



**WEST OXFORDSHIRE
DISTRICT COUNCIL**

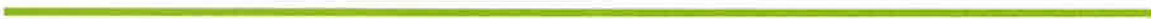
**West Oxfordshire District Council
Local Plan 2031**

**Woodstock Neighbourhood Plan (WNP) 2031:
Consultation Draft November 2020**

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

March 2021

enfusion



**West Oxfordshire District Council
Local Plan 2031**

**Woodstock Neighbourhood Plan (WNP) 2031:
Consultation Draft (November 2020)
Strategic Environmental Assessment (SEA) &
Habitats Regulations Assessment (HRA)
Screening Report**

<i>date:</i>	<i>January 2021 v1 draft March 2021 v2 final</i>	
<i>prepared for:</i>	<i>West Oxfordshire District Council</i>	
<i>prepared by:</i>	<i>Barbara Carroll</i>	<i>Enfusion</i>
<i>quality assurance:</i>	<i>Barbara Carroll</i>	<i>Enfusion</i>

enfusion
environmental planning and management for sustainability



The Train Shed
1 Ancliff Square, Avoncliff
Bradford on Avon BA15 2HD
www.enfusion.co.uk

CONTENTS

		Page
1	Introduction	
	Strategic Environmental Assessment (SEA) & Sustainability Appraisal (SA); Habitats Regulations Assessment (HRA)	1
	The West Oxfordshire Local Plan 2031	2
	This SEA & HRA Screening Report	2
2	Legislative Requirements & Guidance; Method	
	Legislative Requirements	3
	Guidance on SA/SEA & HRA/AA	5
	Method	6
3	The Woodstock Neighbourhood Plan (WNP) (Consultation Draft, January 2021)	
	Context	7
	Woodstock Neighbourhood Plan 2031 Consultation Draft 2021	8
4	SEA Screening Assessment	
	SEA Screening Assessment	11
5	SEA Screening Decision	
	SEA Screening Decision	11
6	Habitats Regulations Assessment (HRA) Screening	
	HRA Screening	16
7	Statutory Consultation & Overall Conclusion	
	Statutory Consultation & Overall Conclusion	19
	Tables & Figures	
2.1	Flow Diagram for Determining if a Plan is likely to have Significant Environmental Effects	
3.1	Boundary for the Area Designation of Woodstock Neighbourhood Area	
3.2	WNP – Local Green Space Designations	
4.1	SEA Screening Assessment of Woodstock Neighbourhood Plan	

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 2019)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 a 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/ukxi/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/publications/national-planning-policy-framework--2>

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

⁶ <https://www.gov.uk/guidance/strategic-environmental-assessment-and-sustainability-appraisal>

⁷ The Conservation of Habitats & Species Regulations 2010

<http://www.legislation.gov.uk/ukxi/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 (WOLP) 2031

- 1.6 West Oxfordshire District Council (WODC) has prepared a 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 and HRA of the Local Plan was undertaken alongside the preparation of the plan with SA/SEA and HRA Reports published as evidence to support at each stage of plan-making. The new WODC Local Plan to 2031 was adopted in September 2018 and accompanied by a SA Adoption Statement (September 2018).
- 1.7 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 otherwise¹⁰.

This SEA & HRA Screening Report

- 1.8 This document provides a screening determination of the need to carry out an SEA and an HRA of the Woodstock Neighbourhood Plan 2031 (WNP Consultation draft November 2020). West Oxfordshire District Council, as the "Responsible Authority"¹¹ under the SEA Regulations, and the "Competent Authority"¹² 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 an HRA is required. This Screening Report was sent to the environmental consultation bodies (Environment Agency, Historic England & Natural England) for the statutory 5 weeks consultation period that ended on 8 March 2021.

