

## 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>	William Sparling, Senior Planning Policy Officer (Neighbourhood)
<b>Officer contact details</b>	Tel: 07717150693 Email: <a href="mailto:william.sparling@southandvale.gov.uk">william.sparling@southandvale.gov.uk</a>
<b>Decision</b>	To approve the SEA screening statement for Radley Neighbourhood Plan NDP and therefore determine Strategic Environmental Assessment (SEA) is required.
<b>Reasons for decision</b>	<p>An environmental report, or environmental statement explaining why an environmental report is not required, must be submitted to the local planning authority alongside a plan proposal.</p> <p>We have put in place procedures to write and publish a SEA Screening Statement stating the decision, the reasons behind it, and the comments from statutory consultees.</p> <p>Following consultation with the statutory consultees (Historic England, Natural England and the Environment Agency), on an earlier version of this report we have determined that <b>SEA is required</b>.</p>
<b>Alternative options rejected</b>	We have screened the plan and found that SEA is required and therefore there are no alternative options.
<b>Legal implications</b>	We are the responsible authority and are therefore required to ensure the correct screening processes have been completed under the SEA Regulations.
<b>Financial implications</b>	None
<b>Other implications</b>	None

<b>Background papers considered</b>	Radley Neighbourhood Plan (pre-submission October 2016)
<b>Head of planning's signature</b> To confirm the decision as set out in this notice.	Signature: *by email  <hr data-bbox="558 683 1204 687"/> Date: 13 April 2017

# Radley Neighbourhood Development Plan: SEA Screening Statement

**DATE: SAME AS FORM SIGNED**

## INTRODUCTION

1. Radley Parish Council has requested that Vale of White Horse (VoWH) District Council 'screen' the Radley Neighbourhood Plan, to determine whether there is a requirement for Strategic Environmental Assessment (SEA). **We determine that SEA is required for Radley Neighbourhood Plan.**
2. This report is a SEA Screening Statement and presents the Council's Screening Opinion on Radley Neighbourhood Plan, having consulted the statutory consultees, Environment Agency, Historic England and Natural England. A version of this report was shared with these bodies and their responses are in Appendix A of this report.

## Background

3. One of the basic conditions that a Neighbourhood Plan (NP) must be tested against is whether the making of the NP is compatible with European Union obligations, including requirements under the SEA Directive. The aim of the SEA Directive is:

*“to contribute to the integration of environmental considerations into the preparation and adoption of plans and programmes with a view to promoting sustainable development, by ensuring that an environmental assessment is carried out **of certain plans and programmes which are likely to have significant effects on the environment.**”*

4. In order to decide whether a proposed NP is likely to have significant environmental effects, and hence requires SEA, it should be 'screened' at an early stage, i.e. once the plan remit and objectives have been formulated. Screening is 'Stage A' in Government's six stage approach to SEA for NPs. If it is determined, through screening, that SEA is not required, then plan-makers need not concern themselves with subsequent stages of the SEA process.<sup>1</sup>

## Who is responsible for screening?

5. The SEA Regulations, which transpose the SEA Directive into law, state that a screening determination should be reached by 'the

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<sup>1</sup> <http://planningguidance.planningportal.gov.uk/blog/guidance/strategic-environmental-assessment-and-sustainability-appraisal/sustainability-appraisal-requirements-for-neighbourhood-plans/>

responsible authority'. In this case, the responsible authority is VoWH District Council. The responsible authority must reach a determination in consultation with the statutory consultation bodies designated under the SEA Regulations, which are Natural England, the Environment Agency and Historic England.

## Screening methodology

6. Screening essentially involves giving consideration to the anticipated scope of the plan in question and the nature of environmental issues (including opportunities for enhancement) locally, before coming to a conclusion on the potential for a cause-effect relationship, i.e. the likelihood of the plan leading to 'significant effects on the environment'.
7. Schedule 1 of the SEA Regulations lists a series of criteria that should be taken into account when establishing the potential for the plan to result in significant effects. Furthermore, Schedule 2 lists a series of broad environmental issues that should be considered.<sup>2</sup> The criteria/issues listed in the Regulations are helpful in that they provide a methodological basis for screening.
8. Finally, it is important to note that guidance on NP SEA Screening is provided within Government's Planning Practice Guidance (PPG). The guidance is brief, but the following advice is helpful:<sup>1</sup>

