



**West Oxfordshire District Council
Local Plan**

**Eynsham Neighbourhood Plan (ENP) 2018-2031:
Submission Draft December 2018**

**Strategic Environmental Assessment (SEA) &
Habitats Regulations Assessment (HRA)
Screening Report**

January 2019

enfusion



West Oxfordshire District Council Local Plan

Eynsham Neighbourhood Plan (ENP) 2018-2031: Submission Draft (December 2018) Strategic Environmental Assessment (SEA) & Habitats Regulations Assessment (HRA) Screening Report

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1.0 INTRODUCTION

Strategic Environmental Assessment (SEA); Sustainability Appraisal (SA) & Habitats Regulations Assessment (HRA)

- 1.1 Strategic Environmental Assessment (SEA)^{1 2} is a systematic process used during the preparation of plans and policies and it aims to provide a high level of protection for the environment; it contributes to the integration of environmental considerations in plan preparation with a view to promoting sustainable development.
- 1.2 Sustainability Appraisal (SA) is a process that similarly investigates plans and policies, including consideration of socio-economic factors in the same way as environmental factors and to the same level of detail. SA incorporating SEA is a mandatory requirement for Local Plans in accordance with planning legislation³ and paragraph 32 of the National Planning Policy Framework (revised July 2018)⁴. Government advises⁵ that an integrated approach is taken so that the SA process incorporates the requirements for SEA – and to the same level of detail.
- 1.3 There is no statutory requirement⁶ for Neighbourhood Plans to be subject to SA. However, a qualifying body must demonstrate how its plan will contribute to achieving sustainable development. In some limited circumstances, where a Neighbourhood Plan is likely to have significant environmental effects, it may require an SEA since the Localism Act 2011 requires neighbourhood plans to comply with EU legislation. This is determined through a SEA screening process by the responsible authority with regard to the SEA Directive and UK SEA Regulations – for this Neighbourhood Plan, the West Oxfordshire District Council (WODC).
- 1.4 Plan-makers are also required to consider whether a Habitats Regulations⁷ Assessment (HRA) is required. The aim of the HRA process is to assess the potential effects arising from a plan against the nature conservation objectives of any site designated for its nature conservation importance. The HRA process has its own legislative drivers and requirements and, while the different processes can inform each other, it is important that the HRA remains distinguishable from the wider SA/SEA process.

¹ EU Directive 2001/42/EC

² Environmental Assessment of Plans and Programmes Regulations, 2004
<http://www.legislation.gov.uk/uksi/2004/1633/contents/made>

³ Section 19(5) of the 2004 Act and Regulation 22(a) of the Town and Country Planning (Local Planning) (England) Regulations 2012

⁴ <https://www.gov.uk/government/collections/revised-national-planning-policy-framework>

⁵ <https://www.gov.uk/guidance/strategic-environmental-assessment-and-sustainability-appraisal>

⁶ <http://planningguidance.communities.gov.uk/blog/guidance/strategic-environmental-assessment-and-sustainability-appraisal/sustainability-appraisal-requirements-for-neighbourhood-plans/>

⁷ The Conservation of Habitats & Species Regulations 2010
<http://www.legislation.gov.uk/uksi/2010/490/contents/made>

- 1.5 The local planning authority has commissioned independent SA, SEA, HRA specialists Enfusion Ltd to undertake the SEA and HRA screening on behalf of the Council.

The West Oxfordshire Local Plan 2031

- 1.6 West Oxfordshire District Council (WODC) has prepared a new Local Plan⁸ (adopted September 2018) to guide future development in the Local Authority area during the period up to 2031. In accordance with legislative and policy requirements⁹, the Council must carry out a Sustainability Appraisal (SA) incorporating Strategic Environmental Assessment (SEA) of its Local Plan. The SA/SEA of the Local Plan has been on-going since 2007 and was undertaken alongside the preparation of the plan.
- 1.7 The Local Plan¹⁰, together with its accompanying SA Report, HRA Report and other evidence, was submitted to the Planning Inspectorate in July 2015 for independent examination. The Main Modifications to the Local Plan were submitted to the Planning Inspectorate in March 2017 and after the resumed Examination Hearings and further consultation, the new WODC Local Plan to 2031 was adopted in September 2018 and accompanied by an SA Adoption Statement (September 2018).
- 1.8 A neighbourhood plan attains the same legal status as the Local Plan once it has been agreed at a referendum and is adopted or “made” (brought into legal force) by the local planning authority. At this point it becomes part of the statutory development plan. Applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise¹¹.