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

⁹ Town & Country Planning Regulations (2011, 2012); National Planning Policy Framework (2012, revised 2019)
<https://www.gov.uk/government/publications/national-planning-policy-framework--2>

¹⁰ PCPA 2004 section 38(6)

¹¹ The organisation that adopts ("makes") the neighbourhood plan

¹² The organisation that ensures that the plan will not have any likely significant effects on the integrity of the designated nature conservation sites

2.0 LEGISLATIVE REQUIREMENTS & GUIDANCE; METHOD

Legislative Requirements

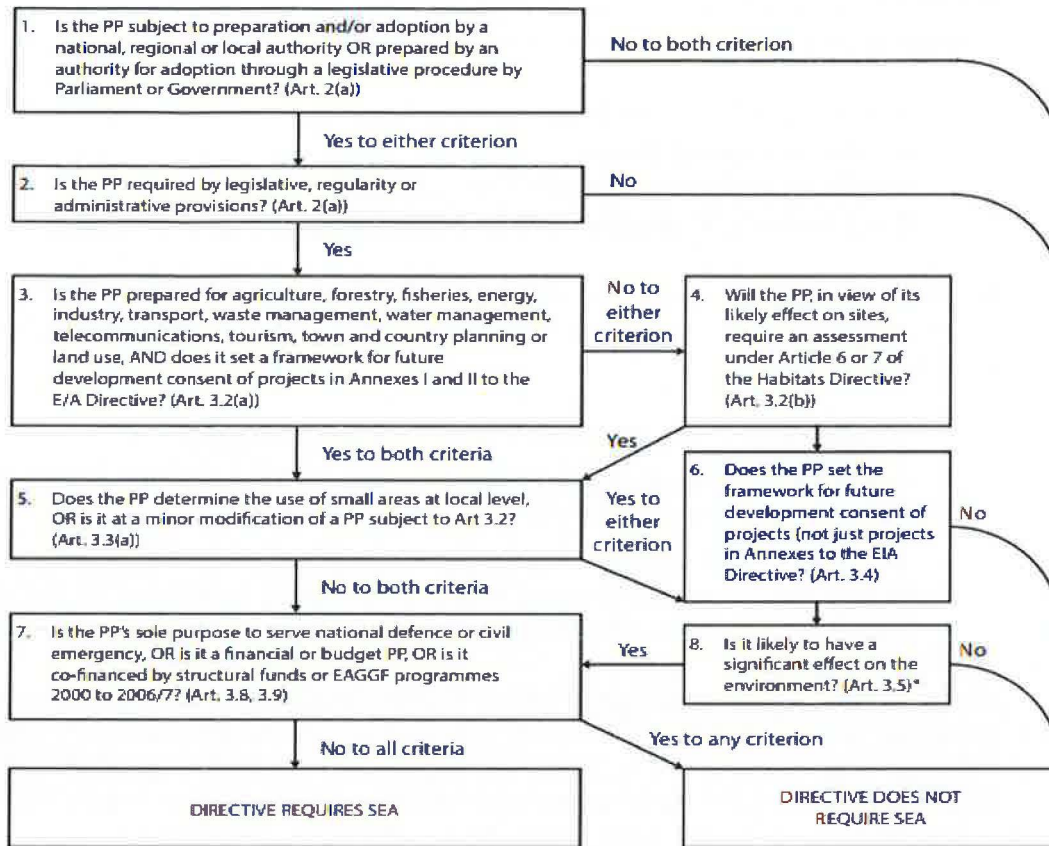
- 2.1 The Localism Act 2011 requires neighbourhood plans to comply with EU legislation. Regulation 5 of the SEA Regulations requires an environmental assessment of plans which:
1. *are prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, 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 projects¹³ (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 area¹⁴ at local level (Regulation 5, para. (6)(a); or*
 - b) *plans which are a minor modification¹⁵ 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 UK Government guidance provides a flow diagram with questions/criteria for the SEA Directive and its application to the plan-making process as follows:

¹³ 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).

¹⁴ 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"

¹⁵ '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 Diagram¹⁶ for Determining if 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 does not have legal status. Where a Neighbourhood Plan is likely to have a significant effect on the environment, a strategic environmental assessment (SEA) must be carried out and an Environmental Report (ER) prepared.

2.4 There is no legal requirement for a Neighbourhood Plan (NP)¹⁷ 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 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 can advise on particular topics relevant to its specific area of expertise and responsibility.

