

Draft Screening Statement for Abbey Barn North Development Brief - Supplementary Planning Document – Consultation Draft

Wycombe District Council

November 2019

DRAFT

Consultation: Draft Screening Statement – Abbey Barn North Development Brief SPD

1. Title of the SPD

Abbey Barn North Development Brief - Supplementary Planning Document

2. Subject

The Supplementary Planning Document (SPD) provides guidance on the future sustainable development of the Abbey Barn North Development Site. It supplements Policy HW4: Abbey Barn North of the Wycombe Local Plan, adopted on 19 August 2019. It sets out the guiding principles of how the site could be developed in the future to provide new, high-quality housing and public open space.

3. Consultation

Previous stages

Throughout the Wycombe District Local Plan preparation and the Examination in Public there has been extensive consultation on the Plan and the sites contained within it, including Abbey Barn North.

We decided to release the Abbey Barn North reserve site for development in late 2014. We took this decision to help meet Wycombe District's housing shortfall. A liaison group of local Councillors and local community representatives was set up to help guide the production of a Development Brief for the site.

This stage

A statutory public consultation for the SPD is taking place from 20 November to 17 December 2019. The statutory Consultation Bodies will all be sent a copy of the SPD, together with this Screening Statement, as part of this consultation. The Council will consider any responses made to both documents and decide whether any changes are needed.

The deadline for comments on this Screening statement is 17 December 2019 at 11.59pm (to coincide with the closing date for comments on the SPD).

Further information can be obtained by contacting:

Planning Policy

Wycombe District Council

High Wycombe HP11 1BB

Or by emailing abbeybarnnorth@wycombe.gov.uk

Executive Summary

The requirement for a Strategic Environment Assessment (SEA) is set out in the Planning Practice Guidance on applying European Directive 2001/42/EC, and in the Environmental Assessment of Plans and Programmes Regulations 2004.

These documents place an obligation on local planning authorities to undertake a SEA on any land use plan or programme which sets out the framework for future development projects.

There are however exceptions to this requirement for plans “which determine the use of small areas at a local level” or which only propose “minor modifications to plans,” if the local planning authority determines that the plan is unlikely to have significant environmental effects.

Requirements also apply in relation to complying with the Habitats European Directive through undertaking a Habitats Regulations Assessment (HRA).

To assess whether a SEA / HRA is required, the local planning authority must undertake a screening process. This must be subject to consultation with the three consultation bodies: Historic England, the Environment Agency and Natural England.

Following consultation, the results of the screening process must be detailed in a screening statement, which is required to be made available to the public.

If an SPD is considered unlikely to have significant environmental effects through the screening process, then the conclusion will be that the preparation of a SEA and/ or HRA is not necessary.

Subject to the results of this consultation with the statutory environmental bodies, Wycombe District Council determines that the Abbey Barn North Development Site is unlikely to have significant environmental effects beyond those already considered and, accordingly, **does not require an environmental assessment**. The full screening statement follows.

1. The SPD

The site has been identified in successive Local Plans as a potential area for future development. On 20 October 2014 Wycombe District Council Cabinet resolved to release the site for development. This allows for the setting up of Liaison Groups and for work to commence on the preparation of a Development Brief for the site.

Section 5 of the Wycombe District Local Plan¹ (adopted in August 2019) sets out what is proposed in specific areas of the District. It identifies the main sites proposed for new development. In the High Wycombe area this includes the former Reserve Site at Abbey Barn North. Policy HW4 (Abbey Barn North) allocates the site and provides the policy framework for developing the site for circa 100 dwellings.

This draft Abbey Barn North Development Brief - Supplementary Planning Document (SPD) expands upon the policies contained within the new Local Plan. It takes the proposals from the new Wycombe District Local Plan, and outlines the aspirations for the area, as well as the key issues and responses that will influence how new development will take place.

This document will form a material consideration which will be taken into account by the Local Planning Authority when determining any future planning application for the site.

