



**WEST OXFORDSHIRE
DISTRICT COUNCIL**

**West Oxfordshire District Council
Local Plan 2031**

**Cassington Neighbourhood Plan (CNP) 2031:
Pre-Submission Draft October 2021**

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

November 2021

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Local Plan 2031**

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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 2021)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 Cassington Neighbourhood Plan 2031 (CNP Pre-Submission draft October 2021). 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 finishing on 24 November 2021.

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

⁹ Town & Country Planning Regulations (2011, 2012); National Planning Policy Framework (2012, revised 2018, updated 2019 & 2021)

<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

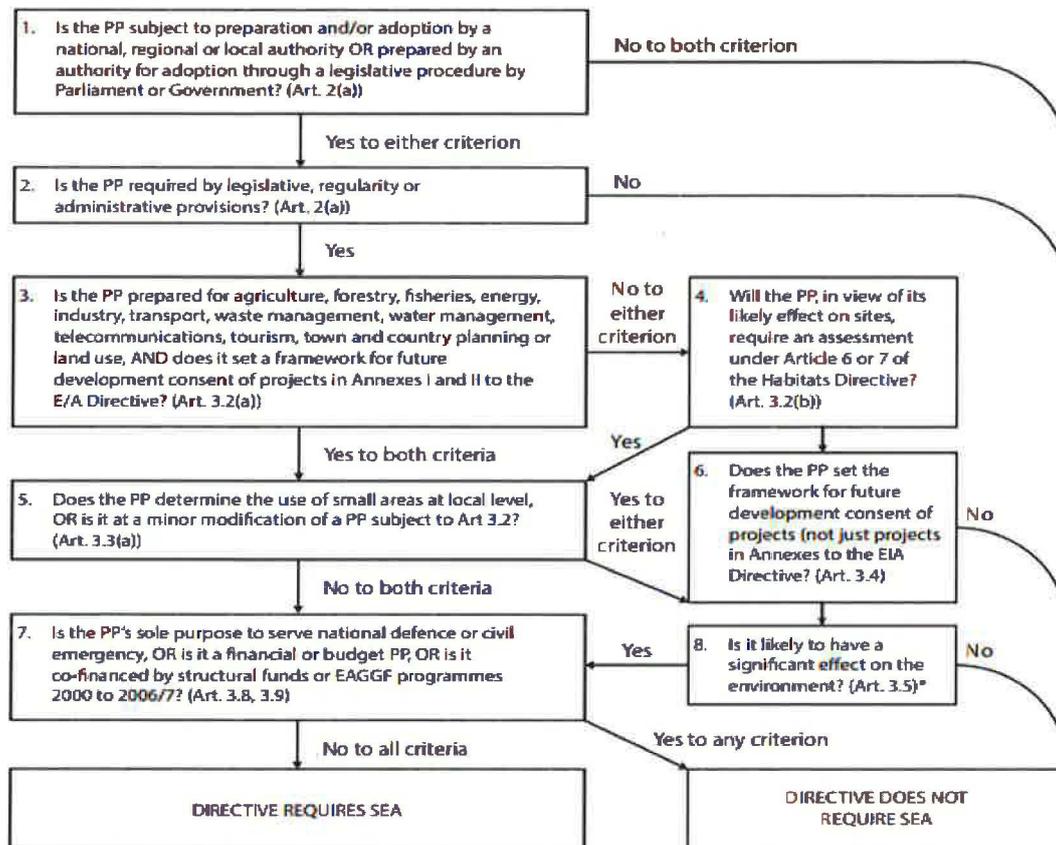
- 2.1 The Localism Act 2011 requires neighbourhood plans to comply with EU legislation. Regulation 5 of the SEA Regulations requires an environmental assessment of plans which:
1. *are prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, 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#neighbourhood-plan-require-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 CNP 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/ukxi/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, for example, 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 CNP, together with professional judgment, was used to identify the sensitivity of the Cassington 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 CASSINGTON NEIGHBOURHOOD PLAN 2031 (CNP)

Context

- 3.1 The Cassington Parish Council (CPC)²¹ is the qualifying body designated for the purpose of preparing the CNP and who have approved the draft plan for submission to WODC for SEA/HRA screening. The Neighbourhood Plan Group (NPG) on behalf of the CPC has progressed the draft CNP.
- 3.2 The village and civic parish of Cassington is located in Oxfordshire, about 5 miles north-west of Oxford. The Cassington Parish was formally designated²² as a Neighbourhood Area by the West Oxfordshire District Council²³ on 8 December 2020 and the boundary is shown in the figure following:

