

# Oaksey Neighbourhood Plan (First Review) 2018-2036

Oaksey  
Parish  
Council



## SEA Screening April 2023

oaksey  village

# Oaksey Neighbourhood Plan (First review) 2018-2036

## SEA Screening - April 2023

The First Review of the Oaksey Neighbourhood Plan produced as a Modification Proposal in accordance with the Neighbourhood Planning Regulations 2012

The Neighbourhood Plan Steering Group for the First Review on behalf of Oaksey Parish Council:

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The Parish Council received professional planning support from NEIGHBOURHOOD-PLAN.CO.UK during the production of this Neighbourhood Plan.



NEIGHBOURHOOD-PLAN.CO.UK

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# Oaksey Neighbourhood Plan (First Review) 2018-2036



*Note - the documents marked \* have been updated or are new documents as part of the First Review to take account of the Modification Proposal; the other documents which supported the original version of the Neighbourhood Plan remain valid and do not need to be updated*

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# Introduction


1. Every Neighbourhood Plan needs to consider the need for a Sustainability Appraisal (incorporating a Strategic Environmental Assessment) for the Neighbourhood Plan. SA is a mechanism for considering and communicating the impacts of an emerging plan, and potential alternatives in terms of key sustainability issues. The aim of SA is to inform and influence the plan-making process with a view to avoiding and mitigating negative impacts. Through this approach, the SA where it is undertaken for the Neighbourhood Plan seeks to maximise the Neighbourhood Plan's contribution to sustainable development.
2. Part of the Neighbourhood Plan process is to ascertain if a Strategic Environment Assessment (SEA) is needed, and to clarify any environmental impacts the plan may have.
3. A Neighbourhood Plan must also comply with the Habitat Regulations which aim to protect and improve Europe's most important habitats and species.
4. There is a need to assess the likelihood of proposals or policies within a Neighbourhood Plan having a significant effect on the 'National Sites Network' consisting of areas designated as Special Areas of Conservation (SAC) or Special Protection Areas (SPAs). Consideration of the internationally designated Ramsar sites is also necessary; many Ramsar sites are also SACs or SPAs. The Neighbourhood Plan Area does contain part of the 'National Sites Network' namely part of the North Meadow and Clattinger Farm Special Area of Conservation.

## SEA on the Existing Neighbourhood Plan

5. A SEA screening request was made by Oaksey Parish Council to Wiltshire Council to determine whether or not the contents of the original Oaksey Neighbourhood Development Plan required a Strategic Environmental Assessment in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004.
6. A SEA needs to be undertaken for certain development plans that would have a significant environmental effect. An SEA may be required for a Neighbourhood Plan, dependant on what the plan is proposing.
7. The *Environmental Assessment of Plans and Programmes Regulations 2004* require that the need for an SEA is to be determined by a screening process. This must meet the criteria of Schedule 1 of the Regulations.
8. For Oaksey, it is the responsibility of Wiltshire Council to determine whether an SEA is required. To make this decision Wiltshire Council are required to consult with three statutory consultation bodies: Natural England, Environment Agency and Historic England.