2. Legislation and Policy context

SEA

The requirement for a Strategic Environment Assessment (SEA) is set out in the Planning Practice Guidance on applying European Directive 2001/42/EC, and in the Environmental Assessment of Plans and Programmes Regulations 2004.

The Planning Practice Guidance also set out that SPDs no longer require Sustainability Appraisals to be carried out.

¹ Also referred to as the “parent DPD” later in this statement

PPG extract on Sustainability Appraisal

Do supplementary planning documents require a sustainability appraisal or strategic environmental assessment (Paragraph 008 Reference ID: 11-008-20140306)

Supplementary planning documents do not require a sustainability appraisal but may in exceptional circumstances require a strategic environmental assessment if they are likely to have significant environmental effects that have not already been assessed during the preparation of the relevant strategic policies.

A strategic environmental assessment is unlikely to be required where a supplementary planning document deals only with a small area at a local level (see [regulation 5\(6\) of the Environmental Assessment of Plans and Programmes Regulations 2004](#)), unless it is considered that there are likely to be significant environmental effects.

Before deciding whether significant environment effects are likely, the local planning authority will need to take into account the criteria specified in [schedule 1 to the Environmental Assessment of Plans and Programmes Regulations 2004](#) and consult the consultation bodies.

HRA

The requirement for undertaking an appropriate assessment under the Habitats Regulations are set out within the Conservation of Habitats and Species Regulations 2017 (which transposed EC Habitats Directive 92/43/EEC).

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.”

The government's Planning Practice Guidance in relation to “Appropriate Assessment” clarifies the circumstances in which a non-strategic plan, which this SPD is, can rely on an appropriate assessment undertaken for a local plan.

PPG extract on Appropriate Assessment

Can a project or non-strategic plan, such as a neighbourhood plan, rely on a more strategic level appropriate assessment such as that undertaken for a Local Plan?(Paragraph 008 Reference ID: 65-008-20190722)

An appropriate assessment for a more strategic plan, such as the local plan, can consider the impacts on sites and confirm the suitability or likely success of mitigation measures for associated non-strategic policies and projects.

An individual assessment of non-strategic policies and projects may not be necessary in some limited cases where the strategic appropriate assessment is sufficiently robust. This would need to contain complete, precise and definitive findings and conclusions capable of removing all reasonable scientific doubt on the impacts of the non-strategic policies (eg neighbourhood plans) and/or project(s). As long as these measures have been properly considered in a recent plan, and the development will not create additional risks of a significant effect on a habitats site, they may not need further assessment at the non-strategic level.

This is a high standard to meet and will need to be assessed on a case by case basis. The following are some indicative criteria to consider:

- the strategic appropriate assessment was properly carried out;
- it remains valid and there is no new material and relevant information that should be considered (eg provided by ongoing site condition monitoring, or further relevant detail that has become available at the lower, non-strategic level);
- it specifically caters for and addresses all the impacts in the relevant area from the non-strategic plan or project (alone and in combination) and there is the necessary certainty around the use of any mitigation measures.

Where there is any doubt about this, an appropriate assessment will be required in order to test the non-strategic plan or project and any relevant mitigation measures.

3. SA/SEA of the Wycombe District Local Plan

The Wycombe District Local Plan, which included Policy HW4: Abbey Barn North, was adopted on 19 August 2019 after an extensive preparation and consultation process. A parallel process of Sustainability Appraisal (SA) was undertaken alongside plan-making.

SA considers and communicates the likely significant effects of an emerging plan, and the reasonable alternatives considered during the plan-making process, in terms of key sustainability issues. The aim of SA is to inform and influence the plan-making process with a view to avoiding or mitigating negative effects and maximising

positive effects. Through this approach, the SA seeks to maximise the emerging Local Plan's contribution to sustainable development.

An SA is undertaken in line with the procedures prescribed by the Environmental Assessment of Plans and Programmes Regulations 2004 (the Strategic Environmental Assessment (SEA) Regulations) which transpose into national law European Union Directive 2001/42/EC 'on the assessment of the effects of certain plans and programmes on the environment'. SA incorporates the requirement for SEA and widens the scope of the assessment to also include social and economic issues.

