Chipping Norton Neighbourhood Plan
Screening Opinion

Introduction

1.1. The Chipping Norton Neighbourhood Plan is being prepared, to set out the vision for the area and the planning policies for use and development of land within the neighbourhood plan area.

1.2. Once adopted, it will become part of the statutory local development plan for the area, which means that the policies and proposals contained within the Neighbourhood Plan will be used to help determine planning applications, including appeals.

1.3. The purpose of this statement is to consider whether a Sustainability Appraisal or Strategic Environmental Assessment for the Neighbourhood Plan is necessary and to set out the reasons why.

Sustainability Appraisal and Strategic Environmental Assessment

2.1. There are certain circumstances under which detailed assessment of the plan’s environmental impacts will be necessary. The text set out in the box below has been taken from the Government’s Planning Practice Guidance and indicates when this might be the case.

There is no legal requirement for a neighbourhood plan to have a sustainability appraisal as set out in section 19 of the Planning and Compulsory Purchase Act 2004. However, a qualifying body must demonstrate how its plan or order will contribute to achieving sustainable development. A sustainability appraisal may be a useful approach for doing this and the guidance on sustainability appraisal of Local Plans should be referred to.

In some limited circumstances, where a neighbourhood plan could have significant environmental effects, it may fall within the scope of the Environmental Assessment of Plans and Programmes Regulations 2004 and so require a strategic environmental assessment. One of the basic conditions that will be tested by the independent examiner is whether the making of the neighbourhood plan is compatible with European Union obligations (including under the Strategic Environmental Assessment Directive).

Whether a neighbourhood plan requires a strategic environmental assessment, and (if so) the level of detail needed, will depend on what is proposed in the draft neighbourhood plan. A strategic environmental assessment may be required, for example, where:

- a neighbourhood plan allocates sites for development
- the neighbourhood area contains sensitive natural or heritage assets that may be affected by the proposals in the plan
- the neighbourhood plan may have significant environmental effects that have not already been considered and dealt with through a sustainability appraisal of the Local Plan.

2.2. A Sustainability Appraisal (SA) Scoping Report was prepared for the neighbourhood plan in June 2012, to consider the range of potential social, environmental and economic impacts that might arise from the implementation of the Chipping Norton Neighbourhood Plan.

2.3. The scoping report considered the environmental constraints present in the neighbourhood plan area, including areas designated for their environmental qualities, as well as other features that contribute to the special character of the area.

2.4. The SA Scoping Report was an important stage in the plan making process as it helped to set out the current situation in the town, setting the context for the preparation of the Neighbourhood Plan policies.

2.5. It was not considered necessary to complete a full sustainability appraisal of the Neighbourhood Plan, as the document was being prepared in conformity with the emerging West Oxfordshire Local Plan. The emerging Local Plan has been subject to a full, comprehensive Sustainability Appraisal to identify and mitigate any potential adverse effects that the plan might have.

2.6. In terms of the need for a Strategic Environmental Assessment, to decide whether a neighbourhood plan might have significant environmental effects, its potential scope should be assessed against the criteria set out in Schedule 1 to the Environmental Assessment of Plans and Programmes Regulations 2004. These criteria are set out in detail at Appendix 1.

2.7. The purpose of this screening opinion is to assess the Chipping Norton Neighbourhood Plan against the criteria set out in the schedule, to determine whether a Strategic Environmental Assessment (SEA) is required.

Scope of the Chipping Norton Neighbourhood Plan

3.1. The primary purpose of the Chipping Norton Neighbourhood Plan is to provide guidance to any parties wishing to submit planning applications for development within the town.

3.2. The vision for the plan is set out as follows:

“A working Cotswold town thriving economically and socially as a rural hub while maintaining its strong sense of community spirit and conserving and enhancing its character, natural environment, local services and facilities”.

3.3. The plan includes a series of objectives to deliver this vision:

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<th>Theme</th>
<th>Objective</th>
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3.4. The vision, objectives and policies of the Chipping Norton Neighbourhood Plan (CNNP) have been determined through the consultation process to reflect the aspirations of the community and are designed to protect and enhance the economic, social and environmental qualities of the town. The Plan covers the period 2013 – 2029.

3.5. The CNNP has been prepared in conformity with the emerging West Oxfordshire Local Plan and takes account of the environmental qualities and constraints of the area.

