

West Oxfordshire Draft Local Plan Habitat Regulations Assessment (HRA) Position Statement

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Postscript – November 2012

The majority of HRA work carried out to date relates to the draft Core Strategy published in January 2011 and the proposals contained therein. Since the publication of the draft Core Strategy, a number of changes have been made to the plan (now referred to as Draft Local Plan) in addition to those specifically made as a result of the HRA Stage II recommendations. Of particular relevance to the HRA is the increase in housing numbers from 4,300 in the period 2011 – 2026 to 5,500 in the period 2011 – 2029. However, the overall strategy for growth remains the same (i.e. focused on the main towns) and the increase in housing provision is not considered to be of sufficient magnitude to affect the HRA conclusions that were reached earlier in the process. This statement is intended to set out the Council's current position in relation to the potential impact of the Draft Local Plan on the European sites affected.

The statement has been made available as part of the consultation on the Draft Local Plan which ends on 19 December 2012. Further amendments to the Plan may be made before the publication of the submission draft of the Local Plan in spring 2013. An updated HRA will be published at that time.

Habitat Regulations Assessment – Position Statement (November 2012)

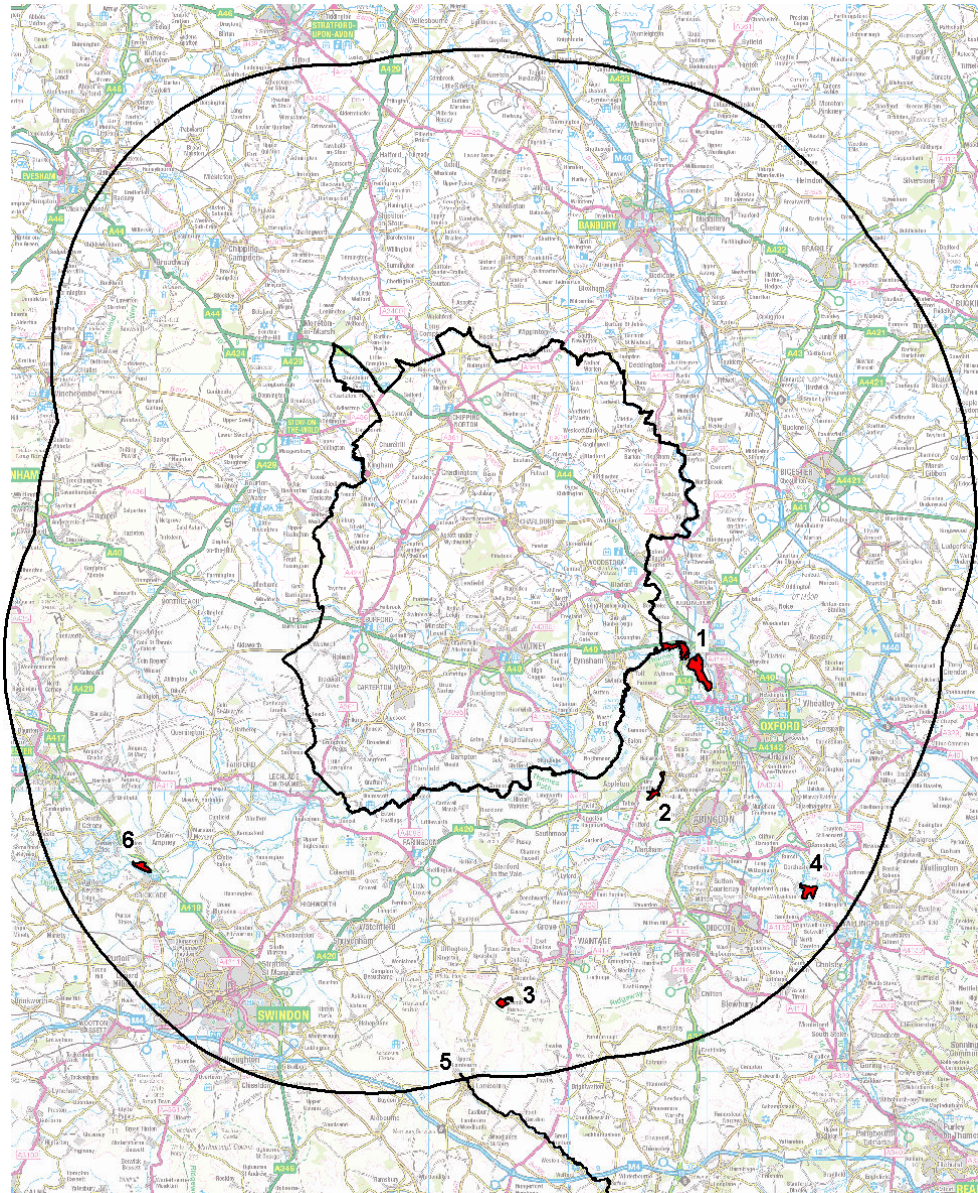
Background

The European Habitats Directive designates sites that are of international importance for their habitats, flora or fauna. The Directive requires that land use plans such as the West Oxfordshire Draft Local Plan (previously Core Strategy) are subject to a Habitats Regulation Assessment (HRA) where they may have a significant effect on such sites.

