

Little Milton

## NEIGHBOURHOOD DEVELOPMENT PLAN

### Basic Conditions Statement

Status: Final Draft

8<sup>th</sup> March 2018

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## 1. Introduction

- 1.1 This Basic Conditions Statement has been prepared by Little Milton Parish Council to accompany its submission to South Oxfordshire District Council of the Little Milton Neighbourhood Development Plan (LMNDP) to demonstrate how the Plan meets the statutory requirements set out within the Town and Country Planning Act 1990 (as amended by the Localism Act 2011) and the Neighbourhood Planning Regulations 2012.
- 1.2 The core basic conditions for Neighbourhood Plans are as follows:
- Having regard to national policies and advice contained in the National Planning Practice Guidance
  - The making of the neighbourhood plan contributes to the achievement of sustainable development
  - The making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area of the authority
  - The making of the neighbourhood plan does not breach, and is otherwise compatible with, EU obligations
  - Prescribed conditions are met in relation to the Order (or Plan) and prescribed matters have been complied with in connection with the proposal for the Order (or Neighbourhood Plan)
- 1.3 The regulations require that a Neighbourhood Plan deals with planning matters (i.e. the use and development of land), is submitted by a qualifying body, covers a stated Plan period and identifies a designated Neighbourhood Area.
- 1.4 The remaining sections of this document set out how LMNDP complies with the basic conditions:
- Section 2 sets out how the LMNDP has regard to national policies set out in the National Planning Policy Framework (NPPF) and Planning Practice Guidance, the Town and Country Planning Act and the Localism Act.
  - Section 3 sets out how LMNDP contributes to sustainable development.
  - Section 4 sets out how the LMNDP is in general conformity with strategic policies of the Local Plan.
  - Section 5 sets out conformity with European Union obligations.

Table 1.1 Basic conditions and DCLG explanatory guidance<sup>1</sup>

Neighbourhood Development Plan 'basic conditions' according to Paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004.

Basic condition	DCLG guidance
a) having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the Neighbourhood Plan.	The National Planning Policy Framework is the main document setting out the Government's planning policies for England and how these are expected to be applied.
d) the making of the order (or Neighbourhood Plan) contributes to the achievement of sustainable development.	A qualifying body must demonstrate how its plan will contribute to improvements in environmental, economic and social conditions or that consideration has been given to how any potential adverse effects arising from the proposals may be prevented, reduced or offset (referred to as mitigation measures).
e) the making of the Order (or Neighbourhood Plan) is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area).	When considering whether a policy is in general conformity a qualifying body should consider: whether the Neighbourhood Plan policy supports and upholds ... strategic policy...; the degree, if any, of conflict between the draft Neighbourhood Plan policy and the strategic policy; whether the draft Neighbourhood Plan policy provides an additional level of detail ... without undermining that policy; the rationale ... in the draft Neighbourhood Plan and the evidence to justify that approach. Strategic policies are Local Plan policies that deliver: homes and jobs ...; retail, leisure and other commercial development; infrastructure ..., minerals and energy; the provision of health, security, community and cultural infrastructure and other local facilities; climate change mitigation and adaptation; conservation and enhancement of the natural and historic environment, including landscape.
f) the making of the Order (or Neighbourhood Plan) does not breach, and is otherwise compatible with, EU obligations.	A Neighbourhood Plan or Order must be compatible with European Union obligations, as incorporated into UK law, in order to be legally compliant. There are four directives that may be of particular relevance to neighbourhood planning: <ul style="list-style-type: none"> <li>- Directive 2001/42/EC Strategic Environmental Assessment (SEA) Directive;</li> <li>- Directive 2011/92/EU Environmental Impact Assessment (EIA) Directive. (Only relevant to Orders);</li> <li>- Directive 92/43/EEC and Directive 2009/147/EC the Habitats and Wild Birds Directives respectively;</li> <li>- Other European directives, such as the Waste Framework Directive (2008/98/EC), Air Quality Directive (2008/50/EC) or the Water Framework Directive (2000/60/EC) may apply to the particular circumstances of a draft Neighbourhood Plan or Order.</li> </ul>
g) prescribed conditions are met in relation to the Order (or Plan) and prescribed matters have been complied with in connection with the proposal for the Order (or Neighbourhood Plan).	Regulations 32 and 33 of the Neighbourhood Planning (General) Regulations 2012 (as amended) adds a basic condition for neighbourhood plans in addition to those set out in the primary legislation: the making of the Neighbourhood Plan is not likely to have a significant effect on a European site (as defined in the Conservation of Habitats and Species Regulations 2012)

<sup>1</sup> Note: basic conditions b) and c) are omitted from this table as they relate to Neighbourhood Development Orders only and are not relevant for LMNDP.

## 2. National policies and guidance

- 2.1 The LMNDP has been prepared having regard to national policies set out in the National Planning Policy Framework (NPPF) and other national planning advice.

Table 2.1 sets out how the LMNDP has been prepared having regard to national policies set out in the National Planning Policy Framework, (NPPF) and Planning Practice Guidance. Table 2.2 sets out compliance of the LMNDP with specific legal requirements in the Town and Country Planning Act and the Localism Act.

Table 2.1 Having regard to national policies and advice contained in guidance

Policy Number	Policy Title	Commentary and NPPF Reference
LM1	Spatial Strategy and Development Pattern	<p>The policy has been prepared having regard to the following NPPF paragraphs:</p> <p>Paras 14-16. By planning positively to support local development, shaping and directing development to within and adjacent to the built-up area the policy has regard to the NPPF presumption in favour of sustainable development.</p> <p>Para 17. By setting out a positive vision for the future of the area and by taking account of the different roles and character of different areas, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities, and by seeking to contribute to conserving and enhancing the natural environment the policy has regard to the core planning principles in the NPPF.</p> <p>Para 55. By promoting sustainable development with or adjacent to the village, where it will enhance the vitality of Little Milton the policy has regard to promoting sustainable development by delivering a wide choice of high quality homes in rural areas.</p> <p>Paras 110, 113-115, 117, 118, 120, 121, 124. By supporting development that is not well-connected to the current built form of the village only if it is necessary, suited to a countryside location and consistent with local Development Plan policies on local landscape protection and the protection of the natural environment the policy has regard to NPPF requirements to conserve and enhance the natural environment.</p>
LM2	Mitigation of Flood Risk	<p>The policy has been prepared having regard to the following NPPF paragraphs:</p>

Policy Number	Policy Title	Commentary and NPPF Reference
		<p>Para 17. By taking account of and minimising potential flood risk, this policy has regard to this aspect of core planning principles in the NPPF which requires taking full account of flood risk in a changing climate and also recognition of multiple benefits from the use of land including for wildlife, recreation, flood risk mitigation, carbon storage, or food production.</p> <p>Paras 94, 99-103 By requiring specific measures to minimise potential flood risk, particularly on specified rivers and local streams, this policy has regard to requirements to minimise the risk from flooding and to meet the challenge of climate change.</p>
LM3	High Grade Agricultural Land	<p>Para 112. By only supporting development in areas of high grade agricultural land if the development is necessary or suitable for a countryside location and complies with Green Belt restrictions, this policy has regard to NPPF requirement to take into account the economic and other benefits of the best and most versatile agricultural land and to seek to use areas of poorer quality land in preference to that of a higher quality under the section on conserving and enhancing the natural environment.</p> <p>Para 143. In the same way, the policy is in line with the NPPF requirement on sustainable use of minerals by safeguarding the long-term potential of best and most versatile agricultural land.</p>
LM4	Conservation of Heritage Assets	<p>Para 17. By supporting development that conserves and enhances Little Milton's heritage assets, the policy has regard to the core planning principle in the NPPF of conserving heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations.</p> <p>Paras 56 to 58. By requiring that planning proposals within the conservation area should address the issues and aspirations of the Village Character Assessment and should provide sympathetic solutions, the policy has regard to provisions in the NPPF requiring good design, specifically para 56 (great importance is attached to good design), para 57 (the importance of planning positively for the achievement of high quality and inclusive design for all development), and para 58 (Local and neighbourhood plans should develop robust and comprehensive policies that set out the quality of development that will be expected for the area).</p> <p>Para 59. By referring to the Village Character Assessment and by setting out general requirements on materials, styles, design and layout to be in keeping with the surrounding area for proposals within the historic core of the village, the policy has regard to NPPF para 59 which states that local planning authorities should consider using design codes where they could help deliver high quality outcomes, but avoid unnecessary prescription or detail and rather concentrate on guiding the overall scale, density, massing, height, landscape, layout, materials and access of new development in relation to neighbouring buildings and the local area more generally.</p>

