

Enquiries to: Judith Orr  
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Direct line: 01494 421570  
Our ref:  
Your ref:  
Date: 11 September 2019

Dear James,

### **Habitat Regulation Assessment**

The purpose of this letter is to consider the contents of the Habitat Regulation Assessment (HRA) report, prepared by AECOM on behalf of Great & Little Kimble-cum-Marsh Parish Council, and decide whether it provides “*such information as the competent authority [the local planning authority] may reasonably require for the purposes of the assessment under regulation 105<sup>1</sup>* [which sets out the formal process for the plan making body i.e. both the local planning authority and the examiner, to determine likely significant effects and adverse effects on integrity]”.

As you will be aware, AECOM were involved in advising the Council on their HRA work for the Wycombe District Local Plan. Examination hearings were held into the contents of the Local Plan between July and September 2018. Since the last Hearings took place, the Inspector has not raised further issues on the HRA work. The Main Modifications were subject to their own HRA, which concluded, that 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. Consequently it is considered likely that the Local Plan HRA will be found legally compliant.

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<sup>1</sup> Conservation of Habitats and Species Regulations 2017  
Planning and Sustainability - Penelope Tollitt, Head of Service

The HRA report for the Pre-submission Neighbourhood Plan for Great & Little Kimble-cum-Marsh Parish (hereafter referred to as the Kimble Neighbourhood Plan) was prepared in the context of this work. Reference has been made throughout the Neighbourhood Plan HRA report to the over-arching HRA work undertaken for the Wycombe District Local Plan.

The Wycombe District Local Plan details the quantum of development within the District and has, as referred to above, already been subject to HRA. This is highly relevant because under Local Plan Policy RUR6, the Kimble Neighbourhood Plan is required to allocate land with a total capacity of 160 dwellings during the Local Plan period (subject to any reasonable allowance for windfall schemes).

The HRA of the Local Plan<sup>2</sup> stated that the Neighbourhood Plan “*will set where these [proposed dwellings within Great & Little Kimble-cum-Marsh Parish] should be delivered. As part of the Neighbourhood Plan preparation, likely significant effects on SAC sites will need to be considered.*”

Therefore, the overall quantum of growth within the Kimble Neighbourhood Plan has already been subject to HRA at the Local Plan level as part of the overall quantum of housing and employment growth within Wycombe District, and in combination with other projects and plans. Therefore strategic issues unrelated to the specific location of housing within the Parish (such as roadside air quality across the District and beyond) do not require reinvestigation for this Neighbourhood Plan HRA. The Neighbourhood Plan HRA therefore focusses on the potential for the actual site allocations to result in likely significant effects on European sites.

The first stage of an HRA is a likely significant effects (LSE) test. This is essentially a high level assessment to decide whether the full subsequent stage known as appropriate assessment is required.

This is followed by a second stage, where European site(s) which have been ‘screened in’ for likely significant effects are then subject to a detailed appropriate assessment of the potential impacts of the policies or site allocations on their integrities. Avoidance and mitigation measures to prevent adverse impacts are incorporated where necessary.

For the Kimble Neighbourhood Plan, the first stage of the NDP HRA concluded that the overall likely significant effects on European sites due to urbanisation can be screened out at this stage. No appropriate assessment of such effects was required. Potential effects of the neighbourhood plan site allocations relating to recreational pressure could not be screened out and therefore an appropriate assessment was required to determine whether there would be adverse effects on the integrity of the Chilterns Beechwoods SAC due to recreational pressure (both due to the NDP alone and in combination with other plans and projects)..

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<sup>2</sup> Para. 4.24 Habitats Regulations Assessment of the Wycombe District Local Plan– Screening report (September 2017)

The appropriate assessment concluded that there would be no adverse effect on the integrity of the Chilterns Beechwoods SAC as a result of the Kimble Neighbourhood Plan either alone or in combination with other projects and plans.

Policy DM16, Open space in new development, of the Delivery and Site Allocation (DSA) Plan requires that developments of fewer than 40 dwellings would be required to provide off-site strategic and local open space (to be funded through the Community Infrastructure Levy (CIL)). Developments of 40 dwellings or more would need to provide off-site strategic open space (to be funded through the CIL) and local open space on-site (1.15 hectares of local open space per 1,000 population).

To reinforce the conclusion of no adverse effect on integrity, the HRA of the Kimble Neighbourhood Plan recommends that the policy requirement of Local Plan policy DM16 is reflected in the Neighbourhood Plan policy KIM8: Protecting International Habitats. This recommendation has been taken forward and reflected in the Pre Submission version of the Kimble Neighbourhood Plan.

In the light of the above, Wycombe District Council (as the competent authority) are satisfied that the HRA, as included as part of the pre-submission evidence base, provides the information required by the Council for the assessment, under regulation 105 of the Conservation of Habitats and Species Regulations 2017. It is agreed that no adverse effects on the integrity of the Chilterns Beechwoods SAC would arise either alone or in combination with other projects or plans as a result of the inclusion of the policies and sites set out in the Kimble Neighbourhood Plan.

Yours sincerely

A handwritten signature in black ink, appearing to read 'J Orr', written in a cursive style.

Judith Orr  
Senior Planning Officer - Policy