

Adderbury Neighbourhood Development Plan – Submission Plan – (updated)
September 2017
Screening Statement by Cherwell District Council on the need for a Strategic
Environmental Assessment (SEA)

The need for SEA

To meet the ‘basic conditions’ which are specified by law a Neighbourhood Development Plan must be compatible with EU obligations.

Regulation 15 of The Neighbourhood Planning (General) Regulations 2012 (as amended) specifies the documents that must be included when a qualifying body submits a plan proposal to the local planning authority. Under Regulation 15 (1) (e) (i) this includes an environmental report prepared in accordance with paragraphs (2) and (3) of regulation 12 of the SEA regulations. Under Regulation 15 (1) (e) (ii) it includes, *“where it has been determined under regulation 9(1) of those Regulations that the plan proposal is unlikely to have significant environmental effects (and, accordingly does not require an environmental assessment), a statement of the reasons for the determination”*.

The basis for Strategic Environmental Assessment (SEA) European 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 (the SEA regulations). Detailed Guidance of these regulations can be found in the Government publication ‘A Practical Guide to the Strategic Environmental Assessment Directive’ (ODPM 2005).

Article 6 (3) of the EU Habitats Directive (Council Directive 92/43/EEC) and regulation 61 of the Conservation of Habitats and Species Regulations 2010 (as amended) required that an appropriate assessment of plans and programmes is carried out with regard to the conservation objectives of European Sites (Natura 2000 sites) and that other plans and projects identify any significant effect that is likely for any European Site. In the context of neighbourhood planning, a Habitats Regulation Assessment (HRA) is required where a Neighbourhood Plan is deemed likely to result in significant negative effects occurring on protected European Sites (Natura 2000 sites) as a result of the plan’s implementation.

As part of the independent examination of the Neighbourhood Plan, the independent examiner will test whether the making of the Adderbury Neighbourhood Plan is compatible with European Union obligations, including the SEA Directive.

Government advice in Paragraphs 27 and 28 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.

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). 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). A copy of the statement is then submitted for examination alongside the neighbourhood plan.

Vision, Objectives and Land Use Policies of the Plan

The Submission Adderbury Neighbourhood Plan (ANP) proposes policies to guide development within Adderbury Parish boundaries to 2031. The plan does not seek to allocate land for development other than one site for community facilities and associated buildings. The vision and objectives are set out on page 16 of the ANP. They are:

- “To manage the incremental growth of the village through sensitive infill and to protect the surrounding countryside from harmful development”;
- “To transform the quality and diversity of community facilities in the village to serve the local community”;
- “To conserve the special heritage character of the village and its landscape setting”; and
- “To protect and improve the ecological value and connectivity of the green infrastructure asset of the village and wider parish”.

To deliver its vision and objectives a number of policies are proposed in the ANP. The policies are assessed against the criteria in Appendix 1

When the plan is adopted it will become part of the statutory development plan in Cherwell District and planning applications falling within the parish area will be determined in accordance with the development plan unless material considerations indicate otherwise.

SEA Screening criteria and procedure

Planning Practice Guidance (PPG) contains specific assistance on sustainability appraisal/SEA requirements for Neighbourhood Plans. Paragraphs 001 Reference ID: 11-026-20140306 of the PPG confirms that there is no legal requirement for a neighbourhood plan to have a full sustainability appraisal.

Adderbury Parish Council has requested a draft SEA screening opinion of its submission neighbourhood plan and has worked with Cherwell District Council to provide information which would enable District Council officers to determine whether the submission Adderbury Neighbourhood Plan would likely give rise to significant environmental effects and require an SEA.

The criteria for determining the significance of effects are listed in Schedule 1 Regulations (9 (2) (a), 9 (3) and 10 (4) (a) of the Environmental Assessment of Plans and Programmes Regulations 2004. They relate to 2 main areas:

- Take in to account the criteria, the scope and influence of the document; and
- Determine whether the plan, programme or modification is likely to have significant environmental effects (and, accordingly does not require an environmental assessment), it shall prepare a statement of its reasons for the determination.