Policy Number	Policy Title	Commentary and NPPF Reference
		<p>Para 137. By supporting development that conserves and enhances Little Milton’s heritage assets, the policy has regard to NPPF requirements to conserve and enhance the historic environment.</p>
LM5	Design and Character	<p>Para 17. By requiring new development to reflect the character of Little Milton and setting out general criteria on form and scale, visual interest, soft boundary treatments and sympathetic design of parking and storage and by requiring contextual analysis and compliance with the Village Character Assessment, the policy has regard to the core planning principle in the NPPF to take account of the different roles and character of different areas, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it. By requiring connectivity to the centre of the village including, where practicable, safe walking routes, the policy has regard to NPPF core principle to actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling.</p> <p>Paras 56 to 58. By requiring new development to reflect the character of Little Milton, by requiring contextual analysis and compliance with the Village Character Assessment, the policy has regard to provisions in the NPPF requiring good design, specifically para 56 (great importance is attached to good design), para 57 (the importance of planning positively for the achievement of high quality and inclusive design for all development), and para 58 (Local and neighbourhood plans should develop robust and comprehensive policies that set out the quality of development that will be expected for the area).</p> <p>Para 59. By requiring compliance with the Village Character Assessment and by setting out general criteria on form and scale, visual interest, soft boundary treatments and sympathetic design of parking and storage, the policy has regard to NPPF para 59 which states that local planning authorities should consider using design codes where they could help deliver high quality outcomes, but avoid unnecessary prescription or detail and rather concentrate on guiding the overall scale, density, massing, height, landscape, layout, materials and access of new development in relation to neighbouring buildings and the local area more generally.</p> <p>Para 69. By requiring connectivity to the centre of the village including, where practicable, safe walking routes, the policy has regard to NPPF requirements to promote healthy environments including safe and accessible developments, containing clear and legible pedestrian routes, and high quality public space, which encourage the active and continual use of public areas.</p>
LM6	Biodiversity and Wildlife Corridors	<p>Para 17. By requiring development proposals to maintain and enhance existing on-site biodiversity assets, delivering biodiversity 'net gain' and wildlife corridors, the policy has regard to the core planning principle in the NPPF to contribute to conserving and enhancing the natural environment.</p>

Policy Number	Policy Title	Commentary and NPPF Reference
		<p>Para 109 and 114. By requiring development proposals to maintain and enhance existing on-site biodiversity assets, delivering biodiversity 'net gain' and wildlife corridors, the policy has regard to the NPPF requirement that the planning system should contribute to and enhance the natural and local environment by, among other things: recognising the wider benefits of ecosystem services; minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures. The policy also has regard to the NPPF requirement to plan positively for the creation, protection, enhancement and management of networks of biodiversity and green infrastructure.</p> <p>Para 118. By requiring development proposals to maintain and enhance existing on-site biodiversity assets, delivering biodiversity 'net gain' and wildlife corridors the policy has regard to the NPPF requirement for local planning authorities to aim to conserve and enhance biodiversity.</p>
LM7	Local Green Spaces	<p>Paras 76, 77. By designating two Local Green Spaces, the policy has regard to NPPF provision (76) to identify for special protection green areas of particular importance to them, and meets the NPPF requirements (77) that the designation should only be used: where the green space is in reasonably close proximity to the community it serves; where the green area is demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and where the green area concerned is local in character and is not an extensive tract of land. The Local Green Space Appendix to the LMNDP provides details on how the designated Green Spaces meet the tests of paragraph 77.</p> <p>Para 114. By designating two Local Green Spaces, the policy has regard to NPPF requirement to plan positively for the creation, protection, enhancement and management of networks of biodiversity and green infrastructure.</p>
LM8	BBOWT Wells Farm Nature Reserve	<p>Para 17. By placing specific restrictions relating to flora and fauna, water courses, access routes hedges and boundaries on development likely to result in loss, deterioration or harm to the BBOWT Wells Farm Nature Reserve the policy has regard to the core planning principle in the NPPF to contribute to conserving and enhancing the natural environment and also has regard to the core planning principle that requires recognition of multiple benefits from the use of land including for wildlife, recreation, flood risk mitigation, carbon storage, or food production.</p> <p>Para 69. By including human access in the restrictions on elements that development could cause the loss of, deterioration of or harm of, the policy has regard to NPPF requirements to promote healthy environments including safe and accessible developments, containing clear and legible pedestrian routes, and high quality public space, which encourage the active and continual use of public areas.</p>



Policy Number	Policy Title	Commentary and NPPF Reference
		<p>Para 109. By placing restrictions on development likely to results in the loss, deterioration or harm to the BBOWT Wells Farm Nature Reserve, the policy has regard to the NPPF requirement that the planning system should contribute to and enhance the natural and local environment by, among other things: recognising the wider benefits of ecosystem services; minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government’s commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.</p> <p>Para 114. By placing restrictions on development likely to results in the loss, deterioration or harm to the BBOWT Wells Farm Nature Reserve the policy also has regard to the NPPF requirement to plan positively for the creation, protection, enhancement and management of networks of biodiversity and green infrastructure.</p> <p>Para 118. By placing restrictions on development likely to results in the loss, deterioration or harm to the BBOWT Wells Farm Nature Reserve, the policy has regard to the NPPF requirement for local planning authorities to aim to conserve and enhance biodiversity.</p>
LM9	Protection of Views	<p>Para 17. By requiring that development should preserve or enhance the local character of the landscape and not have a significant adverse impact on important views, and by naming specified views of local importance, the policy has regard to the NPPF core planning principles to take account of the different roles and character of different areas, promoting the vitality of our main urban areas, protecting the Green Belts around them, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it. By specifying key views identified for specific protection which are of iconic importance, the policy has regard to the NPPF core planning principle to conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations.</p> <p>Para 132. By specifying key views which are of iconic importance, the policy has regard to the NPPF requirement to give great weight to conservation of a designated heritage asset.</p>
LM10	Community Facilities	<p>Para 17. By supporting the provision of new or extended community facilities and services and resisting the loss of community facilities including specific existing facilities, the policy has regard to the NPPF core planning principle to take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs.</p>

