



# **Canopy Cover Supplementary Planning Document (SPD)**

## **Statement of Consultation**

**March 2020**



# Consultation Statement for the Canopy Cover SPD

## Contents

Consultation Statement for the Canopy Cover SPD .....	3
1. Introduction .....	4
2. Habitats Regulations Assessment and Sustainability Appraisal.....	4
3. SPD preparation and early stakeholder and community engagement.....	5
4. Who and how did we consult when preparing the supplementary planning document.....	7
Information Consultation.....	7
Statutory Consultation.....	7
5. Summary of the main issues raised by stakeholders during the Draft SPD consultation, and how those issues have been addressed in the supplementary planning document.....	7

## **1. Introduction**

This statement sets out the work involved in preparing the SPD and how the Council has involved the community and various stakeholders in preparing the Canopy Cover SPD.

In line with Regulation 12 of the Town and Country Planning (Local Planning) (England) 2012 regulations and with Wycombe Revised Statement of Community Involvement (July 2018), this statement provides details of:

- (i) the persons the local planning authority consulted when preparing the supplementary planning document;
- (ii) a summary of the main issues raised by those persons; and
- (iii) how those issues have been addressed in the supplementary planning document

This Consultation Statement has been updated to reflect the feedback received at the draft SPD consultation stage and how this has been taken into account in the final version of the SPD.

## **2. Habitats Regulations Assessment and Sustainability Appraisal**

The Revised Habitats Regulations Assessment - including Appropriate Assessment (January 2019) and Habitats Regulations Assessment of the Proposed Main Modifications for the Wycombe District Local Plan concluded that the Plan will not lead to any adverse effects, either alone or in combination with other plans or projects, on the integrity of the Special Areas of Conservation (SAC) in or near the District. This included an individual assessment of policies in the plan.

The Canopy Cover Supplementary Planning Document provides additional guidance on the application of policy DM34. The SPD does not introduce further potential linking impact pathways. As such it does not change the conclusion in the Habitats Regulations Assessment.

In terms of the Environmental Assessment of Plans and Programmes Regulations 2004, the SPD does not significantly affect the findings of the SA undertaken for the Wycombe District Local Plan as it will not introduce anything that would result in any new or significantly different environmental problems than have already been considered through the SA/SEA for the Local Plan.

### 3. SPD preparation and early stakeholder and community engagement

The Wycombe District Local Plan was adopted on 19 August 2019. This Supplementary Planning Document (SPD) provides detailed guidance to assist applicants with achieving canopy cover requirements as set out in policy DM34: Delivering Green Infrastructure and Biodiversity in Development.

This SPD, once adopted, will form a material consideration when determining planning applications.

The SPD covers all types of new development. Outside of town centres and on sites of half a hectare or more, a canopy coverage of 25% is required. On other sites, either within the town centres or less than half a hectare, the requirement is to maximise opportunities for canopy cover.

Presentations of the proposed contents of the Supplementary Planning Document were given to an Agents' Panel and a Community Panel on 11<sup>th</sup> September 2019. The presentations were followed by a question and answer session. This report sets out the questions asked and the Council's response to them.

#### Summary of main issues received prior to the formal consultation stage

Issues and Comments	Council Response
<p>Issue of timing, it is too front loaded. Other factors only have to be satisfied that they can be achieved, without knowing the full details.</p> <p>Services/utilities might not be known at that time, (services have 3-month assessment period), that will impact on where trees can be located.</p> <p>SUDs much more difficult to position when compared to trees which is agreed later in the process. Could be forced to put SUDs all in one area, SUDs shouldn't be directed by trees.</p> <p>Planning permission getting more and more costly, clients can't afford. It will put developers off from developing in Wycombe.</p> <p>Full details for 25% should be treated by conditions.</p>	<p>Common issue for all technical documents, we need to be satisfied that the requirements of the policy can be met before giving Planning Permission.</p> <p>There are lots of factors affecting design, it all needs to be integrated and resolved upfront.</p> <p>We need to give certainty. Guidance on this is set out in figure 2 of the Draft SPD.</p>