*"Whether a neighbourhood plan proposal requires a strategic environmental assessment, and (if so) the level of detail needed, will depend on what is proposed. A strategic environmental assessment may be required, for example, where:*

- *a neighbourhood plan allocates sites for development*
- *the neighbourhood area contains sensitive natural or heritage assets that may be affected by the proposals in the plan*
- *the neighbourhood plan is likely to have significant environmental effects that have not already been considered and dealt with through a sustainability appraisal of the Local Plan."*

9. The district council prepared a draft Screening Opinion using the methodology above and shared it with the statutory consultees for their views. All three responded and these are shown in Appendix A. Their comments have been considered in publishing this Screening Statement, which determines that SEA is required.

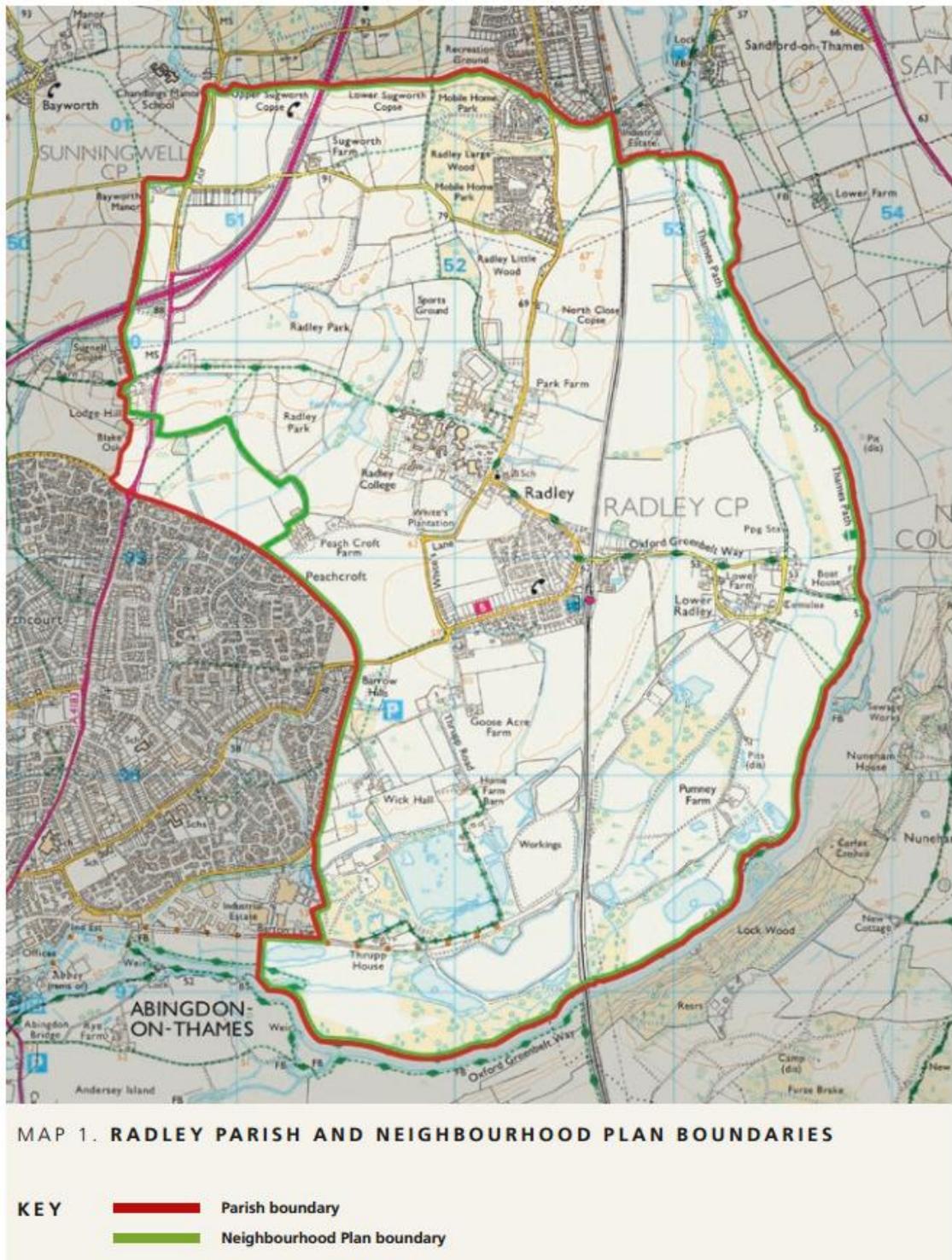
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<sup>2</sup> Also, when identifying 'issues' as part of screening, it is appropriate to give consideration to the presence and condition of 'sensitive areas' as defined by national guidance at: <http://planningguidance.communities.gov.uk/blog/guidance/environmental-impact-assessment/screening-schedule-2-projects/interpretation-of-project-categories/>. These sensitive areas are defined for the purpose of Environmental Impact Assessment (EIA) screening, as opposed to SEA screening, but are nonetheless relevant.