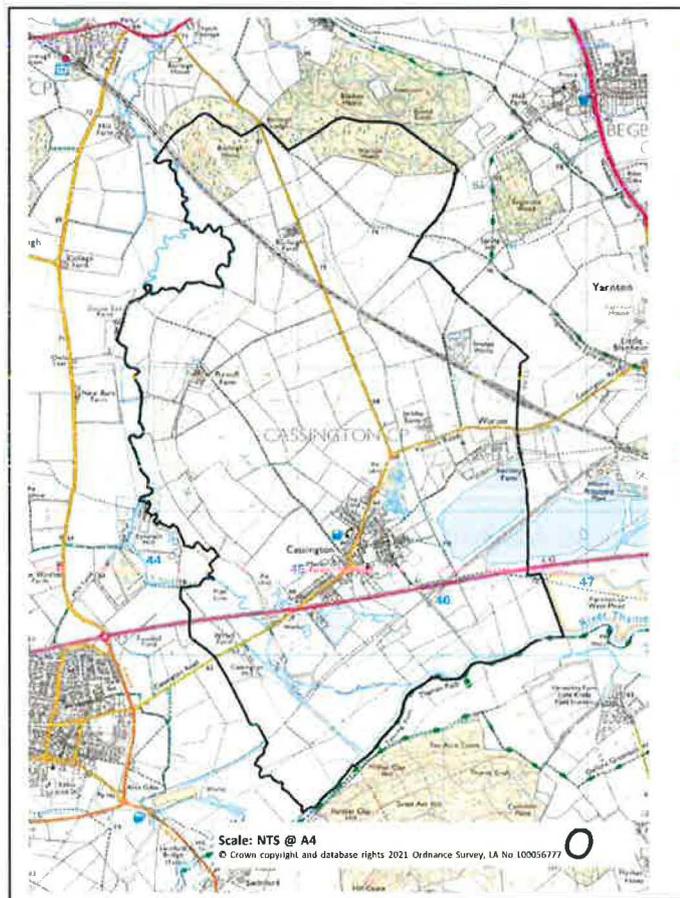


Figure 3.1: Boundary for the Area Designation of the Cassington Neighbourhood Area

²¹ <https://cassington-pc.gov.uk/neighbourhood-plan/>

²² Localism Act 2011

²³ <https://www.westoxon.gov.uk/planning-and-building/planning-policy/neighbourhood-planning/neighbourhood-plans-in-development/plans-in-development/cassington/>

- 3.3 The CNP must be in general conformity with the strategic policies set out in the West Oxfordshire Local Plan WOLP, 2031²⁴(adopted September 2018). Cassington is located within the Eynsham-Woodstock sub-area. The strategy for the sub-area, as set out in Policy EW1, focuses additional housing development primarily at the designated rural service centres (Eynsham, Woodstock, Long Hanborough), together with the Strategic Development Area west of Eynsham and the Strategic Location for Growth north of Eynsham (allocated as a Garden Village). The eastern part of the sub-area is located within the Oxford Green Belt and the parish of Cassington is washed over by Green Belt such that national policies apply and the WOLP does not include any site allocations within Cassington.
- 3.4 As set out in Policy H1, the amount of housing proposed for the sub-area is 5,596 of which 2,750 homes is to contribute towards the unmet need for Oxford. This will be delivered through a strategic urban extension to the west of Eynsham and Salt Cross Garden Village²⁵ to the north of the A40 on the western boundary of Cassington. Policy OS2 includes a settlement hierarchy and Cassington is defined as a Village. A series of general design principles is set out to shape sustainable development and confirms that development should comply with national policies for the Green Belt.
- 3.5 The CNP must also be in general conformity with the Oxfordshire Minerals & Waste Local Plan 2031 (Core Strategy adopted 2017). Western parts of the parish are designated as a Mineral Strategic Resource Area for sharp sand and gravel (Policy M3) and southern parts of the parish are designated as a Minerals Safeguarding Area for sharp sand and gravel. The A40 is defined as a Strategic Lorry Through Route (Policies W4 and C10). The Minerals & Waste Local Plan Site Allocations is still being prepared and the latest draft plan includes land between Eynsham and Cassington as a preferred option for a new quarry for sand and gravel extraction.
- 3.6 The new Oxfordshire Plan 2050²⁶ is at early stages of preparation with a recent public consultation on the scale and broad locations of spatial growth options, and adoption scheduled for later in 2023. The CNPG considers that this new plan will have an impact on Cassington and has taken into consideration the reasoning for options and the evidence base during the preparation of the CNP, particularly with regard to the Cassington Green Infrastructure Plan.
- 3.7 This SEA & HRA screening has been carried out on the pre-submission draft CNP dated October 2021. This Report sets out the screening assessments and decisions to demonstrate that due processes have been followed in line with regulatory requirements.