Policy Number	Policy Title	Commentary and NPPF Reference
		<p>Para 28. By supporting the provision of new or extended community facilities and services within or adjacent to the village, to meet local need and by specifying resisting the loss of community facilities including the Church, School, Pub, Village Hall, Community Shop and Recreation Ground, the policy has regard to the NPPF's sustainable transport requirement to promote the retention and development of local services and community facilities in villages, such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship.</p> <p>Para 64. By requiring the design of the new and extended community facilities to be appropriate and not harm the amenities of adjoining residential properties the policy has regards to the NPPF requirement to ensure design takes into account the opportunities available for improving the character and quality of an area and the way it functions.</p> <p>Para 69. By consulting the parish throughout the Neighbourhood Plan process and responding to feedback (see Consultation Statement), this policy has regard to the NPPF requirement for local planning authorities to create a shared vision with communities of the residential environment and facilities they wish to see, involving all sections of the community in the process. This policy, which emerged as a result of feedback received, therefore has regard to the outcomes envisaged in the NPPF to achieve places which promote: opportunities for meetings between members of the community who might not otherwise come into contact with each other, including through mixed-use developments, strong neighbourhood centres ... which bring together those who work, live and play in the vicinity; and high quality public space, which encourage the active and continual use of public areas.</p> <p>Para 70. By supporting the provision of new or extended community facilities and services within or adjacent to the village and by resisting the loss of community facilities including specific existing facilities, the policy has regard to the NPPF healthy communities requirement to deliver the social, recreational and cultural facilities and services the community need by planning positively for the provision and use of shared space, community facilities (such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments; guarding against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs; and ensuring that established shops, facilities and services are able to develop and modernise in a way that is sustainable, and retained for the benefit of the community; and ensuring an integrated approach to considering the location of housing, economic uses and community facilities and services.</p>
LM11	Residential Parking	<p>Para 39. By specifying when and how parking in addition to that required in the Local Plan can be provided, with priority given to on plot solutions or reasonable alternative provision including parking solutions for visitors, the policy has regard to the</p>

Policy Number	Policy Title	Commentary and NPPF Reference
		NPPF sustainable transport requirement to take into account factors such as availability of local transport and car ownership levels.
LM12	Waste Water System	<p>Paras 94, 100 and 110. By supporting proposals for development where it can be demonstrated that the waste water network and treatment works either already have sufficient capacity or will be upgraded to provide sufficient capacity before any new development is occupied, this policy has regard to NPPF requirements in relation to climate change and flooding, namely: (94) “adopt proactive strategies to mitigate and adapt to climate change, taking full account of flood risk...”; (100) “Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere, ... New development should be planned to avoid increased vulnerability to the range of impacts arising from climate change.” (110) “... the aim should be to minimise pollution and other adverse effects on the local and natural environment.”</p> <p>Paras 156-157, 162 and 177 By supporting proposals for development where it can be demonstrated that the waste water network and treatment works either already have sufficient capacity or will be upgraded to provide sufficient capacity before any new development is occupied, this policy has regard to NPPF requirements in relation to Local Plans providing for adequate infrastructure.</p>
LM13	Dwelling Mix	<p>Para 50. By requiring new residential development to demonstrate a mix of dwelling types and sizes which meets the needs of current and future households, addresses the district wide shortage of smaller houses, and is appropriate to the site in terms of style and design, and encouraging proposals that recognise the need for smaller dwellings, and supporting development on rural exception sites that are conformity with the Local Plan, this policy has regard to the NPPF requirement to deliver a wide choice of high-quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities, through planning for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community, and identifying the size, type, tenure and range of housing that is required in particular locations, reflecting local demand.</p>
LM14	Road Developments	<p>Para 109. By supporting road development or improvement proposals which require planning consent where the benefit outweighs the environmental impact and which are designed to mitigate the impact of increased traffic flows through the village this policy has regard to the NPPF requirement to prevent both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of air or noise pollution.</p> <p>Para 120. By supporting road development or improvement proposals which require planning consent where the benefit outweighs the environmental impact and which are designed to mitigate the impact of increased traffic flows through the village this policy has regard to the NPPF requirement to ensure that new development is appropriate for its location to</p>

Policy Number	Policy Title	Commentary and NPPF Reference
		prevent unacceptable risks from pollution among other things and to take into account the effects (including cumulative effects) of pollution on health, the natural environment or general amenity, and the potential sensitivity of the area or proposed development to adverse effects from pollution.
LM15	Employment and Commercial Development	<p>Para 17. By permitting commercial development which supports sustainable economic growth and where there would be no significant adverse impact on the local area, this policy has regard to NPPF core planning requirement to proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs.</p> <p>Paras 18-20. By permitting commercial development which supports sustainable economic growth this policy has regard to NPPF provisions for building a strong competitive economy including a commitment to securing economic growth in order to create jobs and prosperity, ensuring that the planning system does everything it can to support sustainable economic growth and planning proactively to meet the development needs of business and support an economy fit for the 21st century.</p> <p>Para 28. By permitting commercial development which supports sustainable economic growth, this policy has regard to NPPF requirement that planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development.</p>

2.2 Table 2.2 below documents how the Little Milton Neighbourhood Plan conforms with legal requirements to fulfil the Basic Conditions.

*Table 2.2 Conformity with legal requirements*

Requirements	Basis in law/regs	How the requirements are met in the NP	Reference
The policies relate to the development and use of land for a designated neighbourhood area	Section 38A of the 2004 PCPA, Para 8(1) of Schedule 4B TCPA 1990	The LMNP policies relate to the development and use of land within the designated Neighbourhood Plan area. South Oxfordshire District Council head of planning designated the Little Milton Neighbourhood Area on 4 August 2016.	NDP Policies  Basic Conditions Statement Appendix 1
The Plan specifies the period to which it has effect	Section 38B of the 2004 PCPA, Para 8(1) of Schedule 4B TCPA 1990	The Plan specifies the period 2018 to 2033, which is in line with the emerging Local Plan which must run to 2033 (this is stated in the Second Preferred Options Document March 2017 p.8).	NDP title page
The Plan does not include excluded development	Section 38B of the 2004 PCPA, Para 8(1) of Schedule 4B TCPA 1990	The Plan does not relate to minerals and waste related development, to any major development that requires an Environmental Impact Assessment, or to any nationally significant infrastructure project.	Basic Conditions Statement Table 2.2
The Plan does not relate to more than one neighbourhood area	Section 38B of the 2004 PCPA, Para 8(1) of Schedule 4B TCPA 1990	The Plan relates to only one neighbourhood area.	Basic Conditions Statement Appendix 1  LMNDP Map 1
The Plan has been prepared for an area that has been designated	Section 61G of the Localism Act, Para 8(1) of Schedule 4B TCPA 1990	The area was designated by South Oxfordshire District Council head of planning on 4 August 2016.	Basic Conditions Statement Appendix 1
The Plan has been developed and submitted for examination by a qualifying body	Para 8(1) of Schedule 4B TCPA 1990	The Plan has been developed and submitted by Little Milton Parish Council.	LMNDP introduction

Requirements	Basis in law/regs	How the requirements are met in the NP	Reference
The Plan has regard to national policies and advice contained in guidance issued by the Secretary of State	Para 8(2) of Schedule 4B TCPA 1990	The Plan is in general conformity with the NPPF and Planning Practice Guidance.	Basic Conditions Statement Section 2
The Plan contributes to the achievement of sustainable development.	Para 8(2) of Schedule 4B TCPA 1990	Sustainability assessment was integral to the Plan's development and all of its policies contribute to sustainable development.	Basic Conditions Statement Section 3
The Plan is in general conformity with the strategic policies of the development plan for the area	Para 8(2) of Schedule 4B TCPA 1990	The Plan is in conformity with the Local Plan 2012 core strategy, saved policies of the Local Plan 2011 and has taken into account the emerging Local Plan 2033.	Basic Conditions Statement Section 4
The Plan is compatible with EU obligations and human rights requirements.	Para 8(2) of Schedule 4B TCPA 1990, European Convention on Human Rights (ECHR), Para 8(2) TCPA 1993	The Plan does not impact on any of the rights enshrined in the ECHR and has been consulted on fully.	Basic Conditions Statement Table 2.2  Consultation Statement

### 3. Sustainable development

- 3.1 All of LMNDP policies help to contribute to sustainable development. Sustainable development has been integral to the Plan making process.
- 3.2 Paragraphs 14 -16 of the NPPF set out the presumption in favour of sustainable development which is at the heart of national policy. For Neighbourhood Planning this means that neighbourhoods should plan positively to support local development while at the same time respecting the local environment by seeking to protect valued green spaces and historic assets.
- 3.3 The elements of sustainable development specified in the NPPF are listed in Table 3.1 below with an explanation of how Little Milton's Neighbourhood Plan policies contribute to each element.