There are a number of European sites within West Oxfordshire and within 20km of its borders. These are all designated as Special Areas of Conservation (SAC) and include:

- | | |
|-------------------|---------------------|
| 1. Oxford Meadows | 4. Little Wittenham |
| 2. Cothill Fen | 5. River Lambourn |
| 3. Hackpen Hill | 6. North Meadow |

A map of these sites is shown below.



Appropriate Assessment Scoping Report

Because of the proximity of these internationally important sites, in January 2010 an Appropriate Assessment Scoping Statement was produced (as part of the West Oxfordshire District Council Sustainability Appraisal Scoping Report), identifying potential impacts of the emerging Local Plan (then Core Strategy) on the European sites and suggesting avoidance and mitigation measures. The key potential impacts identified at that time were water abstraction, water quality, air quality, recreation and mineral extraction (specifically in relation to Oxford Meadows SAC).

Stage I Screening Report

In 2011, Oxfordshire County Council, on behalf of West Oxfordshire District Council, expanded the work of the 2010 scoping statement to form a Stage I (screening) Report of the Draft Core Strategy for West Oxfordshire (January 2011).

The Stage I Screening Report identified potential impacts on two SACs: Cothill Fen (an increase in water abstraction, a reduction in water quality and an increase in recreational pressure) and Oxford Meadows (a reduction in air and water quality and an increase in recreational pressure).

The Stage I Screening Report is attached at Appendix I. It should be noted that although the Draft Local Plan (2012) has since increased the number of new homes to be provided within the District, this increase is not considered to be of sufficient magnitude to affect the conclusions that were reached in the Stage I Screening Report.

Stage II Assessment

In light of the potential issues raised in the Stage I report, at the end of 2011, the County Council explored these potential impacts further in a Stage II assessment which included suggested mitigation measures to ensure the potential impacts on Cothill Fen and Oxford Meadows do not occur as a result of development in West Oxfordshire. The Stage II report is attached at Appendix 2.

Importantly, the Stage II report concluded that in terms of increased water abstraction and reduction in water quality, the draft Core Strategy would not be likely to have a significant effect, either alone or in combination with other plans or projects, on Cothill Fen SAC or Oxford Meadows SAC.

The Draft Stage II report did however continue to identify potential impacts in terms of recreational pressure at Cothill Fen and recreational pressure and air quality at Oxford Meadows. Again, the increased number of new homes identified in the Draft Local Plan (2012) is not considered to be of sufficient magnitude to affect the conclusions that were reached in the Stage II assessment.

Natural England Response

Natural England is the statutory consultee for the Habitats Regulations Assessment and has provided comments on both the draft Stage I and II HRA reports. Their response is attached at Appendix 3.

Importantly, Natural England are of the opinion that the nature and distance of Cothill Fen from the District mean it is not at risk from damaging recreational pressures from development in West Oxfordshire.

Having regard to the findings of the Stage II report and the views of Natural England, the two key remaining issues to address are therefore increased recreational pressure and reduced air quality at Oxford Meadows.

These two issues are explored in more detail below in relation to the proposals set out in the Draft Local Plan (2012).

Increased recreational pressure

A study by the Forestry Commission into natural green space in the southeast found that West Oxfordshire residents have no or very little access to such areas. An increase in the population of the District could therefore in theory result in increased pressure upon Oxford Meadows, as parts of them provide accessible open space within close proximity to West Oxfordshire residents.

A number of recommendations are put forward in the Stage II Report, particularly in relation to introducing standards for green infrastructure provision and management, so that areas of natural green space are provided close to where new development takes place, reducing the need to travel to Oxford Meadows.