## THE EMERGING RADLEY NEIGHBOURHOOD PLAN

10. The NP area covers all of Radley parish with the exception of an area in the west of the parish immediately north of Abingdon. The excluded area is part of the North Abingdon strategic site allocated under the VoWH Local Plan Part 1. The Parish and the Plan boundaries are shown on **Figure 1**.

Figure 1: The plan area



11. The NP will sit alongside, and complement, the VoWH Local Plan 2031 Part 1 (LPP1), which was adopted in December 2016. LPP1 allocations for new housing in the parish are shown in **Figure 2**. They account for 900 new houses overall, 510 of which are in the designated Neighbourhood Plan area.

12. The NP **vision** is for *“a future for Radley where new housing development has brought fresh vitality and new opportunities to the community but has done so without destroying its current strengths, and where the mixed-use potential for the Radley Lakes area in the south of the parish has been fully realised.”*

13. The **objectives** of the NP are as follows:

- (i) development that respects the character of the existing settlement and does not undermine its rural setting and its sense of community.
- (ii) a mix of housing that meets needs within our community and beyond.
- (iii) improved community facilities to meet the needs of both current residents and incomers, and a resolution of a long-standing debate within the community as to the where the village hall and playing fields should be sited.
- (iv) other local infrastructure improvements adequate to meet the needs both of current residents and of incomers, in particular improvements to local roads and cycle routes, sewerage, station access and parking, and expansion of the primary school.
- (v) good connectivity between the new developments and existing settlements so that all parts of the parish are readily accessible by foot and bicycle, and new residents feel part of the village and can access community facilities without needing to drive.
- (vi) a solution to the access problem which is currently inhibiting the development of the Radley Lakes area to deliver maximum community benefit.

14. The NP is set to present policies under the following **chapter headings**:

- (i) Sites for development
- (ii) Housing mix and tenure
- (iii) Community facilities
- (iv) Primary education and healthcare
- (v) Radley Lakes area
- (vi) Roads
- (vii) Cycling and walking

- (viii) Village connectivity
- (ix) Radley station access
- (x) Surface water drainage and sewerage
- (xi) Digital connectivity
- (xii) Conserving the natural environment

15. At this point it is important to state that **a draft plan has been prepared**, and indeed a 'pre-submission' draft plan has been published for consultation under Regulation 14 of the Neighbourhood Planning Regulations.<sup>3</sup> The draft plan has been reviewed, and taken into account when preparing this Screening Opinion. However, only limited weight must be given to the emerging policies, as they are subject to change. There is a need to give weight to vision and objectives.

16. It is also the case that VoWH District Council Officers have met with RPC, in order to discuss the plan vision / objectives / emerging policies, and specifically discuss the implications for SEA screening.

17. Having reviewed the plan vision, objectives and emerging policies, and having discussed the plan with RPC, it has become apparent that there are **specific aspects of the plan that 'stand-out'**, when considering the potential for significant effects

18. The main aspect of the plan of note is the intention to develop policy for the **Radley Lakes area**. As can be seen from the discussion above, the plan vision makes reference to realising the *"mixed-use potential for the Radley Lakes area"* and a plan objective is to achieve *"a solution to the access problem which is currently inhibiting the development of the Radley Lakes area to deliver maximum community benefit."* This area is environmentally sensitive (see further discussion below).

19. Another aspect of the plan that is of note, for the purposes of SEA Screening, is the proposal to include a chapter within the plan dedicated to **'Sites for development'**. The chapter deals with seven sites; however, on closer inspection it is apparent that the scope of the plan is modest for most of these.