## Oaksey Neighbourhood Plan - SEA Screening

9. Consideration was also given as to whether the Oaksey Neighbourhood Development Plan required a Habitats Regulation Assessment (HRA). The Conservation of Habitats and Species Regulations 2017 require that Development Plans undergo an assessment to determine whether or not the Local Plan will have a significant effect on 'National Sites Network' or Ramsar sites.
  10. For Oaksey, the Neighbourhood Plan Area does include part of the North Meadow and Clattinger Farm Special Area of Conservation (SAC). Covering a slightly larger area including Mallard Lake is the Clattinger Farm Sites of Special Scientific Interest (SSSI). Outside of the Neighbourhood Plan area but within around 250m of the Plan Area boundary also lies the Cotswold Water Park SSSI. Internationally designated wildlife sites (SACs/SPAs/Ramsar) are accorded the highest level of protection under European legislation. The purpose of the screening assessment is to ascertain whether there is potential for implementation of the Neighbourhood Plan to have significant effect on any such site.
  11. The Habitats Regulations Assessment of land use plans relates to Special Protection Areas (SPAs), Special Areas of Conservation (SAC) and Ramsar Sites. SPAs were sites first classified in accordance with Article 4 of the EC Directive on the conservation of wild birds (79/409/EEC), more commonly known as the Birds Directive. They were classified for rare and vulnerable birds, listed in Annex I to the Birds Directive, and for regularly occurring migratory species. These SPA sites are now designated under the Wildlife & Countryside Act 1981 (as amended) and the Conservation (Natural Habitats, & c.) Regulations 2010 (as amended).
  12. SACs were previously classified in accordance with EC Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora (the Habitats Directive). Article 3 of this Directive requires the establishment of a European network of important high-quality conservation sites that will make a significant contribution to conserving the 189 habitat types and 788 species identified in Annexes I and II of the Directive. These sites are now designated under the Conservation of Habitats and Species Regulations 2017 (as amended).
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13. Ramsar Sites are designated under the International Convention on Wetlands of International Importance especially as Waterfowl Habitat (the Ramsar Convention, Iran 1971 and amended by the Paris Protocol 1992). Although Ramsar Sites are not protected in law by domestic UK legislation as a matter of policy government has decreed that unless otherwise specified procedures relating to SPAs and SACs will also apply to Ramsar Sites. The Habitats Regulations Assessment of land use plans relates to Special Protection Areas (SPAs), Special Areas of Conservation (SAC) and Ramsar Sites. SPAs are sites classified in accordance with Article 4 of the EC Directive on the conservation of wild birds (79/409/EEC), more commonly known as the Birds Directive. They are classified for rare and vulnerable birds, listed in Annex I to the Birds Directive, and for regularly occurring migratory species.
  14. The Oaksey Neighbourhood Plan contains part of a National Sites Network site within its boundary. No cumulative effects with other plans or programmes are likely in the view of Oaksey Parish Council, the relevant Qualifying Body. Whilst the original Neighbourhood Plan did allocate land for development, it was not considered that it will lead to issues in terms of increased recreational disturbance, water resources or water quality. The SAC and SSSI already fall within the Cotswold Water Park an area where Core Policy 54 of the Wiltshire Core Strategy seeks to balance recreational use of the lakes against the need to

protect and enhance biodiversity. The Neighbourhood Plan is required to be in general conformity with the Wiltshire Core Strategy.

15. The Government published Planning Practice Guidance states there is no legal requirement for a Neighbourhood Plan to have a Sustainability Appraisal (SA) as set out in section 19 of the Planning and Compulsory Purchase Act 2004. However, a qualifying body must demonstrate how its plan or order will contribute to achieving sustainable development. Planning Practice Guidance also states, in some limited circumstances, where a neighbourhood plan is likely to have significant environmental effects, it may require a strategic environmental assessment. Draft neighbourhood plan proposals should be assessed to determine whether the plan is likely to have significant environmental effects. Consequently, for the original Neighbourhood Plan a SEA screening statement was undertaken by Wiltshire Council using guidance from the Government published advice in 'A Practical Guide to the Strategic Environmental Assessment Directive' (2005).
16. The document 'A Practical Guidance to the Strategic Environmental Assessment Directive' was published by the then Office of the Deputy Prime Minister. It sets out guidance on how to comply with the European Directive 2001/42/EC known as the Strategic Environmental Assessment (SEA) Directive. Figure 2 of this practical guidance shows the Directive's field of application in the form of a diagram, which provides an outcome of whether a directive does or does not require an SEA.
17. The SEA Screening Assessment undertaken by Wiltshire Council in February 2017 on the original Oaksey Neighbourhood Plan is set out in Appendix 1.
18. It is necessary to consider now whether the Oaksey Neighbourhood Plan First Review requires a new SEA and HRA incorporating an AA or whether the conclusions of the existing documents remain valid. The First Review of the Oaksey Neighbourhood Plan in legal terms is produced as a 'Modification Proposal' in accordance with the Neighbourhood Planning Regulations 2012<sup>1</sup>. What that means is it modifies and updates the existing Neighbourhood Plan. The First Review of the Neighbourhood Plan now looks to extend the plan period from 2026 through to 2036, which requires various matters to be updated and the First Review adds policy content on climate change and energy.



## The Modifications Proposal

19. As the Oaksey Neighbourhood Plan First Review is technically a 'modification proposal' then for consultation under Regulation 14 and for submission under Regulation 15, it is necessary to produce 'a statement setting out whether or not the qualifying body consider that the modifications contained in the modification proposal are so significant or substantial as to change the nature of the neighbourhood development plan which the modification proposal would modify' - colloquially sometimes called a modification statement. We have produced a short separate statement to accompany the Neighbourhood Plan as part of the overall document suite, called 'Explanatory Statement'.

