

# **Initial Screening Opinion on the determination of the need for a Strategic Environmental Assessment (SEA) in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004 and European Directive 2001/42/EC for the Beckley and Stowood Neighbourhood Development Plan**

**05 JULY 2023**

## **SUMMARY**

The council has been asked to consult on proposed significant modifications to the plan. Observations made regarding the Beckley and Stowood Neighbourhood Development Plan (NDP) throughout this document take account of significant modifications proposed by the independent examiner. The independent examiner's preliminary findings can be viewed at Appendix 4.

In this initial screening opinion, South Oxfordshire District Council (the 'Council') determines that the Beckley and Stowood Neighbourhood Development Plan (NDP) does not require a Strategic Environmental Assessment (SEA).

This screening opinion is for consideration by the statutory consultees whose input will inform the final screening statement.

## **INTRODUCTION**

1. This initial screening opinion has been used to determine whether or not the contents of the emerging Beckley and Stowood Neighbourhood Development Plan (NDP) requires a Strategic Environmental Assessment (SEA) in accordance with the European Directive 2001/42/EC (the Directive) and associated Environmental Assessment of Plans and Programmes Regulations 2004 (the Regulations).
2. Any land use plan or programme 'which sets the framework for future development consent of projects' must be screened according to a set of criteria from Annex II of the Directive and Schedule 1 of the Regulations. These criteria include exceptions for plans 'which determine the use of a small area at local level' or which only propose 'minor modifications to a plan', if it is determined that the plan is unlikely to have significant environmental effects.
3. This initial screening opinion must be subject to consultation with Historic England, the Environment Agency and Natural England. The results of the screening process must be detailed in a Screening Statement, made available to the public.

## **THE SCREENING PROCESS**

1. Using the criteria set out in Annex II of the Directive and Schedule 1 of the Regulations, a Screening Opinion determines whether a plan or programme is likely to have significant environmental effects.
2. The extract from 'A Practical Guide to the Strategic Environmental Assessment Directive' in Appendix 1 provides a flow diagram to demonstrate the SEA screening process.
3. Table 1 in Appendix 1 sets out the criteria from the Practical Guide, along with an assessment of the Beckley and Stowood NDP against each criterion to ascertain whether a SEA is required.
4. Also part of the screening process is the Habitats Regulations Assessment Screening, which can be found in Appendix 2, and the assessment of likely significance effects on the environment, which can be found in Appendix 3.
5. These two assessments feed into Table 1 and the SEA screening opinion.

## **BECKLEY AND STOWOOD NEIGHBOURHOOD DEVELOPMENT PLAN**

6. The Beckley and Stowood NDP will contain the following vision, objectives and policies:

### Vision

*"The character of our parish should be conserved and even improved for the present and future generations of its inhabitants.*

*We will endeavour to accomplish this by means of the following positive actions by the community:*

- *Preserve, maintain, nurture and enhance our environmental assets and biodiversity, particularly ancient woodland, SSSIs and the important setting of the village and settlements in the surrounding countryside.*
- *Conserve and enhance our heritage and the rural character of the village and settlements*
- *Maintain the important views from Beckley village, Stowood and towards the Parish from Oxford, Otmoor, Brill and beyond and maintain our dark sky.*

- *Enable the sustainable modest growth of housing numbers within the village boundary while ensuring design is compatible and in keeping with surrounding houses.*
- *New developments should be built to the highest energy conservation standards and retrofitting of existing buildings is encouraged, working towards conserving energy being carbon neutral*
- *Encourage a mix of size of housing to enable residents to downsize and encourage young families*

## Core Objectives

### **Objective 1. Preservation of the Green Belt**

The preservation of the Green Belt in our Parish is vital to maintaining the environment, biodiversity and the setting of the village and dwellings.

### **Objective 2. Conserving and Enhancing Our Heritage and Rural Character**

It is important to conserve our heritage and the setting in which it is found, along with the countryside and fields that make up the Parish.

### **Objective 3. Maintaining Views and Dark Skies**

The Parish is within the Oxford heights area and rises from Bayswater Brook in the south to 140 metre limestone ridge and Stowood and Beckley village. This gives rise to many extraordinary views and vistas for many miles in all directions, which, alongside the dark night skies, must be maintained.

### **Objective 4. Sustainable Growth and Compatible Design**

Provide for sustainable levels of residential development within the Settlement Boundary and avoid houses “that are out of character with the rest of the village”.

### **Objective 5. Sustainable New Development**

To achieve the highest standards of energy efficiency and carbon neutrality with new development wherever possible.