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

²⁵ Salt Cross Garden Village Area Action Plan currently at independent examination
<https://www.westoxon.gov.uk/gardenvillage>

²⁶<https://oxfordshireplan.org/>

The draft Cassington NP 2031 (Pre-Submission Draft October 2021)

3.8 The overall vision for the CNP is:

"Cassington will have grown successfully as a community whilst protecting the openness of the Green Belt. New homes have addressed local need and these schemes have been well designed to ensure the rural character of the village has been preserved and the significance of the Conservation Area has been sustained and enhanced.

The community has worked successfully with landowners to improve access and links for people and wildlife that surround the village and connect it with the wider countryside. Whilst change in the wider area has been significant, it has provided opportunity for improved connectivity of the multi-functional green infrastructure network of the Parish."

3.9 The CNP Objectives are:

"To protect and improve the ecological value and connectivity of the green infrastructure assets of the village and wider parish.

"To create and integrate a safe and convenient walking and cycling network to serve the village and improve access to the wider countryside.

"To conserve the special heritage assets of the village and its landscape setting.

"To manage growth in the village through sensitive infill and affordable housing schemes that meet local needs."

3.10 The CNP comprises six sections with the first three sections providing an introduction and contexts. Section 4 presents the community views on planning issues. Section 5 sets out the Vision, Objectives & Land Use Policies (CAS1-9), as follows:

- CAS1 Cassington Nature Recovery Network
- CAS2 Active & Sustainable Transport
- CAS3 Dark Skies
- CAS4 Cassington Conservation Area
- CAS5 Design code for Cassington Village
- CAS6 Local Services & Community Facilities
- CAS7 Building to the Passivhaus Standard
- CAS8 Infill Residential Development
- CAS9 Affordable Housing

3.11 Section 6 provides the commitments to implementation and monitoring. The plan is supported by maps and 2 appendices. The CNP has not identified or

allocated sites for future housing development because there is no specific expectation or requirement in the LP to allocate additional housing in the parish.

- 3.12 It may be noted that section 2 The Neighbourhood Area and section 4 Community Views on Planning Issues were not provided within the draft CNP version submitted for screening purposes. However, it was noted that these sections will be informed by questionnaires that were returned to the CNP Group by about 10% of the adult population of the village and a summary analysis of these respondents was provided. Appendix A the Cassington Green Infrastructure Plan provides a comprehensive environmental report with detailed information and suggestions of how green infrastructure may be enhanced in the area. Appendix B The Cassington Design Code was not provided. Any further evidence compiled to inform the preparation of the draft CNP was not apparent through the CNP website at the time of screening.

4.0 SEA SCREENING ASSESSMENT

4.1 West Oxfordshire District Council, as the responsible authority, consider that the Cassington Neighbourhood Plan (CNP) 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 CNP 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 CNP 2031 (Pre-Submission Draft October 2021)

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	No?	The NP does not propose allocation of sites for development projects & thus, the degree to which the plan sets a framework for new development projects is limited. However, the CNP does seek to influence housing development through requirements for protecting green & blue infrastructure (CAS1) and local services & community