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<sup>1</sup> <https://www.legislation.gov.uk/uksi/2012/637/contents>

## *Oaksey Neighbourhood Plan - SEA Screening*

20. The Oaksey Neighbourhood Plan First Review will replace in entirety the current Oaksey Neighbourhood Plan that was made in 2019.
21. In summary the modifications made to the current Oaksey Neighbourhood Plan to form the Oaksey Neighbourhood Plan First Review are:

### General Updates

- General updating of references, links and data where available for example to account for website link changes and Census 2021 data;
- The current Neighbourhood Plan was examined against the 2012 version of the NPPF; therefore, it has been necessary to do some general updating of references to NPPF paragraph numbers to account for the 2021 version alongside the updating of Planning Practice Guidance references where appropriate;
- General text updated to refer to the First Review;
- General text updated regarding the emerging Local Plan Review and progress on adjacent Neighbourhood Plans;
- Paragraphs and Maps renumbered where necessary;
- Sections 8 and 9 have been updated to reflect the latest community initiatives and the latest position on community facilities in the Parish;
- Section 10 on the Natural Environment has been updated to refer to the designation of Special Areas of Conservation and Special Protection Areas (SACs & SPAs) post leaving the EU;
- Various tables have been updated to reflect the additional Policies 18 and 19 that have been added;
- The Section on Economy has been amended to cover Economy, Renewable Energy and Climate Change Mitigation;
- The Monitoring and Review section has been updated to reflect the First Review;
- Glossary has been updated where necessary to reflect changes in the NPPF Glossary.

### Objectives

- Objective A has been updated to reflect the fact that the housing site allocation in the original Neighbourhood Plan has been delivered and to address climate change mitigation.

### Plan Period

- Plan period end amended from 2026 to 2036 to take account of emerging Local Plan Review and consequential new emerging strategic housing requirement;
- Section 7 on Housing has been updated to reflect the emerging strategic housing requirement and the baseline indicative housing figure from Wiltshire Council given to the Parish Council to plan for the period 2016 to 2036.

### Settlement Boundary

- The settlement boundary has been updated to take into account the development of the Pond site on The Street which has now been built.

### Policy Amendments

- Policy 3 (Holiday Accommodation, Leisure and Recreation) has been slightly reworded for clarity. It has also amended to refer additionally to working with Wiltshire Council and the operators of Oaksey Park to improve pedestrian and cycle linkages between the village and Oaksey Park to enhance accessibility and active travel opportunities for the existing residents of Oaksey Park;
- Map 6 - Important Views and Vistas has been added to support Policy 5 (Views and Vistas), the views and vistas were already shown in the character appraisal maps but a separate plan adjacent to the policy aids clarity;
- Policy 9 (Opportunities for Enhancement) has been updated to remove reference to Bendy Bow as an area for enhancement to reflect the fact that the housing site

## Oaksey Neighbourhood Plan - SEA Screening

allocation has now been constructed and has delivered the enhancement. A consequential amendment has been made to Map 19 in the character appraisal. An update regarding the progress made on enhancing The Well Garden has been included;

- Section 4 and Policy 10 has been amended in title from ‘Highways Impact’ to ‘Highways and Travel’. The policy has been added to with reference to Active Travel and Rural Lane Character;
- A new Policy 14 (Housing Delivery) has been added to reflect the emerging strategic housing requirement and the baseline indicative housing figure from Wiltshire Council given to the Parish Council to plan for the period 2016 to 2036;
- The previous Policy 15 that allocated the housing site at Bendy Bow has been deleted because the site has been delivered and completed on the ground. Map 11 has been updated to illustrate the before and after position of the housing layout at Bendy Bow;
- The previous Policy 14 has been renumbered Policy 15 (New Housing);
- An Aerial Photo identifying the Features Considered Important to the Overall Setting of Oaksey Parish has been added to support Policy 17 (Setting of Oaksey Village);
- Section 13 on Renewable Energy and Climate Change Mitigation added;
- New Policy 18 (Climate Change Mitigation) has been added, this covers a locally distinctive strategy to address climate change including renewable or low-carbon energy generation, electric vehicle charging and surface water management;
- New Policy 19 (Energy Efficiency) has been added, this sets out a locally distinctive strategy to address energy efficiency in new and existing properties.

22. Having regard to the advice in Planning Practice Guidance<sup>2</sup> it is the view of Oaksey Parish Council that the ‘modifications’ fall within the scope of *“Material modifications which do not change the nature of the plan or order would require examination but not a referendum. This might, for example, entail the addition of a design code that builds on a pre-existing design policy, or the addition of a site or sites which, subject to the decision of the independent examiner, are not so significant or substantial as to change the nature of the plan.”* (Planning Practice Guidance Reference ID; 41-106-20190509)

23. As the current Oaksey Neighbourhood Plan had already planned for housing growth and had allocated a significant site, the alteration to the plan period does not require additional housing land to be identified. Therefore, the change of plan period does not change the amount of housing identified from that in the current Neighbourhood Plan.