20. Sites set to be addressed through the plan are shown in **Figure 2**. Taking each site in turn:

- (i) South Kennington – a strategic site allocated through LPP1. NP policy will address the required community facilities / infrastructure.
- (ii) North West Radley – as above.
- (iii) North Abingdon – as above.

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<sup>3</sup> See <http://www.radleyvillage.org.uk/a-neighbourhood-plan-for-radley/>

- (iv) Central allotments – the proposal is to support development of the site, and replacement elsewhere at an undefined location. As this site is located within the built up area, there is a degree of existing policy support for development. As such, the effect of the NP will not be to ‘allocate’ the site, in the strict sense.
- (v) Old Coal Yard – the proposal is to support redevelopment. As a previously developed site in the Green Belt, there is a degree of existing policy support for re-development. As such, the effect of the NP will not be to ‘allocate’ the site, in the strict sense.
- (vi) John Curtis and Sons Ltd (JCSL) Industrial Estate – the proposal is to support permanent planning permission for industrial uses on this site, which currently has temporary planning permission for industrial uses (with a condition in place to return the site to ‘greenfield’ once the temporary permission expires). As a previously developed site in the Green Belt, there is a degree of existing policy support for re-development. As such, the effect of the NP will not be to ‘allocate’ the site, in the strict sense.
- (vii) Lodge Hill proposed location for Park and Ride – The NP will have limited influence on development of the site, given its strategic importance at the County-scale.
- (viii) Central Radley inset area – NP proposals have been reviewed, and lead to no SEA screening implications.

21. It is apparent that the **JCSL Industrial Estate and the Old Coal Yard sites ‘stand out’**, for the purposes of SEA screening, given their location in the Green Belt. Furthermore, both sites are associated with environmental sensitivities; and, in the case of the JCSL, site redevelopment would be accompanied by a new road. These matters are discussed further below.



## RELEVANT ENVIRONMENTAL ISSUES

22. The aim here is to provide an overview of the plan area, and then to discuss environmental issues specific to the key areas / sites identified above as 'standing out', namely the Radley Lakes area (including JCSL Industrial Estate) and the Old Coal Yard.

### Overview of the plan area<sup>4</sup>

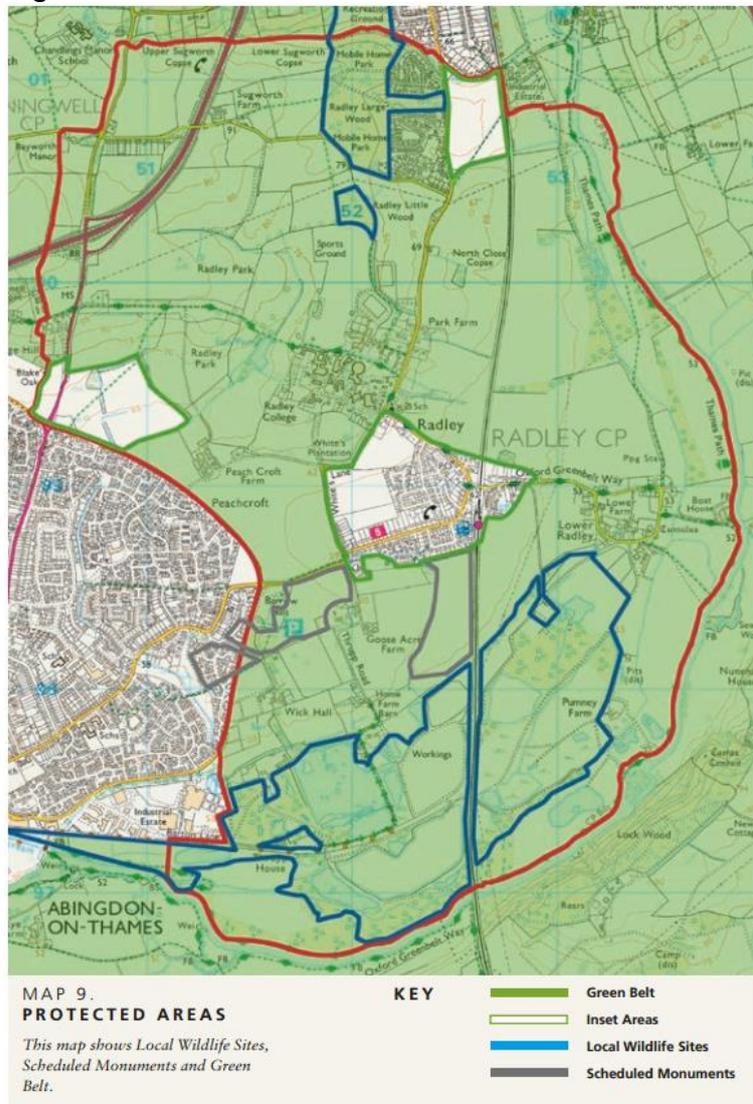
23. Radley parish is a largely undeveloped area of approximately four kilometres by three bordering the Thames to the north and east of Abingdon. It contains just over one thousand dwellings and has a population of 2835 (Census 2011). The main settlement is in the middle of the parish. It is separated by fields from a settlement largely comprising mobile homes in the north of the parish adjacent to Kennington, and from the smaller old settlement of Lower Radley to the east of the parish. There is an area of former minerals workings in the south. With the exception of the central village, which is 'inset', and of three large sites very recently allocated for housing under the Local Plan, all land in the parish is in Oxford Green Belt.
24. Radley is largely residential. In common with other parts of the Vale of White Horse, it has a higher proportion of older people than the national average, with 19% of the population aged 65+ as against 16% nationally (2011 census). It has a large public school for boys (Radley College), a primary school, two working farms, a church, a public house, a community shop and a village hall. It has good public transport links with a bus service which runs every 20 minutes to Oxford and Abingdon, and an hourly train service to Oxford, Didcot and London. There is a north-facing access to and from the trunk A34 road in the west of the parish.
25. Most of the working age population have jobs outside the parish. Some residents work from home. Radley College is the largest employer within the parish. There are some jobs in the parish associated with sand and gravel processing and on a temporary industrial estate around the former gravel pits in the south of the parish, and a handful of jobs related to agriculture.
26. Radley has a rich history. There is archaeological evidence of continuing human occupation in the Radley area since the Mesolithic era (8000-4000 BC). There are two areas within the parish protected as scheduled monuments (see **Figure 3**). The vicarage by the Church dates to the fourteenth century, and is probably the oldest in the country. Until the mid-twentieth century most villagers lived in what is now the hamlet of Lower Radley, where a number of 16th and 17th century houses remain.

