry stone walls and think about how any new development proposals can respect and enhance local landscape character and distinctiveness.

If you are proposing development within or close to a protected landscape (National Park or Area of Outstanding Natural Beauty) or other sensitive location, we recommend that you carry out a landscape assessment of the proposal. Landscape assessments can help you to choose the most appropriate sites for development and help to avoid or minimise impacts of development on the landscape through careful siting, design and landscaping.

Wildlife habitats

Some proposals can have adverse impacts on designated wildlife sites or other priority habitats (listed [here](#)⁹), such as Sites of Special Scientific Interest or [Ancient woodland](#)¹⁰. If there are likely to be any adverse impacts you'll need to think about how such impacts can be avoided, mitigated or, as a last resort, compensated for.

Priority and protected species and habitat

You'll also want to consider whether any proposals might affect priority species (listed [here](#)¹¹) or protected species. Natural England has produced advice [here](#)¹² to help understand the impact of particular developments on protected species. Consideration should also be given to the potential environmental value of brownfield sites, often found in urban areas and former industrial land, further information including links to the open mosaic habitats inventory can be found [here](#).

Ancient woodland and veteran trees-link to standing advice

You should consider any impacts on ancient woodland and veteran trees in line with paragraph 118 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

Biodiversity net gain

Under section 40 of the Natural Environment and Rural Communities Act 2006 Local Planning Authorities are required to conserve biodiversity. The NPPF section 109 states "*the planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity wherever possible*". Suitable methods for calculating biodiversity net gain can include the Defra biodiversity offsetting metric¹³ and the environment bank biodiversity impact calculator¹⁴. Natural England would expect a policy within the Neighbourhood Plan to include wording to ensure that net biodiversity gain is achieved.

⁹<http://webarchive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx>

¹⁰ <https://www.gov.uk/guidance/ancient-woodland-and-veteran-trees-protection-surveys-licences>

¹¹ <http://webarchive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx>

¹² <https://www.gov.uk/protected-species-and-sites-how-to-review-planning-proposals>

¹³ <https://www.gov.uk/government/collections/biodiversity-offsetting#guidance-for-offset-providers-developers-and-local-authorities-in-the-pilot-areas> Note; the 'Guidance for developers' and 'Guidance for offset providers' documents provide a calculation method.

¹⁴ <http://www.environmentbank.com/impact-calculator.php> , and http://www.google.co.uk/url?sa=t&rct=j&q=&esrc=s&source=web&cd=3&ved=0ahUKEwi7vcbI0aDQAhVMDcAKHb8IDEUQFggsMAI&url=http%3A%2F%2Fconsult.welhat.gov.uk%2Ffile%2F4184236&usq=AFQjCNFfkbJJJQ_UN0044Qe6rmiLffxckg

Best and Most Versatile Agricultural Land

Soil is a finite resource that fulfils many important functions and services for society. It is a growing medium for food, timber and other crops, a store for carbon and water, a reservoir of biodiversity and a buffer against pollution. If you are proposing development, you should seek to use areas of poorer quality agricultural land in preference to that of a higher quality in line with National Planning Policy Framework section 112. For more information, see our publication [Agricultural Land Classification: protecting the best and most versatile agricultural land](#)¹⁵.

Green Infrastructure, Improving Your Natural Environment.

Inclusion of Green Infrastructure (GI) in to development plans can provide multifunctional benefits to the area. These can include opportunities for recreation, health and wellbeing and access to nature as well as providing connected habitats for wildlife.

Your plan or order can offer exciting opportunities to enhance your local environment through inclusion of GI. If you are setting out policies on new development or proposing sites for development, you may wish to consider identifying what environmental features you want to be retained, connected, enhanced or new features you would like to see created as part of any new development. Examples might include:

- Providing a new footpath with landscaping through the new development to link into existing rights of way or other green spaces.
- Restoring a neglected hedgerow or creating new ones.
- Creating a new pond as an attractive feature on the site.
- Planting trees characteristic to the local area to make a positive contribution to the local landscape.
- Using native plants in landscaping schemes for better nectar and seed sources for bees and birds.
- Incorporating swift boxes or bat boxes into the design of new buildings.
- Considering how lighting can be best managed to encourage wildlife.
- Adding a green roof or walls to new or existing buildings.