### **Objective 6. Encouraging Housing Mix**

A housing mix is desirable to accommodate young families wishing to move into larger houses and older resident wishing to downsize.

## List of Policies

*Policy VB1. Settlement Boundary*

*Policy VB2. Residential Development Outside the Settlement Boundary*

*Policy E1. Biodiversity*

*Policy H1. Preservation of heritage*

*Policy DS1. Important Views*  
*Policy DS2. Parking*  
*Policy DS3. Flood Risk and Development*  
*Policy DS4. Dwelling Size*  
*Policy DG1. Design Guide*  
*Policy DG2. Night Sky/Lighting*  
*Policy CC1. New Construction and Energy Efficiency*  
*Policy CC2. Low Carbon Transport Solutions*

7. The Beckley and Stowood NDP will contain policies to maintain the character of the village.
8. Policies in the Beckley and Stowood NDP will aim to support sustainable development in the village that will not adversely impact on the rural nature of the village. The plan does not allocate any sites for development.
9. The plan seeks to introduce a settlement boundary surrounding the village of Beckley. Part of the settlement boundary falls within the conservation area for the village. The village is also washed over by the Oxford Green Belt. We have therefore considered whether focusing new development within the village boundaries (through infill), which has also been a historic focus of settlement activity and is washed over by the Oxford Green Belt, could result in the plan directing new development to sites that could potentially have significant effects on the landscape and historic environment including conservation areas, listed buildings and archaeological remains.
10. Careful consideration of the proposed boundaries in relation to how the South Oxfordshire Local Plan 2035 guides the location and scale of development (mainly through policies H1, H16 and ENV8) indicates that the proposed boundaries merely add detail and aid the interpretation of existing policies.
11. Local Plan 2035 defines infilling as:

‘The filling of a small gap in an otherwise built up frontage or on other sites within settlements where the site is closely surrounded by buildings.’
12. The proposed settlement boundaries have not excluded any sites that could be considered to be a potential infill site in light of the guidance provided by the Local Plan definition. As the boundaries, in practical terms, do not provide a more restrictive interpretation of the relevant policies in the Local Plan (H1, H16 and ENV8), the council has concluded that the proposals in the plan will not have significant effects on the historic environment.
13. The proposed boundaries do not provide a less restrictive interpretation of the relevant policies in the Local Plan 2035 (H1, H16 and ENV8),

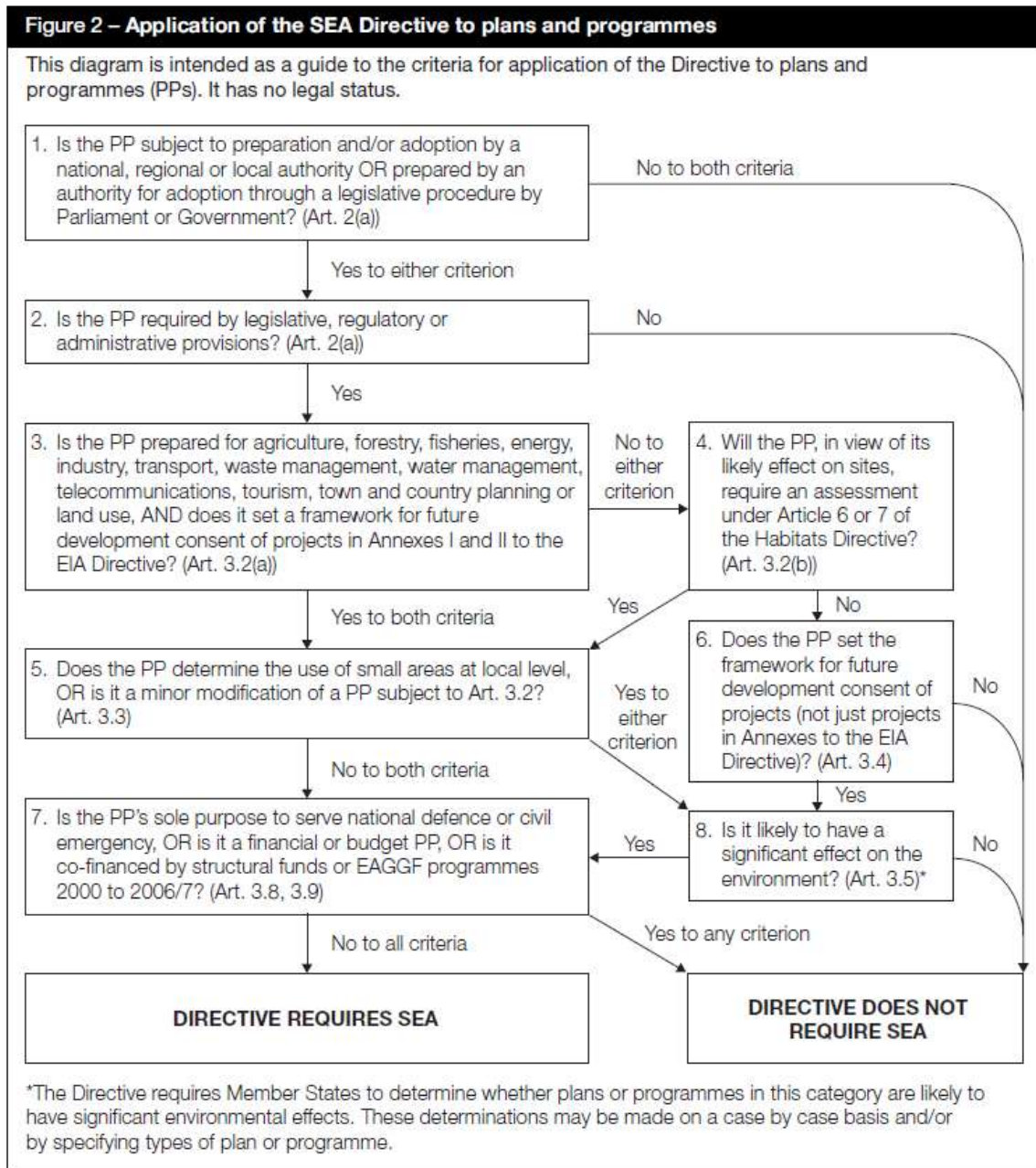
therefore, the proposals in the plan are not considered to have likely significant environmental effects.