A screening assessment has been undertaken using the criteria in Schedule 1 of the Environmental Assessment of Plans and Programmes Regulations 2004 and is presented at Appendix 1.

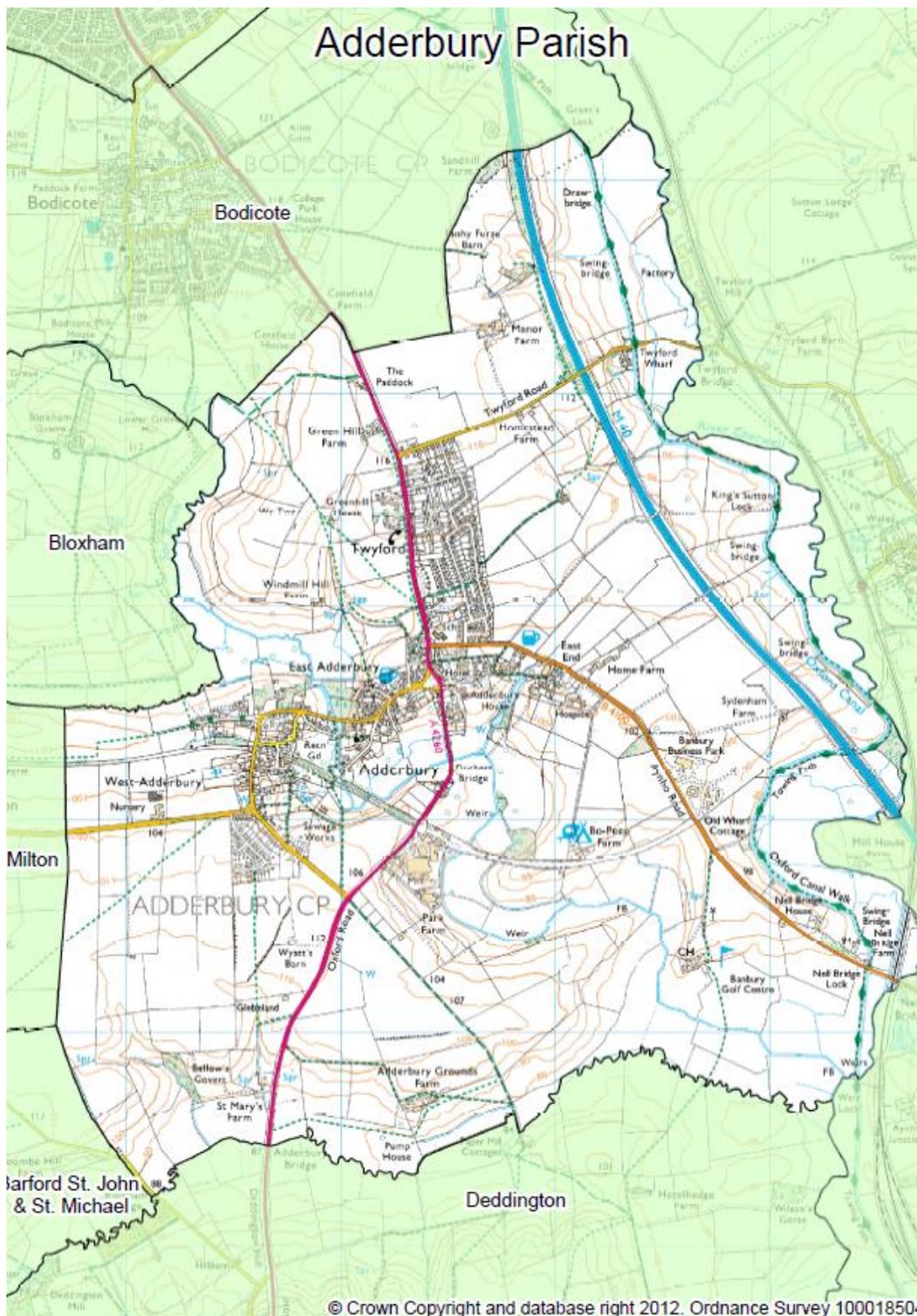
Conclusion

Having regard to the screening at Appendix 1, it is considered that the Submission ANP is unlikely to result in any significant environmental effects. On this basis, an SEA would not be required.