*Table 3.1 How the Plan contributes to sustainable development.*

<b>Sustainable development (NPPF definition)</b>	<b>How the Plan contributes to this element of sustainable development</b>
Economic: Contribute to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure.	<p>The Neighbourhood Plan contributes to economic sustainability by:</p> <ul style="list-style-type: none"><li>• making provision for new housing in a sustainable location within or adjacent to the village (Policy LM1) which helps to ensure that sufficient land is available in the right places;</li><li>• supporting community facilities (Policy LM10) which will support the continued vitality of the village;</li><li>• permitting commercial development which supports sustainable economic growth (Policy LM15).</li></ul>
Social: Support strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being.	<p>The Neighbourhood Plan contributes to social sustainability by:</p> <ul style="list-style-type: none"><li>• making provision for new housing within and adjacent to the village of the right type and size to meet the needs to present and future generations (Policies LM1 and LM13);</li><li>• requiring new development to meet locally specific design criteria to contribute to a high quality built environment in keeping with local heritage and village character (Policies LM4 and LM5);</li><li>• designating two Local Green Spaces (Policy LM7) which will support the community's health, social and cultural well-being;</li><li>• supporting community facilities which to meet the community's needs and support its health, social and cultural well-being (Policy LM10);</li></ul>

Sustainable development (NPPF definition)	How the Plan contributes to this element of sustainable development
	<ul style="list-style-type: none"> <li>• making specific requirements to ensure adequate parking will help to provide a high-quality, built environment and contribute to health, social and cultural well-being (Policy LM11);</li> <li>• supporting road developments (those that require planning consent) where the benefits outweigh the environmental harm will contribute to health, social and cultural well-being (Policy LM14).</li> </ul>
<p>Environmental: Contribute to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.</p>	<p>The Neighbourhood Plan contributes to environmental sustainability by:</p> <ul style="list-style-type: none"> <li>• specifying local requirements to minimise the risk of flooding (Policy LM2) and requiring new developments to ensure there is sufficient waste water capacity before any development is occupied (Policy LM12) which also reduces flooding risk;</li> <li>• stating clearly that development on the highest quality agricultural land will not be supported, unless the development is necessary or suitable (Policy LM3) which preserves the best and most versatile land for agricultural use and contributes to protecting the natural environment;</li> <li>• requiring development proposals to maintain and enhance existing on-site biodiversity assets (Policy LM6) which will help to conserve and enhance biodiversity and assist adaptation to climate change.</li> <li>• designating two Local Green Spaces (Policy LM7) which will protect and enhancing the natural, built and historic environment and help to conserve and enhance biodiversity;</li> <li>• placing specific restrictions on development in the BBOWT Wells Farm Nature Reserve relating to flora and fauna, water courses, access routes hedges and boundaries on development likely to result in loss, deterioration or harm (LM8) which will contribute to conserving and enhancing biodiversity, the natural environment and therefore assist resilience to climate change by establishing coherent ecological networks that are more resilient to current and future pressures.</li> <li>• specifying key views which are of historic and iconic importance (Policy LM9) which will Contribute to protecting and enhancing the natural, built and historic environment.</li> <li>• supporting community facilities and resisting the loss of community facilities (Policy LM10) which will reduce the need for residents to travel elsewhere;</li> <li>• supporting road developments (those that require planning consent) where the benefits outweigh the environmental harm (Policy LM14) which will contribute to protecting and enhancing the natural, built and historic environment.</li> </ul>





3.4 Highlights of how the Little Milton NDP contributes to the achievement of sustainable development are:

- by planning positively for housing to be located within or adjacent to the village which are inherently more sustainable locations and for housing of the right type and size to meet current and future needs;
- by planning for new community facilities and protecting existing ones to meet the needs of residents and reduce the need to travel to obtain these services elsewhere;
- by minimising the risk of flooding from location of new development, and from waste water and protecting elements such as hedgerows and green spaces that increase resilience to the impacts of climate change;
- by enhancing the built and historic environment by encouraging high quality development that responds to the distinctive character of Little Milton including protecting iconic views;
- by protecting biodiversity assets in any new development and particularly in the BBOWT nature reserve.

## **4. Strategic policies of the Development Plan**

- 4.1 The Little Milton Neighbourhood Plan is in general conformity with the adopted strategic policies of the Development Plan, which at the time of writing the NDP were the adopted South Oxfordshire Core Strategy (2012) and saved policies from South Oxfordshire Local Plan 2011. As the Little Milton Neighbourhood Plan was being drafted, South Oxfordshire Local Plan 2033 was still in development.
- 4.2 Table 4.1 below summarises an analysis of how each policy the Little Milton Neighbourhood Plan is in general conformity with relevant policies in the Development Plan for South Oxfordshire.

Table 4.1 General Conformity with Development Plan

LMNDP Policy	Local Plan core strategy 2012	Saved policies Local Plan 2011
Policy LM1: Spatial Strategy and Development Pattern	CS1, CCS1, CSEM4, CSR1, CSR2	G4, G5, R1, R3, GB4, C4, C6, C9
Policy LM2: Mitigation of Flood Risk	CSQ2	EP6
Policy LM3: High Grade Agricultural Land	No relevant saved policies	R1, R4, R5
Policy LM4: Conservation of Heritage Assets	CSEN3, CSQ3	CON 1-16, D1, H13
Policy LM5: Design and Character	CSQ3, CSR1, CSM1	D1, D10, H13
Policy LM6: Biodiversity and Wildlife Corridors	CSG1, CSB1	C6, C9
Policy LM7: Local Green Spaces	CSG1, CSB1	G5, CON16
Policy LM8: BBOWT Wells Farm Nature Reserve	CSB1	C7
Policy LM9: Protection of Views	CSQ3, CSEN1	C4, C9, D1
Policy LM10: Community Facilities	CSR3	CF1, CF2, R1, R3, R4, R7
Policy LM11: Residential Parking	CSM1	D2, E7, T2, T8
Policy LM12: Waste Water System	CSQ4 – relevant only for large sites	EP1
Policy LM13: Dwelling Mix	CSH3	H10
Policy LM14: Road Developments	CSM1	R7, R7, R10, CF2
Policy LM 15: Employment and Commercial Development	CSEM1, CSEM4, CSR2	A3

LMNDP Policy	Local Plan core strategy 2012	Saved policies Local Plan 2011
LM1: Spatial Strategy and Development Pattern	<p>Policy LM1 is in general conformity with CS1 (presumption in favour of sustainable development) by supporting development within or adjacent to the built-up area.</p> <p>The policy is in general conformity with CCS1 (The overall strategy) by permitting development within and adjacent to the built-up area and not excluding appropriate</p>	Policy LM1 is in general conformity with G4 (general approach) and G5 (Making the best use of land) by supporting development proposals within or adjacent to the built-up area, thus reducing the need for development of greenfield sites or of sites in non-sustainable locations.