14. Overall, we note that the plan does not allocate any sites for development and places great emphasis on conserving the character and appearance of the area.
15. It is therefore concluded that the implementation of the Beckley and Stowood NDP will not result in likely significant effects on the environment.

## **CONCLUSION**

16. As a result of the screening undertaken by the Council, the following determination has been reached.
17. The Beckley and Stowood NDP is unlikely to have significant effects on Natura 2000 sites, therefore, an Appropriate Assessment for the Beckley and Stowood Neighbourhood Development Plan is not required.
18. Based on the assessment presented in Appendices 1 & 3, the Beckley and Stowood NDP is not likely to have a significant effect on the environment.
19. The Beckley and Stowood NDP therefore does not require a Strategic Environment Assessment.

## Appendix 1 – Extract from ‘A Practical Guide to the Strategic Environmental Assessment Directive’ (DCLG) (2005)



**Table 1: Application of SEA Directive as shown in Appendix 1**

Stage	Y/N	Explanation
<p>1. Is the Neighbourhood Plan subject to preparation and/or adoption by a national, regional or local authority OR prepared by an authority for adoption through a legislative procedure by Parliament or Government? (Art. 2(a))</p>	<p>Y</p>	<p>The preparation of and adoption of the Neighbourhood Development Plan is allowed under the Town and Country Planning Act 1990 as amended by the Localism Act 2011. The Neighbourhood Plan is being prepared by the Beckley and Stowood NDP Steering Group, a working group who report to the Beckley and Stowood Parish Council (as the “relevant body”) and will be “made” by South Oxfordshire District Council as the local authority. The preparation of Neighbourhood Plans is subject to the following regulations:</p> <ul style="list-style-type: none"> <li>• The Neighbourhood Planning (General) Regulations 2012</li> <li>• The Neighbourhood Planning (referendums) Regulations 2012</li> <li>• The Neighbourhood Planning (General) (Amendment) Regulations 2015</li> <li>• The Neighbourhood Planning (Referendums) (Amendment) Regulations 2016</li> <li>• The Neighbourhood Planning (General) (Amendment) Regulations 2016</li> <li>• The Neighbourhood Planning (General) (Amendment) Regulations 2017</li> </ul>
<p>2. Is the NP required by legislative, regulatory or administrative provisions? (Art. 2(a))</p>	<p>Y</p>	<p>Whilst the Neighbourhood Development Plan is not a requirement and is optional under the provisions of the Town and Country Planning Act 1990 as amended by the Localism Act 2011, it will, if “made”, form part of the Development Plan for the District. It is therefore important that the screening process considers whether it is likely to have significant environmental effects and hence whether SEA is required under the Directive.</p>