3.6. The plan contains a series of policies covering a range of economic, social and environmental issues affecting the town including employment, town centre, play and green space provision, brownfield land, natural environment protection, transport and movement and building design.

3.7. The plan doesn’t seek to allocate land for any particular development types. It merely provides further local guidance on how applications for development in the neighbourhood plan area should be determined.

3.8. There are no proposals for any major development within the plan.
Key Local Environmental Characteristics

4.1. The sustainability appraisal scoping report prepared at the start of the plan making process identified a range of environmental constraints in the area which are briefly summarised as follows;

- Ground Source Protection Zone 3 (Total catchment)
- Heritage assets (Including Conservation Areas, Listed Buildings and Scheduled Ancient Monuments)
- High quality landscape (Including Cotswolds AONB)
- Biodiversity constraints (Including Local Wildlife Sites and SSSI)
- Air Quality Management Area (AQMA)

Assessment of potential environmental impacts of CNNP

4.2. The Neighbourhood Plan sets out a framework for the determination of planning applications within the Neighbourhood Plan area. It does not allocate land for any particular use, nor does it set out details for specific projects to be carried out in the area. The primary objectives of the plan are to protect and enhance the special qualities of the natural and built environment, facilitate the delivery of housing to meet local needs and to stimulate the local economy to provide a better balance of jobs and houses for the local community.

4.3. Any new development proposals for the area will be determined in line with the policies of the West Oxfordshire Local Plan as well as the Neighbourhood Plan and may themselves be subject to Environmental
Assessment. Separate screening opinions will be provided as necessary, where specific development is proposed, depending on the type, scale and location of the proposal.

4.4. The Neighbourhood Plan has been prepared in conformity with the emerging West Oxfordshire Local Plan. The Neighbourhood Plan will influence other locally specific plans and programmes should they emerge, although the overarching strategic plan for the District will continue to be the primary influencing factor. This has been subject to extensive sustainability appraisal in conformity with the European Directive on Strategic Environmental Assessment (SEA Directive) and the Environmental Assessment of Plans and Programmes Regulations 2004 (SEA Regulations).

4.5. Local environmental constraints have been fully considered in the preparation of the Neighbourhood Plan, particularly in understanding the characteristics of the neighbourhood plan area and for setting the context for the neighbourhood plan policies.

4.6. The primary constraints that have been identified in the locality are the Cotswolds AONB, the Chipping Norton Conservation Area, Local SSSIs the Ground Source Protection Zone 3 (GSPZ) to the east of the town and the Air Quality Management Area (AQMA) in the town centre. These have been given due consideration in the preparation of the Neighbourhood Plan and the policies have been tailored accordingly. All development proposals within the neighbourhood plan area will have to conform with national and local policies relating to these environmental constraints.

Conclusion

5.1. The emerging West Oxfordshire Local Plan has been subject to extensive sustainability appraisal in conformity with the European Directive on Strategic Environmental Assessment (SEA Directive) and the Environmental Assessment of Plans and Programmes Regulations 2004 (SEA Regulations).

5.2. As the neighbourhood plan has been prepared in conformity with the emerging West Oxfordshire Local Plan and because it does not allocate land itself for any major development, it is not considered necessary to subject the neighbourhood plan to a standalone Strategic Environmental Assessment.

5.3. New development proposals in Chipping Norton will ultimately be determined in line with the policies of the Local Plan and Neighbourhood Plan. Such proposals may themselves require Environmental Assessment but will be screened individually on the basis of their type, scale and location, to determine their likely environmental impacts.
Appendix 1

SCHEDULE 1: CRITERIA FOR DETERMINING THE LIKELY SIGNIFICANCE OF EFFECTS ON THE ENVIRONMENT

1. The characteristics of plans and programmes, having regard, in particular, 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;

(b) the degree to which the plan or programme influences other plans and programmes including those in a hierarchy;

(c) the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development;

(d) environmental problems relevant to the plan or programme; and

(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).

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;

(b) the cumulative nature of the effects;

(c) the transboundary nature of the effects;

(d) the risks to human health or the environment (for example, due to accidents);

(e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected);

(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

(g) the effects on areas or landscapes which have a recognised national, Community or international protection status