



South Bucks Local Development Framework

Habitats Regulations Assessment for the Core Strategy Addendum Update

February 2011



South Bucks
District Council

Habitats Regulations Assessment for the South Bucks Core Strategy

Addendum update to the HRA Screening Statement (March 2010), taking into account the Inspector's Changes that go to Soundness

Introduction

- 1.1 A Habitats Regulations Assessment (HRA) was undertaken, under Regulation 85 of the Conservation (Natural Habitats &c) Regulations 1994 (as amended), to ascertain whether or not the South Bucks Core Strategy required an Appropriate Assessment under the Habitats Regulations for its effects on European sites.
- 1.2 The [HRA Screening Statement](#) (March 2010) concluded that the Proposed Submission Core Strategy would not lead to any significant effects in relation to Burnham Beeches Special Area of Conservation (SAC), or any other European site, either alone or in combination with other plans or projects, and it did not require an Appropriate Assessment under the Habitats Regulations.
- 1.3 Representations were invited on the Proposed Submission Core Strategy for a six week period between 31st March and 12th May 2010. A total of 62 representors made a total of 221 representations. Officers reviewed these representations, and produced a Schedule of Proposed Changes for Submission. The more substantive changes are considered in Table 1 below.
- 1.4 The HRA Addendum Report was published alongside the Core Strategy and the Schedule of Proposed Changes on 21st July 2010, when the Core Strategy was submitted for examination. This concluded that the proposed changes (in Table 1 below) would have no significant negative impacts on Burnham Beeches Special Area of Conservation, or any other European site. During the Examination of the Core Strategy, the Council put forward further changes to the Core Strategy in two separate schedules.
- 1.5 The purpose of this HRA Addendum Update is to record the Council's consideration of these further changes, in terms of whether they have any significant effects on Burnham Beeches Special Area of Conservation, or any other European site, that would alter the conclusions drawn in the HRA Screening Statement (March 2010) and the first Addendum Report (July 2010).
- 1.6 The Core Strategy Hearing sessions took place between 10th and 18th November 2010. Following this, the [Inspector's Report](#) was received by the Council on 31st January 2011. The Inspector concluded that the Core Strategy meets all of the legal requirements of Section 20(5) of the Planning and Compulsory Purchase Act 2004, including the requirement for Appropriate Assessment (AA). She states in paragraph 47 that "*AA was carried out. There were no significant direct or indirect effects on the SPA or SACs within or close to the District, alone or in combination with other plans and policies*".
- 1.7 The Inspector found the Core Strategy 'sound', subject to a limited number of changes needed to meet legal and statutory

requirements. Appendix A of her report lists the changes that she considers are needed to make the Core Strategy sound ('Council Changes that go to Soundness'). She also attached (in Appendix B of her report) a list of minor changes put forward by the Council. The changes that go to soundness have been assessed by the Council (see Table 2 below) to ensure that these do not present a risk to European sites. However, as the minor changes do not relate to soundness, they have not been assessed in this assessment. All of these binding changes were incorporated into the final Core Strategy that is expected to be adopted on 22nd February 2011.

Table 1 - Proposed Submission Core Strategy: Schedule of Proposed Change (July 2010) - substantive changes

Core Strategy Page / Para	Proposed Change	Commentary - HRA Implications
Page 11, paragraph 1.2.25	Amend paragraph 1.2.25 to change "Four" to "Five" and add "Gomm Valley" to the list.	Positive - highlights a further Biodiversity Opportunity Area which will which will help support biodiversity across the District and in Burnham Beeches SAC.
Page 21, paragraph 1.4.3	Amend the second Critical Success Factor under Strategic Objective 12 to read: "Delivery of a net gain in biodiversity resources, including in the Biodiversity Opportunity Areas (see Core Policy 9)". Also amend this Critical Success Factor under Core Policy 9, in Appendix 8 (page 122).	Positive - comments strengthen support for biodiversity in the area which, in turn, will support biodiversity in Burnham Beeches SAC and across the District.
Page 27	Add the mainline Grand Union Canal to the Key Diagram (see the Consolidated Version of the Proposed Submission Core Strategy).	Positive contribution, adds a biodiversity corridor to the Key Diagram.
Page 40-41, Core Policy 1 (and paragraph 3.2.8 / Appendix 8)	References in Core Policy 1 (and paragraph 3.2.8 and Appendix 8) to the District aiming to provide at least 95% of all new residential development on Previously Developed Land (PDL), in accordance with PPS3 (Housing), will need to be amended or deleted.	No effect. This change is needed as a result of the changes to PPS3, which changes the definition of PDL.
Page 46, Core Policy 3	Amend Core Policy 3 to read "350-500 affordable dwellings will be provided..." with a new footnote to explain the reason for the change.	No effect. This clarifies that less affordable housing is likely to be delivered if the Opportunity sites do not come forward.
Pages 48 and	Add footnote to the first "open spaces" reference in paragraph 3.2.28	Adds positively to recognising the value of land