24. The general updates are predominantly factual and do not materially change the content of the Neighbourhood Plan.

25. The policy amendments principally either arise from the issue of clarity for implementation or relate to the introduction of an overall approach towards climate change mitigation which includes various strands including active travel, energy efficiency, renewable and low-carbon energy and management of surface water. Although two new policies have been added the issues they raise were to an extent covered previously by the Design Guidelines in the Character Appraisal and Policy 4 (Design of New Development and Local Distinctiveness). Climate change is also addressed within the strategic policy content of

<sup>2</sup> <https://www.gov.uk/guidance/neighbourhood-planning--2#updating-neighbourhood-plan>

the Wiltshire Core Strategy and national policy in the NPPF. As such this is not a completely new topic area.

## Conclusion

26. In terms of SEA the Neighbourhood Plan First Review is considered to have an even further strengthened policy suite that would continue to result in significant environmental benefits overall; with continued strong policies that will provide protection and enhancement for the built and natural environment. The plan will continue to sufficiently meet its housing needs. The provision of housing, protection of community and educational facilities and policies to protect the natural and built environment will continue to help to improve the health and wellbeing of local residents.
27. Having regard to all matters and the reasoning set above, the Parish Council as the qualifying body is of the view that the modifications are not so significant or substantial as to change the nature of the plan.
28. Accordingly, it is the view of the Parish Council that the conclusions of the Oaksey Neighbourhood Plan Strategic Environmental Assessment - Screening Determination dated February 2017 are considered to remain valid and are not materially affected by the modifications in the First Review.
29. Given the nature of the modifications in the First Review there is considered to be no adverse effects on the North Meadow and Clattinger Farm Special Area of Conservation, alone or in- combination with other plans and projects. The conclusions of the Oaksey Neighbourhood Plan Strategic Environmental Assessment - Screening Determination dated February 2017 are therefore considered by the Parish Council to remain valid and not be materially affected by the modifications in the First Review.
30. For Oaksey, it is the responsibility of Wiltshire Council to determine whether an updated SEA and HRA incorporating an AA is required for the First Review of the Neighbourhood Plan. To make this decision Wiltshire Council are required to consult with three statutory consultation bodies: Natural England, Environment Agency and Historic England.

# Appendix 1 - SEA Screening Determination by Wiltshire Council on the Original Neighbourhood Plan

**Wiltshire Council**

**Strategic Environmental Assessment - Screening determination for the  
Oaksey Neighbourhood Plan**

**February 2017**



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3. The Oaksey Neighbourhood Plan
4. SEA Screening assessment
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## 1. Introduction

- 1.1 This document provides a screening determination of the need to carry out a Strategic Environmental Assessment (SEA) of the Oaksey Neighbourhood Plan.
- 1.2 Wiltshire Council, as the 'Responsible Authority'<sup>3</sup> under the SEA Regulations<sup>4</sup>, is responsible for undertaking this screening process of the Oaksey Neighbourhood Plan. It will determine if the plan is likely to have significant environmental effects, and hence whether SEA is required.
- 1.3 This process has been carried out in accordance with the requirements of European Directive 2001/42/EC<sup>5</sup>, often known as the Strategic Environmental Assessment (SEA) Directive, which has been transposed into English law by the SEA Regulations.

## 2. Legislative requirements

- 2.1 The Localism Act 2011 requires neighbourhood plans to comply with EU legislation. The screening procedure outlined in this report meets the requirements of the SEA Directive and Regulations, as introduced in Section 1 of this document.

- 2.2 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 projects<sup>6</sup> (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)*

An environmental assessment need not be carried out for:

a) *plans which determine the use of a small area<sup>7</sup> at local level (Regulation 5, para. (6)(a); or*

b) *plans which are a minor modification<sup>8</sup> 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.*

<sup>3</sup> The organisation which adopts the neighbourhood plan (this is described in Wiltshire Council's guide *Neighbourhood planning – a guide for Wiltshire's parish and town councils* (June 2012) as 'makes the plan').

<sup>4</sup> The Environmental Assessment of Plans and Programmes Regulations 2004

<sup>5</sup> European Directive 2001/42/EC "on the assessment of the effects of certain plans and programmes on the environment"