¹⁶ Based on ODPM 2005 - 'A Practical Guide to the SEA Directive' 2005

¹⁷ <https://www.gov.uk/guidance/strategic-environmental-assessment-and-sustainability-appraisal>

Guidance on SA/SEA & HRA

- 2.5 The National Planning Policy Framework (NPPF) and Planning Practice Guidance (NPPG) have advised 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 a SEA, and (if so) the level of detail needed, will depend on what is proposed. 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 1¹⁸ 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.
- 2.8 The qualifying body (ie WODC for the Woodstock NP 2031) is required to provide the following – to demonstrate that the basic condition¹⁹ 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”
- 2.9 Planning practice guidance²⁰ also provides advice on HRA screening and the subsequent appropriate assessment stage of the process for neighbourhood planning. An appropriate assessment for a more strategic plan, such as the Local Plan, can consider the impacts on sites and confirm the suitability or likely success of mitigation measures for associated non-strategic policies and projects. An individual assessment of non-strategic policies and projects may not be necessary in some limited cases where the strategic appropriate

¹⁸ <http://www.legislation.gov.uk/uksi/2004/1633/schedule/1/made>

¹⁹ A Neighbourhood Plan should not breach, and must be compatible with, European Union obligations in order for it to be legally compliant.

²⁰ <https://www.gov.uk/guidance/appropriate-assessment>

assessment is sufficiently robust. This needs to contain conclusions capable of removing all reasonable scientific doubt on the impacts of non-strategic policies, such as in neighbourhood plans.

Method

- 2.10 In order to be able to decide whether a 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 WOLP planning policies
 - whether any of the proposals are likely to affect a "sensitive area", such as a Site of special Scientific Interest (SSSI) or designated European Site for nature conservation (Special Area of Conservation SAC, Special Protection Area 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
- 2.11 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 WNP, together with professional judgment, was used to identify the sensitivity of the Woodstock area environment and whether significant effects are likely that have not been previously assessed through SA, such that an SEA would be required, and whether an HRA/Appropriate Assessment is necessary.

3.0 THE WOODSTOCK NEIGHBOURHOOD PLAN 2031 (WNP)

Context

- 3.1 The Woodstock Town Council (WTC)²¹ is the qualifying body designated for the purpose of preparing the WNP and who have approved the draft plan for submission to WODC for SEA/HRA screening. The Neighbourhood Plan Steering Committee (NPSC) has sought the views of the wider community, as well as the landowners, through the process of preparing the draft WNP, and seeking feedback on the proposed Local Green Space Designations within it. The WNP has a singular focus on the protection of green and open spaces within the neighbourhood area which it aims to achieve through the designation of Local Green Spaces (LGSs).
- 3.2 The National Planning Policy Framework (paragraphs 99-101, 2019)²² addresses the designation of land as Local Green Space through local and neighbourhood plans and allows communities to identify and protect green areas of particular importance to them. The NPPF provides guidance on how the LGS designation should be used and advises that policies for managing development within a LGS should be consistent with those for Green Belts. It may be noted that whilst the LGS designation affords such green space similar policy protection to Green Belt, it does not place any new restrictions or obligations on landowners, and it does not confer any rights of access over what exists at present.
- 3.3 The focus of the WNP on designating LGSs in Woodstock in order to protect them arose during consultation and discussions with the local community during preparation of the Woodstock Community & Infrastructure Delivery Plan (WCIDP) during 2019. The WCIDP was commissioned by the Woodstock Town Council and Blenheim Estate to help address future infrastructure needs for the town in consideration of the new housing sites being brought forward in the West Oxfordshire Local Plan 2031 (WOLP). The aims of the WCIDP (2019)²³ are to identify hard and soft infrastructure needs within Woodstock, ensure proposed developments preserve and enhance the special character of the town, ensure new communities are integrated, and recommend how projects and priorities identified by the local community can be achieved.
- 3.4 The protection and enhancement of green and open spaces were raised as a key concern and priority. Environmental and low carbon improvements, including biodiversity, wildlife habitats and green spaces, was placed on the Priority List relating to Section 106 developer contributions. Following this prioritisation, the WTC has prepared the WNP with a focus on protecting Local Green Spaces through their designation.