The Sustainability Appraisal Adoption Statement² demonstrates that a robust and iterative SA process (including SEA requirements) has been progressed alongside plan-making, with appraisal findings feeding in to decision-making at numerous junctures. Any representations received were taken into account and informed subsequent stages of the SA process.

In summary, the following reports were published as part of the SA process:

- SA Scoping Report (Draft in July 2013 and Final in Oct 2013)
- Initial SA Report (Feb 2014)
- Draft SA Report (Aug 2016)
- Reg 19 SA Report (Oct 2017)
- Consolidated SA Report (Feb 2019)
- SA Report Addendum (Feb 2019)

You can [view these reports on the Council website](#).

The sustainability of the Abbey Barn North site was considered in the Local Plan SA (including SEA). In terms of the Sustainability Appraisal (including SEA) the Regulation 19 Sustainability Appraisal Appendix VII concluded that the Abbey Barn North site fits with the preferred option.

More specifically it concluded that whilst the SA gives a major negative for the fact that the site contains best and most versatile agricultural land. It scores a major positive in terms of being a major housing site (100 dwellings or more). It scores a minor positive in terms of water and flooding, place-making, health, distance to employment and protecting employment sites. It scores a minor negative in terms of transport and accessibility.

² [Wycombe District Local Plan Sustainability Appraisal Adoption Statement](#)

The SA Report sets out that the reason the site was selected for inclusion in the Plan was that despite being a greenfield site, Abbey Barn North is not in the Green Belt or AONB and there are no areas of medium or high fluvial flood risk. The site adjoins a tier 1 settlement.

Despite the landscape and ecology constraints on the site that reduce the capacity of the site, there was still considered to be potential for development that is sympathetic to these issues. The site is considered to be available within the plan period and access is achievable, subject to landowner agreement. Abbey Barn North was previously a reserve site in the Core Strategy. The site has been assessed as viable.

SEA screening procedure

It is for the Responsible Authority (Wycombe District Council) to determine whether the plan or programme under assessment is likely to have a significant adverse environmental effect. This assessment must be made taking account of the criteria set out in Schedule 1 of the Environmental Assessment of Plans and Programmes Regulations 2004 and in consultation with the Environment Agency, English Heritage and Natural England.

Where the Responsible Authority determines that a plan or programme is unlikely to have significant effect, and therefore, does not need to be subject to a full Strategic Environmental Assessment, the Responsible Authority must prepare a statement showing the reason for this determination. This is set out in the table below.

SEA screening for the Draft PRE SPD

Criteria (schedule 1 of the Environmental Assessment of Plans and Programmes Regulations 2004)	Wycombe District Council response
Characteristics of the plan or programme	
(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 SPD provides further guidance on the development of Abbey Barn North. The SPD does not introduce new policies, or variations of such nature that it would give rise to new significant adverse effects not already addressed in the Wycombe Local Plan and accompanying Sustainability Appraisal.
(b) the degree to which the plan or programme influences other	The guidance provided by the draft SPD is in conformity with the strategic objectives, spatial

Criteria (schedule 1 of the Environmental Assessment of Plans and Programmes Regulations 2004)	Wycombe District Council response
plans and programmes including those in a hierarchy.	<p>vision and policies of the Wycombe Local Plan – which has been subject to full SA and SEA.</p> <p>The SPD will guide further detailed planning applications for Abbey Barn North including the realignment of Abbey Barn Lane, but in the context of the Local Plan policy framework.</p>
(c) the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development.	The SPD is relevant for – and provides more details on - the achievement of environmental considerations set out in the 'parent' Local Plan SA/SEA and HRA.
(d) environmental problems relevant to the plan or programme.	Those problems have already been assessed in the SA/SEA and HRA of the parent DPD. The draft SPD is not anticipated to introduce new environmental problems.
(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).	Community legislation has been suitably addressed in the SA/SEA and HRA of the parent DPD, the Wycombe District Local Plan (adopted August 2019).
Characteristics of the effects and of the area likely to be affected	
(a) the probability, duration, frequency and reversibility of the effects.	Those effects have been suitably assessed in the SA/SEA and HRA of the parent DPD, the Wycombe Local Plan (adopted August 2019).
(b) the cumulative nature of the effects.	Those effects have been suitably assessed in the SA/SEA and HRA of the parent DPD, the Wycombe Local Plan (adopted August 2019).