The draft neighbourhood plan does not allocate land for development other than proposing to allocate one site for community facilities and associated buildings. The ANP also relies upon developments with planning permission and which are under construction. Some additional development at Adderbury was provided for

by adopted Cherwell Local Plan 2011-2031 Policies Villages 1 and Villages 2 which was the subject of SEA/SA. Adderbury is located more than 20 km away from European designations for the purpose of the EC Habitats Directive 1992 and the Conservation of Habitats & Species Regulations 2010. It is concluded that an HRA is not required.

In accordance with the Regulations the three statutory environmental consultation bodies (Historic England, Environment Agency and Natural England) will be consulted on this screening report along with the Submission ANP and documents.



Appendix 1: SEA screening Table/ Report

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 environmen tal effect? Y/N
1. Characteristics of the neighbourhood plan having particular regard to:		
<p>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>	<p>If the ANP is brought into legal force it will become part of the statutory development plan in Cherwell District.</p> <p>The ANP is prepared for land use purposes and covers Adderbury Parish. It accounts for the growth anticipated in the Cherwell Local Plan but does not allocate land for development in general except for one site for community facilities.</p> <p>Policy AD1 defines an Adderbury Settlement Boundary, it states, that ‘infill development within this boundary will be supported, and ‘proposals for development outside the boundary will be supported if they are consistent with development plan policies on local landscape protection policies of the Plan.’ This policy applies to development of land within its proposed settlement boundary and land outside the boundary the policies in the development plan will apply.</p> <p>Policy AD1 supports sites for infill development, which is consistent with Policy Villages 1 in part in the adopted Cherwell Local Plan. Policy Villages 1 considers minor development and conversions in addition to infill development. It should be noted that the Cherwell Local Plan, including policy Villages 2, sets out a number of policy requirements for identifying and considering sites</p> <p>The schedule of evidence for ANP includes the Adderbury Neighbourhood Green Space and Local Gaps Report, which details various Green-space Asset areas within the Adderbury Parish. The report is informed by Paragraphs 76, 77 and 78 of the NPPF, Policy ESD13 and ESD17 of the adopted Cherwell Local Plan and Adderbury Conservation Area Appraisal 2012.</p> <p>The type of projects and or activities which the neighbourhood plan sets out will be at parish level with limited natural resource implications.</p>	N