This SEA & HRA Screening Report

- 1.9 This document provides a screening determination of the need to carry out a SEA and a HRA of the Eynsham Neighbourhood Plan 2018-2031 (ENP Submission draft December 2018). West Oxfordshire District Council, as the “Responsible Authority¹²” under the SEA Regulations, and the “Competent Authority¹³” under the HRA Regulations is responsible for undertaking this screening process that will determine if the Neighbourhood Plan is likely to have any significant environmental effects and therefore, whether an SEA and a HRA is required. This Screening Report is being sent to the environmental consultation bodies (Environment Agency, Historic England & Natural England) for the statutory 5 weeks consultation period.

⁸ <https://www.westoxon.gov.uk/localplan2031>

⁹ Town & Country Planning Regulations (2011, 2012); National Planning Policy Framework (2012, revised 2018)
<https://www.gov.uk/government/publications/national-planning-policy-framework--2>

¹⁰ <http://www.westoxon.gov.uk/localplan2031>

¹¹ PCPA 2004 section 38(6)

¹² The organisation that adopts (“makes”) the neighbourhood plan

¹³ The organisation that ensures that the plan will not have any likely significant effects on the protected sites

2.0 LEGISLATIVE REQUIREMENTS & GUIDANCE; METHOD

Legislative Requirements

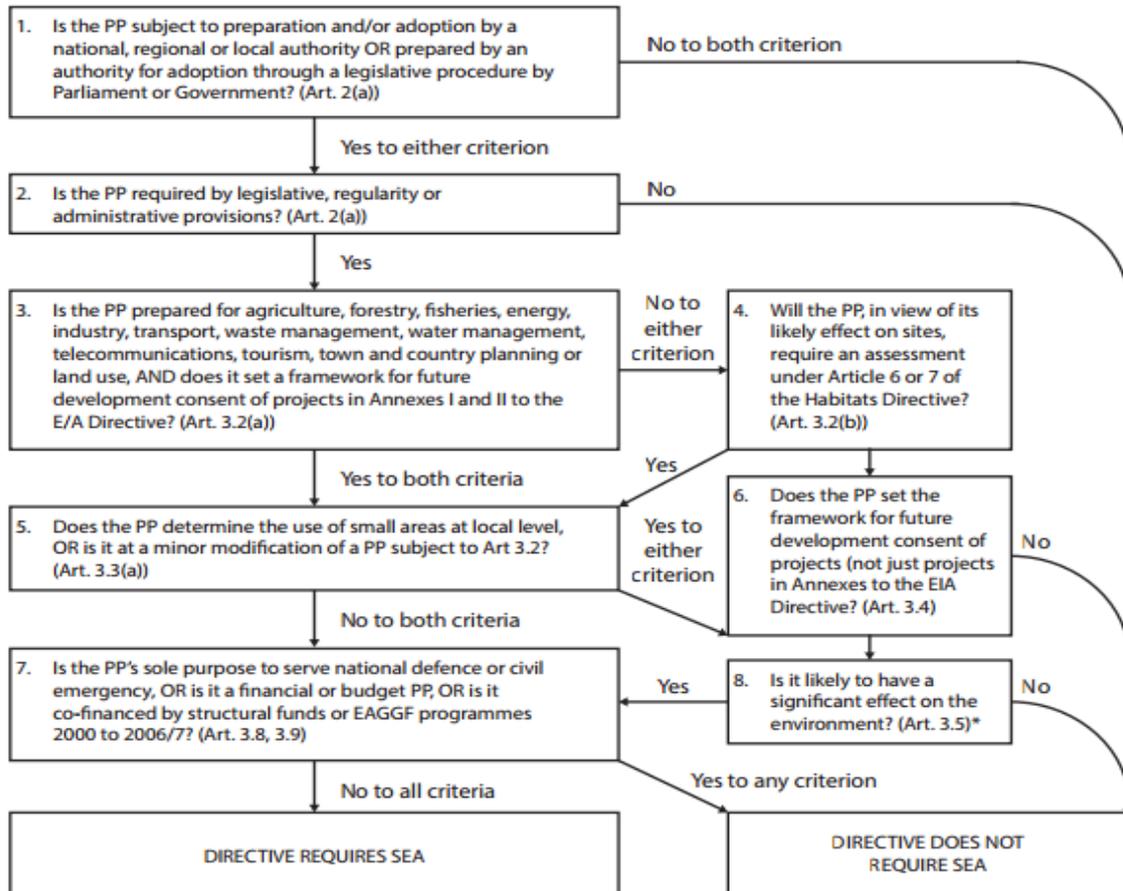
- 2.1 The Localism Act 2011 requires neighbourhood plans to comply with EU legislation. Regulation 5 of the SEA Regulations requires an environmental assessment of plans which:
1. *are prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use (Regulation 5, para. (2)(a), and which set the framework for future development consent of projects listed in Annex I or II to Council Directive 85/337/EEC (EIA Directive) on the assessment of the effects of certain public and private projects on the environment (Regulation 5, para. (2)(b)*
 2. *in view of the likely effect on sites, have been determined to require an assessment pursuant to Article 6 or 7 of the Habitats Directive (92/43/EEC) (Regulation 5, para. (3)*
 3. *set the framework for future development consent of projects¹⁴ (Regulation 5, para. (4)(b)*
 4. *are determined to be likely to have significant environmental effects as determined under regulation 9(1) (Regulation 5, para. (4)(c)*
- 2.2 An environmental assessment need not be carried out for:
- a) *plans which determine the use of a small area¹⁵ at local level (Regulation 5, para. (6)(a); or*
 - b) *plans which are a minor modification¹⁶ to a plan or programme (Regulation 5, para. (6)(b) unless it has been determined under regulation 9(1) that the plan is likely to have significant environmental effects.*
- 2.3 Extant UK Government guidance provides a flow diagram with questions/criteria for the SEA Directive and its application to the plan-making process as follows:

¹⁴ European Commission guidance states that plans and programmes which *set the framework for future development consent of projects* would normally contain 'criteria or conditions which guide the way a consenting authority decides an application for development consent'. *Development consent* is defined in the EIA Directive as "the decision of the competent authority or authorities which entitled the developer to proceed with the project" (Article 1(2) of the EIA Directive).

¹⁵ European Commission guidance suggests that *plans which determine the use of small areas at local level* might include "a building plan which, for a particular, limited area, outlines details of how buildings must be constructed, determining, for example, their height, width or design"

¹⁶ '*Minor modifications*' should be considered in the context of the plan or programme which is being modified and of the likelihood of their having significant environmental effects. A modification may be of such small order that it is unlikely to have significant environmental effects.

Figure 2.1: Flow Diagram¹⁷ for Determining is a Plan is likely to have Significant Environmental Effects



Note: The figure is intended as a guide to the criteria for application of the Directive to plans & programmes (PPs); it has not legal status. Where a Neighbourhood Plan is likely to have a significant effect on the environment, a strategic environmental assessment must be carried out and an Environmental Report (ER) prepared.

2.4 There is no legal requirement for a Neighbourhood Plan (NP)¹⁸ to have a Sustainability Appraisal as set out in section 19 of the Planning & Compulsory Purchase Act 2004. Government advises that in some limited circumstances, where a Neighbourhood Plan is likely to have significant environmental effects, it may require a Strategic Environmental Assessment. In order to decide whether a draft NP might have significant environmental effects, it must be screened at an early stage according to the requirements set out in

¹⁷ Based on DCLG - National Planning Practice Guidance' 2014, ODPM - 'A Practical Guide to the SEA Directive' 2005; see also - Planning Advisory Service – 'The Principles of Plan Making Chapter 6 - The Role of Sustainability Appraisal' 2013

¹⁸ <https://www.gov.uk/guidance/strategic-environmental-assessment-and-sustainability-appraisal#strategic-environmental-assessment-requirements-for-neighbourhood-plans>

regulation 9 of the SEA Regulations. This includes a requirement to consult with the SEA consultation bodies (in England - Environment Agency, Historic England, Natural England); each body is able to advise on particular topics relevant to its specific area of expertise and responsibility.

SEA/SA Guidance

- 2.5 The National Planning Policy Framework (NPPF) and Planning Guidance (NPPG) advise that a Neighbourhood Plan:
- would need SEA “...in limited circumstances...”
 - should be screened early
 - screening should consult with the consultation bodies
 - if ‘screened out’, should have a ‘statement of reasons’ prepared
- 2.6 Whether a Neighbourhood Plan proposal requires an SEA, and (if so) the level of detail needed, will depend on what is proposed. Government guidance advises that an SEA 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 is likely to have significant environmental effects that have not already been considered and dealt with through a sustainability appraisal of the Local Plan.
- 2.7 Government planning guidance further advises that before deciding whether significant environmental effects are likely, the local planning authority should take into account the criteria specified in Schedule 1¹⁹ to the SEA Regulations (2004) and consult the statutory environmental consultation bodies. Schedule 1 sets out the criteria for determining likely significant effects on the environment taking into account the characteristics of plans and the characteristics of the effects and the area likely to be affected. The SEA consultation bodies in England are the Environment Agency, Historic England and Natural England.
- 2.8 The qualifying body (ie WODC for the Eynsham NP 2031) is required to provide the following – to demonstrate that the basic condition²⁰ in the planning legislation has been met:
- “a statement of reasons for a determination... that the proposal is unlikely to have significant environmental effects; or
 - An environmental report”

