

## Record of Delegated decision

<b>Decision made by</b>	Adrian Duffield
<b>Key decision?</b>	No
<b>Date of decision</b> (same as date form signed)	
<b>Name and job title of officer requesting the decision</b>	Andrew Maxted, Planning Policy Project Lead
<b>Officer contact details</b>	Tel: 07717 271939 Email: <a href="mailto:andrew.maxted@southandvale.gov.uk">andrew.maxted@southandvale.gov.uk</a>
<b>Decision</b>	To approve the Habitat Regulations Assessment (HRA) screening statement for Radley Neighbourhood Plan and therefore determine that HRA is not required.
<b>Reasons for decision</b>	We have put in place procedures to write and publish a HRA Screening Statement stating the decision, the reasons behind it, and the view of consultees.  Following consultation with Natural England, we have determined that an HRA is <b>not</b> required. An SEA screening was undertaken in April 2017, which determined that a SEA was required.
<b>Alternative options rejected</b>	We have screened the plan and found that HRA is not required and therefore there are no alternative options.
<b>Legal implications</b>	We are the competent authority under the Conservation of Habitats and Species Regulations 2010 and are therefore required to ensure the correct screening processes have been completed in relation to the Radley Neighbourhood Plan.
<b>Financial implications</b>	None
<b>Other implications</b>	None
<b>Background papers considered</b>	HRA Screening Opinion for Radley Neighbourhood Plan SEA Screening Statement for Radley Neighbourhood Plan Submission documents for Radley Neighbourhood Plan
<b>Head of Planning's signature</b> To confirm the decision as set out in this notice.	Signature:  _____ Head of Planning, Adrian Duffield.  Date: 29 January 2018

# Habitat Regulations Assessment (HRA)

## Screening Statement: Radley Neighbourhood Plan

### Introduction

1. The Local Authority is the 'competent authority' under the Conservation of Habitats and Species Regulations 2010, 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 the Vale of White Horse District Council's Local Plan Part 1 Submission Document (February 2015), the Statement to Inform Habitats Regulations Assessment of the Schedule of Proposed Modifications to the Local Plan Part 1 (13<sup>th</sup> July 2016) and the Habitats Regulations Assessment of the Vale of White Horse District Council's Local Plan Part 2 Submission Document (October 2017) as its basis for assessment. From this, the Local Authority will determine whether the Radley 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.”*

### Assessment

4. There are two European sites within the VoWH District – Cothill Fen SAC and Hackpen Hill SAC.
  - Cothill Fen SAC. 3.7 km to the west of the Neighbourhood Plan boundary
  - Hackpen Hill SAC. 19.2 km to the south west of the Neighbourhood Plan boundary

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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 Vale of White Horse Local Plan 2011 (July 2006) and the Vale of White Horse Local Plan 2031 Part 1 (December 2016)

5. European sites also lie in adjoining districts:

- Oxford Meadows SAC. 6.1 km to the north of the Neighbourhood Plan boundary
- Little Wittenham SAC. 5.2 km to the east of the Neighbourhood Plan boundary

A map of the sites is appended to this HRA Screening Statement at **Appendix 1**.

6. The Neighbourhood Plan must be in conformity with the adopted Local Plan, which has undergone HRA screening. This can be viewed here: <http://www.whitehorsedc.gov.uk/services-and-advice/planning-and-building/planning-policy/new-local-plan-2031-part-1-strategic-sites>. In addition to this, it does not propose development allocations as such, although caveated support is given for development on several sites within the Plan area (Central allotments, Old coal yard, Lodge Hill Junction, Central Radley inset area and Radley Lakes).
7. The February 2015 LPP1 HRA considers the specific pressures on the sites identified above. In relation to Cothill Fen SAC it concludes (5.6) that *“Issues of recreational pressure, water resources and water quality have all been considered in relation to impacts of the Additional Consultation document on the Cothill Fen SAC. It is possible to conclude that likely significant effects on the SAC as a result of development within the Vale of White Horse District under the Additional Consultation document will not occur.”*
8. In relation to Hackpen Hill SAC it concludes (6.6) that *“Issues of recreational pressure and air quality have been considered in relation to impacts of the Additional Consultation document on the Hackpen Hill SAC. It is possible to conclude that likely significant effects will not arise from air quality issues on the Hackpen Hill SAC as a result of development within the Vale of White Horse District under the Additional Consultation document policy amendments. There is however a small risk of increased recreational pressure on Hackpen Hill SAC which may trigger the need for enhanced access management to the site. The local authority should be prepared to contribute to any enhanced access management that might be identified by Natural England in future as stemming from increased local population. The Council has advised that this issue can be addressed through the Infrastructure Delivery Plan (IDP) and the Community Infrastructure Levy (CIL).”*
9. In relation to Little Wittenham SAC it concludes (7.6) that *“The issue of water quality has been considered in relation to the impacts of the Additional Consultation policy amendments on the Little Wittenham SAC. It is possible to conclude that likely significant effects on the Little Wittenham SAC as a result of development within the Vale of White Horse District under the Additional Consultation documents will not occur.”*
10. In relation to the Oxford Meadows SAC it concludes (8.6) that *“Issues of recreational pressure and water quality have all been considered in relation to impacts of the Submission document policies on the Oxford Meadows SAC. It is possible to conclude that likely significant effects on the Oxford Meadows SAC as a result of development under the Vale of White Horse Submission document policies will not occur as a result of pathways of impact from recreational pressure, either alone, or in combination with other plans and projects. Effects of water*