<p>(b) The degree to which the Plan influences other plans and programmes including those in a hierarchy.</p>	<p>The ANP has taken into account planning policies in the adopted Cherwell Local Plan 2011-2031 and saved policies of The Cherwell Local Plan 1996. It does not influence the strategic policies of the development plan but provides detail guidance on landscape characters, detailed definition of different characters areas and managing design for these areas within ANP Parish.</p> <p>The ANP must have regard to national policies and advice and must be in general conformity with the strategic policies of the development plan in force in order to meet the 'basic conditions'. The ANP will have some influence on the preparation of future non-strategic planning policies. However, both will need to be in general conformity with adopted strategic Local Plan policies which have been the subject of SEA/SA.</p>	N
<p>(c) The relevance of the Plan for the integration of environmental considerations in particular with a view to promoting sustainable development.</p>	<p>The ANP proposes policies to address local issues identified in the plan's baseline evidence. The policies covers the themes on:</p> <ul style="list-style-type: none"> • Managing incremental growth through sensitive infill • Transform the quality and diversity of community facilities • Conserve the special character of the village and landscape setting • Protect and improve ecological value and connectivity <p>The policies are intended to protect and or enhance the natural and historic environment and address specific local issues. The ANP ensures that any matters pertaining to the natural and historic environment are carefully managed/ considered in future decision. There are no significant effects (individually or cumulatively) on the recognised special characteristics of the Adderbury Conservation Area and its buildings of historic value.</p> <p>There are no proposals which would harm the BAP priority habitats within and outside the Adderbury Conservation Area. The neighbourhood plan policies complement policies in the adopted Cherwell Local Plan.</p>	N
<p>(d) Environmental problems relevant to the Plan.</p>	<p>The ANP has a Green Space and Local Gaps Report to accompany it. This document is informed by the Green Infrastructure Policy in the Local Plan and Council's Adderbury Conservation Area Appraisal.</p> <p>The green areas within this report have been classified into 3 categories 1. Green spaces and Park; 2. Play space; and 3. Outdoor space, which is based on the</p>	N

	<p>development plan and the NPPF. This classification is further developed into design policies which define the landscape types within Adderbury and provide protection and enhancement through the landscape policies.</p> <p>There are no proposals which would harm the landscape character within and outside the Adderbury Conservation Area.</p> <p>Policy AD18: Sports and Community Facilities site allocation.</p> <p>The site allocated for sports and community facilities and buildings is located along Bloxham Road along its southern boundary. The new development under construction along Bloxham Road lies along its eastern boundary and the agricultural nurseries lies along its western boundary. To its north lie the burial grounds and the dismantled railway beyond it. There are some important habitat protection areas around the dismantled railway lines. The land slopes away from the Bloxham Road towards the dismantled railway. The area around the dismantled railway is also identified as an archaeological priority area and consists of BAP Priority Habitats area with lowland mixed deciduous woodland parcels and wet woodland within it.</p> <p>The site lies outside the Adderbury Conservation Area and outside ANP Policy AD1. Therefore Policy AD1 would not apply to this site and lead to infill development on this site.</p> <p>The site is located between a new residential development and an agricultural nursery along Bloxham Road. It lies at the edge of the village and is largely open in nature, except the farm buildings along its western boundary.</p> <p>At the time of this assessment there are no specific development proposals for this site, except that it is for sports and community facilities. Previous permission now expired was for sports pitches.</p> <p>The form, scale and size of the new proposal are not known at this stage. Therefore, it is not possible to assess the likely impact in the absence of a proposal.</p> <p>The Policy AD18 indicates that there will be sports and community facilities with a community building and car parking. On this basis, it may be considered that there would be an impact on the area and on the landscape</p>	
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	<p>character of the area.</p> <p>However, based on the information available to us, it is considered that there are no known environmental problems that could be exacerbated by this proposal.</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.	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 ANP accounts for the growth planned in the Cherwell Local Plan but do not specifically allocate land for development except one site for community facilities, shown as AD 18 New Community Facilities on ANP Policies Map Inset C.</p> <p>This site has been offered to Adderbury Parish as Community land for sports pitches and a community building. It had planning permission for a change of use from agricultural land to recreational use in 2010 (Planning Ref: 10/00508/F). This has not been implemented.</p> <p>The land adjacent to its east Ref: 14/00250/F was granted permission for 20 private dwellings and 11 affordable homes with a designated area for 'community facilities'. This permission has been implemented but the community facility on this site has not. Therefore, the Parish are considering options for the provision of this facility including the proposal in the ANP.</p> <p>Policy BSC10 of the adopted Cherwell Local Plan 2011-2031 seeks to ensure that sufficient quantity and quality of, and convenient access to, open space, sport and recreation provision is secured. Policy BSC 12 encourages the provision of community facilities to enhance the sustainability of communities. These policies have been the subject of Sustainability Appraisal incorporating SEA.</p>	N
(b) The cumulative nature of the effects of the Plan.	The policies in the ANP are expected to help the implementation at the local level of environmental policies in the adopted Cherwell Local Plan. Policy BSC10 of the adopted Cherwell Local Plan 2011-2031 seeks to ensure that sufficient quantity and quality of, and convenient access to, open space, sport and recreation provision is secured. Policy BSC 12 and Policy Villages 1	N