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<sup>4</sup> Text provided by Radley Parish Council.

27. The area is also rich in biodiversity. Three areas have been designated by the county council as local wildlife sites (see Figure 3)

Figure 3: Protected areas



### The Old Coal Yard

- The site is located in the Green Belt, but is regarded as an eye-sore by RPC.
- Aerial photography indicates mature trees on site.
- Roughly 0.4ha of the site, at its western extent, intersects the scheduled ancient monument found to the south west of Radley Village.

### Radley Lakes area (including JCLS Industrial Estate)

- The Radley Lakes Local Wildlife Site (LWS) covers much of the southern part of the plan area. Additionally, another LWS (Abbey

Fishponds) is located immediately adjacent to the west. The JCLS Industrial Estate lies adjacent to the north of the Radley Lakes LWS.

- Associated with the lakes are quite extensive areas of flood risk. The JCLS Industrial Estate lies within Flood Risk Zone 3.

## **INITIAL SCREENING ANALYSIS**

28. Issues / potential effects relate to: 1) The Old Coal Yard Site; and 2) Radley Lakes area (including JCLS Industrial Estate). There is no potential for other plan policies to result in a significant effect, in isolation or combination.

### **The Old Coal Yard**

29. There is likely to be good potential to avoid or mitigate impacts to landscape / Green Belt and the scheduled monument. With regards to landscape / Green Belt, it is noted that there is considerable existing screening vegetation, and that RPC currently describe the site as an eyesore in the landscape. There is the likelihood of sympathetic redevelopment that avoid impacts to the openness of the Green Belt. With regards to impacts to the scheduled ancient monument, it is noted that the c.0.4ha of the site that intersects currently comprises hard standing, and that the policy as currently drafted (Dec 2016 pre-submission version of the plan) requires that the scheduled monument “is protected”.

### **Radley Lakes area (including JCLS Industrial Estate)**

30. There is an established opportunity to increase the accessibility of Radley Lakes to walkers and cyclists seeking quiet recreation, through reducing traffic along Thrupp Lane, which is the main access route from the north. Increasing accessibility does not, in itself, give rise to any notable risk of negative environment effects, given established access / management arrangements.<sup>5</sup>

31. Thrupp Lane is a National Cycle Route, but there is an established problem of heavy goods vehicles using the lane, on route to the JCSL Industrial Estate. There is the potential to remove heavy goods vehicles from the lane, and indeed close the southern part to traffic; however, this would necessitate a new road link from the Industrial Estate to either Audlett Drive or Barton Lane.