¹⁹ <http://www.legislation.gov.uk/ukxi/2004/1633/schedule/1/made>

²⁰ A Neighbourhood Plan should not breach, and must be compatible with, European Union obligations in order for it to be legally compliant

Method

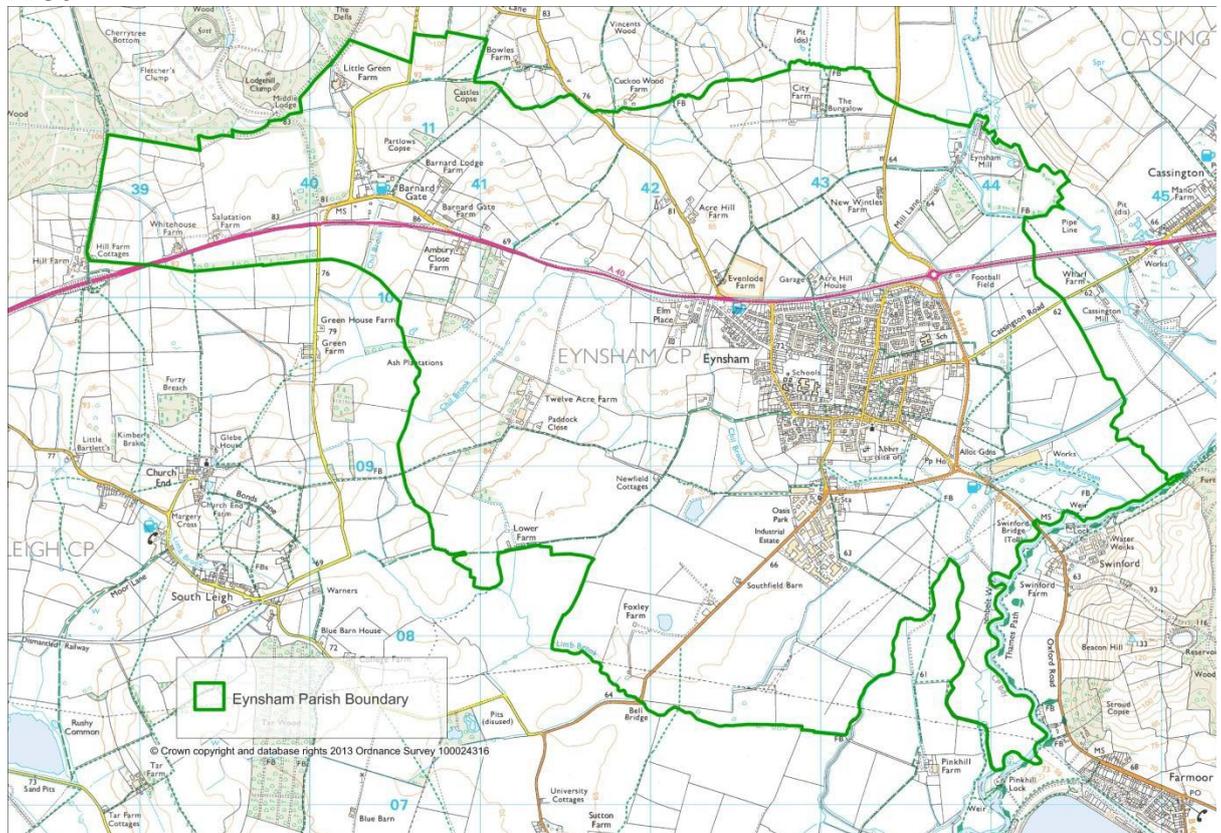
- 2.9 In order to be able to decide whether an SEA will be required, the Council needs to know about the policies and proposals in the Neighbourhood Plan, and in particular, as follows:
- how they might affect the environment, community or economy
 - whether they propose a higher level of development than is already identified in WODC planning policies
 - whether any of the proposals are likely to affect a "sensitive area", such as a Site of special Scientific Interest (SSSI) or European Site for nature conservation (SAC, SPA)
 - whether implementation of policies in the plan might lead to new development in the future
 - Whether the cumulative impact of the policies and proposals when assessed together may give rise to a likely significant effect, for example, several relatively small housing proposals may have cumulative significant effects on a nearby important wildlife habitat
- 2.10 Available information from Defra MAGIC maps, Environment Agency flood risk maps, the Council's evidence base for the WODC Local Plan and the evidence base for the ENP, together with professional judgment, was used to identify the sensitivity of the Eynsham area environment and whether significant effects are likely that have not been previously assessed through SA, such that an SEA would be required.