<p>3. Is the Neighbourhood Plan prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use, AND does it set a framework for future development consent of projects in Annexes I and II (see Appendix 2) to the EIA Directive? (Art 3.2(a))</p>	<p>Y</p>	<p>The Beckley and Stowood NDP is prepared for town and country planning and land use.</p>
<p>4. Will the Neighbourhood Plan, in view of its likely effect on sites, require an assessment for future development under Article 6 or 7 of the Habitats Directive? (Art. 3.2 (b))</p>	<p>N</p>	<p>The Beckley and Stowood NDP is unlikely to have significant effects on Natura 2000 sites. See Habitat Regulations Assessment (HRA) Screening Opinion for the Beckley and Stowood NDP in Appendix 2.</p>
<p>5. Does the Neighbourhood Plan determine the use of small areas at local level, OR is it a minor modification of a PP subject to Art. 3.2? (Art. 3.3)</p>	<p>Y</p>	<p>The Beckley and Stowood NDP will determine the use of sites/small areas at a local level.</p>
<p>6. Does the Neighbourhood Plan set the framework for future development consent of projects (not just projects in annexes to the EIA Directive)? (Art 3.4)</p>	<p>Y</p>	<p>When made, the Beckley and Stowood NDP will include a series of policies to guide development within the parish boundary. This will inform the determination of planning applications providing a framework for future development consent of projects.</p>
<p>7. Is the Neighbourhood Plan's sole purpose to serve the national defence or civil emergency, OR is it a financial or budget PP, OR is it co-financed by structural funds or EAGGF programmes 2000 to 2006/7? (Art 3.8, 3.9)</p>	<p>N</p>	<p>N/A</p>



8. Is it likely to have a significant effect on the environment? (Art. 3.5)	N	The plan is not likely to have significant effects on the environment. See Appendix 3.
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# Appendix 2 - Habitat Regulations Assessment (HRA) Screening Opinion for the Beckley and Stowood Neighbourhood Development Plan

## INTRODUCTION

1. The Local Authority is the “competent authority” under the Conservation of Habitats and Species Regulations 2017, and needs to ensure that Neighbourhood Plans have been assessed through the Habitats Regulations process. This looks at the potential for significant impacts on nature conservation sites that are of European importance<sup>1</sup>, also referred to as Natura 2000.
2. This Screening Assessment relates to a Neighbourhood Development Plan that will be in general conformity with the strategic policies within the development plan<sup>2</sup> (the higher level plan for town and country planning and land use). This Screening Assessment uses the Habitats Regulations Assessment of South Oxfordshire District Council’s Local Plan<sup>3</sup> as its basis for assessment. From this, the Local Authority will determine whether the Beckley and Stowood Neighbourhood Development Plan is likely to result in significant impacts on Natura 2000 sites either alone or in combination with other plans and policies and, therefore, whether an ‘Appropriate Assessment’ is required.

## LEGISLATIVE BASIS

3. Article 6(3) of the EU Habitats Directive provides that:

*“Any plan or project not directly connected with or necessary to the management of the [European] site but likely to have a significant effect thereon, either individually or in combination with other plans or projects, shall be subject to appropriate assessment of its implications for the site in view of the site’s conservation objectives. In the light of the conclusions of the assessment of the implications for the site and subject to the provisions of paragraph 4, the competent national authorities shall agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the site concerned and, if appropriate, after having obtained the opinion of the general public.”*

4. Regulations 105-106 of the Conservation of Habitats and Species Regulations 2017 state:

*“105.—(1) Where a land use plan—*

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<sup>1</sup> Special Protection Areas (SPAs) for birds and Special Areas of Conservation (SACs) for other species, and for habitats.

<sup>2</sup> The South Oxfordshire Local Plan 2035

<sup>3</sup> South Oxfordshire Local Plan Habitats Regulations Assessment Report (March 2019)