²¹ <https://woodstock-tc.gov.uk/>

²² <https://www.gov.uk/government/publications/national-planning-policy-framework--2>

²³ <http://www.communityfirstoxon.org/woodstock-community-plan/>

- 3.5 Woodstock Parish was formally designated²⁴ as a Neighbourhood Area by the West Oxfordshire District Council²⁵ in January 2020 and the boundary is shown in the figure following:

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



- 3.6 The WNP must be in general conformity with the strategic policies set out in the West Oxfordshire Local Plan 2031²⁶ (adopted September 2018). The WOLP allocates three non-strategic sites for housing in Woodstock – EW3 Land east of Woodstock (300 homes); EW4 Land North of Hill Rise (120); and EW5 Land

²⁴ Localism Act 2011

²⁵ <https://www.westoxon.gov.uk/planning-and-building/planning-policy/neighbourhood-planning/neighbourhood-plans-in-development/>

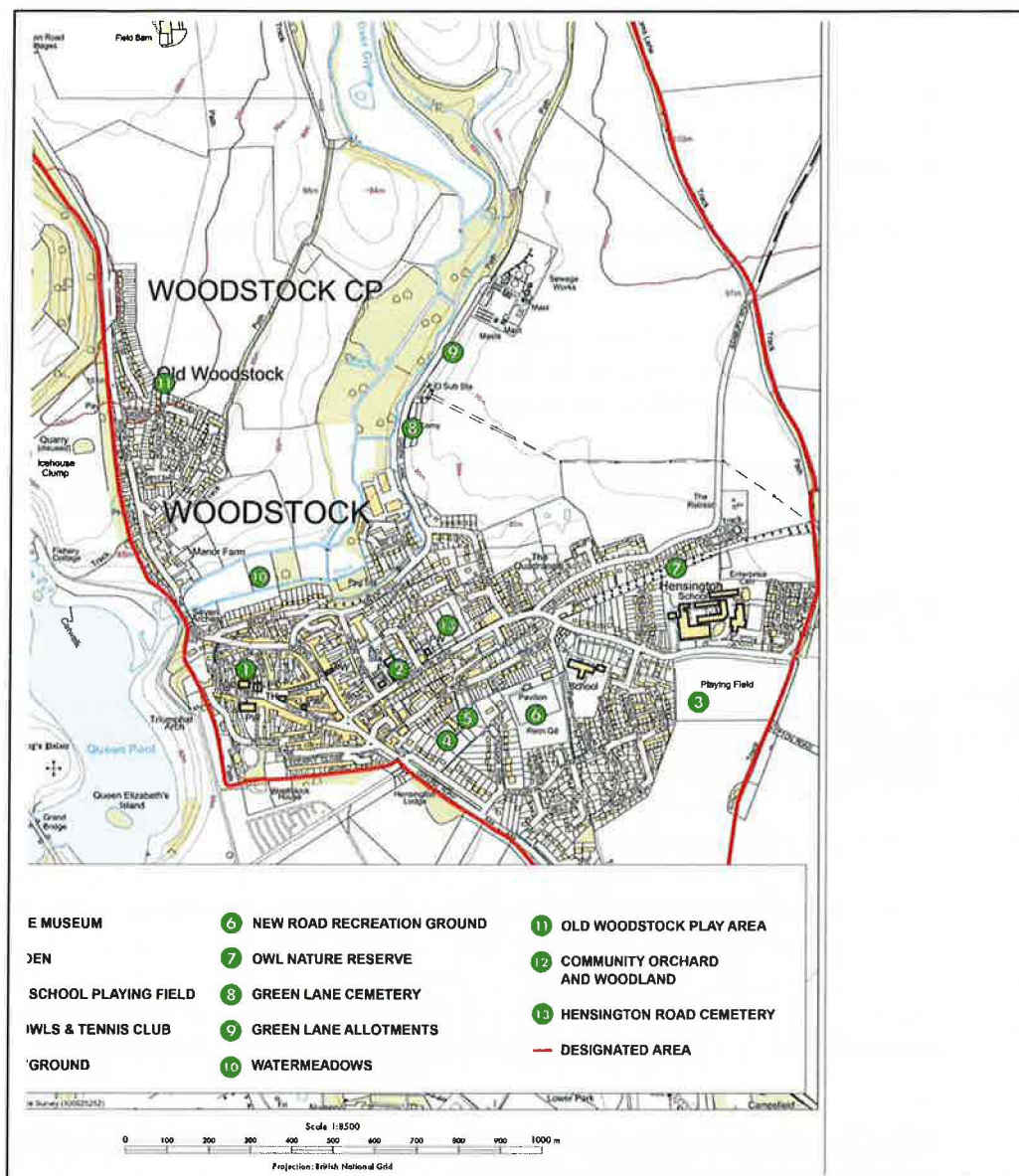
²⁶ <https://www.westoxon.gov.uk/localplan2031#>

north of Banbury Road (180 homes). This SEA & HRA screening has been carried out the consultation draft WNP dated November 2020. This Report sets out the screening assessments and decisions to demonstrate that due processes have been followed in line with regulatory requirements.