3.0 THE EYNSHAM NEIGHBOURHOOD PLAN 2031 (ENP)

Context

- 3.1 The Eynsham Futures Steering Group (EFSG) is preparing the ENP on behalf of the Eynsham Parish Council (EPC) who are the qualifying body designated for the purpose of preparing the ENP and have approved the plan before formal submission. The EFSG has three Parish Council Members and other village residents and representatives of the local community. The neighbourhood planning process was launched by the EPC and the newly formed EFSG in March 2015. Village opinions were collected, and consultation continued with local residents and other stakeholders such as schools and businesses using public events and survey. The consultation process is reported in the ENP Consultation Statement²¹ (December 2018) that lists all comments received and actions taken during the preparation of the submission draft of the ENP between August 2016 and December 2018.
- 3.2 After public consultation, the whole Parish of Eynsham was designated²² as a Neighbourhood Area by the West Oxfordshire District Council on 2 December 2014 and the boundary is shown in the figure following:

Figure 3.1: Boundary for the Area Designation of Eynsham Neighbourhood Area



²¹ <https://eynsham-pc.gov.uk/variable/organisation/173/attachments/ConsultationReport-v3.pdf>

²² Section 61G of the Town & Country Planning Act 1990 (as amended)

- 3.3 The development of the ENP has been led by the EPC as the qualifying body²³ but the drafting of the plan has been prepared by the EFSG on their behalf and with technical planning support and information provided by Officers from WODC and the Oxfordshire County Council (OCC). The ENP process has been recorded and is available through Eynsham Online <https://eynsham-pc.gov.uk/org.aspx?n=Neighbourhood-Planning>
- 3.4 The ENP must be in general conformity with the strategic policies set out in the West Oxfordshire Local Plan 2031²⁴(adopted September 2018). It may be noted that the independent Examination commenced in July 2015 and the Inspector initially found that the Local Plan's housing requirement of 10,500 dwellings was not justified. The Examination was suspended, and further work undertaken by the Council that identified an increase of the overall number of homes to 15,950. Most of these are to meet West Oxfordshire's housing needs but a proportion (2,750 homes 2012-2031) are proposed to assist the neighbouring Oxford City Council under the duty to cooperate. As part of this further work, two new strategic directions of growth were investigated at Eynsham – a new garden village to the north and an urban extension to the west.
- 3.5 Thus, the ENP was being prepared during a period of some uncertainty with regard to the strategic site allocations to be made through the modifications to the West Oxfordshire Local Plan, arising as a result of the Inspector's initial findings. It is understood that the EFSG & EPC were concerned at that time that the preparation of the Neighbourhood Plan should continue and a draft ENP was initially submitted to WODC in March 2017. The ENP was updated with comments from WODC and resubmitted with a further public consultation held during August and September 2017. Consultation responses, the ENP and other supporting documents were submitted for independent examination.
- 3.6 The report (May 2018) from the independent Examiner recommended that the ENP should not proceed to referendum²⁵. Accordingly, the ENP was redrafted taking into account the comments received from the independent examiner. This further pre-submission draft ENP in line with Regulation 14 of the Neighbourhood Planning Regulations²⁶ was subject to public consultation again in October-November 2018. Comments and responses have been considered in developing the final submission draft version of the ENP (December 2018) that has been submitted to WODC in line with Regulation 15.
- 3.7 It may be noted that the earlier draft of the ENP (March 2017) was screened for SEA (April 2017) and subject to formal consultation with the environmental bodies (EA, HE and NE). West Oxfordshire District Council determined that the March 2017 draft ENP was likely to have significant environmental effects, and

²³ Section xx of the Town & Country Planning Act 1990 (as amended)

²⁴ <https://www.westoxon.gov.uk/localplan2031>

²⁵ <https://www.westoxon.gov.uk/eynsham>

²⁶ The Neighbourhood Planning (General) & Development Management Procedure Regulations (2016, as amended 2017) available at <http://www.legislation.gov.uk/uksi/2017/1243/contents/made>

thus did require a Strategic Environmental Assessment (SEA). This decision was made for the following key reasons:

- The draft ENP proposes 5 spatial policies including ENP16 (North of A40) & 17 (Western Extension to the Village). Whilst these two policies do not allocate numbers of housing and any other supporting development explicitly, they do seek to influence the relevant policies in the Local Plan – EW1a (Oxfordshire Garden Village) and EW1b (West Eynsham SDA) – particularly for concerns about implementation of new supporting infrastructure and the capacity of existing services and facilities. Further concerns are set out for ENP17 for access, landscape, and heritage assets.
- The new Policies EW1a (Oxfordshire Garden Village) and EW1b (West Eynsham SDA) have been subject to SA/SEA. This found positive effects for most SA objectives with potential negative effects mitigated through avoidance of sensitive/important environmental assets or through strong protection provided by other WODC Local Plan Policies. Some uncertainty of cumulative effects with regard to landscape/visual impacts and locally important assets until detailed masterplanning and further project level studies are completed.
- The SA (and HRA) of the proposed Main Modifications to the Submitted Local Plan are still the subject of independent Examination scheduled for resumption in May and July 2017. Therefore, to date, their soundness has not been determined.