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49, paragraph 3.2.28, Core Policy 5	and the first "open space" reference in Core Policy 5, as follows: "In applying Core Policy 5, "open space" will be taken to mean all open space of public value, including not just land, but also areas of water. PPG17: Planning for Open Space, Sports and Recreation, provides a typology illustrating the broad range of open spaces that may be of public value."	and water for biodiversity, albeit indirectly.
Pages 54 and 56, paragraph 3.2.49, Core Policy 7	Replace second sentence of paragraph 3.2.49 with new text referring to proposed development exacerbating existing traffic problems, for example at M40 J1. It adds that mitigation measures may be needed later in the Plan period. Add new sentence at end of penultimate paragraph of Core Policy 7: "Impacts on Junction 1 of the M40 will be kept under review, with mitigation measures, including infrastructure improvements, potentially being needed later in the Plan period."	No change. This reflects the final conclusions of the Evaluation of Transport Impacts (ETI) study more accurately. The final ETI does not indicate that proposed development would result in any overcapacity issues on the A355 at Farnham Common during the Plan period. The reference to mitigation measures is a positive change.
Page 57-58, paragraphs 3.3.4 and 3.3.5	Delete second sentence of paragraph 3.3.4 (see also Schedule 3 below). Replace with: "To reflect character and accessibility considerations, new housing schemes in the District have tended to be permitted at relatively low densities. Annual monitoring data confirms that in the period 2004-2009, the net average density of permitted development (on land excluded from the Green Belt) was between 22 and 34 dwellings per hectare (dph)".	No effect. This change is needed as a result of the changes to PPS3, which removes the indicative minimum density requirement of 30 dph.
Page 58, Core Policy 8 and 9	Re-title Core Policy 8 as "Built and Historic Environment" (amending also other references to the policy title throughout the document). Move the penultimate paragraph of Core Policy 9 to the end of the second paragraph of Core Policy 8, and add "and its setting" after "The historic landscape...". Also see Proposed Changes to pages 61-62 and Core Policy 9, below.	Positive effect - the conservation of historic landscape will help support the biodiversity of Burnham Beeches and the District.
Page 58-59, Core Policy 8	Amend the first sentence of the penultimate paragraph of Core Policy 8 to read: "On land excluded from the Green Belt, new housing	No effect. This change is needed as a result of the changes to PPS3, which removes the