LMNDP Policy	Local Plan core strategy 2012	Saved policies Local Plan 2011
	<p>development outside the built-up area where it is consistent with landscape protection and protection of the natural environment.</p> <p>The policy is in general conformity with CSR1 (Housing in villages) by permitting development within and adjacent to the built-up area.</p> <p>The policy is in general conformity with CSEM4 (Supporting economic development) and CSR2 (Employment in Rural Areas) by permitting development within and on the edge of the built-up area and appropriate development outside of the built area.</p>	<p>The policy is in general conformity with R3 and R4 (Meeting the social needs of the rural and urban communities) and GB4 (protecting and enhancing the natural and built environment) by permitting development that is necessary or suited to a countryside location outside the built-up area if consistent with Development Plan policies.</p> <p>The policy is broadly in conformity with policies C4, C6, C9 (protecting and enhancing the natural and built environment as it will help to protect the landscape setting, wildlife and biodiversity assets).</p>
LM2: Mitigation of Flood Risk	The policy is in general conformity with CSQ2 (Sustainable Design and Construction) by ensuring that all new development addresses the effective management of all sources of flood risk and ensuring that development does not increase the risk of flooding elsewhere.	The policy is in general conformity with EP6 (Protecting and enhancing the natural and built environment) by ensuring that all new development addresses the effective management of all sources of flood risk and ensuring that development does not increase the risk of flooding elsewhere.
LM3: High Grade Agricultural Land	No relevant saved policies	The policy is in general conformity with R1, R4, R5 (Meeting the social needs of the rural and urban communities) by supporting development that is necessary or suitable for a countryside location and complies with Green Belt restrictions, where appropriate.
LM4: Conservation of Heritage Assets	The policy is in general conformity with CSEN3 (Historic Environment) and CSQ3 (Design) by supporting development that conserves and enhances Little Milton's heritage assets.	The policy is in general conformity with CON 1-16 (Protecting and enhancing the natural and built environment) by supporting development that conserves and enhances Little Milton's heritage assets, particularly in the Conservation Area and the Historic Core of the village.

LMNDP Policy	Local Plan core strategy 2012	Saved policies Local Plan 2011
		The policy is in general conformity with D1 (Encouraging sustainable and high-quality development) by supporting development that conserves and enhances Little Milton's heritage assets which will protect and reinforce local distinctiveness.
LM5: Design and Character	<p>The policy is in general conformity with CSQ3 (Design) by requiring new development to reflect the character of Little Milton and to meet locally specific design criteria.</p> <p>The policy is in general conformity with CSR1 (Housing in Villages) by protecting local character and distinctiveness.</p> <p>The policy is in general conformity with CSM1 (Transport) by requiring that connectivity to the centre of the village should, where practicable, include safe walking routes.</p>	<p>The policy is in general conformity with D1 (Encouraging sustainable and high-quality development) by requiring new development to reflect the character of Little Milton and to meet locally specific design criteria to protect and reinforce local distinctiveness. The policy is in general conformity with D10 (Encouraging sustainable and high-quality development) by requiring adequate storage space for bins and design of storage that does not detract from the street scene.</p> <p>The policy is in general conformity with H13 as the design criteria also relate to extensions to dwellings or the erection and extension of ancillary buildings within the curtilage of a dwelling.</p>
LM6: Biodiversity and Wildlife Corridors	The policy is in general conformity with CSG1 (Green infrastructure) and CSB1 (Conservation and improvement of biodiversity) by requiring development proposals to maintain and enhance existing on-site biodiversity assets, delivering biodiversity 'net gain'.	The policy is in general conformity with C6 and C9 (Protecting and enhancing the natural and built environment) by requiring development proposals to maintain and enhance existing on-site biodiversity assets, delivering biodiversity 'net gain'.
LM7: Local Green Spaces	The policy is in general conformity with CSG1 (Green infrastructure) and CSB1 (Conservation and improvement of biodiversity) by designating green spaces that will contribute to the provision of green infrastructure and biodiversity gain.	<p>The policy is in general conformity with G5 (general approach) by designating green spaces in view of the role and importance of these open spaces.</p> <p>The policy is in general conformity with CON16 (Protecting and enhancing the natural and built environment) by designating green spaces which cannot be built on.</p>
LM8: BBOWT Wells Farm Nature Reserve	The policy is in general conformity with CSB1 (Conservation and improvement of biodiversity) by requiring any	The policy is in general conformity with C7 (Protecting and enhancing the natural and built environment) by indicating

LMNDP Policy	Local Plan core strategy 2012	Saved policies Local Plan 2011
	development on the nature reserve to demonstrate that the benefits outweigh the adverse effect on the Nature Reserve which makes it clear that the reserve is a vital element of green infrastructure with significant biodiversity benefits.	that the reserve is a locally designated site of nature conservation importance.
LM9: Protection of Views	<p>The policy is in general conformity with CSQ3 (Design) by protecting specific iconic views which contribute to the historic environment and enhance local distinctiveness.</p> <p>The policy is in general conformity with CSEN1 (Landscape) by requiring development to preserve or enhance the local character of the landscape and not have a significant adverse impact on important views.</p>	<p>The policy is in general conformity with C4 and C9 (Protecting and enhancing the natural and built environment) by specifying important local landscape features which contribute to the visual and historic character and appearance of Little Milton and make an important contribution to the local scene.</p> <p>The policy is in general conformity with D1 (Encouraging sustainable and high-quality development) by requiring development proposals to respect the character of the local landscape.</p>
LM10: Community Facilities	The policy is in general conformity with CSR3 (Community facilities and rural transport) by resisting the loss of community facilities and where possible providing new facilities or extending existing ones.	The policy is in general conformity with CF1, CF2, R1, R3, R4 and R7 (Meeting the social needs of the rural and urban communities) by resisting the loss of community facilities and where possible providing new facilities or extending existing ones.
LM11: Residential Parking	The policy is in general conformity with CSM1 (Transport) by requiring adequate parking solutions.	The policy is in general conformity with D2 (Encouraging sustainable and high-quality development) and with T2 and T8 (Promoting a sustainable transport strategy) by requiring adequate parking solutions.
LM12: Waste Water System	The policy is in general conformity with CSQ4 (Design briefs for greenfield neighbourhoods and major development sites). Although the saved Local Plan policy relates to large sites so is unlikely to be applicable to Little Milton, LM12 is in general conformity by requiring timely delivery of	The policy is in general conformity with EP1 and EP6 (Protecting and enhancing the natural and built environment) by ensuring that waste water from new development does not adversely affect the health and amenity of local people or a further source of flood risk.

LMNDP Policy	Local Plan core strategy 2012	Saved policies Local Plan 2011
	infrastructure and services to a development when they are needed by new residents.	
LM13: Dwelling Mix	The policy is in general conformity with CSH4 (Meeting housing needs) by requiring a mix of dwelling types and sizes that is appropriate and relates to the needs of current and future households in Little Milton including smaller dwellings	The policy is in general conformity with H10 (Meeting the social needs of the rural and urban communities) by supporting development on rural exception sites.
LM14: Road Developments	The policy is in general conformity with CSM1 (Transport) by supporting road development or improvement proposals (those which require planning consent) where the benefit outweighs the environmental impact and which are designed to mitigate the impact of increased traffic flows through the village.	The policy is in general conformity with R4, R7, R10 (Meeting the social needs of the rural and urban communities) and CF2 (Meeting the social needs of the rural and urban communities) by supporting road development proposals where the benefit outweighs the environmental impact and which are designed to mitigate the impact of increased traffic flows through the village, which potentially relates to all developments including outdoor sport (R4), recreational activities (R7), or keeping of houses (R10), or community facilities (CF2).
LM 15: Employment and Commercial Development	The policy is in general conformity with CSEM1 and CSEM4 (Supporting a successful economy) and CSR2 (Employment in Rural Areas) by supporting commercial development which supports sustainable economic growth as this will include supporting the prosperity of the area's tourism industry and recreation-based rural diversification.	The policy is in general conformity with A3 (Supporting the local economy) by supporting commercial development which supports sustainable economic growth as this will include support for diversifying the agricultural industry where these are in line with sustainable economic growth.

- 4.3 As the LMNDP was being drafted, South Oxfordshire Local Plan 2033 was still in development. Although not required, we have made a comparison of policies in the emerging Local Plan (as at July 2017) with LMNDP policies in order to give an indication of conformity with the future Local Plan policies. The version of the emerging Local Plan used is the one available in early March 2018 when this assessment was carried out prior to LMNDP submission: South Oxfordshire Local Plan 2033, final publication version October 2017.