Since publication of the Draft Core Strategy (January 2011) a number of factors have occurred to potentially reduce the significance of this issue:

- An initial study into green infrastructure (GI) within West Oxfordshire has been undertaken which, together with a more detailed study into District Council controlled open space, has increased the information available on the different components of GI
- While the geography of West Oxfordshire is not one of large areas of natural green space where the public have the right to roam, a good network of public rights of ways does allow access to a rich and diverse countryside. In addition, the presence of large country estates provide a further resource of green space, albeit not always with unrestricted public access
- Since the Forestry Commission study, two 'country parks' have been created (one at Carterton and one at Witney), along with a number of areas of accessible open space, such as the Water Meadows at Woodstock, the Abbey Fishponds at Eynsham and land in the Lower Windrush Valley associated with the after-use of sand and gravel extraction
- Oxford City Council undertook a visitor survey at Port Meadow and Wolvercote Common (part of the Oxford Meadows SAC, lying just east of West Oxfordshire's boundary) in October 2011. Notably, the survey found that 74% of the visits over the survey period were by Oxford City residents, particularly those living close to the site; only 1.9% came from West Oxfordshire
- It is estimated that the population of West Oxfordshire will increase by approximately 8-9% over the 20 year period from 2011. With only 1.9% of the visitors to Port Meadow coming from West Oxfordshire, there is unlikely to be a significant uplift in visitor pressure on the SAC from the District
- The four Strategic Development Areas proposed in the Draft Local Plan are located at Carterton and Witney. The Oxford City Council survey did not find any residents from

Carterton and only 0.3% of those interviewed came from Witney. This is not surprising as Carterton lies 23km from the SAC and Witney 14km.

- The Stage II HRA Report made a number of recommendations. In relation to potential recreation pressure, a more detailed study into GI is to be undertaken for West Oxfordshire, with one of the objectives being to establish local standards for open space
- A number of changes have been made to the Draft Local Plan (previously Core Strategy) such that it now gives greater recognition to the Oxford Meadows SAC. These changes are summarised at Appendix 4.

Reduction in air quality

Reduction in Air Quality

Increased levels of road traffic can contribute to reduced levels of air quality, through the deposition of airborne oxides. Deposition beyond the threshold of the recognised critical load for a particular habitat type could have a significant effect upon that habitat. (Critical loads represent the exposure below which there should be no significant harmful effects on sensitive elements of the ecosystem – according to current knowledge. They have a number of habitats dependent on low nitrogen levels. Critical loads are expressed in deposition of units of kg/N/ha/yr.)

The Stage II HRA Report concluded that, in order to demonstrate there will be no significant impacts on Oxford Meadows, traffic modelling needs to be undertaken to show that the Core Strategy (in combination with other plans and projects) will contribute to less than 1% of the critical load (lower limit 20kgN/ha/year) of nitrogen deposition.

Information on nitrogen deposition at Oxford Meadows SAC is available from the Air Pollution Information Service (APIS)/DEFRA and can be viewed via the following link

<http://laqm.defra.gov.uk/maps/maps2008.html>

The table below shows relevant data from APIS for 2005 and how this is forecast to change by 2020.

	2005	2020
Total baseline nitrogen deposition	19.18 kg/N/ha/year	13.86 kg/N/ha /year
Total road traffic contribution, including A40/A34	2.52 kg/N/ha/year	0.8 kg/N/ha/year
Percentage total road traffic contribution	13.1%	5.8%
Percentage contribution of total road traffic to lower critical threshold of 20 kg N/ha/year	12.6%	4.0%
Percentage contribution to total road traffic nitrogen deposition for a significant effect in 2020, ie 1% of critical threshold	-	25%

As can be seen from the table, in the period up to 2020 total nitrogen deposition is predicted to decrease from 19.18 kg/N/ha/year to 13.86 kg/N/ha/year (the critical load range being 20-30 kg/N/ha/ year) due to improvements in vehicle's standards and reductions in power station emissions. The percentage contribution of road traffic is also expected to decrease.

In 2020 all road traffic is expected to contribute no more than 4% of the critical threshold for Oxford Meadows SAC. Table I shows that in order to have a significant effect upon the SAC's habitats (i.e. to increase nitrogen deposition by 1%), the Draft Local Plan would need to contribute to 25% of the total nitrogen deposition from road traffic in 2020.

These findings are reflected in Oxford City Council's HRA report of their Sites and Housing DPD (February 2012) in which they review the APIS data as part of their Appropriate Assessment of the plan.

Consideration must therefore be given to the extent to which planned new development in West Oxfordshire identified through the Draft Local Plan will increase road traffic at Oxford Meadows and therefore potentially increase nitrogen deposition.

The table below is based on data provided by Oxfordshire County Council and shows daily and peak hour traffic flows on both the A40 and A34 near Oxford Meadows SAC (based on estimates of annual average daily traffic flows in 2011).