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	should be built at an average density of between 25 and 35 dwellings per hectare."	indicative minimum density requirement of 30 dph. The proposed revised density of 25 to 35 dwellings provides more flexibility but is similar to previous average density figure of 30 dph.
Page 59, paragraph 3.3.9	Add a new sentence after the first sentence of paragraph 3.3.9: "The Chilterns Conservation Board has prepared a Management Plan for the AONB which contains policies and actions to conserve and enhance the natural beauty of the AONB."	Positive effect - recognises the importance of the AONB Plan, which in turn should enhance the conservation and biodiversity of Burnham Beeches SAC and the District.
Page 59, paragraph 3.3.10	Amend the last sentence in paragraph 3.3.10 to read, 'In addition, five Biodiversity Opportunity Areas have been identified in South Bucks...' Replace the final line of paragraph 3.3.10 with "where targeted conservation action will have the greatest benefit."	Clarity of message provides positive statement for biodiversity enhancement.
Page 61-62, Core Policy 9	Add a new second sentence in the first paragraph of Core Policy 9 to read: "The conservation and enhancement of the Chilterns AONB and its setting will be achieved by ensuring that all development complies with the purposes of the AONB and its Management Plan." Amend the fourth line onwards of the first bullet point to read: "...harm caused, the Council is satisfied that the development cannot reasonably be located on an alternative site that would result in less or no harm and appropriate mitigation or compensation is provided resulting in a net gain in Biodiversity." Second bullet, add after "non-designated land", ", on rivers and their associated habitats" Add a new bullet, after the second bullet, to read: 'Maintaining existing ecological corridors and avoiding habitat fragmentation.' Change the second to last paragraph to read: "The historic landscape and its setting (<i>arising from Representation No. 2091, as above</i>), including archaeological sites, Historic Parks and Gardens and Ancient Woodland will also be strongly protected and enhanced where possible, informed by the Bucks Historic Landscape Characterisation Study and other evidence." Move this paragraph to the end of the second paragraph of Core Policy 8. In	Positive statements which emphasise the importance of biodiversity across the District. This will support biodiversity across Burnham Beeches, in particular the need to avoid habitat fragmentation for species movement.

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	the last sentence of Core Policy 9, add "and enhancement" after "protection".	
Page 65, Core Policy 10	Amendments to Core Policy 10 (Employment) - see Schedule of Proposed Changes for full details.	No effect. This change reflects latest national guidance in PPS 4 and provides some additional flexibility for the reuse of some employment sites for alternative economic uses.
Page 67-68, Core Policy 11	<p>Add two new sentences at the end of paragraph 3 of Core Policy 11 to read: "Redevelopment of the Bishop Centre is supported, although the actual form and scale of new retail provision will be subject to a more localised need, impact and sequential analysis, at the time a planning application is submitted. The Bishop Centre must maintain a scale and role which does not impact adversely on other centres, including Burnham, Slough and Maidenhead".</p> <p>Delete the last paragraph of Core Policy 11 (included in the text above).</p>	No effect. This change recognises that there will need to be a more localised assessment of retail need at the Bishop Centre at the time of any planning application.
Page 83, Paragraph 3.6.29	Add after "It lies...." (in second sentence of paragraph 3.6.29) "within the Colne Valley Park and Biodiversity Action Area,".	Positive statement as landscape and biodiversity are clearly recognised in the text and are therefore comprise part of the context of the South of Iver area.
Page 110-111, Appendix 6	<p>Add new rows to Appendix 6 (Infrastructure Schedule), under heading of Core Policy 7, as follows: DELIVERABLE: Location: DISTRICT WIDE Infrastructure issue to be addressed: Improve and encourage sustainable travel Project/Scheme: Encourage new and existing employers to produce Travel Plans for their organisations Who: SBDC, BCC, Highways Agency, Developers, others</p> <p>Possible Funding Sources: Employers When: Throughout plan period</p>	Positive statement - greater use of travel plans will reduce transportation impacts on Burnham Beeches SAC.

Table 2 - Core Strategy Inspector's Report (January 2011) - Council Changes that go to Soundness

Core Strategy Page / Para	Proposed Change	Commentary - HRA Implications
Table 1 PC1	Update the figures in Table 1 [of the Core Strategy] - see Appendix 1 ¹ .	No effect. These small changes reflect the latest housing monitoring data and the use of net SHLAA figures. The amount of housing anticipated to occur in the Secondary Settlements (including Farnham Common, adjacent to Burnham Beeches) is almost the same to that shown in the Submitted Core Strategy.
Third Para of 'Community Needs' section PC2	Amend the first sentence to read: "... (with approximately 1,000 100 ²⁰ dwellings completed over the ten year period)" After "(with approximately 1,000 dwellings completed over the ten year period)" - add a footnote reference, with the footnote to read: "Assuming the Opportunity Sites come forward in the period 2011-21, approximately 1,400 dwellings are likely to be completed over this ten year period".	No effect. These changes reflect the latest housing monitoring data and the use of net SHLAA figures. A slightly reduced scale of housing development is anticipated in the ten year period 2011-21.
Para 2.1.10 Appendix 5 PC3	Replace "2022/23" with " <u>2023/24</u> " in the first sentence. Also, update the introductory paragraph of Appendix 5 (as amended), to read: "...the lower end of the 2,200-2,800 dwelling range in <u>2022/23</u> <u>2023/24....</u> "	No effect. These changes reflect the latest housing monitoring data and the use of net SHLAA figures.
Para 2.2.8	Amend the first sentence to read:	No effect. This small change in the number of dwellings reflects the latest housing monitoring