3.8 The WODC Local Plan as now been formally adopted (September 2018) and the Eynsham Neighbourhood Plan has been redrafted (December 2018). Therefore, this SEA & HRA Screening Assessment and Report updates the screening assessments to reflect the changed context with the adoption of the Local Plan and its accompanying SA/SEA/HRA and the changed ENP. This Report sets out the screening assessments and decisions to demonstrate that due processes have been followed in line with regulatory requirements.

The draft Eynsham NP 2031 (Submission December 2018)

3.9 The Vision & Objectives for the ENP 2031 have been proposed as follows:

“Our vision for the Parish of Eynsham at the end of the plan period is that both new and existing residents will be enjoying the same benefits of living in the village as current residents do and that the area will be an even more attractive community in which to live and work”.

The vision will be made reality through meeting eight primary objectives:

ENV1 Housing: New development shall ensure a mix of housing types and tenures to make a balanced community suitable for this area of West Oxfordshire close to the city of Oxford.

ENV2 Design: New development shall be visually attractive and in harmony with its immediate setting and character. It shall provide a pleasant and safe place for all residents to live.

ENV3 Community Facilities: New development shall ensure that new residents have at least the same access to community facilities as existing residents and new developments shall, as far as reasonably practicable, contribute to the facilities of the entire community.

ENV4 Natural Environments: New developments shall bring together all aspects of design, connectivity and natural environment that constitute the landscape setting of the new (and existing) development, closely linking village and countryside.

ENV5 Transport & Parking: New development shall be planned and constructed to ensure that all residents have ready access to local transport networks by private car, bicycle or public transport and that excellent paths are created for pedestrians, cyclists and mobility vehicles.

ENV6 Economy: New development shall ensure that Eynsham continues to offer a range of employment opportunities that reflects its location on the edge of the 'knowledge spine' around Oxford city and that potentially utilises a full range of skills from manual through to post-graduate levels.

ENV7 sustainability & Climate Change: New development shall be sustainable now and in the long term without compromising one for the other.

ENV8 A New Garden Village: ENV1-7 shall be shared by the new settlement, which shall be built according to Garden Village principles as a new, separate, community.

3.10 The draft ENP 2031 proposes 13 Policies to guide potential development in Eynsham as follows:

- ENP 1 Housing
- ENP2 Design
- ENP3 Community Facilities
- ENP4 Green Infrastructure
- ENP5 Sustainability: Climate Change
- ENP6 Education
- ENP7 Sustainable Transport
- ENP8 Connected Place
- ENP9 Parking
- ENP10 Sustainable Economy
- ENP11 Retail
- ENP12 Green Space
- ENP13 Trees

3.11 The draft ENP 2031 proposes a further four Spatial Policies as follows:

- ENP14 Sustainable Growth
- ENP15 Eynsham Village Centre

ENP16 New Settlements
ENP17 Strategic Development Areas

- 3.12 In Appendix A, the draft ENP 2031 sets out intentions with regard to goals for major infrastructure, in particular roads and transport. Appendix B explains that Eynsham Parish Council is responsible for allocation of Community Infrastructure Levy (CIL) funds and sets out aspirations for public realm projects. Appendices C-E provide explanatory notes.

4.0 SEA SCREENING ASSESSMENT

- 4.1 West Oxfordshire District Council, as the responsible authority, consider that the Eynsham Neighbourhood Plan (ENP) 2031 is within the scope of the SEA Regulations since it is a plan that:
- is subject to preparation or adoption by an authority at national, regional or local level (Regulation 2)
 - is prepared for town and country planning or land use and it is a plan that sets the framework for future development consent of projects generally (Regulation 5, para. 4)
 - will apply to a wider area other than a small area at local level and is not a minor modification to an existing plan or programme (Regulation 5, para. 6).

A determination under Regulation 9 is therefore required as to whether ENP 2031 is likely to have significant effects on the environment.