Clarity on how existing trees which are outside the site ownership but overhang into the site.	It is only canopy cover within the site boundary that counts, irrespective of the location of the trunk. See 'Canopy Cover Reductions K to N' and Figure 16 of the Draft SPD.
Need to be clear where it is appropriate to overlay trees. Urban planting is much more expensive.	Guidance on this is set out in 'Canopy Cover Reductions K to N' and Figure 16 of the Draft SPD.
What happens if during the process of gaining planning permission the tree(s) are removed?	No single rule for what will happen if a tree is removed during planning process. Most likely that the loss will have to be made up with new canopy cover.
How would you incorporate a porous SUDs area with trees? Need to know these technicalities. SUDs need to align with trees SPD, particularly for Wycombe which is hilly.	Further detail on this matter is set out in spreadsheet 3 of the Draft canopy cover calculator. New Canopy Cover, column M – reduction in soil volume and paragraph 3.3.23 – 3.3.25.
Policy could result in gardens being too shaded.	The aim would be to get a good balance through the location of new trees. Layout of new trees is discussed in section 3.3 of the Draft SPD.
Issues for security putting trees in car parks.	Better treed locations have less crime. CCTV does not take precedence. See paragraph 3.3.17 of the Draft SPD for further detail.
Will this policy affect conversions and change of use?	The policy threshold is for 25% in sites of over 0.5 ha and not in town centres, for sites outside of this the requirement is to only 'maximise'. This is most likely to be relevant for conversions and change of use.
How are you considering the site area? Whole area or net developable area?	Guidance on this is set out in Figure 9, Sheet 1 – Summary tab and section 2.7 of the Draft SPD.
Need to make clear the differences between 0.6 volume and other technical standard.	Calculations based on work by Lindsey and Bassuk is no longer needed.
Need to be clear on what is a town centre.	A map of the three town centres is provided in figure 1 and in appendix 3 of the Draft SPD.

## 4. Who and how did we consult when preparing the supplementary planning document

### Information Consultation

Representatives of the Agent's Panel and Community Panel were invited to attend a presentation at the Council Offices in Wycombe on 11<sup>th</sup> September to find out about the proposed content of the Canopy Cover SPD and to attend a question and answer session. The Agent's Panel consists of local agents with an interest in planning in the Wycombe area. The Community Panel is made up of local representatives and stakeholders, including Housing Associations and the Chiltern Conservation Board. 13 local Agents attended the event and 6 people attend the Community Panel event.

### Statutory Consultation

The draft SPD formal consultation took place between 25 November 2019 and 5 January 2020. The Supplementary Planning Document and its supporting documents were available on the Council's website, at the Council offices and at all public libraries in the District. The consultation was publicised through the Weekly Planning Bulletin and letters/ emails were sent to all duty to specific and generic duty to co-operate contacts on the Council's Local Plan database.

## 5. Summary of the main issues raised by stakeholders during the Draft SPD consultation, and how those issues have been addressed in the supplementary planning document

Nine responses were received, this was from a mixture of developer, community groups and stakeholders, a number of issues were identified. These are set out below and how they have been addressed in the SPD:

Main issue	Council response	Changes made to the SPD
<b>Policy</b>		
Off-site tree planting should be an option for meeting the canopy cover target.	There is no provision for off-setting in the policy and therefore this cannot be part of the SPD. Off-site tree planting would be a departure from policy (as would payment for offsite planting).	No further changes required.