¹ Appendix 1 of the Inspector's Report lists a number of tables and graphs showing the housing land supply position, updated to 1st April 2010. Table 1 shows the housing distribution overview.

Core Strategy Page / Para	Proposed Change	Commentary - HRA Implications
PC4	“...plan period (approximately 230 243 dwellings), than in any...”	data and the use of net SHLAA figures.
Table 3 PC5	Update the figures in Table 3 - see Appendix 1 .	No effect. These small changes in the number of dwellings expected to be built in Beaconsfield reflect the latest housing monitoring data and the use of net SHLAA figures.
“Beaconsfield Box” PC6	Replace the figure “430” with “ <u>440</u> ” in the first sentence.	No effect. This small change in the number of dwellings expected to be built in Beaconsfield reflects the latest housing monitoring data and the use of net SHLAA figures.
Table 4 PC7	Update the figures in Table 4 - see Appendix 1 .	No effect. These small changes in the number of dwellings expected to be built in Gerrards Cross reflect the latest housing monitoring data and the use of net SHLAA figures.
Table 5 PC8	Update the figures in Table 5 - see Appendix 1 .	No effect. These small changes in the number of dwellings expected to be built in Burnham reflect the latest housing monitoring data and the use of net SHLAA figures.
Table 6 PC9	Update the figures in Table 6 - see Appendix 1 .	No effect. These small changes in the number of dwellings expected to be built in the rest of the District reflect the latest housing monitoring data and the use of net SHLAA figures. The amount of housing anticipated to occur in the Secondary Settlements (including Farnham Common, adjacent to Burnham Beeches) is almost the same to that shown in the Submitted Core Strategy.
Para 2.2.30 (Rest of the District box) PC10	Replace the figure “1,440” with “ <u>1,380</u> ” in the first sentence. Replace the figure “1,140” with “ <u>1,170</u> ” in the second sentence.	No effect. These small changes reflect the latest housing monitoring data and the use of net SHLAA figures.

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Para 3.2.2 - Table 7 PC11	Update Table 7 to provide housing land supply data as of 1 st April 2010 and net SHLAA figures. See Appendix 1 .	No effect. These changes reflect the latest housing monitoring data and the use of net SHLAA figures. A slightly reduced scale of housing development is now anticipated in the Plan period (2006-26).
Para 3.2.4 PC12	Replace the figure "611" with " <u>443</u> " and "2,731" with " <u>2,698</u> " in the first sentence.	No effect. These small changes reflect the latest housing monitoring data and the use of net SHLAA figures. A slightly reduced scale of housing development is now anticipated in the Plan period (2006-26).
Core Policy 1 PC13	Amend the second sentence to read: "At least 80% of this development will be accommodated on Previously Developed Land."	No effect. This change reflects amendments made to PPS3: Housing that reclassifies back garden land as greenfield.
Para 3.2.14 PC14	Delete the last two sentences of para 3.2.14. Replace with: " <u>In order to encourage mixed communities, in accordance with PPS3, a mix of dwelling types and sizes will be required on larger developments.</u> "	No effect. This change more accurately reflects the intended implementation of Core Policy 2.
Core Policy 2 PC15	In the first sentence of the second paragraph, delete "or 0.16 hectares and above,". In the first sentence of the third paragraph, delete "or 0.16 hectares and above,". Delete the second sentence of the second paragraph, and replace it with: -	No effect. The Council considers that there is no benefit to be gained from including these additional size thresholds in Core Policy 2.