Criteria (Schedule 1 SEA Regulations)	Are significant environmental effects likely? Yes/ No
	Justification and evidence
conditions or by allocating resources	<p>facilities (CAS6), and the location & design of housing in Policies CAS2-5 & CAS7-9.</p> <p>Policy CAS1 requires that development proposals located within or adjoining the identified Cassington Nature Recovery Network should have full regard to maintaining and improving the functionality of the Network including delivering a net gain to biodiversity assets. Development proposals that will lead to the extension of the Network will be supported.</p> <p>Policy CAS6 identifies key community facilities and seeks to protect their use. Policy CAS4 recognises the importance of the designated Conservation Area and the need to sustain and enhance the historic environment. Cassington has never had street lighting installed such that light pollution is a particular issue and Policy CAS3 seeks to protect dark skies.</p> <p>Policy CAS5 Design Code requires development proposals to have full regard to the essential design considerations and principles considered important to protect the village character and its setting. Policy CAS7 recognises the importance of all development being zero carbon ready by design and provides details to achieve Passivhaus standard – to address energy, zero carbon, and climate change effects.</p> <p>Policy CAS8 guides new development on appropriate infill in the Green Belt, and Policy CAS9 sets out requires for affordable housing. Policy CAS2 identifies an Active & Sustainable Travel Network for the purposes of supporting active travel in the Parish and development proposals should sustain, and where practicable, enhance the functionality of the Network.</p> <p>The Local Plan recognises that there are sensitivities presented by the location within the Oxford Green Belt. No reliance is placed on future windfall development. LP Policy OS2 explains that villages such as Cassington are suitable for limited development that respects village character and local distinctiveness and would help maintain the viability of these communities. The Local Plan was subject to SA/SEA, including the strategic policy for the Eynsham-Woodstock sub-area, and this concluded that there were no significant negative residual effects arising from Policies in the Plan.</p> <p>The CNP does seek to influence the framework for development projects and other activities; and there is the potential for significant environmental effects. The higher-level SA/SEA has been undertaken during the preparation</p>

Criteria (Schedule 1 SEA Regulations)	Are significant environmental effects likely? Yes/ No	
	Justification and evidence	
		of the WOLP and the extent of such influence from the NP is limited as it is very localised and no sites are proposed, but some uncertainty of application here since the whole parish is located within the Green Belt & includes important historic assets – with national designations.
(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 CNP does not propose allocation of sites for development projects. Whilst the CNP does cover areas that are of national designation for cultural heritage and Green Belt/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	No	No significant negative environmental effects are considered likely to risk human health or the environment.

Criteria (Schedule 1 SEA Regulations)	Are significant environmental effects likely? Yes/ No Justification and evidence	
environment (for example, due to accidents)		
(e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected);	No	The CNP 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 small at around 750. 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 CNP does not propose allocation of sites for development projects.</p> <p>The CNP has identified locally important green and blue infrastructure and noted that some of these assets form part of the Core Zone of the draft Oxfordshire Nature Recovery Network²⁷. The River Evenlode runs to the west of the parish area and joins the River Isis/Thames to the south of the CNP area. There are locally important drains, ditches and water meadows reflecting traditional grazing & management. Details are provided in Appendix A of the CNP and Policy CAS1 seeks to maintain and improve the local network.</p> <p>The CNP has recognised the locally important lack of light pollution and Policy CAS3 seeks to protect the dark skies.</p> <p>The CNP 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> <p>The watercourses through and around the CNP area are subject to low-high flood risk from rivers²⁹ & the southern parts of the Parish are characterised by the River Evenlode draining into the River Thames and associated with drains and water meadows. The Environment Agency map shows the higher risk flooding areas beyond the built-up area of the village; Cassington is at low risk of flooding from the River Evenlode to the west and the River Thames to the south. The CNP notes that the village, Jericho Farm and Worton are vulnerable to surfacewater flooding.</p>
(g) the effects on areas or landscapes which have a recognised national, Community or international protection status.	No	The CNP area is washed over by the Oxford Green Belt and nationally protected because of its open countryside. WOLP Policy OS2 advises that any development in the Green Belt should comply with relevant national planning policy.

²⁷ <https://www.wildoxfordshire.org.uk/biodiversity/oxfordshires-nature-recovery-network/>