32. Addressing the Thrupp Lane issue, and realising the opportunity that presents itself at Radley Lakes, is central to the plan. This is clear from the NP vision and objectives. However, it seems that this vision cannot be achieved without a new road link.

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<sup>5</sup> See <http://www.radleylakes.org.uk/>

33. This is apparent from the current version of the NP (Dec 2016). Policy 12 and Community Action 10, when read together, support a quid-pro-quo whereby; the Industrial Estate will benefit from permanent planning permission and the community will benefit from a new road link.
34. The proposal is not to specify a route for the road link through the plan, which leaves open the possibility of a link passing through the Radley Lakes LWS to the south of the site. There may also be some (lesser) sensitivity to the north west of the site, given the possibility that the junction of the new road and Audlett Drive would be adjacent to the southern tip of the Abbey Fishponds LWS, which is adjacent to the west of the plan area.

## **CONSULTATION WITH STATUTORY CONSULTEES**

35. The three statutory consultees for SEA were consulted and their full responses are in Appendix 2 of this report. The views of the statutory consultees published in this Screening Statement should be considered throughout the SEA process.
36. Firstly, Environment Agency stated that there are potential significant environmental effects that relate to the plan area and raised the following issues:
- Flood risk.
  - Main rivers and the Water Framework Directive.
  - Land affected by contamination.
37. Secondly, Historic England stated that there are no potential significant environmental effects arising from the plan and therefore SEA is not required. However, Historic England also suggested that if the council determine SEA is required, then the historic environment should be scoped in.
38. Finally, Natural England confirmed that there is no potential significant effects to Sites of Special Scientific Interest (SSSI) or protected landscapes.

## **SCREENING OPINION**

39. With regards to the Old Coal Yard, our opinion is that there will be good potential for RPC to develop appropriate policy, in consultation with VoWH District Council and other interested parties (including Historic England), which ensures that significant negative effects are avoided or fully mitigated. On this basis, it does not seem likely that significant effects will result from policy for this site. Equally, it is difficult to envisage any benefit to examining the emerging policy approach, and alternatives, through a formal SEA process.
40. However, Historic England have suggested that they wish to see the historic environment scoped in if the council determine SEA is required.

This would be of benefit to the neighbourhood plan's evidence base and in particular the evidence to support the Old Coal Yard site. We agree and wish to see the Historic Environment scoped in because this would support the plan in meeting the Basic Conditions and all other relevant legislation.

41. Regarding the Radley Lakes area (including JCLS Industrial Estate), it seems likely that the effect of the plan will be to support a new road along an unspecified route, leading to the potential for significant effects to a LWS. In our opinion, the potential for a significant effect to a LWS is **sufficient to trigger the need for SEA** and the views of the statutory consultees were sought. Impacts to the openness of the Green Belt are also a consideration. Environment Agency agreed that these are potentially environmentally sensitive sites.
42. Additionally, Environment Agency highlighted that the neighbourhood plan area includes areas of Flood Zones 2 and 3. Their response highlighted that the Neighbourhood Plan proposes to support the redevelopment of existing sites and/or the development of a link road in areas of Flood Zones 2 and 3. The Radley Lakes areas are also in Flood Zones.
43. Furthermore, Environment Agency requested that an assessment of the potential impacts of the neighbourhood plan on the Thames River under the Water Framework Directive should be included within any SEA/SA process. Development within or adjacent to this watercourse should not cause further deterioration and should seek to improve the water quality based on the recommendations of the Thames Basin River management plan.
44. The following sites in the neighbourhood plan are also affected by contamination:
  - The Allotments (historic landfilling).
  - The Old Coal Yard (existing land uses).
  - John Curtis Site (historic landfilling and current/existing land uses).

## Conclusion

45. We determine that Radley Neighbourhood Plan **requires Strategic Environmental Assessment** following consultation with the statutory consultees and consideration of their views.
46. The process should include a particular focus on testing alternative strategies for the Radley Lakes area. This process of testing will lend support and justification for the policy approach ultimately arrived at. The outcome could be a policy approach along the lines of that currently drafted, i.e. support for a new road link along an unspecified route. Alternatively, subsequent to SEA, it might be possible to justify a

policy that 'goes further' by identifying a broad location for the road, or a specific route.