Criteria (schedule 1 of the Environmental Assessment of Plans and Programmes Regulations 2004)	Wycombe District Council response
(c) the trans-boundary nature of the effects.	Those effects have been suitably assessed in the SA/SEA and HRA of the parent DPD, the Wycombe Local Plan (adopted August 2019).
(d) the risks to human health or the environment (for example, due to accidents).	Those effects have been suitably assessed in the SA/SEA and HRA of the parent DPD, the Wycombe Local Plan (adopted August 2019).
(e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected).	The magnitude and spatial extent of the effects have been suitably assessed in the SA/SEA and HRA of the parent DPD, the Wycombe Local Plan (adopted August 2019).
(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.	This has been suitably assessed in the SA/SEA and HRA of the parent DPD, the Wycombe Local Plan (adopted August 2019).
(g) the effects on areas or landscapes which have a recognised national, community or international protection status.	Those effects have been suitably assessed in the SA/SEA and HRA of the parent DPD, the Wycombe Local Plan (adopted August 2019).

4. Habitats Regulations Assessment of the Wycombe Local Plan

The Local Authority is the “competent authority” under the Conservation of Habitats and Species Regulations 2017, and needs to ensure that they are satisfied that supplementary planning documents will not have an adverse effect on the integrity of any European sites.

HRA of the Wycombe District Local Plan

The Habitats Regulations Assessment report including Appropriate Assessment³ for the Wycombe District Local Plan, together with the Habitats Regulations Assessment of the Proposed Main Modifications⁴, contain the Council’s findings and conclusions on the potential adverse effects of the Plan as a whole, and specifically the Abbey Barn North site, alone and in combination with other plans and projects. These are summarised in the table below.

These have been endorsed by the Local Plan inspector in her report⁵.

³ [WDLP3B Wycombe District Local Plan Revised Habitats Regulations Assessment Report – including Appropriate Assessment \(January 2019\)](#)

⁴ [WDLP3C Habitats Regulations Assessment of the Proposed Main Modifications to the Wycombe District Local Plan \(February 2019\)](#)

⁵ Inspector’s report on the examination of the Wycombe District Local Plan [para 13 and 211]

Summary of findings

Source	Relevant HRA findings
Habitats Regulations Assessment report including Appropriate Assessment (January 2019)	No adverse effects upon the integrity of the SACs assessed has been identified as a result of the plan alone or in combination with other plans and projects. The plan is compliant with the Habitats Directive.
Habitats Regulations Assessment of the Proposed Main Modifications (February 2019)	The Proposed Main Modifications to the Wycombe District Local Plan do not result in the identification of any new linking impact pathways beyond those which have previously been identified within preceding HRA work to support the development of the Plan.
Local Plan Inspector's Report (July 2019)	Based on the submitted evidence, I am satisfied that the Plan is compliant with the requirements of the Habitats Directive.

You can [view the Local Plan HRA documents on the Council website](#).

HRA screening of the PRE SPD

The SPD does not change the policy proposals in the Local Plan but sets out how those policy proposals should be delivered and implemented. There is no new material and relevant information that should be considered.

The conclusions in the Wycombe District Local Plan HRA remain valid: the development of the Abbey Barn North site will not have an adverse effect on the integrity of the Chilterns Beechwoods SAC, Aston Rowant SAC or Burnham Beeches SAC. There is therefore no need for further assessment under the Habitats Directive at the non-strategic level.

Conclusions

The Council is satisfied that in the context of the Wycombe District Local Plan newly adopted and the legally compliant SEA/ SA / HRA evidence underpinning it, the SPD does not require further SEA/SA/HRA assessments.

This conclusion will be updated when we receive responses from the three consultation bodies.