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

²⁹ <https://check-long-term-flood-risk.service.gov.uk/map>

Criteria (Schedule 1 SEA Regulations)	Are significant environmental effects likely? Yes/ No Justification and evidence
	<p>There are some 22 Listed Buildings³⁰ and no Scheduled Monuments within the CNP area. The historic centre of the village is designated for its national importance as a Conservation Area³¹. Historic assets and their settings are protected by LP Policy EH9 Historic Environment, supported by other policies such as OS4 that provide clear mitigation measures. The SA of the Local Plan considered that there should be sufficient mitigation provided by the LP Policies to reduce any potential negative effects to at least neutral.</p> <p>There are no Special Protection Areas (SPAs) or Ramsar sites within or nearby to the Cassington Neighbourhood Plan boundary³². However, the internationally protected Oxford Meadows Special Area of Conservation (SAC)³³ is located nearby to the south-east of the Parish, about 1 km from its centre to the nearest boundary of the SAC. The Annex I habitats that are the primary reason for selection of this site are the lowland hay meadows in the Thames Valley that include vegetation communities that are perhaps unique in the world reflecting the influence of long-term grazing and hay cutting. The Annex II species that is a primary reason for selection of the site is the Creeping Marshwort & Oxford Meadows is one of only 2 known sites in the UK.</p> <p>WOLP Policy EH3 Biodiversity & Geodiversity specifically refers to the Oxford Meadow SAC & ensures that there is embedded policy mitigation in place.</p> <p>The HRA (June 2018)³⁴ 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 CNP 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 Cassington and the distance from and/or absence of identified environmental pathways to any sites.</p> <p>There are no National or Local Nature Reserves³⁵ (LNR or NNR) located near to the Cassington area. There are a number of nationally designated Sites of Special Scientific Interest SSSI³⁶ cited for their meadows, associated with the River Thames watercourse and including the Cassington</p>

³⁰ <https://magic.defra.gov.uk/MagicMap.aspx>

³¹ <https://www.westoxon.gov.uk/media/nfy1j5j/cassington-conservation-area-character-appraisal.pdf>

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

³³ <https://sac.jncc.gov.uk/site/UK0012845>

³⁴ <https://www.westoxon.gov.uk/localplan2031#>

³⁵ <https://magic.defra.gov.uk/MagicMap.aspx>

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

Criteria (Schedule 1 SEA Regulations)	Are significant environmental effects likely? Yes/ No
	Justification and evidence
	<p>Meadows SSSI and the Wytham Ditches & Flushes SSSI located within 1 km of the nearest boundary edge and shown to be within the SSSI Impact Zone. Nationally designated Priority Habitats³⁷ – flood plain grazing marsh, lowland meadows, & good quality semi-improved grassland – are also reported south of the A40, bounding the River Isis/Thames.</p> <p>Cassington is within the outer impact zones of the SSSIs. WOLP Policy EH3 Biodiversity & Geodiversity avoids loss, deterioration, or harm to locally important wildlife & habitats and net gain in biodiversity is sought from new development. WOLP Policies to protect water quality & resources are provided through Policy EH8 Environmental Protection & EH7 Flood Risk.</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 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 CNP refer to Policies in the Local Plan that have been previously subject to SA/SEA (and HRA), found sound, and adopted.</p> <p>It is considered that the WOLP SA/SEA (& HRA) remain valid & that there is no new material or relevant information that should be considered.</p>

³⁷ <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 Cassington Neighbourhood Plan (CNP2031, October 2021) 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 NP 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 Eynsham-Woodstock sub-area strategy. LP Policy EW1 does not allocate any sites for development, and it is recognised that the whole parish area is washed over by the Oxford Green Belt and thus subject to national policy constraints. 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 CNP does not propose to allocate any sites for development projects.
 - There will be no significant negative effects on the nationally designated and locally important environmental and cultural heritage assets and settings of the village.
 - Likely significant effects have been previously assessed through SA incorporating SEA and therefore, further SEA of the CNP 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 Cassington and the distance from and/or absence of identified environmental pathways to any designated sites. WOLP Policy EH3 specifically refers to the Oxford Meadows SAC ensuring that there is policy protection.

6.0 HABITATS REGULATIONS ASSESSMENT (HRA) SCREENING

- 6.1 There are no Special Protection Areas (SPAs) or Ramsar sites within or nearby to the Cassington Neighbourhood Plan boundary³⁸. However, the European designated site Oxford Meadows SAC is only about 1km to the south-east of the village at its nearest boundary edge. There could be environmental pathways indicated through the drains, ponds, and watercourses in the south and south-east of the Parish area. However, the value and importance of this blue infrastructure has been strongly recognised by the CNP such that CNP Policy CAS1 sets out to protect and enhance the blue and green infrastructure, including up to date identification of a Green Infrastructure Plan for Cassington and based on the emerging Oxfordshire Nature Recovery Network. This updating and further guidance for new development supports and extends the extant protection provided by the WOLP Policies – including Policy EH3 that specifically refers to the Oxford Meadows SAC and thus ensures protection.
- 6.2 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 studies³⁹ 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 to 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.
- 6.3 In consideration of the small geographical area of the CNP, and its distance from European sites outside the CNP and Local Plan boundaries, this HRA screening considers that the CNP 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. The HRA of the Local Plan remains valid and there is no new material and relevant information that should be considered.