The draft Woodstock NP 2031 (Consultation November 2020)

- 3.7 The singular aim of the WNP is to protect green and open spaces in the neighbourhood area for current and future generations through the designation of Local Green Spaces.
- 3.8 The WNP comprises five sections with the first two sections of an introduction and Setting the Scene. Section 3 explains local green spaces. Section 4 details the one Policy WNP LGS1: Local Green Space Designations, and Section 5 explains What Happens Next. The plan is supported by an Appendix 1 that includes Planning Practice Guidance on designating LGSs, a glossary, and acknowledgments. Policy WNP LGS1 Lists the 13 areas that are proposed to be designated as Local Green Spaces and as shown on Figure 3.2, as follows:

Figure 3.2: Woodstock NP Local Green Space Designations (LGSs)²⁷



²⁷ Taken from WNP consultation draft (November 2020)

4.0 SEA SCREENING ASSESSMENT

- 4.1 West Oxfordshire District Council, as the responsible authority, consider that the Woodstock Neighbourhood Plan (WNP) 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 WNP 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 WNP 2031 (Pre-Submission Consultation Draft November 2020)

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 propose allocation of sites for development projects. However, the WNP does seek to influence housing development by protecting land designated as Local Green Space – Policy WNP LGS1 states that planning applications for development on the LGSs will not be permitted unless exception circumstances can be demonstrated and where the proposed

Criteria (Schedule 1 SEA Regulations)	Are significant environmental effects likely? Yes/ No	
	Justification and evidence	
conditions or by allocating resources		<p>development performs a supplementary and supporting function to the LGS.</p> <p>The Local Plan recognises that, despite the sensitivities presented by the Blenheim Palace World Heritage Site (WHS) there are a number of sustainable development opportunities on the edge of the town including land to the south east and north of Woodstock. The Local Plan was subject to SA/SEA, including the site allocations proposed in Woodstock, and this concluded that there were no significant negative residual effects arising from Policies in the Plan.</p> <p>The WNP does seek to influence the framework for development projects and other activities; and there is the potential for significant environmental effects – but some uncertainty of application here since the 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.
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 & with strong mitigation measures through LP policies, the SA/SEA concluded that there will be no significant residual negative environmental effects. The WNP does not

Criteria (Schedule 1 SEA Regulations)	Are significant environmental effects likely? Yes/ No	
	Justification and evidence	
		propose allocation of sites for development projects. Whilst the WNP does cover areas that are of international or national designation for cultural heritage and landscape, no likely significant adverse effects have been identified.
(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 negative 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 WNP does not propose allocation of sites for development projects. The geographical size of the plan area is small, and the size of the population is relatively small. Therefore, no likely significant adverse effects.
(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	<p>As above. No likely significant negative effects on locally important characteristics – the WNP does not propose allocation of sites for development projects; it seeks to protect Local Green Spaces.</p> <p>Most of the open space in Woodstock is dominated by sports grounds & there is little public open space with the largest being the Watermeadows – some 5 hectares between Old & New Woodstock in the valley of the River Glyme – a popular local area used for various recreational activities. There are public rights of way in the Parish including those that run through the Watermeadows. Also, a locally important linear nature reserve on 4 miles of old railway line that used to link Woodstock with Kidlington. The WNP has identified 13 locally important green spaces that it seeks to protect and enhance through formal designation.</p> <p>The WNP is not within any area that has exceeded environmental quality standards, for example, it is not within an Air Quality Management Area (AQMA).²⁸</p>
(g) the effects on areas or landscapes which have a recognised national, Community or international protection status.	No	The Woodstock NP area is adjacent to an internationally designated area ²⁹ - the UNESCO World Heritage Site of Blenheim Palace – to the west of the Parish. The Palace built between 1705 & 1722 represents a new architecture and set within a landscaped Park that was later modified by Capability Brown – considered to be one of the greatest examples of naturalistic landscape design. The Palace and Park have strongly influenced the English