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	<p><u>"The mix of housing provided will vary from site to site but the aim should be to provide a range of types and sizes that take account of the existing housing mix in the area."</u></p>	
Core Policy 3 PC16	<p>Amend the first sentence of the second paragraph to read: -</p> <p><u>"...of 0.16 hectares and above (irrespective of where there is a net gain in the number of dwellings) should be affordable..."</u></p>	No effect. This change clarifies that affordable housing would only be sought where there is a net gain in dwellings.
Page 71, Core Policy 10 PC17	<p>Amend the second sentence of the second paragraph to read: -</p> <p><u>"In limited circumstances, including where there is no reasonable prospect of a site being used for the permitted purpose⁷⁰..."</u></p> <p>Also amend the footnote attached to these words as follows:</p> <p><u>"In seeking to demonstrate that there is no reasonable prospect of a site being used for the permitted purpose, the applicant will need to have undertaken a prolonged period of unsuccessful marketing, using details approved by the District Council."</u></p> <p>Amend the third paragraph to read:</p> <p><u>"The change of use of employment land and floorspace (B Use Class) to retail use will not be permitted (outside of the District and Local Centres defined in Core Policy 11) will only be permitted in limited circumstances - where there is evidence that the proposal would not have a significant adverse impact upon nearby District and Local Centres, and there are no sequentially preferable alternative sites available."</u></p>	No effect. These changes add to the flexibility of Core Policy 10, and address the representations received from Savills, so that the policy complies with PPS4. There would be no impact on any European Sites, including Burnham Beeches.
Core Policy 11	In the first sentence of the third paragraph, after the words "set out	No effect. This change adds to the flexibility

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PC18	below", insert " <u>(or as updated in a future Retail and Town Centre Study)</u> ".	of Core Policy 11.
Core Policy 12 PC19	In the final sentence, replace the word "targets" with " <u>requirements</u> ".	No effect. This provides flexibility to amend aspects of the Sustainable Energy policy in the light of new evidence and technological advances.
Para 3.6.8 PC20	Amend the final sentence to read: "The Council accepts the general principle of retaining the same overall quantum of floorspace through any redevelopment scheme, but will need to be satisfied that the height, massing and distribution of the proposed development <u>has no greater impact (and preferably a lesser impact) than existing development on the openness of the Green Belt</u> reduces the impact on the openness of the Green Belt, and the purposes of including land within it.	No effect. This change ensures consistency with national guidance and Core Policy 14. There would be no impact on any European Sites, including Burnham Beeches.
Core Policy 14 PC21	Amend the penultimate bullet to read: " <u>Demonstrate, prior to the granting of planning permission,</u> that the necessary infrastructure can be put in place <u>within agreed timescales,</u> prior to development commencing including... "	No effect. This change provides clarification on infrastructure delivery.
Core Policy 15 PC22	Amend the last bullet to read: " <u>Demonstrate, prior to the granting of planning permission,</u> that the necessary infrastructure can be put in place <u>within agreed timescales</u> prior to development commencing. "	No effect. This change provides clarification on infrastructure delivery.
Para 3.6.33 PC23	Amend the penultimate sentence to read: - "In the longer term, should proposals come forward for comprehensive <u>significant development or redevelopment of</u> on the Thorney Business Park, the Council would look for a significant reduction in the HGV movements <u>(generated by the site) through Iver Village and Richings Park, either through land use, use of the rail and canal access or provision of a new access road.</u> "	This change provides clarification on the aims of Core Policy 16. The key aim is to deliver a reduction in HGV movements through Iver Village and Richings Park, which could be achieved in various ways, including through the provision of a new access road. Whilst a new access road might even provide for an increase in HGV movements to and from the site (although not through Iver Village and Richings