- (a) is likely to have a significant effect on a European site or a European offshore marine site (either alone or in combination with other plans or projects), and*
- (b) is not directly connected with or necessary to the management of the site, the plan-making authority for that plan must, before the plan is given effect, make an appropriate assessment of the implications for the site in view of that site's conservation objectives.*
- (2) The plan-making authority must for the purposes of the assessment consult the appropriate nature conservation body and have regard to any representations made by that body within such reasonable time as the authority specifies.*
- (3) The plan-making authority must also, if it considers it appropriate, take the opinion of the general public, and if it does so, it must take such steps for that purpose as it considers appropriate.*
- (4) In the light of the conclusions of the assessment, and subject to regulation 107, the plan-making authority must give effect to the land use plan only after having ascertained that it will not adversely affect the integrity of the European site or the European offshore marine site (as the case may be).*
- (5) A plan-making authority must provide such information as the appropriate authority may reasonably require for the purposes of the discharge by the appropriate authority of its obligations under this Chapter.*
- (6) This regulation does not apply in relation to a site which is—*
- (a) a European site by reason of regulation 8(1)(c), or*
- (b) a European offshore marine site by reason of regulation 18(c) of the Offshore Marine Conservation Regulations (site protected in accordance with Article 5(4) of the Habitats Directive).*

*106.—(1) A qualifying body which submits a proposal for a neighbourhood development plan must provide such information as the competent authority may reasonably require for the purposes of the assessment under regulation 105 or to enable it to determine whether that assessment is required.*

*(2) In this regulation, “qualifying body” means a parish council, or an organisation or body designated as a neighbourhood forum, authorised for the purposes of a neighbourhood development plan to act in relation to a neighbourhood area as a result of section 61F of the TCPA 1990 (authorisation to act in relation to neighbourhood areas)(159), as*

*applied by section 38C of the 2004 Planning Act (supplementary provisions)(160).*

*(3) Where the competent authority decides to revoke or modify a neighbourhood development plan after it has been made, it must for that purpose make an appropriate assessment of the implications for any European site likely to be significantly affected in view of that site's conservation objectives; and regulation 105 and paragraph (1) apply with the appropriate modifications in relation to such a revocation or modification.*

*(4) This regulation applies in relation to England only."*

## **ASSESSMENT**

5. The HRA of the South Oxfordshire Local Plan 2035 used a screening distance of 17km to identify European sites which could be affected by development from the plan. This distance has been subject to consultation with Natural England and reflects the average travel to work distance in the district. As such, the same distance has been applied in this HRA Screening.
6. The following European sites lie wholly or partly within 17km of Beckley and have been taken into consideration:
  - Oxford Meadow SAC – Approximately 7km (within Oxford City)
7. Oxford Meadow is designated as a SAC for its lowland hay meadows and creeping marshworts.
8. The main pressures and threats to this site include the impacts of hydrological changes and the invasive species of *Crassula* upon creeping marshworts.
  - Cothill Fen SAC – Approximately 14km (within Vale of White Horse)
9. Cothill Fen is designated as a SAC for its calcium-rich, spring fed fens and alder woodlands on floodplains.
10. The main pressures and threats to this site include the impact of water pollution and hydrological changes, as well as air pollution and the impact of atmospheric nitrogen deposition upon the calcium-rich water-fed fens.

### Physical loss of/damage to habitat:

11. Any development resulting from the Neighbourhood Plan will be located within the neighbourhood area. There are no European sites within the Neighbourhood Plan area, therefore loss of habitat from

within the boundaries of a European site can be ruled out. Loss of habitat in relation to the strategic allocation of Land north of Bayswater Brook which partially falls within the neighbourhood plan area, has been ruled out through the HRA which supports the South Oxfordshire Local Plan.

12. Loss of habitat from outside of the boundaries of a European site could still affect the integrity of that site if it occurs in an area used by the qualifying species of the site (e.g. for off-site breeding, foraging or roosting). The two European sites included in this assessment do not have mobile species.

Non-physical disturbance e.g. noise/vibration or light pollution;

13. The most recent HRA of the South Oxfordshire Local Plan (March 2019) states:

*'Using a precautionary approach, we have assumed that the effect of noise, vibration and light are most likely to be significant if development takes place within 500 metres of a European site with qualifying features sensitive to these disturbances, or known off-site breeding, foraging or roosting areas.'*

14. None of the European sites are within 500 metres of the designated area. Therefore, effects in relation to noise, vibration and light pollution can be screened out of further assessment.