²⁸ <https://www.westoxon.gov.uk/environment/noise-pests-pollution-and-air-quality/air-quality/>

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

Criteria (Schedule 1 SEA Regulations)	Are significant environmental effects likely? Yes/ No
	Justification and evidence
	<p>Romantic movement which was characterised by the eclecticism of its inspiration, its return to natural source, and its love of nature³⁰.</p> <p>The whole WHS is designated as a Grade 1 registered Park & Garden; key buildings on the site and the park wall are variously Grade I & II Listed Buildings. There are also 5 Scheduled Monuments within the Park. The lakes and High Park are designated as SSSIs with ancient woodland and hedgerows protected. Park of the setting of Blenheim Palace & Park is within the Conservation Area³¹ of Woodstock. The WOLP 2031 has specific protection for this internationally & nationally designated Palace & Park – Policy EW9 Blenheim World Heritage Site.</p> <p>There are no Special Protection Areas (SPAs), Special Areas of Conservation (SACs) or Ramsar sites within or nearby to the Woodstock Neighbourhood Plan boundary³² – the nearest European designated site Oxford Meadows SAC is some 6.5km to the south-east of Woodstock and there are no environmental pathways indicated. The HRA (June 2018)³³ of the Local Plan concluded that likely significant effects will not occur, either alone, or in combination, on the integrity of any European designated site. HRA screening of the draft WNP concluded that there will not be any adverse effects on the integrity of designated sites due to the limited size and extent of any likely development in Woodstock and the distance from and/or absence of identified environmental pathways to any sites.</p> <p>The WNP area is located within the SSSI Impact Risk Zone for the Blenheim Park SSSI³⁴. This SSSI is located to the west of the town, Palace & Park. It is cited for its oak-dominated ancient woodland; the lakes are important for breeding and wintering birds, also ground flora and 3 species of rare beetles. The SSSI condition is listed as some 77% favourable with some 23 % unfavourable -declining.³⁵ Other SSSIs are at least 2km away and the town is not within the SSSI impact zones – thus no environmental pathways indicated.</p> <p>There are no National or Local Nature Reserves in the town or surrounding area³⁶, although it is understood that the Watermeadows are in the process of being designated</p>

³⁰ <https://whc.unesco.org/en/list/425/>

³¹ <https://www.westoxon.gov.uk/planning-and-building/historic-buildings-and-conservation/conservation-area-maps/>

³² <https://magic.defra.gov.uk/magicmap.aspx>

³³ <https://www.westoxon.gov.uk/localplan2031#>

³⁴ <https://magic.defra.gov.uk/magicmap.aspx>

³⁵ [https://designatedsites.naturalengland.org.uk/ReportConditionSummary.aspx?SiteCode=\\$1001566&ReportTitle=Blenheim%20Park%20SSSI](https://designatedsites.naturalengland.org.uk/ReportConditionSummary.aspx?SiteCode=$1001566&ReportTitle=Blenheim%20Park%20SSSI)