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

³⁹ <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 statutory environmental bodies (Environment Agency, Historic England, Natural England) for the formal 5 weeks consultation to demonstrate that due processes have been undertaken to screen the draft Cassington Neighbourhood Plan 2031 (October 2021) with regard to HRA and SEA.
- 7.2 The Environment Agency advised (email 4 November 2021) that they have resourcing issues and that for the purposes of neighbourhood planning, they have assessed those local authorities with local plans adopted since 2012 as being of lower risk with regard to potential environmental effects.
- 7.3 Natural England advised (emailed letter 22 November 2021) that at this time, they are unable to fully assess the potential impacts of the draft Neighbourhood Plan on statutory nature conservation sites. NE drew attention to national guidance on SEA that highlights the three triggers that may require an SEA – allocation of sites; sensitive natural or heritage assets; and significant environmental effects that have not already been considered through the SA of the Local Plan. It may be noted that this SEA screening has been undertaken in accordance with extant UK guidance and current good practice.
- 7.4 Historic England advised (email 23 November 2021) that based on the information provided, they confirm that SEA would not be merited on grounds within their areas of interest.
- 7.5 Therefore, West Oxfordshire District Council confirms that the draft Cassington Neighbourhood Plan (CNP2031, October 2021) is unlikely to have significant environmental effects and thus does not require a Strategic Environmental Assessment (SEA).

Astrid Harvey

Subject: FW: 211020/CLW06 Cassington Neighbourhood Plan SEA/HRA Screening Opinion

From: Planning_THM <Planning_THM@environment-agency.gov.uk>
Sent: 04 November 2021 13:54
To: Astrid Harvey <Astrid.Harvey@westoxon.gov.uk>
Subject: RE: 211020/CLW06 Cassington Neighbourhood Plan SEA/HRA Screening Opinion

Thank you for consulting the Environment Agency on your SEA/HRA screening opinion for the Cassington neighbourhood plan.

We regret that at present, the Thames Area Sustainable Places team is unable to review this consultation. This is due to resourcing issues within the team, a high development management workload and an increasing volume of neighbourhood planning consultations. We have had to prioritise our limited resource, and must focus on influencing plans where the environmental risks and opportunities are highest. For the purposes of neighbourhood planning, we have assessed those authorities who have "up to date" local plans (plans adopted since 2012, or which have been confirmed as being compliant with the National Planning Policy Framework) as being of lower risk. At this time, therefore, we are unable to make any detailed input on neighbourhood plans being prepared within this local authority area.

However, together with Natural England, English Heritage and Forestry Commission, we have published joint guidance on neighbourhood planning, which sets out sources of environmental information and ideas on incorporating the environment into plans. This is available at:

http://webarchive.nationalarchives.gov.uk/20140328084622/http://cdn.environment-agency.gov.uk/LIT_6524_7da381.pdf

Kind regards,

Sarah Green
Planning Advisor, Thames Sustainable Places Team
Environment Agency, Red Kite House, Wallingford, OX10 8BD

Planning_THM@environment-agency.gov.uk

Tel : 0208 474 9253

From: Astrid Harvey [<mailto:Astrid.Harvey@westoxon.gov.uk>]
Sent: 19 October 2021 14:13
To: SM-NE-Consultations (NE) <consultations@naturalengland.org.uk>; Enquiries, Unit <enquiries@environment-agency.gov.uk>; 'e-seast@HistoricEngland.org.uk' <e-seast@HistoricEngland.org.uk>
Subject: Cassington Neighbourhood Plan SEA/HRA Screening Opinion

Dear Sir/Madam,

Cassington Parish Council are producing Neighbourhood Plan (attached together with the Cassington Green Infrastructure Plan) which West Oxfordshire District Council appointed consultants Enfusion to screen for the need for a Strategic Environmental Assessment (SEA) and Habitat Regulations Assessment. Please find attached the Screening Opinion Report setting out our assessment that **SEA/HRA are not required** for Cassington Neighbourhood Plan (CNP).