Air Pollution;

15. Air pollution is most likely to effect European sites where plant, soil and water habitats are the qualifying feature, but some qualifying animal species may also be affected, either directly or indirectly, by any deterioration in habitat as a result of air pollution. Deposition of pollutants to the ground and vegetation can alter the characteristics of the soil, affecting the pH and nitrogen availability that can then affect plant health, productivity and species composition.
16. Based on the Highways Agency Design for Road and Bridges (DMRB) Manual Volume 11, Section 3, Part 120 (which was produced to provide advice regarding the design, assessment and operation of trunk roads (including motorways)), it is assumed that air pollution from roads is unlikely to be significant beyond 200m from the road itself.
17. The European site within 17km of Beckley that are within 200m of strategic roads is Oxford Meadow SAC (A34, M40). As mentioned above, Beckley is approximately 7km from the Oxford Meadow SAC.
18. The HRA sets out how SODC commissioned Atkins to model the effects of the Local Plan on traffic flows within the District. The modelling resulted in the HRA concluding that the South Oxfordshire Local Plan

will not result in adverse effects on the integrity of Oxford Meadow SAC as a result of air pollution, either alone or in-combination with other plans. In reaching this conclusion the HRA (March 2019) highlights show previous work undertaken demonstrates that a substantial amount of additional traffic could be accommodated on the A40 without adverse impacts to the integrity of the SAC, including growth from other local authorities. Given the modest scale of the proposed development in the NDP, distance between the Oxford Meadow SAC and Beckley, the potential impact associated with Oxford Meadow SAC can be screened out of further assessment.

#### Increased recreation pressure; and

19. The most recent HRA of the South Oxfordshire Local Plan 2035 (March 2019) states;

*‘Natural England’s Site Improvement Plans record the threats and pressures relevant to each European site. Public access or disturbance are not identified as current threats or pressures at the following sites, despite their lying close to large settlements: Aston Rowant SAC, Hartslock Wood SAC, Cothill Fen SAC, and Oxford Meadow SAC.’*

20. Therefore, likely significant effects in relation to visitor pressure and the impact of recreation can be ruled out and do not need to be considered further.

#### Changes to hydrological regimes

21. European sites at which aquatic or wetland environments support qualifying features have the potential to be affected by changes in water quantity or quality. The European sites close to Beckley are:

- Cothill Fen SAC: has calcium rich spring water-fed fens that have been identified as sensitive to water pollution and hydrological changes.
- Oxford Meadow SAC: lowland hay meadow, identified as sensitive to hydrological changes.

22. The types of development that have the potential to affect water quality / quantity or flow regimes at sensitive European sites are residential or employment development that would involve significant increase in demand for water supply and treatment, and infrastructure development that requires significant excavation in proximity to watercourses or groundwater.

23. The Beckley Neighbourhood Development Plan does not propose any additional site allocations than that within the South Oxfordshire Local Plan 2035. Therefore, likely significant effects in relation to water

quality and quantity can be screened out and does not need to be considered further.

24. The Council has considered the HRA of the Local Plan 2035 (March 2019) in respect of the potential in combination effects of the proposals in the Beckley and Stowood Neighbourhood Plan. As the South Oxfordshire Local Plan covers the period from 2011 to 2035, the quantum of development proposed in the Local Plan includes some completed and committed development (Committed development includes sites under construction, with planning permission, made neighbourhood plan allocations and allocations carried forward from the Local Plan 2011 and Core Strategy). The policies that enabled those developments to be permitted have already been subject to HRA as part of the superseded Core Strategy, Local Plan 2011 or as part of the HRA for the relevant NDP. Paragraph 5 to 23 of this assessment has considered how the development proposed in the Beckley and Stowood Neighbourhood Plan is unlikely to have significant effects on Natura 2000 sites. Given no additional development is proposed within the neighbourhood plan and having regard to conclusions of paragraphs 5 to 23, it is considered that the development proposed in the Beckley and Stowood Neighbourhood Plan is not likely to give rise to significant in combination effects
25. The Plan does not allocate any sites for development. As such, the Beckley and Stowood NDP is unlikely to have significant effects on Natura 2000 sites, either alone or in combination with other plans or projects.

## **CONCLUSION**

26. The Beckley and Stowood NDP is unlikely to have significant effects on Natura 2000 sites, either alone or in combination with other plans or projects, therefore, an Appropriate Assessment for the Beckley and Stowood NDP is not required