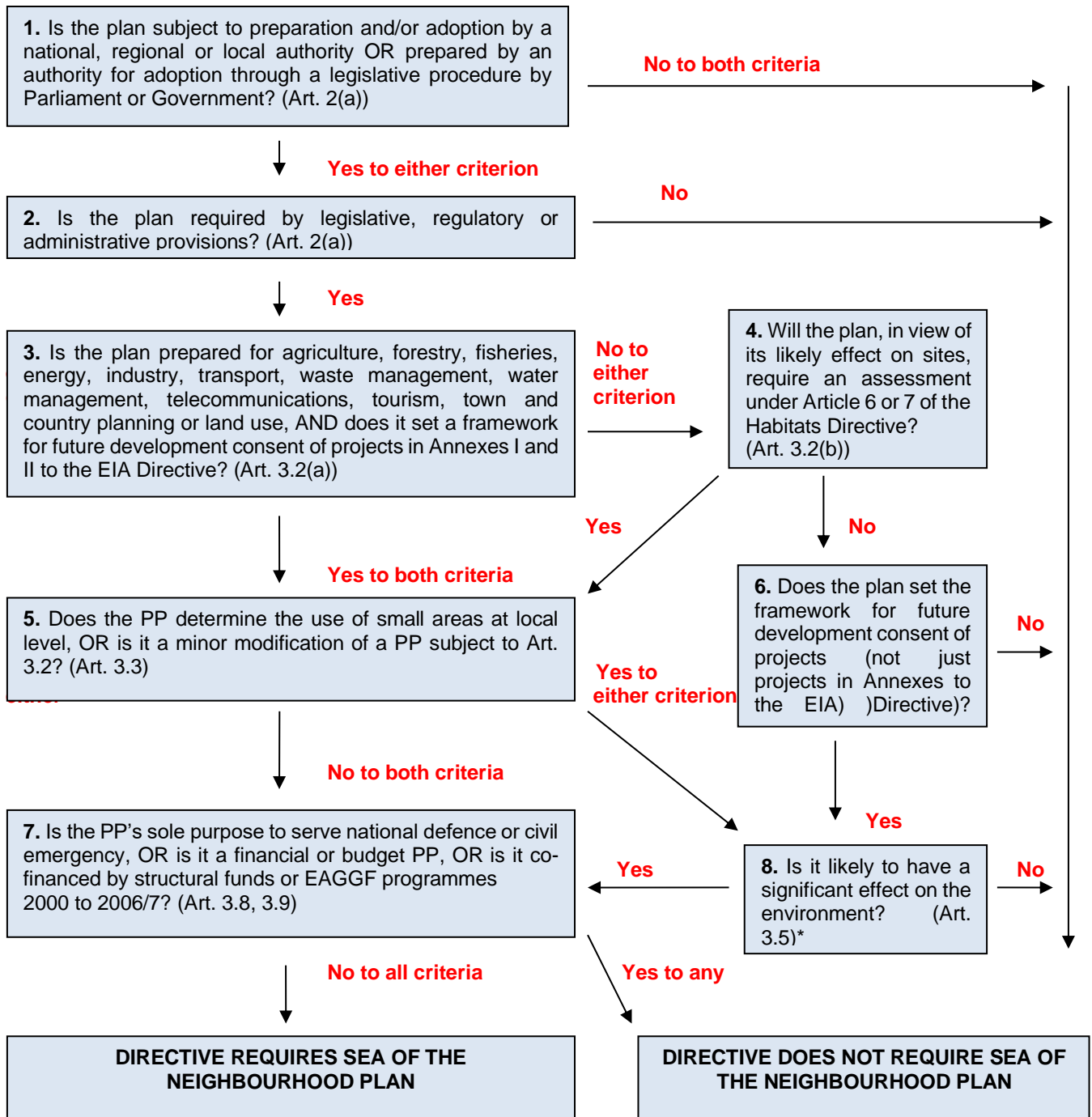
<sup>6</sup> European Commission guidance states that plans and programmes which **set the framework for future development consent of projects** would normally contain 'criteria or conditions which guide the way a consenting authority decides an application for development consent'. **Development consent** 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).

<sup>7</sup> 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"

<sup>8</sup> **'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.

2.3 The diagram<sup>9</sup> below shows the SEA Directive's field of application:

**Application of the SEA Directive to neighbourhood plans**



\* Plans falling in this category (No.8) will be screened by Wiltshire Council to determine if they are likely to have significant environmental effects. This determination will be made on a case by case basis for neighbourhood plans coming forward in Wiltshire.  
 NB This diagram is intended as a guide to the criteria for application of the Directive to neighbourhood plans. It has no legal status.

<sup>9</sup> Taken from *A Practical Guide to the Strategic Environmental Assessment Directive* (ODPM, 2005)