- 4.2 The screening requirements set out in Regulation 9 and Schedule 1 of the SEA Regulations include two sets of characteristics for determining the likely significance of effects on the environment:
- the characteristics of the plan itself and
 - the characteristics of the effects and of the area likely to be affected by the plan

Therefore, this screening assessment is structured in the following table according to the criteria specified in Schedule 1 of the Regulations:

Table 4.1: Screening Assessment of the draft ENP 2031 (Submission December 2018)

Criteria (Schedule 1 SEA Regulations)	Are significant environmental effects likely? Yes/ No	
	Justification and evidence	
1.The characteristics of plans, having regard, in particular, to:		
(a) the degree to which the plan sets a framework for projects and other activities, either with regard to the location, nature, size and operating	Yes?	The NP does not allocate sites explicitly, but it does propose four spatial policies including ENP16 New Settlements & ENP17 Strategic Development Areas. These policies correlate with strategic level developments (around 2,200 & 1,000 new homes respectively) that have the possibility for significant environmental effects. The preparation of the relevant Local Plan Policies (EW2, EW1a

Criteria (Schedule 1 SEA Regulations)	Are significant environmental effects likely? Yes/ No Justification and evidence	
conditions or by allocating resources		<p>& EW1b) were subject to SA/SEA & public consultation and found sound through independent examination. The SA/SEA found positive or neutral effects for most SA objectives (details in Appendix IV of the SA/SEA Report October 2016) with strong mitigation provided by other LP Policies. However, some uncertainty was reported for SA objectives on landscape/visual amenity & road transport/accessibility, particularly for cumulative effects. The scale & scope of major development offers opportunities for creative masterplanning with potential for environment enhancement, but this is uncertain until more detailed project level studies are completed. The significance of effects was further investigated and set out in further SA Addendum Reports in 2017 & 2018, confirming the effectiveness of mitigation measures in policies and masterplanning requirements. An Area Action Plan²⁷ for the Oxfordshire Cotswolds Garden Village is being prepared in 2018-2019 and subject to SA/SEA.</p> <p>Thus, the ENP does seek to influence the framework for projects and other activities; and there is the potential for significant environmental effects – but some uncertainty of application here since higher level SA/SEA has been undertaken.</p>
(b) the degree to which the plan influences other plans and programmes including those in a hierarchy	No	The NP is prepared by the local community to influence development at the parish level. It does not strongly influence strategic plans higher up in the spatial planning hierarchy, although the District Council does need to consider the proposals in the NP during preparation of the Local Plan.
(c) the relevance of the plan for the integration of environmental considerations in particular with a view to promoting sustainable development	No	The NP is a spatial/land-use plan that seeks to promote the objectives of sustainable development. It is not specifically relevant as a plan for integrating environmental considerations. Any development proposed must be in accordance with the environmental protection policies in the adopted WOLP and the NPPF.
(d) environmental problems relevant to the plan	No	There are no specific environmental problems relevant to this plan that have not been identified and assessed through the higher level Local Plan and its accompanying SA/SEA.
(e) the relevance of the plan for the implementation of Community legislation on the environment (for example, plans and programmes linked to waste management or water protection).	No	The NP is not relevant as a plan for implementing community legislation.

²⁷ <https://www.westoxon.gov.uk/residents/planning-building/local-development-framework/>

Criteria (Schedule 1 SEA Regulations)	Are significant environmental effects likely? Yes/ No Justification and evidence	
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	No	This has been tested through SA/SEA at the Local Plan level & strong mitigation measures through LP policies and the development of an Area Action Plan indicate that potential negative effects for such major development will be mitigated such that there will be no significant residual negative environmental effects.
(b) the cumulative nature of the effects	No	As above in 2(a)
(c) the transboundary nature of the effects	No	No significant transboundary effects with other EU countries are likely from the proposals.
(d) the risks to human health or the environment (for example, due to accidents)	No	No significant environmental effects are considered likely to risk human health or the environment.
(e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected);	No	The geographical size and numbers of dwellings proposed for the strategic developments that the ENP seeks to influence through ENP16-17 are likely to have some significant environmental effects. Strategic sites have been investigated through SA (as explained above in 1(a)) for the higher level Local Plan.
(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;	No	As above
(g) the effects on areas or landscapes which have a recognised national, Community or international protection status.	No	The strategic development sites are not within or adjacent to any internationally or nationally designated areas. There is no AONB nearby. The Oxford Meadows internationally protected Special Area of Conservation (SAC) to the east is approximately 3 km from the centre of the village. The HRA ²⁸ investigated the proposed Main Modifications for the Local Plan (EW1a&b) and concluded that likely significant effects will not occur, either alone, or in combination. It may also be noted that a letter from Natural England (November 2018) to the ENPG stated that NE was satisfied that the ENP can rely on the SA/SEA & HRA undertaken for the adopted West Oxfordshire Local Plan.