## Appendix 3 - Assessment of the likely significance of effects on the environment

1. Characteristics of the Plan, having regard to:	
<p>(a) the degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources;</p>	<p>The Beckley and Stowood NDP would, if adopted, form part of the Statutory Development Plan and as such does contribute to the framework for future development consent of projects.</p> <p>However, the Plan will sit within the wider framework set by the National Planning Policy Framework and the strategic policies of the South Oxfordshire Local Plan 2035. There is a site allocated within the South Oxfordshire Local Plan 2035 which lies partly within the neighbourhood plan designated area. There is also a policy that supports the creation of a village boundary that would define the built up area of the village of Beckley.</p> <p>Policies in the Beckley and Stowood NDP will aim to support sustainable development that will not adversely impact on the rural nature of the village. Retaining the character and appearance of the village is particularly important.</p> <p>The Beckley and Stowood NDP contains policies which will apply and relate to the whole of the neighbourhood designated area. The plan proposes a settlement boundary to define the built up area of Beckley to allow for infill development. We have considered whether focusing new development within the village boundaries (through infill), which has also been a historic focus of settlement activity, could result in the plan directing new development to sites that could potentially have significant effects on the historic environment including conservation areas, listed buildings and archaeological remains.</p> <p>As the boundary, in practical terms, does not provide a more restrictive interpretation of the relevant policies in the Local Plan (Policy H1 and H16) the council has concluded that the proposals in the plan will not have significant effects on the historic environment or have likely significant environmental effects.</p> <p>The NDP also has a policy with regards to residential development outside the settlement boundary which states that development will only be permitted if it meets the green belt exceptions as defined by national green</p>



	<p>belt policy. Beckley is washed by the Oxford Green Belt and therefore any development will need to meet the stringent policies set within the National Planning Policy Framework and the Local Plan.</p> <p>Whilst the Beckley and Stowood NDP does not allocate any sites, part of a strategic site allocated within the South Oxfordshire Local Plan 2035 falls within the neighbourhood plan designated area.</p>
<p>(b) the degree to which the plan or programme influences other plans and programmes including those in a hierarchy;</p>	<p>A Neighbourhood Development Plan must be in conformity with the Local Plan for the District. It does not influence other plans.</p>
<p>(c) the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development;</p>	<p>National policy requires a presumption in favour of sustainable development, which should be seen as a golden thread through plan-making, including the Beckley and Stowood NDP. A basic condition of the Beckley and Stowood NDP is to contribute to the achievement of sustainable development.</p>
<p>(d) environmental problems relevant to the plan or programme; and</p>	<p>The Beckley and Stowood NDP contains the following designations:</p> <ul style="list-style-type: none"> <li>- A conservation area</li> <li>- Ancient Woodland</li> <li>- Archaeological Constraints</li> <li>- BAP Priority habitats</li> <li>- Environmentally Sensitive areas</li> <li>- Flood Zone</li> <li>- Great Crest Newt Distribution</li> <li>- Green Belt</li> <li>- Listed Buildings</li> <li>- Local Wildlife sites</li> <li>- Protected species buffer</li> <li>- Registered Parks and Gardens</li> </ul> <p>There are SACs within 17km of Beckley:</p> <ul style="list-style-type: none"> <li>• Oxford Meadow SAC – 7km</li> <li>• Cothill Fen SAC – 14km</li> </ul>

Please see detailed assessment in appendix 2 which assesses the likely significant effects on these SAC's.

There are also the following designations within the NDP area:

- Otmoor SSSI – within the NDP area
- Sidling's Copse and College Pond SSSI – within the NDP area

The following are within 5km of the NDP area:

- Woodeaton Wood SSSI
- Holly Wood SSSI
- Woodeaton Quarry SSSI
- Stanton Great Wood SSSI
- Brasenose Wood and Shotover Hill SSS
- Shabbington Woods Complex SSSI
- Waterperry wood SSSI
- Holton Wood SSSI

The NDP does not allocated land for development. The plan proposes a settlement boundary to define the built up area of Beckley to allow for infill development. We have considered whether focusing new development within the village boundaries (through infill), which has also been a historic focus of settlement activity, could result in the plan directing new development to sites that could potentially have significant effects on the historic environment including conservation areas, listed buildings and archaeological remains.

Careful consideration of the proposed settlement boundary in relation to how South Oxfordshire Local Plan guides the location and scale of development indicates that the proposed boundaries merely aid the interpretation of existing policies.

South Oxfordshire Local Plan 2035 defines infilling as:

'The filling of a small gap in an otherwise built up frontage or on other sites within settlements where the site is closely surrounded by buildings.'

The proposed village boundary does not exclude any sites that could be considered to be a potential infill site in light of the guidance provided by the Local Plan definition.