Description	A40	A34	Total
Daily traffic movements at Oxford Meadows SAC	22,400 vpd	70,929 vpd	93,329
Peak hourly movements (10% daily movements)	2,240 vph	7,093 vph	9,330

Total daily traffic movements are around 93,300 and total peak hourly movements are 9,300.

The Draft Local Plan (October 2012) makes provision for 5,500 new homes to be provided in the period 2011 – 2029. Of these, 359 have already been built and a further 1,200 are committed through existing planning permissions and allocations, leaving a remaining requirement of around 4,000 homes.

Under the proposed spatial strategy, the majority of these new homes will be located at Witney, Carterton and to a lesser extent Chipping Norton. Clearly these new homes will generate an increase in traffic movements, a proportion of which will pass close to Oxford Meadows SAC via the A40 and/or A34.

Using an extreme 'worst case' scenario in which the assumption is that residents from half of these 4,000 new homes travel past Oxford Meadows SAC via the A40 and/or A34, the peak hourly traffic movements would increase by 2,000 vehicular trips; this would increase total peak hourly movements from 9,330 to 11,330 (around 21%).

Whilst this represents a reasonably large increase, in order to have a 'significant effect' on Oxford Meadows SAC (i.e. to increase nitrogen deposition by 1%) it is estimated that any plan or project would need to contribute to 25% of the total nitrogen deposition from road traffic in 2020. It is considered that even under the worst case scenario outlined above, the increase in peak hourly movements would not be sufficient to achieve this.

This conclusion is supported by recent traffic modelling, and subsequent air quality assessment, undertaken as part of the Proposed Submission Draft Cherwell Local Plan HRA (August 2012). Through this work, the impact of 16,750 houses in Cherwell, 'in combination' with development in the rest of Central Oxfordshire (which incorporates part of West Oxfordshire, including Witney), up to 2031 has been tested. Importantly, the findings state that this scale of growth 'will not lead

to any likely significant effects on the qualifying features of Oxford Meadows SAC'. Natural England have approved Cherwell's approach and have raised no objection to the HRA.

From the information outlined above the following can be concluded:

- Total nitrogen deposition at Oxford Meadows SAC is predicted to fall significantly by 2020 to 13.86 kg/N/ha/year, well below the critical threshold of 20 kg/N/ha/year
- The total road traffic contribution is expected to fall to 0.8 kg/N/ha/year, just 5.8% of the total nitrogen deposition by 2020 (4% of the critical threshold)
- To have a 'significant effect' (i.e. increase deposition by 1%) it is estimated that any plan or project would need to contribute to 25% of the total nitrogen deposition from road traffic at 2020
- Given the quantum of planned development identified in the Draft Local Plan, even under a 'worst-case' scenario, the volume of additional vehicular trips will not be sufficient to have a significant effect on the Oxford Meadows SAC

Summary and Conclusions

Because there are a number of sites of international importance within or close to West Oxfordshire, European legislation requires an assessment to be made of the potentially significant impact that any land use plan, such as a Local Plan, may have.

A systematic process has therefore been followed by the District Council in conjunction with Oxfordshire County Council and Natural England to identify and address any potential impacts.

The scoping report (2010) identified a number of potential impacts relating to water abstraction, water quality, air quality, recreation and mineral extraction.

Following on from this, the Stage I screening report (2011) more specifically identified potential impacts on two Special Areas of Conservation (SACs)_Cothill Fen (an increase in water abstraction, a reduction in water quality and an increase in recreational pressure) and Oxford Meadows (a reduction in air and water quality and an increase in recreational pressure).

A more detailed Stage II report (2011) then narrowed down the potential impacts to recreational pressure on both Cothill Fen and Oxford Meadows and air quality at Oxford Meadows.

The views of Natural England were sought and ruled out potential recreational impact on Cothill Fen.

The two key issues to address are therefore recreational pressure and air quality at Oxford Meadows.

In terms of recreational pressure, whilst in theory the presence of Oxford Meadows has the potential to attract visitors from West Oxfordshire, the reality of the situation is that most visitors are from Oxford itself with less than 2% from the District. Recent and planned improvements to green infrastructure within West Oxfordshire will help to ensure that recreational pressures on Oxford Meadows do not increase as a result of future growth within the District.

In terms of air quality, the evidence suggests that the increase in traffic likely to be generated by planned growth in the District is of such a magnitude that it will not have a discernible impact in relation to nitrogen deposition at Oxford Meadows.

Notwithstanding the above, a number of amendments have been made to the Draft Local Plan which provides suitable reassurance that any potential residual impact will be properly mitigated. These are set out at Appendix 4.