### **3. The Oaksey Neighbourhood Plan**

#### ***Background***

- 3.1 Oaksey Parish council are currently preparing a neighbourhood plan under the provisions of the Localism Act 2011, and associated Regulations.
- 3.2 Oaksey is designated as a large village in the adopted Wiltshire Core Strategy. Large villages are defined as settlements with a limited range of employment, services and facilities. Development at Large and Small Villages will be limited to that needed to help meet the housing needs of settlements and to improve employment opportunities, services and facilities.
- 3.3 The neighbourhood planning process commenced in 2012. A steering group co-ordinates the work of a number of sub groups. A main source helping to identify issues that the Plan should address took the shape of an opinion survey, carried out in 2013, to canvass. Since then the Plan initially evolved into two main streams: traffic and housing. The current proposal is that plan will focus entirely on the latter recognising that traffic and parking plans are better pursued through other routes.
- 3.4 A survey of the housing stock in Oaksey was undertaken in 2015. The results led the Plan to address the adequacy of housing in the village and it has become a key stream of action for the plan.
- 3.5 The current content of the Plan is contemplated to be:
- A number of adjustments to the settlement boundary
  - a suggestion to extend to the conservation area
  - The selection of sites for redevelopment within the settlement boundary to enhance the overall housing stock and increase the number of affordable homes by up to 12-15.
- 3.6 These areas are shown on a plan provided by the Parish Council
- 3.7 Planning officers from Wiltshire Council have advised and supported the steering group since 2012 on the development of the plan.

#### ***Neighbourhood area designation***

- 3.8 Wiltshire Council publicised the Oaksey Neighbourhood Area application for consultation from 29<sup>th</sup> February to 13<sup>th</sup> April 2016. Having considered the feedback received through the consultation, Wiltshire Council recommended that the proposed Oaksey Neighbourhood Plan Area is coherent, consistent and appropriate in planning terms. The designation of the Oaksey Neighbourhood Area was approved on 29<sup>th</sup> April 2016.
- 3.9 The Oaksey Neighbourhood Area application and designation documents are available to view online.

### **4. SEA Screening assessment**

- 4.1 Wiltshire Council, as the 'Responsible Authority', consider that the Oaksey Neighbourhood Plan falls within the scope of the SEA Regulations on the basis that it is a plan that:
- a)** is subject to preparation or adoption by an authority at national, regional or local level (Regulation 2);
  - b)** 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); and

## *Oaksey Neighbourhood Plan - SEA Screening*

**c)** 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).

4.2 A determination under Regulation 9 is therefore required as to whether the Oaksey Neighbourhood Plan is likely to have significant effects on the environment.

4.3 The screening requirements set out in Regulation 9 and Schedule 1 of the SEA Regulations includes two sets of characteristics for determining the likely significance of effects on the environment. These relate to: i) the characteristics of the Oaksey Neighbourhood Plan and ii) the characteristics of the effects and of the area likely to be affected by the Oaksey Neighbourhood Plan.

4.4 In making a determination, Wiltshire Council will take into account the criteria specified in Schedule I of the Regulations as follows:

### **1. The characteristics of the plans and programmes, having regard in particular to:**

**(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;

**(b)** the degree to which the plan or programme influences other plans and programmes including those in a hierarchy;

**(c)** the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development;

**(d)** environmental problems relevant to the plan or programme; and

**(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).

### **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;

**(b)** the cumulative nature of the effects;

**(c)** the transboundary nature of the effects;

**(d)** the risks to human health or the 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);

**(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

**(g)** the effects on areas or landscapes which have a recognised national, Community or international protection status.

Table 1 - Screening assessment of the Oaksey Neighbourhood Plan

Criteria (Schedule 1 SEA Regs.)	Significant environmental effects likely?	Justification and evidence
<p>1. The characteristics of plans , having regard 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 conditions or by allocating resources</p>	<p>No</p>	<p>The draft neighbourhood plan sets out a framework of objectives designed to address particular issues in the parish. These seek to protect and enhance the local environment and heritage assets. The draft plan is intending to allocate four small sites for re-development. They are in close proximity. They do not involve a change of use, new infrastructure or revisions to access. Together they may over the plan period deliver a better mix of 22 dwellings to replace the existing dwellings no longer considered fit for purpose. The proposals are to provide dwellings that better suited to local needs, that are more energy efficient and in keeping with local building styles. The draft Plan seeks to enhance the local environment and landscape setting by adjustments to the settlement boundary to the village and by suggesting an extension to the conservation area. All draft policies will be in general conformity with policies in the Core Strategy as to what development is permitted and where.</p>
<p>(b) the degree to which the plan influences other plans and programmes including those in a hierarchy</p>	<p>No</p>	<p>The draft neighbourhood plan is produced by the local community to influence development at the local parish level. It does not strongly influence strategic plans higher up in a hierarchy, although any potential future review of the Wiltshire Core Strategy will need to give consideration to the Plan's proposals.</p>
<p>(c) the relevance of the plan for the integration of environmental considerations in particular with a view to promoting sustainable development</p>	<p>No</p>	<p>The draft neighbourhood plan is a land-use plan that seeks to promote the objectives of sustainable development. However, it is not specifically a plan for integrating environmental considerations. Policies are under consideration would be relatively be minor in scope and intended to protect and enhance the local environment.</p>
<p>(d) environmental problems relevant to the plan</p>	<p>No</p>	<p>The draft neighbourhood plan will seek that local housing needs are met better by minor adjustments in terms of the overall stock. There are no specific environmental problems relevant to the neighbourhood area. The draft Plan seeks to enhance the local environment and landscape setting by adjustments to the settlement boundary to the village and by suggesting an extension to the conservation area..</p>
<p>(e) the relevance of the plan for the implementation of Community legislation on the environment (for example, plans</p>	<p>No</p>	<p>The draft neighbourhood plan is not relevant as a plan for implementing community legislation.</p>