The NDP also has a policy with regards to residential development outside the settlement boundary which

	states that development will only be permitted if it meets the green belt exceptions as defined by national green belt policy. Beckley is washed by the Oxford Green Belt and therefore any development will need to meet the stringent policies set within the National Planning Policy Framework and the Local Plan.
(e) the relevance of the plan or programme for the implementation of Community legislation on the environment (for example, plans and programmes linked to waste management or water protection).	The proposed development in the Beckley and Stowood NDP has been judged not to have an impact on Community legislation.
<b>2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to:</b>	
(a) the probability, duration, frequency and reversibility of the effects;	<p>The proposed policies within the Beckley and Stowood NDP are not likely to have an environmental effect.</p> <p>The plan also seeks to protect important views and preserve the heritage of the settlement. These will have positive effects for the area; however, these are not likely to be significant.</p> <p>The plan is also likely to have positive social effects through the provision of residential development through infill.</p>
(b) the cumulative nature of the effects;	The effects of the plan are unlikely to have a cumulative impact.
(c) the transboundary nature of the effects;	The effects of the Plan are unlikely to have transboundary <sup>3</sup> impacts.
(d) the risks to human health or the environment (for example, due to accidents);	The policies in the plan are unlikely to present risks to human health or the environment.

<sup>3</sup> Transboundary effects are understood to be in other Member States.

<p>(e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected);</p>	<p>The Beckley and Stowood NDP relates to the parish of Beckley and Stowood and may impact adjacent parishes of Elsfield and Stanton St John. This includes the village of Beckley, Wick Farm and the new residents of the strategic allocation within the Local Plan.</p>
<p>(f) the value and vulnerability of the area likely to be affected due to:  (i) special natural characteristics or cultural heritage;  (ii) exceeded environmental quality standards or limit values; or  (iii) intensive land-use; and</p>	<p>The Beckley and Stowood NDP area contain the following special natural characteristics and cultural heritage elements:</p> <ul style="list-style-type: none"> <li>- A conservation area</li> <li>- Ancient Woodland</li> <li>- Archaeological Constraints</li> <li>- BAP Priority habitats</li> <li>- Environmentally Sensitive areas</li> <li>- Flood Zone</li> <li>- Great Crest Newt Distribution</li> <li>- Green Belt</li> <li>- Listed Buildings</li> <li>- Local Wildlife sites</li> <li>- Protected species buffer</li> <li>- Registered Parks and Gardens</li> </ul>
<p>(g) the effects on areas or landscapes which have a recognised national, Community or international protection status.</p>	<p>There are no areas or landscapes with recognised national, community or international protection status affected by the neighbourhood plan.</p>

# Appendix 4 - Examiner's preliminary conclusions on the Beckley and Stowood Neighbourhood Plan

## **Beckley and Stowood Neighbourhood Plan Consultation on Significant Modifications**

### *Context*

The Independent Examiner has advised the District Council that a package of modifications is required to the Plan to ensure that it meets the basic conditions.

The recommended modifications to the general parts of the Plan are matters of refinement to the relevant policies and do not need additional consultation.

The recommended modifications to the mitigation policies relating to the development of the strategic site as identified in the Local Plan (Policy STRAT13) at land north of Bayswater Brook are significant in their scale and effect. As such they will require further consultation.

The recommended modifications to the mitigation policies are the deletion of the mitigation policies and the associated supporting text (Section 6 of the Plan) as well as references to the mitigation policies and the associated supporting text throughout the plan including objective 7.

The examiner has reached these preliminary conclusions for the following reasons:

- the mitigation policies in the submitted Plan do not bring any added value to the comprehensive details included in Policy STRAT 13 of the Local Plan;
- the mitigation policies do not support the delivery of the strategic policies in the Local Plan (contrary to the details in Planning Practice Guidance 41:004-20190509) and could undermine the deliverability of the strategic policies in the development plan (contrary to the details in Planning Practice Guidance 41-005-20190509);
- the policies have not been promoted in a collaborative fashion;
- in any event there is no evidence that the contents of Policy STRAT 13 will not be properly implemented and its various principles will be incorporated into the eventual development; and
- Although the mitigation policies were developed in consultation with neighbouring parish councils, the approach taken has been pursued in isolation from other parishes which are affected by the strategic site (Elsfield, Forest Hill with Shotover and Stanton St Johns) and are not developing complementary policies. It would be unreasonable for a specific policy approach to be identified in part of a wider strategic development site where no other equivalent complementary policies are being pursued elsewhere.

### *The Consultation Process*

The District Council invites comments on the examiner's preliminary conclusions between 18/01/24 and 29/02/24.

The consultation exercise is related only to this matter. No further comments on the submitted Plan are invited.

All the comments received in the consultation period will be sent to the independent examiner. He will consider the comments received before publishing his final report.