LMNDP policies are in general conformity with the following emerging Local Plan Policies:

STRAT2 The Need for New Development in South Oxfordshire

H1 Delivering new homes

H8 Housing in the smaller villages

H11: Housing Mix

H18 Infill Development

EMP11: Development in the countryside and rural areas

INF4: Water resources

ENV1: Landscape and countryside

ENV3 Biodiversity – Non-designated sites, habitats and species

ENV5 Green Infrastructure in new developments

ENV6 Historic Environment

ENV8 Conservation Areas

EP4 Flood Risk

DES1 Delivering High Quality Development

DES2 Enhancing Local Character

DES8 Efficient use of resources

CF1 Safeguarding Community Facilities

CF2 Provision of Community Facilities and Services

CF4: Existing Open Space, Sport and recreation facilities

- 4.5 LMNDP policies are either neutral with respect to all of the other Local Plan 2033 policies or they are not applicable to Little Milton, for instance where the policies refer to specific locations, market towns or smaller villages, or issues which do not relate to Little Milton such as rail.



## **5. EU obligations**

- 5.1 A South Oxfordshire District Council (SODC) screening opinion dated 21 December 2016 concluded that a Strategic Environmental Assessment (SEA) is not required for the LMNDP.
- 5.2 The LMNDP does not influence the development of other Plans. It is designed to promote sustainable development in line with guidance contained in the National Planning Policy Framework.
- 5.3 The South Oxfordshire District Council (SODC) screening opinion dated 21 December 2016 concluded that a Habitats Regulation Assessment (HRA) is not required for the LMNDP.
- 5.4 The Plan is fully compatible with Convention rights contained in the Human Rights Act 1988. There has been full and adequate opportunity for all interested parties to take part in the preparation of the Plan and to make their comments known.

## Appendix 1: Area designation letter

The original letter is on South Oxfordshire District Council website:  
[www.southoxon.gov.uk/services-and-advice/planning-and-building/planning-policy/neighbourhood-plans/](http://www.southoxon.gov.uk/services-and-advice/planning-and-building/planning-policy/neighbourhood-plans/)

HEAD OF SERVICE: **Adrian Duffield**



Listening Learning Leading

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Tel: 07717 271929

Mr Barry Coward  
[Barry.coward@uwclub.net](mailto:Barry.coward@uwclub.net)

135 Eastern Avenue, Milton Park  
Milton OX14 4SB

cc: [lmparishcouncil@btinternet.com](mailto:lmparishcouncil@btinternet.com)

4 August 2016

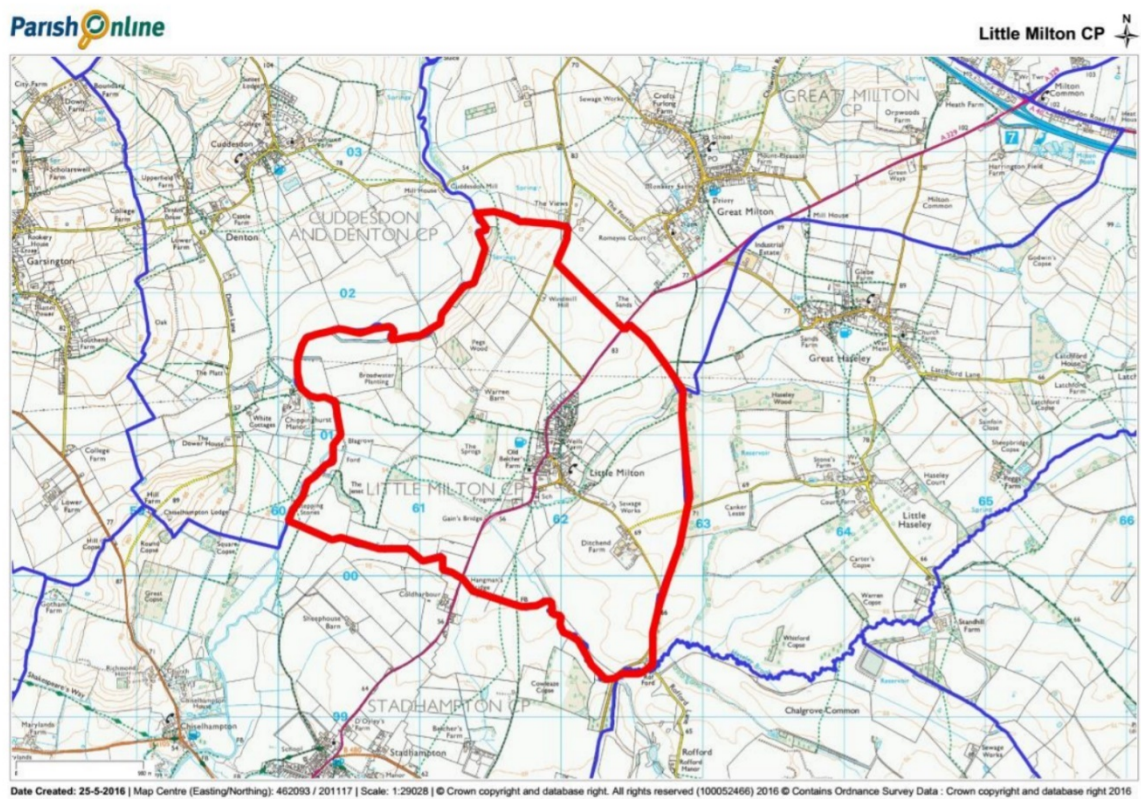
### **DECISION REGARDING DESIGNATION OF LITTLE MILTON AS A NEIGHBOURHOOD AREA UNDER SECTION 61G OF THE TOWN AND COUNTRY PLANNING ACT 1990 AS AMENDED**

This letter confirms that on 4 August 2016, the Head of Planning at South Oxfordshire District Council, designated the area shown in Appendix 1 below as the 'Little Milton Neighbourhood Plan Area'. This designation has been made for the purposes of preparing a Neighbourhood Development Plan by Little Milton Parish Council under section 61G(1) of the Town and Country Planning Act 1990 as amended. It was decided not to designate the area as a business area under section 61H(1) of the Act as it is not primarily or wholly business in nature. The relevant designation information is set out below:

- a) Name of neighbourhood area: Little Milton
- b) Map of neighbourhood area included below
- c) Relevant body: Little Milton Parish Council

Yours sincerely,

Appendix 1 Little Milton Neighbourhood Plan Area



## **Appendix 2: SEA and HRA screening opinion**

South Oxfordshire District Council's screening statement states that the Neighbourhood Plan does not require a Strategic Environmental Assessment. The screening opinion is reproduced below. Note that the SEA opinion includes Appendices 1 2 3 and 4 followed by the SEA screening statement.

### **Screening statement 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 Little Milton Neighbourhood Development Plan**

**19 December 2016**

#### **SUMMARY**

Following consultation with the statutory bodies, South Oxfordshire District Council (the 'Council') determines that Little Milton Neighbourhood Development Plan (Little Milton NDP) does not require a Strategic Environmental Assessment (SEA).

#### **Introduction**

This screening statement has been used to determine whether or not the contents of the emerging Little Milton Neighbourhood Development Plan (Little Milton NDP) requires a Strategic Environmental Assessment (SEA) in accordance with the European Directive 2011/42/EC (the Directive) and associated Environmental Assessment of Plans and Programmes Regulations 2004 (the Regulations).

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.

This screening statement has been subject to consultation with Historic England, the Environment Agency and Natural England. The results of the consultation have shaped this statement and can be seen in full at appendix 4.

#### **The Screening Process**

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.

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.

Table 1 in Appendix 1 sets out the criteria from the Practical Guide, along with an assessment of the Little Milton NDP against each criterion to ascertain whether a SEA is required.

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.