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Core Policy 16 PC24	<p>Amend the last paragraph to read:</p> <p>Any proposals for significant development or redevelopment on the Thorney Business Park should deliver a significant reduction in <u>the number of HGV movements (generated by the site) through Iver Village and Richings Park, either through land use, use of the rail and canal access or provision of a new access road.</u>"</p>	<p>Park), any such proposals would need to be subject to further, more detailed assessment at the planning application stage to consider the potential adverse impacts, including on Burnham Beeches SAC.</p>
Paras 3.6.37- 3.6.39 PC25	<p>Replace paragraphs 3.6.37-3.6.39 with:</p> <p><u>"3.6.37 The redevelopment of sites in the Green Belt will normally be inappropriate development, unless for a limited range of uses⁸⁸. Inappropriate development will not be supported unless the applicant can demonstrate that there are very special circumstances justifying development in the Green Belt. The applicant will also need to comply with the relevant community consultation requirements, as set out in the Council's Statement of Community Involvement - although it will not normally be appropriate to prepare a development brief for such sites, as national and local Green Belt policy severely limits the range of development options available.</u></p> <p><u>3.6.38 Alternatively, and if necessary, the Council may need to if necessary, the Council may give consideration to identifying additional Major Developed Sites in the Green Belt, through preparation of a subsequent DPD.</u></p> <p><u>3.6.39 For the avoidance of doubt, development briefs will normally be required on sites of 1 hectare or more (on land excluded from the Green Belt), although in certain circumstances (for example, where a site is in a particularly sensitive setting) a development brief may need to be prepared for smaller sites"</u>.</p>	<p>No effect. These changes clarify that it would be inappropriate to require Development Briefs on Green Belt sites (unless they are designated as Major Developed Sites).</p>
Core Policy 17	Amend the first sentence of Core Policy 17 to read:	No effect. This change clarifies that it would be

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PC26	<p>“Should other significant sites come forward for development <u>on land excluded from the Green Belt</u>, a Development Brief will normally need to be prepared, prior to submission of a planning application.</p>	<p>inappropriate to require Development Briefs on Green Belt sites (unless they are designated as Major Developed Sites).</p>
Para 4.1.10 PC27	<p>Insert new sentence at the end of paragraph 4.1.10 to read:</p> <p><u>“If, on the other hand, there is a significant over supply of housing (insert footnote) as assessed against the housing targets in the Spatial Strategy and Core Policy 1, the Council will seek to put in place actions to manage this oversupply”.</u></p> <p>New footnote:</p> <p><u>“PPS3: Housing, indicates at paragraph 64 that more than a 10-20% over supply could be considered ‘significant’.”</u></p>	<p>No effect. These changes clarify that management action will also be needed if there is an over supply of housing as well as an under supply. This will help ensure European Sites are not affected by a significant over supply of housing, for example at Farnham Common, close to Burnham Beeches.</p>
Appendix 5 PC28	<p>Update the Housing Trajectory figures and table to provide housing land supply data as of 1st April 2010. Also to incorporate the net SHLAA figures (see Appendix 1).</p>	<p>No effect. These changes reflect the latest housing monitoring data and the use of net SHLAA figures.</p>

Conclusion

- 2.1 The HRA Addendum Report published alongside the Core Strategy at submission in July 2010 concluded that the changes listed in the 'Schedule of Proposed Changes' (see Table 1 above) would result in no significant negative comments or likely negative impacts on Burnham Beeches Special Area of Conservation (SAC), or any other European site. It further concluded that in the light of this, no further Habitats Regulations Assessment work was required. This Addendum Update records the assessment carried out on the further changes put forward during the Examination into the Core Strategy.
- 2.2 The Inspector's report into the Core Strategy was received by the Council on 31st January 2011, and she found the Core Strategy 'sound', subject to a limited number of changes 'that go to Soundness'. In her report, the Inspector concluded that the legal requirements, including the requirement to undertake Appropriate Assessment, had been complied with and that "*There were no significant direct or indirect effects on the SPA or SACs within or close to the District, alone or in combination with other plans and policies*".
- 2.3 Having assessed the 'Council Changes that go to Soundness' (listed in Table 2 above), the Council have concluded that these changes would also not result in any significant effect on any European Sites, including Burnham Beeches SAC. The findings from the Screening Statement and the Addendum Report therefore remain unchanged.
- 2.4 The Core Strategy is expected to be adopted on 22nd February 2011.



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