	in the adopted Cherwell Local Plan encourage the provision of community facilities to enhance the sustainability of communities. These policies have been the subject of Sustainability Appraisal incorporating SEA which considered cumulative impacts.	
(c)The trans boundary nature of the effects of the Plan.	The administrative area of the ANP is that of the parish boundary with no known significant effect on other parishes or on Districts outside Cherwell.	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 respond to the growth planned in the Cherwell Local Plan. There are no known risks to human health or the environment as a result of the plan.</p> <p>One of the main aims of the plan is to encourage sustainable transport and traffic free connectivity which is likely to improve human health. Infrastructure projects are proposed. They are:</p> <ul style="list-style-type: none"> • 'Improving cycle safety and connectivity of off-road cycleway'; • 'Maintaining heritage assets'; • 'Funding of Adderbury Library services'; • 'Leisure requirements determined by outcome of questionnaire'. 	N
(e)The magnitude and spatial extent of the effects (geographic area and size of the population likely to be affected) by the Plan.	<p>The plan covers the area of the parish of Adderbury with a population of 2,819 people according to the Census ONS 2011.</p> <p>The ANP aims to protect the built up area of the village through its policies AD1 to AD5.</p>	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>Policy AD6, AD7, AD8, AD9 AD10, AD11, and AD12 manage design and provide design guidance for the Conservation Area, and Heritage Assets listed in the Local Heritage Assets Report accompanying the Neighbourhood Plan.</p> <p>Policy AD17 lists Local Heritage Assets, which provides further protection and guidance for extensions and alterations to these heritage assets.</p> <p>The neighbourhood plan does not specifically allocate land for development other than one site for sports and community facilities. It accounts for the growth already identified in the adopted Cherwell Local Plan and recently granted permissions for residential development. It is therefore unlikely to result in intensive land use or exceed environmental quality standards or limit values. Policies AD6 to AD12 provides design guidance and protection to heritage assets in ANP area.</p>	N

<p>(g)The effects of the Plan on areas or landscapes which have recognised national Community or international protected status.</p>	<p>The ANP only seeks to allocate one site for the development of community facilities. It includes policies to protect landscape character, conservation and heritage.</p> <p>It is located approximately 25 kilometres from Oxford Meadows SAC is the closest European site to the plan area. European designations for the purpose of the EC Habitats Directive 1992 and the Conservation of Habitats & Species Regulations 2010.</p> <p>There are no Areas of Outstanding Natural Beauty affected by the neighbourhood plan.</p>	<p>N</p>
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<p>Name of officer producing the screening opinion</p>	<p>Sunita Burke Planning Policy Officer Cherwell District Council</p>
<p>Date of assessment</p>	<p>09.10.17</p>
<p>Person requesting Screening Opinion</p>	<p>Sam Brown Adderbury Neighbourhood Plan Coordinator</p>
<p>Conclusion of Screening Assessment</p>	<p>As a result of the screening assessment it is considered unlikely have will be any significant environmental effects arising from Adderbury Neighbourhood Plan that were not covered/ addressed in the Sustainability Appraisal of the Cherwell Local Plan. As such, it is considered that the Adderbury Neighbourhood Plan does not require a full SEA to be undertaken.</p>
<p>Name of officer approving the Screening Opinion (Adrian Colwell)</p>	<p>Adrian Colwell Head of Strategic Planning and the Economy Cherwell District Council</p>
<p>Date of approval</p>	<p>09.10.17</p>