These two assessments feed into Table 1 and the SEA screening opinion.

### **Little Milton Neighbourhood Development Plan**

The Little Milton NDP will contain policies to maintain the character of the village and to specify design criteria for new houses.

Policies in the Little Milton NDP will contain policies to support sustainable development in the village that will not adversely impact on the rural nature of the village. Retaining the character and appearance of the village is particularly important. The plan does not allocate any sites for housing.

It is therefore concluded that the implementation of the Little Milton NDP would not result in likely significant effects on the environment.

### **Statutory Consultees**

The initial screening opinion was sent to Natural England, the Environment Agency and Historic England on 08 August 2016 giving a 4 week consultation period. The responses in full are at Appendix 4.

Natural England commented that: they note and concur *“with the screening outcome i.e. that no SEA is required. This conclusion is reached on the basis that there are no site allocations within the Little Milton NDP”*.

Furthermore, Natural England noted the screening process applied to the little Milton Neighbourhood Plan, as regards to Conservation of Habitats and Species Regulations 2010, and agreed with the Council's conclusion that **no further assessment is required** as there are no European sites within 5km of the Neighbourhood Plan area.

The Environment Agency commented that: *“We have reviewed the environmental constraints within the plan area. We note that there are a number of watercourses within the plan area, and that the southern part of the plan area is within flood zones 2 and 3. However, on the understanding that the plan*

*does not allocate any sites for development as stated in paragraph 7, page 2 of your initial SEA draft screening opinion, we would agree that it is unlikely to give rise to significant environmental effects”*

Historic England commented that: *“Although Little Milton has a number of designated heritage assets such that there could be potential for significant effects on the historic environment, based on the information in your Opinion, particularly that the Plan does not allocate sites for development, Historic England agrees with your conclusion that the Little Milton Neighbourhood Development Plan is unlikely to lead to any significant environmental effects and that, therefore, an SEA **is not** required for the Plan”.*

## **Conclusion**

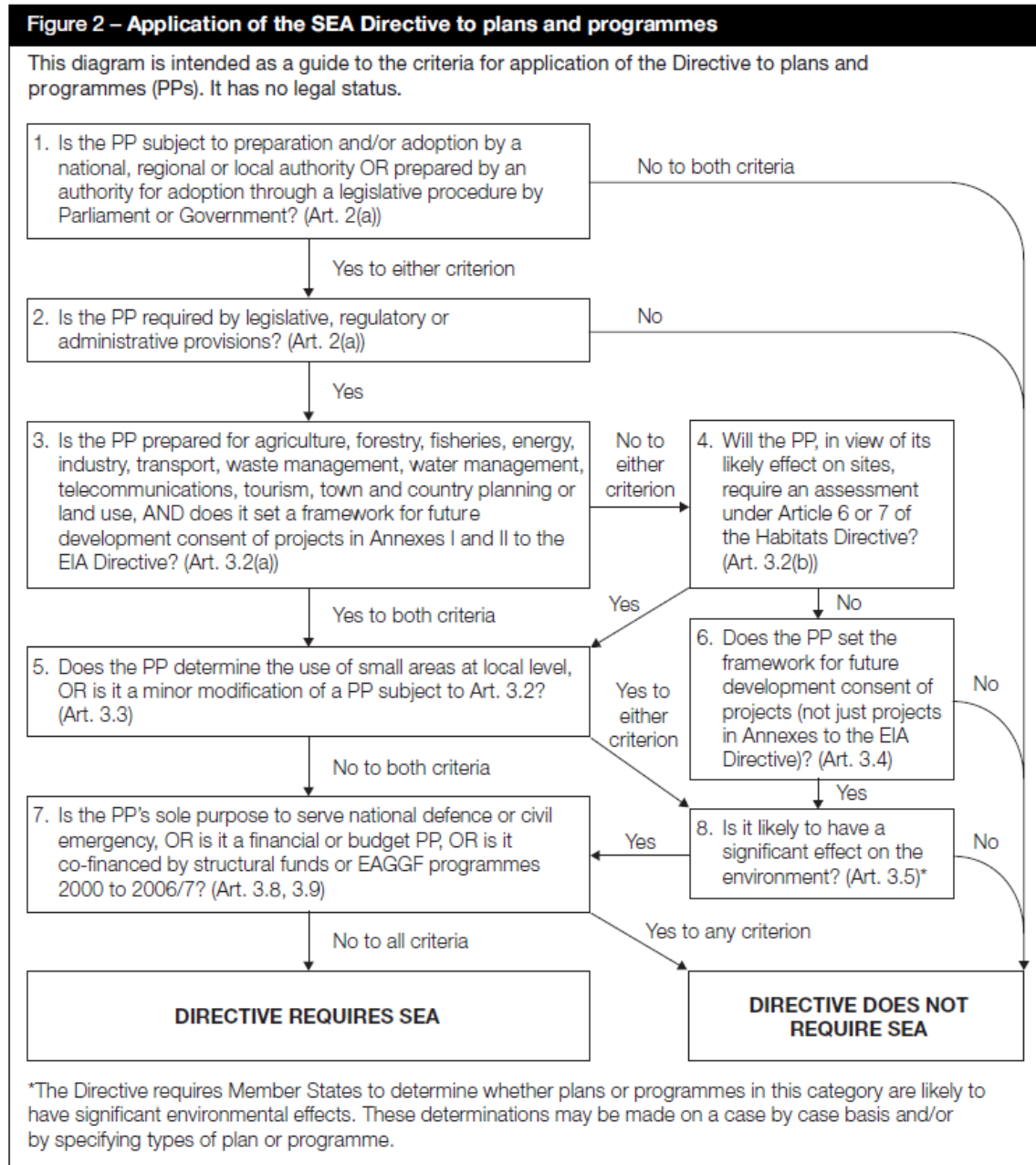
As a result of the screening undertaken by the Council and the responses from the relevant Statutory Consultees, the following determination has been reached.

The Little Milton NDP is unlikely to have significant effects on Natura 2000 sites, therefore, an Appropriate Assessment for the Neighbourhood Development Plan is not required.

Based on the assessment presented in Appendices 1 & 3, the NDP is not likely to have a significant effect on the environment.

The Little Milton NDP 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
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))	Y	<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 Little Milton NDP Steering Group, a working group who report to the Little Milton 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> </ul>
2. Is the NP required by legislative, regulatory or administrative provisions? (Art. 2(a))	Y	<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>



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))	N	The Little Milton NDP is prepared for town and country planning and land use but will not set out a framework for future development of projects that would require an EIA.
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))	N	The Example NDP is unlikely to have significant effects on Natura 2000 sites. See Habitat Regulations Assessment (HRA) Screening Opinion for the Example NDP in Appendix 2.
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)	Y	The Little Milton NDP will determine the use of sites/small areas at a local level.
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)	Y	When made, the Little Milton NDP will include a series of policies to guide development within the village. This will inform the determination of planning applications providing a framework for future development consent of projects.

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)	N	N/A
8. Is it likely to have a significant effect on the environment? (Art. 3.5)	N	No likely significant effects upon the environment have been identified. See assessment of the likely significance of effects on the environment in Appendix 3.

## Appendix 2 - Habitat Regulations Assessment (HRA)

### Screening Opinion for the Little Milton Neighbourhood Development 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>2</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>3</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 emerging Local Plan as its basis for assessment. From this, the Local Authority will determine whether the Little Milton 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."*

---

2

Special Protection Areas (SPAs) for birds and Special Areas of Conservation (SACs) for other species, and for habitats.

3

The South Oxfordshire Core Strategy (December 2012) and the South Oxfordshire Local Plan 2011 (January 2006).

## **Assessment**

4. There are no Special Areas of Conservation (SACs) within 5km of the Little Milton Neighbourhood Development Plan.

## **Conclusion**

5. The Little Milton NDP is unlikely to have significant effects on Natura 2000 sites, therefore, an Appropriate Assessment for the Little Milton NDP is not required.