You may also want to consider enhancing your local area in other ways, for example by:

- Setting out in your plan how you would like to implement elements of a wider Green Infrastructure Strategy in your community.
- Assessing needs for accessible greenspace and setting out proposals to address any deficiencies or enhance provision.
- Identifying green areas of particular importance for special protection through Local Green Space designation (see [Planning Practice Guidance on this](#)¹⁶).
- Managing existing (and new) public spaces to be more wildlife friendly (e.g. by sowing wild flower strips in less used parts of parks, changing hedge cutting timings and frequency).
- Planting additional street trees.
- Identifying any improvements to the existing public right of way network, e.g. cutting back hedges, improving the surface, clearing litter or installing kissing gates) or extending the network to create missing links.
- Restoring neglected environmental features (e.g. coppicing a prominent hedge that is in poor condition or clearing away an eyesore).

Green Roofs

¹⁵ <http://publications.naturalengland.org.uk/publication/35012>

¹⁶ <http://planningguidance.planningportal.gov.uk/blog/guidance/open-space-sports-and-recreation-facilities-public-rights-of-way-and-local-green-space/local-green-space-designation/>

Natural England is supportive of the inclusion of living roofs in all appropriate development. Research indicates that the benefits of green roofs include reducing run-off and thereby the risk of surface water flooding; reducing the requirement for heating and air-conditioning; and providing habitat for wildlife.

We would advise your council that some living roofs, such as sedum matting, can have limited biodiversity value in terms of the range of species that grow on them and habitats they provide. Natural England would encourage you to consider the use of bespoke solutions based on the needs of the wildlife specific to the site and adjacent area. I would refer you to <http://livingroofs.org/> for a range of innovative solutions.

Habitat Regulations Assessment Stage 1 Screening

Weston-on-the-Green Neighbourhood Plan 2018-2031

October 2018

The changes to the Neighbourhood Plan have been reviewed in relation to any implications for the HRA Screening of the Plan. The main change of relevance to the HRA is new policy H2.

Policy H1 supports development of a site at Southfield Farm for 20 dwellings. The site is already the subject of an outline planning consent for 20 dwellings (13/01796/OUT). Section 3.1 of the Neighbourhood Plan indicates that the remainder of the housing need identified in the Neighbourhood Plan (18 new houses net) will be met through windfall sites coming forward. Policy H2 indicates that sustainable residential development within the village confines will be permitted for conversions, infilling and minor development provided that they protect the character of the village and are in accordance with the Neighbourhood Plan and Local Plan policies.

This is consistent with adopted Cherwell Local Plan policy Villages 1, which indicates that proposals for development in Category A villages such as Weston-on-the-Green will be considered suitable for minor development, infilling and conversions (only infilling and conversions in the Green Belt).

Whilst policy H2 may lead to development longer term, it does not allocate specific development sites; schemes would come forward through the planning application process. However the neighbourhood plan policy requires development schemes to be compliant with Local Plan policies, and adopted Local Plan policy ESD10 indicates that development will not be permitted unless it can be demonstrated that there will be no likely significant effects on an international site or that effects can be mitigated.

Policy H2 will not lead to growth in addition to that already assessed through the Local Plan process. It is therefore considered that Policy H2 is not likely to lead to significant effects on Oxford Meadows Special Area of Conservation (SAC).

In reviewing the HRA screening, consideration has been given to the Court of Justice of the European Union judgement in April 2018, which has affected how Stage 1 Screening assessments are undertaken. The judgement for *People over Wind, Peter Sweetman v Coillte Teoranta* (Case C-323/17), determined that *"it is not appropriate, at the screening stage, to take account of the measures intended to avoid or reduce the harmful effects of the plan or project on the site"*. Such measures should instead be assessed through Stage 2 Appropriate Assessment.

The Neighbourhood Plan does not contain avoidance or mitigation measures relating to the SAC, and as the level of growth resulting from the changes contained in the plan is in accordance with the adopted Cherwell Local Plan Policy Villages 1, it is considered that the original HRA screening conclusions remain valid.