³⁶ <https://magic.defra.gov.uk/magicmap.aspx>

Criteria (Schedule 1 SEA Regulations)	Are significant environmental effects likely? Yes/ No
	Justification and evidence
	<p>formally as an LNR. The Lowland Fen & Wet Woodland habitats are of principal importance³⁷.</p> <p>The SA of the Local Plan considered that there should be sufficient mitigation provided by LP Policies to reduce any potential negative effects on important biodiversity to at least neutral. Policy EH3 Biodiversity & Geodiversity requires an overall net gain in biodiversity and impacts on geodiversity to be minimised. LP Policy EH6 Environmental Protection and Policy OS3 Prudent Use of Natural Resources also apply.</p> <p>The Woodstock NP area is some 2.5 km to the east of the nearest boundary of the Cotswolds AONB³⁸. The WOLP avoids allocated development in the AONB and the AONB setting is further protected through WOLP Policies EH1 & EH2.</p> <p>The town is located to the east of the A44 Oxford Road and with the Grade I registered Blenheim Park & Garden to the west on the other side of the main road – and protected through WOLP Policy EW9.</p> <p>Woodstock is an historic town of national significance and with much of the medieval town protected by the designation of a Conservation Area with nearly 200 Listed Buildings³⁹. There is one Scheduled Monument Blenheim Villa just beyond the south-east of the parish boundary.</p> <p>The SA of the Local Plan considered that there should be sufficient mitigation provided by other LP Policies to reduce any potential negative effects to at least neutral. Local Plan Policy OS4 High Quality Design & LP Policy EH9 Historic Environment provide clear mitigation measures.</p> <p>The Local Plan was adopted in September 2018; it was subject to iterative SA/SEA and HRA that independent examination found to be sound. Therefore, the approach & policies in the WNP refer to Policies in the Local Plan that have been previously subject to SA/SEA (and HRA), found sound, and adopted. It is considered that the LP SA/SEA (& HRA) remain valid & that there is no new material or relevant information that should be considered.</p>

³⁷<https://www.gov.uk/government/organisations/natural-england>

³⁸<https://magic.defra.gov.uk/MagicMap.aspx>

³⁹<https://magic.defra.gov.uk/magicmap.aspx>

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 draft Woodstock Neighbourhood Plan (WNP2031, November 2020) 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 Woodstock 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 embedded in the Local Plan to 2031 (adopted September 2018) through the sub-area strategy that limits development in Woodstock to 3 non-strategic housing allocations, recognising the particular heritage sensitivities presented by the Blenheim WHS whilst appreciating the sustainable development opportunities on the edge of the town to the south, east and north. Further mitigation measures are provided through other Local Plan Policies such as H1, EH1, EH2, EH9 & OS4 - ensuring that there will be no residual significant negative effects. The WNP does not propose to allocate any sites for development projects.
 - The Woodstock NP has a singular aim to designate 13 Local Green Spaces for their protection and enhancement. The proposed LGSs have all been considered against criteria in the NPPF and supporting guidance; they have been identified through wide consultation including working with the Blenheim Palace & Park. WNP Policy LGS1, together with WOLP Policies, will protect the locally important green spaces for recreational and wildlife uses with likely positive effects for human health and biodiversity. There will be no significant negative effects on the internationally adjacent WHS and the nationally designated cultural heritage assets and settings of the town and the Palace & Park.

- Likely significant effects have been previously assessed through SA incorporating SEA and therefore, further SEA of the WNP is not required.
- There will not be any adverse effects on the integrity of European sites designated for nature conservation due to the limited size and extent of any likely development in Woodstock and the distance from and/or absence of identified environmental pathways to any designated sites.

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 or nearby to the Woodstock Neighbourhood Plan boundary⁴⁰ – the nearest European designated site Oxford Meadows SAC is some 6.5km to the south-east of Woodstock and there are no environmental pathways indicated. 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 studies⁴¹ 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-Woodstock sub-area and through implementation of the Local plan as a whole 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.
- 6.2 In consideration of the small geographical area of the WNP, and its distance from European sites outside the WNP and Local Plan boundaries, this HRA screening considers that the WNP 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. HRA screening of the draft WNP concludes that there will not be any adverse effects on the integrity of designated sites due to the limited size and extent of any likely development in Woodstock and the distance from and/or absence of identified environmental pathways to any sites. The HRA of the Local Plan remains valid and there is no new material and relevant information that should be considered.

⁴⁰ <https://magic.defra.gov.uk/magicmap.aspx>

⁴¹ <https://www.westoxon.gov.uk/media/1867474/West-Oxfordshire-Local-Plan-2018-HRA-June-2018.pdf>

7.0 STATUTORY SCREENING CONSULTATION & OVERALL CONCLUSION

- 7.1 This Screening Report was sent to the environmental bodies for the formal 5 weeks consultation to demonstrate that due processes have been undertaken to screen the draft Woodstock Neighbourhood Plan 2031 (November 2020) with regard to HRA and SEA. This consultation period ended on 8 March 2021. Natural England⁴² agree with the screening conclusion that an SEA/HRA is not required. Historic England⁴³ agree with conclusion that an SEA is not required. No comments were received from the Environment Agency and therefore, it is assumed that the EA consider that there are unlikely to be any significant effects associated with areas in which they have an interest. Thus, overall, the conclusion reached by the West Oxfordshire District Council is confirmed and the Woodstock Neighbourhood Plan does not require an SEA or further HRA.