*quality on Oxford Meadows SAC are considered unlikely to occur, given the policy commitments in the Local Plan Part 1 to provision of adequate infrastructure to accompany new development. The need for increased infrastructure capacity will be informed by a Water Cycle Study.*

*It is considered likely that housing across Oxfordshire will result in an increase in nitrogen deposition and NOx concentration within a small part of the Oxford Meadows SAC as it lies adjacent to the A34 and A40. Although Vale of the White Horse contribution to nitrogen deposition will be trivial, there will be a small contribution to changes in NOx concentrations, although one that is not significant. The Oxfordshire authorities are undertaking more detailed studies to investigate air quality within the SAC adjacent to the A34 and A40, which will in turn inform specific mitigation interventions. As a precaution, until that study is completed, it has been assumed in this analysis that an air quality effect may exist and appropriate plan-level measures to address the issue (as accepted for other local authorities) have been identified and are reflected in the Local Plan Part 1 which would enable a conclusion of no adverse effect to be reached (as has been the case in the Thames Basin Heaths area) and enable the Local Plan Part 1 to be adopted. One further recommendation related to monitoring has been included in this report for incorporation into the Plan.”*

11. The Radley Neighbourhood Plan has very limited scope to influence development outside the Plan area. In light of the above conclusions in relation to each of the SACs, and given the anticipated scale of development that would occur as a result of the proposals in the Radley Neighbourhood Plan, there is not considered to be scope for significant effects to arise in relation to European sites either through the action of the policies in the Radley Neighbourhood Plan or as a result of in combination effects when considered with other Plans, including Neighbourhood Plans.
12. Furthermore, the Plan provides for mitigation of certain effects through the implementation of the policies that relate to specific sites noted above (primarily policies PP1, PP2, PP10).
13. As a consequence, it is not considered that HRA is required for the Radley Neighbourhood Plan.

## **Consultation**

14. Natural England were consulted on the HRA screening and responded on 24<sup>th</sup> January 2018 as follows (see Appendix 2):

*[Natural England] have had a look at the HRA screening opinion and agree with the conclusion that there are no Likely Significant Effects on European Designated sites arising from the policies in the Radley Neighbourhood Plan.*

## **Conclusion**

15. The HRA screening process of the Radley Neighbourhood Development Plan has concluded that likely significant effects on the integrity of European sites in the Vale of White Horse District and adjacent Planning Authority areas from policies in the Neighbourhood Plan will not occur. Therefore an HRA is **not** required.

# Appendix 1 – Map of Natura 2000 sites in Relation to Radley Parish

18/01/2018

Magic Map Application

**MAGIC** County, Place or Postcode...

OSGB36 1:167,845

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- Ramsar Sites (England) - points
- Ramsar Sites (England)
- Proposed Ramsar Sites (England)
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- Special Areas of Conservation (Wales)
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- Special Protection Areas (England) - points

0 2 4km

Coords: (468569,208227) Grid Ref:SP685082

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**Measurement Tools**

Reuse Graphics:

**Measurement Result**

Distance: 0.0 Metres

Double click to finish drawing and see the measurement result.

## Appendix 2 – Response from Natural England

### Jeremy Flawn

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**From:** Micklem, Rebecca (NE) <Rebecca.Micklem@naturalengland.org.uk>  
**Sent:** 24 January 2018 16:36  
**To:** Jeremy Flawn  
**Subject:** FW: 2018-01-25\_235949\_FW: Radley Neighbourhood Plan - Draft HRA Screening Opinion

**Importance:** High

Dear Jeremy,

I have had a look at the HRA screening opinion and agree with the conclusion that there are no Likely Significant Effects on European Designated sites arising from the policies in the Radley Neighbourhood Plan.

Please do let me know if you require this information in letter format.

Kind regards,

Rebecca Micklem

Lead Adviser

Sustainable Development  
Thames Team

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In an effort to reduce Natural England's carbon footprint, I will, wherever possible, avoid travelling to meetings and attend via audio, video or web conferencing.

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