As one of the Statutory Consultees to the Neighbourhood Plan, I am writing to seek your confirmation as to whether you believe that the assessment that an SEA/HRA is not required for Cassington Neighbourhood Plan is correct. I would be grateful if you could review the Screening Opinion Report and provide me with any feedback and whether you consider the conclusions to be accurate and valid. The Neighbourhood Planning (General) Regulations (2011) set a 5 week consultation period for this consultation, the deadline for comments therefore falls on **Wednesday 24th November 2021 at 5pm**.

If I do not hear from you by this date WODC will accept that you agree with the opinion that Cassington Neighbourhood Plan does not require Strategic Environmental Assessment or Habitat Regulations Assessment.

Astrid Harvey
Community Planning Officer



Astrid Harvey

Subject: FW: Cassington Neighbourhood Plan SEA/HRA Screening Opinion

From: @HistoricEngland.org.uk>

Sent: 23 November 2021 20:08

To: @westoxon.gov.uk>

Subject: Fw: Cassington Neighbourhood Plan SEA/HRA Screening Opinion

Dear Astrid

Thank you for consulting Historic England on the draft screening statement for SEA of the Cassington Neighbourhood plan.

Based on the information provided I'm happy to confirm Historic England's agreement that SEA would not be merited on grounds within our areas of interest. We do, as ever, reserve the right to request a review of this decision should the scope of the plan change to include site allocations or policies that limit areas for development or promote change of use, or design that would generate significant effects for heritage assets or the wider historic environment.

I would be happy to answer any queries with regard to these comments

Yours sincerely

Robert Lloyd-Sweet

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



Historic England

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From: Astrid Harvey <Astrid.Harvey@westoxon.gov.uk>

Sent: 19 October 2021 14:13

To: 'consultations@naturalengland.org.uk' <consultations@naturalengland.org.uk>; 'enquiries@environment-agency.gov.uk' <enquiries@environment-agency.gov.uk>; South East ePlanning <e-seast@HistoricEngland.org.uk>

Subject: Cassington Neighbourhood Plan SEA/HRA Screening Opinion

THIS IS AN EXTERNAL EMAIL: do not click any links or open any attachments unless you trust the sender and were expecting the content to be sent to you

Dear Sir/Madam,

Cassington Parish Council are producing Neighbourhood Plan (attached together with the Cassington Green Infrastructure Plan) which West Oxfordshire District Council appointed consultants Enfusion to screen for the need for a Strategic Environmental Assessment (SEA) and Habitat Regulations Assessment. Please find attached the Screening Opinion Report setting out our assessment that **SEA/HRA are not required** for Cassington Neighbourhood Plan (CNP).

As one of the Statutory Consultees to the Neighbourhood Plan, I am writing to seek your confirmation as to whether you believe that the assessment that an SEA/HRA is not required for Cassington Neighbourhood Plan is correct. I would be grateful if you could review the Screening Opinion Report and provide me with any feedback and whether you consider the conclusions to be accurate and valid. The Neighbourhood Planning (General) Regulations (2011) set a 5 week consultation period for this consultation, the deadline for comments therefore falls on **Wednesday 24th November 2021 at 5pm.**

If I do not hear from you by this date WODC will accept that you agree with the opinion that Cassington Neighbourhood Plan does not require Strategic Environmental Assessment or Habitat Regulations Assessment.

Regards,

Astrid Harvey
Community Planning Officer



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Date: 21st November 2021
Our ref: 371585
Your ref: Cassington Neighbourhood Plan – SEA & HRA Screening



Ms Astrid Harvey
Community Planning Officer
West Oxfordshire District Council
Elmfield
New Yatt Road
Witney OX28 1PB

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

T 0300 060 3900

BY EMAIL ONLY - Astrid.Harvey@westoxon.gov.uk

Dear Ms Harvey

Cassington Neighbourhood Plan – SEA & HRA Screening

Thank you for your consultation request on the above dated and received by Natural England on 19th October 2021.

At this time, Natural England is not able to fully assess the potential impacts of this plan on statutory nature conservation sites or protected landscapes or, provide detailed advice in relation to this consultation. If you consider there are significant risks to statutory nature conservation sites or protected landscapes, please set out the specific areas on which you require advice.

The lack of detailed advice from Natural England does not imply that there are no impacts on the natural environment. It is for the deciding authority to determine whether or not the plan is consistent with national and local environmental policies. Other bodies and individuals may provide information and advice on the impacts of the plan on the natural environment to assist the decision making process.

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.

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/SA 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.

Yours sincerely

Sharon Jenkins
Operations Delivery
Consultations Team
Natural England