²⁸ <https://www.westoxon.gov.uk/media/1504778/West-Oxfordshire-Local-Plan-Main-Modifications-2016-Habitats-Regulations-Assessment-Report.pdf>

Criteria (Schedule 1 SEA Regulations)	Are significant environmental effects likely? Yes/ No Justification and evidence
	<p>There are 3 SSSIs (nationally designated for woodland, ditch & grassland habitats)- the SA of the Local Plan Modifications considered that there should be sufficient mitigation provided by other LP Policies to reduce any potential negative effects to at least neutral.</p> <p>The village has a nationally designated Conservation Area with Listed Buildings & Scheduled Monuments – but these are avoided by the 2 strategic sites & the SA of the Local Plan Modifications considered that there should be sufficient mitigation provided by other LP Policies to reduce any potential negative effects to at least neutral.</p> <p>The Local Plan has now been formally adopted (September 2018); it was subject to iterative SA/SEA and HRA that independent examination found to be sound. Therefore, the policies in the ENP that do relate to spatial development, in particular ENP16 & ENP17, refer to strategic policies in the Local Plan - EW2, EW1a & EW1b – that have been previously subject to SA/SEA, found sound, and adopted.</p>

5.0 SEA SCREENING DECISION

- 5.1 Regulation 9 of the SEA Regulations requires that the responsible authority shall determine whether or not a plan is likely to have significant environmental effects. The responsible authority shall:
- (a) take into account the criteria specified in Schedule 1 to these Regulations, and
 - (b) consult the consultation bodies
- 5.2 Where the responsible authority determines that the plan is unlikely to have significant environmental effects (and, accordingly, does not require an environmental assessment), it shall prepare a statement of its reasons for the determination.
- 5.3 West Oxfordshire District Council considers that the submission draft Eynsham Neighbourhood Plan (ENP2031, December 2018) is unlikely to have significant environmental effects and thus does not require a Strategic Environmental Assessment (SEA). This decision is made for the following key reasons:
- The likely significant effects on the environment in the Eynsham area were identified at an early stage of plan development during initial investigations for strategic options for the Local Plan – all subject to SA incorporating SEA. Mitigation measures for negative effects have been developed and delivery is certain through policy requirements (EW1, EW1a & EW1b) in the Local Plan to 2031 (adopted September 2018). Further confirmation for implementation of mitigation measures is provided through the preparation of an Area Action Plan for the Oxfordshire Cotswolds Garden Village in 2018-2019 ensuring that there will be no residual significant negative effects.
 - Likely significant effects have been previously assessed through SA incorporating SEA and therefore, further SEA of the LMA SPD is not required.

6.0 HABITATS REGULATIONS ASSESSMENT (HRA) SCREENING

- 6.1 There are no Special Protection Areas (SPAs), Special Areas of Conservation (SACs) or Ramsar sites within the Eynsham Neighbourhood Plan boundary²⁹. The HRA Report that accompanied the West Oxfordshire Local Plan to 2031 concluded that the development proposed in the Local Plan will not lead to likely significant effects either alone or in-combination with other plans or programmes. The HRA studies³⁰ were updated in line with recent EU Court Judgments in 2018 and confirmed that the development proposed through the WODC Local Plan in the Eynsham area would not lead likely significant effects either alone or in-combination with other plans or programmes. The updated HRA Report concluded that there will be no adverse effects on the integrity of any European site, including the Oxford Meadows SAC.
- 6.2 In consideration of the small geographical area of the ENP, and its distance from European sites outside the ENP boundary, the HRA screening considers that the ENP is not likely to have significant effects on EU designated sites, either alone or in combination with other plans and projects. The implications of effects from planned development on the integrity of European sites has been previously tested through HRA of the Local Plan 2031.
- 6.3 It may be noted that the draft ENP (September 2018) was sent to Natural England, one of the statutory bodies for consultation in neighbourhood planning/Habitats Regulations Assessment, and one of the environmental bodies for consultation in SEA. In a letter³¹ to the Eynsham Parish Council, NE stated that since there are no designated sites within or near the NP area and the plan does not allocate any additional sites for development, NE is satisfied that the ENP can rely on the HRA undertaken for the adopted Local Plan.
- 6.4 There have been some refinements of the ENP to take account of responses to the September-October 2018 consultation, and therefore, this Screening Report is being sent to the environmental bodies for the formal 5 weeks consultation to demonstrate that due process has been undertaken to screen the submission draft Eynsham Neighbourhood Plan (December 2018) with regard to HRA (and SEA).

²⁹ <https://magic.defra.gov.uk/MagicMap.aspx>

³⁰ <https://www.westoxon.gov.uk/media/1867474/West-Oxfordshire-Local-Plan-2018-HRA-June-2018.pdf>

³¹ <https://eynsham-pc.gov.uk/variable/organisation/173/attachments/NEresponseENPnov18.pdf>