Criteria (Schedule 1 SEA Regs.)	Significant environmental effects likely?	Justification and evidence
and programmes linked to waste management or water protection).		
<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	No	The draft neighbourhood plan is not proposing any significant additional development and no change of land uses. The draft Plan is proposing policies to protect and enhance the local natural and cultural environment. Consequently, adverse effects are not considered likely to be significant in terms of their probability, duration, frequency or reversibility.
(b) the cumulative nature of the effects	No	No cumulative effects are considered to be significant with the proposals.
(c) the transboundary nature of the effects	No	There are no likely EU transboundary effects arising from the neighbourhood plan.
(d) the risks to human health or the environment (for example, due to accidents)	No	There are unlikely to be risks to human health or the environment arising from the neighbourhood plan.
(e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected);	No	The neighbourhood plan will apply to the parish area only. Significant effects due to the geographical size of the area and population size are not considered likely.
(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	It is considered that the draft policies proposed will not significantly affect the natural characteristics or cultural heritage of the area, or lead to an exceedance of environmental quality standards. There is a conservation area within the village of Oaksey and individual listed buildings throughout the parish. Redevelopment proposals are not in close proximity to listed buildings and all the sites are outside the conservation area. The proposals would result in a slightly more efficient use of land and do not represent an intensification of use that would be likely to result in significant environmental effects.
(g) the effects on areas or landscapes which have a recognised national, Community or international protection status.	No	The draft neighbourhood plan is not proposing anything that is likely to adversely affect areas or landscapes which have a recognised national, Community or international protection status. No sites other than the redevelopment are allocated in the draft Plan. Draft policies focus on protecting and enhancing the quality of the local environment. Amendments to the settlement boundary are suggested for consistency and in order to resolve local anomalies. They do not introduce greater scope for development.

## **5. 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 Wiltshire Council, as the responsible authority, considers that the proposed Oaksey Neighbourhood Plan is unlikely to have significant environmental effects and consequently will not require a Strategic Environmental Assessment, as per the reasons given in Table 1.
- 5.4 This screening decision was sent to Natural England, Environment Agency and Historic England as required by the SEA Regulations<sup>10</sup>. Their comments are attached to this report as an appendix.

## **6. Statutory consultee response to screening decision**

- 6.1 Natural England, Environment Agency and Historic England, as statutory consultation bodies under Regulation 9 of the SEA Regulations, were consulted on this SEA screening determination between the 13<sup>th</sup> January 2017 and the 17<sup>th</sup> February 2017. All three bodies agreed with the screening determination that the Oaksey Neighbourhood Plan is not likely to have significant environmental effects and therefore an SEA is not required.
- 6.2 The responses received from the three consultation bodies, agreeing with the screening determination, are presented in Appendix A.

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<sup>10</sup> The Environmental Assessment of Plans and Programmes Regulations 2004

# SEA Screening Assessment by Wiltshire Council - Appendix A

## Environment Agency

Dear Mr McCombe

### **Oaksey Neighbourhood Plan SEA screening opinion**

Thank you for consulting the Environment Agency on the above screening opinion.

We have no objection to your opinion that Oaksey Neighbourhood Plan does not require a SEA. We have reviewed the submitted map showing proposed development and are satisfied that the relevant site/s are not situated with flood zone 2/3 (which could be the most significant environmental effect, that cannot be mitigated for, from our perspective).

Yours sincerely

**Ms Ellie Challans**  
**Sustainable Places - Planning Advisor**

Direct dial 02030 259311  
E-mail [swx.sp@environment-agency.gov.uk](mailto:swx.sp@environment-agency.gov.uk)

## Natural England

Dear Mr McCombe

### **Oaksey Neighbourhood Plan SEA Screening opinion**

Thank you for your consultation on the above dated 13 January 2017 which was received by Natural England on the same date.

We have considered the screening assessment of the Oaksey Neighbourhood Plan against the requirements of the criteria set out in the SEA Directive.

The Neighbourhood Plan is currently being prepared and is expected to contain:

1. adjustments to the settlement boundary
2. an extension of the conservation area and
3. a selection of sites for redevelopment

While we note that approximately 22 new dwellings are proposed, these will be located within the settlement boundary and will replace existing prefabricated steel frame and concrete houses.