Main issue	Council response	Changes made to the SPD
<p>Consider further exclusions from the red edge area (in addition to protected habitats which are not enhanced by tree planting and easements) when calculating what 25% of the site area is. E.g.</p> <ul style="list-style-type: none"> <li>a. Sports pitches,</li> <li>b. Attenuation,</li> <li>c. Green Infrastructure,</li> <li>d. Play Spaces,</li> <li>e. Archaeology sites,</li> <li>f. Solar Farms,</li> <li>g. Reservoirs</li> </ul>	<p>Exclusions from the red edge are not identified in the policy.</p> <p>The policy does apply a threshold depending on size and location of the site.</p>	<p>Further clarification is included in the SPD in the Survey section.</p>
<p>On small sites and those in the town centre, 'maximising' could mean more than 25%.</p>	<p>Maximising could mean more than 25%, this will be dependent on the location and type of development to what can be achieved.</p>	<p>The following has been added to the SPD in the policy context section: 'To maximise is to ensure that all opportunities are taken to retain, and plant trees and to provide green roofs and walls'. The use of the canopy cover calculator and the process set out in the SPD can be used to help applicants ensure and demonstrate that opportunities have been maximised.</p>
<p>The policy makes no reference for how canopy cover can enhance special nature of sites or habitat. Design advice should be given with regards to suitable species and places for tree planting.</p>	<p>The SPD does not identify requirements for habitat value but further guidance is provided in the Canopy Cover Design Guide. A separate SPD for Biodiversity Accounting is being developed and will add further guidance on how to achieve biodiversity net gain.</p>	<p>No further changes required.</p>
<p>The map on page 4 are unclear.</p>	<p>Maps can be made clearer.</p>	<p>Maps have been amended to include a key and higher resolution in the appendices maps.</p>

Main issue	Council response	Changes made to the SPD
Flexibility is required to make the policy workable.	The SPD sets out further detail to the policy, its purpose is not to change the policy intent.	No changes required.
Will developments inside town centres and on sites of less than 0.5ha need to submit the details on how they are maximising canopy cover.	Further guidance is needed to clarify this.	Further guidance is set out in the policy context section of the SPD to clarify that the same process should be used whether the requirement is 25% canopy cover or to maximise canopy cover.
It should be reiterated that 25% is a minimum.	This can be made clearer in the screening for canopy cover requirements section.	Changes made to include '25% as a minimum' has been added to the screening for canopy cover requirements section.
How will applications be dealt with when there is just one or two dwellings within a large plot of greater than 0.5ha?	The 25% requirement would still apply. The same process should be followed.	This is clarified in the screening for canopy cover requirements section.
What happens if the canopy cover requirements are not met?	The normal process will apply as with all adopted Development Plan policies.	No further changes required.
<b>Process / Implementation</b>		
The methodology could be made clearer.	The SPD can be made clearer as a user guide.	The SPD has been reformatted to be more user friendly, this has included combining sections and reducing the document size. The excel spreadsheet now includes descriptions for each cell. A separate Canopy Cover Design Guide will be produced.
Need to distinguish between Outline and detailed Reserve Matters/Full planning applications.	Clarification needs to be given for the different levels of information required for different types of application and at different stages	The supporting documents of the SPD now sets out what is required at outline planning application stage and at reserve matters/full application stage.

Main issue	Council response	Changes made to the SPD
<p>The canopies of retained trees are measured as they are now, whereas new trees have a future projected canopy value at circa 25 years. What happens if the retained tree is not fully grown?</p>	<p>It would be too complicated to add a consideration of growth for all trees.</p> <p>The retained tree population is assumed to be multi aged, so that trees that die will be compensated for by growth in the others. The canopy value of retained trees is linked to their Root Protection Area which reflects current rather than future requirements.</p>	<p>No further changes required.</p>
<p>Calculation of the site area does not describe how the 'site' should be drawn. Can a site include land outside of a Local Plan Allocation?</p>	<p>The Local Plan site allocation is not what is considered. The red edge of a planning application is the area considered.</p>	<p>This is clarified in section 3.2.</p>
<p>How should hedgerows be valued from the perspective of Canopy Cover?</p>	<p>It is recognised hedgerows may have canopy cover benefits for those which are well established and larger than 3m, however the long term management is often less certain and cannot be guaranteed in perpetuity.</p> <p>For the purposes of this SPD hedgerows will not be included in the canopy cover calculations, however if the applicant feels there is justification for including them, this will need to be agreed with the Local Planning Authority.</p>	<p>Guidance has been provided under 'what is canopy cover' section of the SPD.</p>
<p>How should woodland (or large group) planting be considered with regards to calculating the future canopy cover value and required soil volume?</p>	<p>Large groups of trees or woodlands should be measured using the perimeter area through CAD or GIS ('method 2').</p> <p>A number of the trees within the woodland would either die or be thinned out, therefore it is inappropriate</p>	<p>Further guidance has been included in how to measure existing and new canopy cover sections.</p>