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

<b>1. Characteristics of the Plan, having regard to:</b>	
(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;	The Little Milton 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. However, the Plan will sit within the wider framework set by the National Planning Policy Framework, the strategic policies of the South Oxfordshire Core Strategy (2012) and Local Plan 2011 (2006); and the emerging Local Plan 2032.
(b) the degree to which the plan or programme influences other plans and programmes including those in a hierarchy;	A Neighbourhood Development Plan must be in conformity with the Local Plan for the District. It does not influence other plans.
(c) the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development;	National policy requires a presumption in favour of sustainable development, which should be seen as a golden thread through plan-making, including the Little Milton NDP. A basic condition of the Little Milton NDP is to contribute to the achievement of sustainable development.
(d) environmental problems relevant to the plan or programme; and	The environmental impact of the proposals within the Little Milton NDP is likely to be minimal due to the scale of development proposed. The NDP is not proposing allocating sites. Any policies will conform to higher level policies on green belt and conservation area designations.
(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 Little Milton 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;	The Neighbourhood Plan is likely to have modest but enduring positive environmental effects. The effects are not likely to be reversible as they relate to development. However, they will be of a local scale.
(b) the cumulative nature of the effects;	It is intended that the positive social effects of retaining existing facilities will have positive cumulative benefits for the area.
(c) the transboundary nature of the effects;	The effects of the Plan are unlikely to have transboundary 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.
(e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be	The Little Milton NDP relates to the parish of Little Milton. The potential for environmental effects is also likely to be small and localised.

Little Milton Neighbourhood Development Plan – Basic Conditions Statement

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	The Little Milton NDP offers an opportunity to enhance the natural environment and the cultural heritage of the area through the proposals being considered.
(g) the effects on areas or landscapes which have a recognised national, Community or international protection status.	There are no areas or landscapes with recognised national, Community or international protection status adversely affected by the neighbourhood plan.

## Appendix 4 – Responses from Statutory Consultees

### Natural England

Date: 31 August 2016  
Our ref: 192993  
Your ref: none



Ms Gayle Wootton  
Planning Policy Officer

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

T 0300 060 3900

**BY EMAIL ONLY**

[gayle.wootton@southandvale.gov.uk](mailto:gayle.wootton@southandvale.gov.uk)

Dear Ms Wootton

**SEA and HRA screening opinion for Little Milton Neighbourhood Development Plan (NDP)**

Thank you for your consultation on the above dated 08/08/2015.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

**Strategic Environmental Assessment Screening**

We welcome the production of this SEA Screening report. Natural England notes and concurs with the screening outcome i.e. that no SEA is required. This conclusion is reached on the basis that there are no site allocations within the Little Milton NDP.

Further guidance on deciding whether the proposals are likely to have significant environmental effects and the requirements for consulting Natural England on SEA are set out in the [National Planning Practice Guidance](#).

**Habitats Regulations Assessment Screening**

Natural England notes the screening process applied to this Neighbourhood plan. We agree with the Council's conclusion that no further assessment is required as there are no European sites within 5km of the Neighbourhood Plan area.

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 Tom Reynolds on 020 802 61050. 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

Tom Reynolds  
Planning Adviser  
Sustainable Development  
South Mercia

## Historic England



Ms Gayle Wootton  
Planning Policy Officer (Neighbourhood)  
South Oxfordshire District Council  
135 Eastern Avenue  
Milton Park  
Milton, Abingdon, OX14 4SB.

Our ref: HD/P5355/  
Your ref:  
  
Telephone 01483 252040  
Fax

27<sup>th</sup> August 2016

Dear Gayle,

### **Little Milton Neighbourhood Plan SEA Screening Opinion**

Thank you for your e-mail of 8<sup>th</sup> August seeking the views of Historic England on your Council's Little Milton Neighbourhood Plan Strategic Environmental Assessment Screening Opinion.

Although Little Milton has a number of designated heritage assets such that there could be potential for significant effects on the historic environment, based on the information in your Opinion, particularly that the Plan does not allocate sites for development, Historic England agrees with your conclusion that the Little Milton Neighbourhood Development Plan is unlikely to lead to any significant environmental effects and that, therefore, an SEA is **not** required for the Plan.

However, this conclusion is reached solely on the information you have provided and we may wish to review our position when we are consulted on the Draft Plan.

Although a formal SEA is not currently believed to be necessary, we would nevertheless suggest that the Plan is subject to a form of sustainability appraisal to assess and monitor the Plan's policies and proposals against a set of agreed objectives.

Thank you again for seeking the views of Historic England on this Screening Opinion.

Yours sincerely,



## Environment Agency



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Ms Gayle Wootton - Planning Policy  
Officer (Neighbourhood)  
South Oxfordshire District Council  
135 Eastern Avenue  
Milton Park  
Abingdon  
OX14 4SB

**Our ref:** WA/2006/000324/OR-  
26/IS1-L01  
**Your ref:**  
**Date:** 16 August 2016

Dear Ms Wootton

**Little Milton Neighbourhood Plan: SEA Screening Opinion**

Thank you for your email dated 8 August 2016 enclosing your initial SEA draft screening for the emerging Little Milton Neighbourhood Plan.

We understand that the Little Milton Neighbourhood Plan does not allocate any land or sites for development, and note your conclusion that it is unlikely to give rise to significant environmental effects.

We have reviewed the environmental constraints within the plan area. We note that there are a number of watercourses within the plan area, and that the southern part of the plan area is within flood zones 2 and 3. However, on the understanding that the plan does not allocate any sites for development as stated in paragraph 7, page 2 of your initial SEA draft screening opinion, we would agree that it is unlikely to give rise to significant environmental effects.

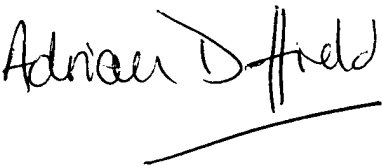
Yours sincerely

**Judith Johnson**  
**Sustainable Places team**

## SEA Screening Statement for Little Milton Neighbourhood Plan - 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>	Ricardo Rios, Senior Planning Policy Officer (Neighbourhood)
<b>Officer contact details</b>	Tel: 07801203535 Email: Ricardo.rios@southandvale.gov.uk
<b>Decision</b>	To approve the SEA & HRA screening statement for Little Milton NDP.
<b>Reasons for decision</b>	<p>For the purpose of demonstrating that the Little Milton NDP is unlikely to have significant effects on the environment; as required by regulation 15 of the Neighbourhood Planning (General) Regulations 2012 (as amended by the Neighbourhood Planning (General) (Amendment) Regulations 2015), pages 1 to 13 of this document forms the statement of reasons.</p> <p>South Oxfordshire District Council has also used the analysis of likely significant effects to consider whether the NDP would be likely to give rise to significant environmental effects on European Designated Sites. Following this analysis, and consultation with Natural England, South Oxfordshire District Council determines that the NDP is unlikely to have any significant effects on European Designated Sites.</p>

Little Milton Neighbourhood Development Plan – Basic Conditions Statement

<b>Alternative options rejected</b>	n/a
<b>Legal implications</b>	<p>In accordance with The Environmental Assessment of Plans and Programmes Regulations 2004 the responsible authority shall determine whether or not a plan is likely to have significant environmental effects.</p> <p>Where the responsible authority, in consultation with the relevant statutory consultees (Historic England, Natural England and the Environment Agency), 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.</p>
<b>Financial implications</b>	None
<b>Other implications</b>	Final
<b>Background papers considered</b>	SEA Screening Statement for Little Milton Neighbourhood Plan
<b>Head of planning's signature</b>  To confirm the decision as set out in this notice.	  Signature;  Date; 21 Dec 2016