Based on the information provided at this stage, we agree that the emerging Neighbourhood Plan appears unlikely to give rise to significant environmental effects and that the Council's conclusion that a Strategic Environmental Assessment is not required is therefore reasonable.

Notwithstanding the above, we wanted to draw your attention to North Meadow and Clattinger Farm Special Area of Conservation, also designated Sites of Special Scientific Interest, which lies within Oaksey Parish boundary.

Natural England has identified that the current level of recreational activity at North Meadow National Nature Reserve is at or above capacity, which is resulting in damage to its interest features. While we would not expect the relatively modest housing proposals in the Oaksey NP to result in a significant increase in visitor pressure on North Meadow, we would welcome recognition in the NP of the importance and fragility of this national and European designated site.

We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us.

For any queries relating to the specific advice in this letter only please contact Amanda Grundy on 07900 608311. For any new consultations, or to provide further information on this consultation please send your correspondences to [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk).

We really value your feedback to help us improve the service we offer. We have attached a feedback form to this letter and welcome any comments you might have about our service.

Yours sincerely

Amanda Grundy  
Somerset, Avon & Wiltshire Area Team

## Historic England

Dear Tim

Many thanks for this consultation. My apologies for not getting this response to you before 5pm on Friday.

We are appreciative too of the enquiries you made of the community concerning the potential for impact on the historic environment and for enclosing their reply in this exercise. This does help considerably in teasing out the relevant details, especially relating to how the community is preparing its evidence base.

The issue for us is of course whether the intended development sites will generate significant effects on the fabric or setting of designated heritage assets. Our records indicate that the area has 1 Grade I and 11 Grade II Listed Buildings, and 5 Scheduled Ancient Monuments. These also indicate that the monuments are a significant distance from the proposed sites (though not referred to at all by you or the community in your correspondence), and many of the Listed Buildings are towards the centre of the Conservation Area or further east. However, one Grade II building (possibly Woodfold's Farmhouse) lies south of the western extreme of the settlement within what is anticipated as an extension to the conservation area. Although we haven't scaled the distance from a map this asset may be less than the 260m from the nearest development site which the community's report alludes to. It would therefore be useful to double check this assertion for accuracy

That issue notwithstanding, it doesn't automatically follow that such a distance (whatever it may be) in itself allows for the conclusion that the setting of this Listed Building – and possibly others – does not have potential to be impacted upon by the development of the proposed sites. It is then necessary to understand the existing and proposed development nature of the sites in order to gauge whether in nature and scale any change might generate significant effects.

In that respect we note that the sites are already housing sites and that no change of use is involved. We recognise too that the character of the existing development is not as sympathetic as it might be in defining the setting of the conservation area and that improving the quality of housing on the site to cater for community needs also provides an opportunity to enhance this relationship. Welcome assurances are given that the community very much values its historic environment and that policy safeguards elsewhere in the Plan will ensure its preservation and enhancement – particularly the conservation area. The proposed extensions of the conservation are a tangible illustration of the community's commitment and it is to be applauded in that respect.

We note too that while the intention is to increase the number of units across the sites, which might depending on development character impact on heritage assets, the Nov 2015 Housing Report qualifies this by stating "if sites permit".

We therefore deduce that the key to whether the proposed content of the Plan requires an SEA will be the actual wording of the eventual policies. If policy for the sites proposes an absolute housing number then further evidence will be required to demonstrate that this can be accommodated without causing harm to heritage assets.

At present that level of detailed evidence does not seem to be available, suggesting that it is not possible to conclude that an SEA will not be required. But if the policy proposes an "up to" housing number or otherwise qualifies the policy by referring to the need to avoid causing harm then we would have no objection to the view that an SEA would not be required.

In summary, our position is that, based on the information provided, we are happy with the view that an SEA may not be necessary. But we would encourage consideration of our advice above as the formulation of the Plan and its policies moves forward as the need for an SEA Screening review might be prompted at some future point.

Kind regards

David

David Stuart | Historic Places Adviser South West  
Direct Line: 0117 975 0680 | Mobile: 0797 924 0316

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# Oaksey Neighbourhood Plan (First Review) 2018-2036

SEA Screening  
April 2023

The First Review of the Oaksey Neighbourhood Plan produced as a  
Modification Proposal in accordance with the Neighbourhood  
Planning Regulations 2012



Oaksey Neighbourhood Plan is led by a Steering Group made up of  
Parishioners and Parish Councillors supported by Oaksey Parish  
Council

[www.oakseyvillage.org](http://www.oakseyvillage.org)

Oaksey Parish Council

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