Main issue	Council response	Changes made to the SPD
	to consider them all as individual trees.	
Natural regeneration in the existing woodland and in ancient woodland buffer zones should be recognised.	Ancient woodland buffers are good locations for additional native planting. This is a detailed design point.	No change further changes required.
Reference should be made to the Woodland Trust document: Residential developments and trees – A guide for planners and developers: <a href="https://www.woodlandtrust.org.uk/media/1688/residential-developments-and-trees.pdf">https://www.woodlandtrust.org.uk/media/1688/residential-developments-and-trees.pdf</a> and also the Woodland Trusts conservation principles.	The Woodland Trusts conservation principles are good principles, but not necessarily relevant to the Canopy Cover SPD.	No change further changes required to the SPD.
<b>Design</b>		
Design guidance is needed to ensure the tree planting approach isn't driven by cheapest/simplest approach.	Design guidance on species selection and tree distribution will be produced in the Canopy Cover Design Guidance.	The accompanying design guidance document to the SPD sets out further information on this matter.
List the priority habitats which are likely to be found in the district.	It is not necessary to list the priority habitats in the canopy cover SPD. The local Bucks and MK Biodiversity Action Plan is currently under review. A Biodiversity Accounting SPD is being produced.	No further changes required.
What if a protected habitat which is not benefited by trees, already has trees on? Does the canopy count as retained canopy?	It is likely habitat management will require reinstatement of protected habitat and therefore would not be retained and included in the calculation. This will be considered on a case by case basis.	No further changes required.
<b>Green Infrastructure</b>		

<b>Main issue</b>	<b>Council response</b>	<b>Changes made to the SPD</b>
The type of green wall and green roof is important. The water and maintenance requirements can be very different and so can the benefits, for example succulents on green roofs are not effective for urban cooling.	There is a selection of green roofs and walls in the Canopy Calculator Spreadsheet. The selection and values attributed have been reviewed to verify accuracy.	In the Canopy Cover calculator the selection and values attributed have been reviewed to verify accuracy.  Some additional guidance has been incorporated into a Canopy Cover Design Guidance to include appropriate species.
If climbers are to be used for green walls, what species work best?	Climbers cannot be counted towards canopy cover requirements. The future value of climbers cannot be secured and so they are no longer valued as a GI element.	Climbers have been removed from the canopy calculator.
Will developers use green walls and roofs as a way to avoid tree planting?	The SPD sets out a hierarchy where trees should fulfil the requirements first. Only where this cannot be achieved should green roofs and walls be considered.	No further changes required.
<b>Submission documents</b>		
Provide templates or 'heads of terms' for what should be submitted.	The SPD now identifies a section for supporting documents which identifies those which must be submitted.	Changes made to the SPD in the supporting information section.
Will it be a required to be submitted as a hard copy or electronic copy?	A electronic copy of the spreadsheet will need to be submitted so that it can be checked. Other documents can be submitted as hard or soft documents.	Further guidance now included in the submitting your information section of the SPD.
<b>Monitoring</b>		

<b>Main issue</b>	<b>Council response</b>	<b>Changes made to the SPD</b>
Trees planted and other GI installed to meet this policy should be protected.	It is not for the SPD to identify this. TPO's can be used to protect trees. Hedges, green roofs and green walls can be protected only by conditions.	No further changes required.
<b>Resource implications</b>		
Must ensure there are resources available to administer the process.	The SPD does not control this.	No further changes required.
Little consideration of the commercial/financial implications of the SPD.	This has already been addressed through adoption of the policy. This is an issue relating to the principle of having the policy. It is not something to be revisited in the SPD.	No further changes required.