⁴² NE letter dated 24 February 2021

⁴³ HE email dated 8 March 2021

Date: 24 February 2021
Our ref: 341786



West Oxfordshire District Council

BY EMAIL ONLY

Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

T 0300 060 3900

Dear Sir/Madam

Woodstock Neighbourhood Plan SEA/HRA Screening Opinion (Consultation Request)

Thank you for your consultation on the above dated 01 February 2021 which was received by Natural England on the same date.

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.

Screening Request: Strategic Environmental Assessment / Habitats Regulations Assessment

It is our advice, on the basis of the material supplied with the consultation, that, in so far as our strategic environmental interests (including but not limited to statutory designated sites, landscapes and protected species, geology and soils) are concerned, that there are unlikely to be significant environmental effects from the proposed plan. We therefore agree with the screening conclusion that an SEA/HRA is not required.

Neighbourhood Plan

Guidance on the assessment of Neighbourhood Plans, in light of the Environmental Assessment of Plans and Programmes Regulations 2004 (as amended), is contained within the [National Planning Practice Guidance](#). The guidance highlights three triggers that may require the production of an SEA, for instance 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.

We have checked our records and based on the information provided, we can confirm that in our view the proposals contained within the plan will not have significant effects on sensitive sites that Natural England has a statutory duty to protect.

We are not aware of significant populations of protected species which are likely to be affected by the policies / proposals within the plan. It remains the case, however, that the responsible authority should provide information supporting this screening decision, sufficient to assess whether protected species are likely to be affected.

Notwithstanding this advice, Natural England does not routinely maintain locally specific data on all potential environmental assets. As a result the responsible authority should raise environmental issues that we have not identified on local or national biodiversity action plan species and/or habitats, local wildlife sites or local landscape character, with its own ecological and/or landscape advisers, local record centre, recording society or wildlife body on the local landscape and biodiversity receptors that may be affected by this plan, before determining whether an SA/SEA is necessary.

Please note that Natural England reserves the right to provide further comments on the environmental assessment of the plan beyond this SEA/HRA screening stage, should the responsible authority seek our views on the scoping or environmental report stages. This includes any third party appeal against any screening decision you may make.

For any queries relating to the specific advice in this letter only please contact Isabella Jack at Isabella.jack@naturalengland.org.uk For any new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

Yours faithfully,

Isabella Jack
Sustainable Development Adviser
Thames Solent Team
Natural England

Astrid Harvey

From: Lloyd Sweet, Robert <Robert.LloydSweet@HistoricEngland.org.uk>
Sent: 08 March 2021 17:30
To: Astrid Harvey
Subject: Woodstock Neighbourhood plan SEA Screening

Dear Astrid

Thank you for inviting Historic England's comment on the screening of the Woodstock Neighbourhood Plan for Strategic Environmental Assessment.

Given the scope of the plan and its proposals I am happy to confirm that, in our view it is unlikely to have significant environmental effects in areas where we would have an interest. As such, we do not request that it is screened in for SEA.

We reserve the right to request a review of this decision should the plan change in scope at later stage of plan making.

Yours sincerely

Robert Lloyd-Sweet

Rob Lloyd-Sweet | Historic Places Adviser | South East England | Historic England
Cannon Bridge House | 25 Dowgate Hill | London | EC4R 2YA
Mobile: 07825 907288



Historic England

We are the public body that helps people care for, enjoy and celebrate England's spectacular historic environment, from beaches and battlefields to parks and pie shops.

Follow us: [Facebook](#) | [Twitter](#) | [Instagram](#) Sign up to our [newsletter](#)

This e-mail (and any attachments) is confidential and may contain personal views which are not the views of Historic England unless specifically stated. If you have received it in error, please delete it from your system and notify the sender immediately. Do not use, copy or disclose the information in any way nor act in reliance on it. Any information sent to Historic England may become publicly available. We respect your privacy and the use of your information. Please read our full [privacy policy](#) for more information.