47. SEA could also provide a mechanism for adding detail to policy for the Radley Lakes area more generally. We note that Community Action 9 currently supports development of a masterplan for the Radley Lakes area. SEA could also provide a mechanism for adding detail to the Old Coal Yard site policy in the neighbourhood plan by considering the historic environment.
48. See **Appendix 1** for a 'regulatory checklist' in support of this Screening Opinion.

## **NEXT STEPS**

49. Radley Parish Council must undertake SEA, in accordance with the procedures prescribed by the Environmental Assessment of Plans and Programmes (SEA) Regulations [2004]. The key stages in the process are:
  - 1) Scope (to include consultation with the statutory bodies).
  - 2) Develop and assess 'reasonable alternatives'.
  - 3) Assess the Draft Plan.
  - 4) Publish an Environmental Report for consultation alongside the Draft Plan.
  - 5) Finalise the Plan, in light of the Environmental Report and consultation responses.
50. Finally, it is important to note that this Screening Statement is based on a series of assumptions, most notably in relation to the scope of the plan. If the scope of the plan changes, such that these assumption no longer hold true, then 're-screening' could be necessary.

## APPENDIX 1: REGULATORY CHECKLIST

As discussed above, under 'Screening methodology', Schedule 1 of the SEA Regulations lists a series of criteria that should be taken into account when establishing the potential for the plan to result in significant effects. The aim of this appendix is to discuss matters under each criterion in turn.

Criteria	Significant effect?	Discussion
<b>1. The characteristics of the NP, having particular regard to:</b>		
(a) the degree to which the NP sets out a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources.	Yes	The objective of the NP is not to allocate sites; however, it will establish policies to guide the development / redevelopment of certain sites.
(b) the degree to which the NP influences other plans and programmes including those in a hierarchy	No	The NP is set to trigger, and to a limited extent set parameters for, a masterplan for the Radley Lakes area.
(c) the relevance of the NP for the integration of environmental considerations in particular with a view to promoting sustainable development	No	A number of the NP objectives do relate to the integration of environmental considerations in particular with a view to promoting sustainable development. However, it is not clear that there is the potential for <i>significant</i> positive effects.
(d) environmental problems relevant to the plan or programme	Yes	There are a number of environmental issues locally, as discussed above under the heading "Environmental issues locally".
(e) the relevance of the plan for the implementation of Community legislation on the environment (for example plans and programmes related to waste management or water protection)	No	It is not anticipated that the NP will have a notable bearing, in this respect.
<b>2. Characteristics of the effects and of the area likely to be affected, having regard, in particular,</b>		
(a) The probability, duration, frequency and reversibility of the effects	Yes	It is not the objective of the NP to allocate sites for development/ re-development. However, it will have a bearing on land-use, and effects will be permanent.
(b) the cumulative nature of the effects	No	Adopted Local Plan Part 1 allocates a considerable number of new homes to the parish, and Local Plan Part 2 is in

Criteria	Significant effect?	Discussion
		preparation. As such, there is the potential for cumulative effects. However, it is not clear that there is the potential for significant cumulative effects.
(c) the trans-boundary nature of the effects	No	Effects of the plan, particularly in relation to the Radley Lakes area, will be felt beyond the plan area. However, it is not clear that there is the potential for significant trans-boundary effects.
(d) the risks to human health or the environment (e.g. due to accident)	Yes	Improving safety for walkers and cyclists along Thrupp Lane is a plan objective.
(e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)	Uncertain	Whilst there will be some effects felt beyond the plan area, effects will be quite localised. Any effects to a Local Wildlife Site would be by definition 'local'.
(f) the value and vulnerability of the area likely to be affected due to: <ul style="list-style-type: none"> <li>▪ Special natural characteristics or cultural heritage</li> <li>▪ Exceeded environmental quality standards or limit values</li> <li>▪ Intensive land use</li> </ul>	Uncertain	There is the potential for impacts to a Local Wildlife Site, and also potentially the openness of the Oxford Green Belt (although it is anticipated that any effects in this respect would be relatively minor).
(g) the effects on areas or landscapes which have a recognised national, Community or international protection status	Uncertain	