

# WORMINGHALL NEIGHBOURHOOD PLAN

*Let's set the future of our village!*

## Basic Conditions Statement



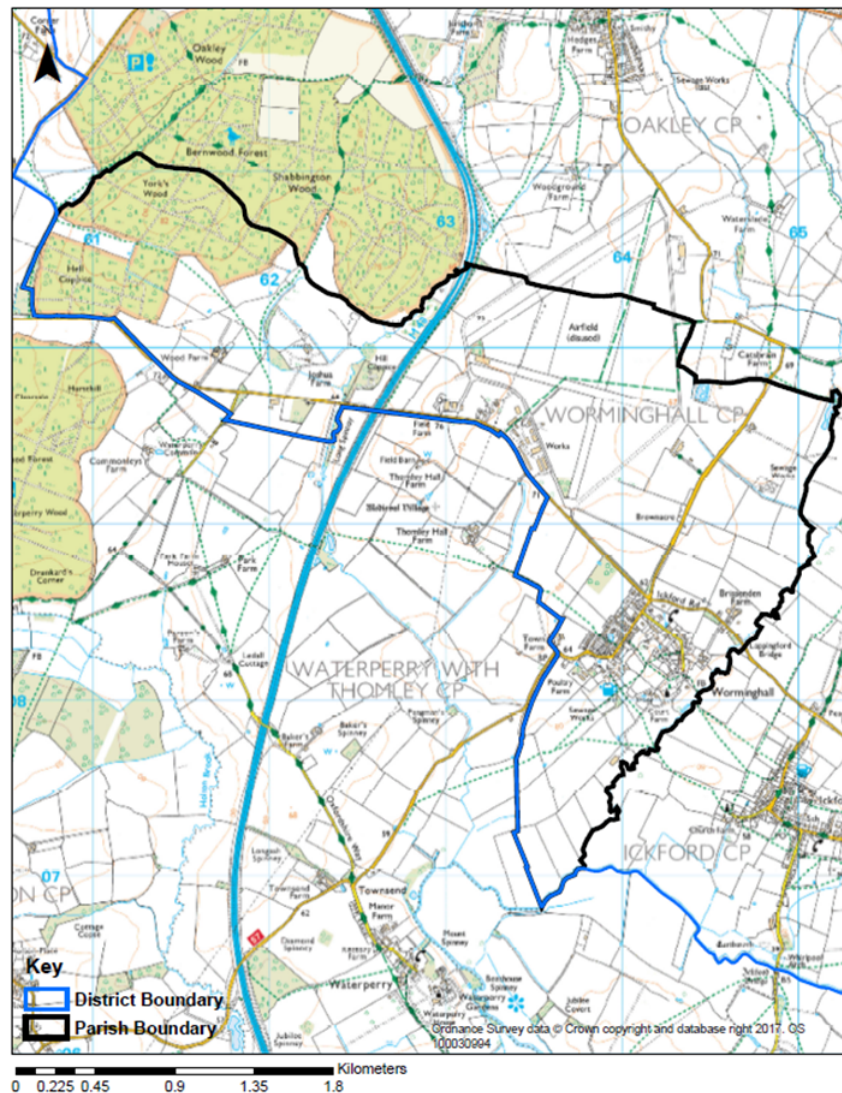
**Submission Version January 2018**

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# 1. Introduction

- 1.1. This Statement has been prepared by Worminghall Parish Council (WPC) to accompany the Worminghall Neighbourhood Plan 2017-2033 (Submission Version January 2018) on submission to Aylesbury Vale District Council (AVDC) under regulation 15 of the Neighbourhood Planning (General) Regulations 2012 (“the Regulations”).
- 1.2. The Neighbourhood Plan has been prepared by WPC, a qualifying body, for the Neighbourhood Area covering the whole of the parish of Worminghall, as designated by AVDC on 19<sup>th</sup> September 2016.



- 1.3. The policies described in the Neighbourhood Plan relate to the development and use of land in the designated Neighbourhood Area and do not relate to any other designated Neighbourhood Area. The plan period is from 1<sup>st</sup> April 2017 to 31<sup>st</sup> March 2033 and it does not contain policies relating to excluded development in accordance with the Regulations.
- 1.4. The Statement addresses each of the four ‘basic conditions’ required of the Regulations and explains how the submitted Neighbourhood Plan meets the requirements of paragraph 8 of schedule 4B to the Town and Country Planning Act 1990.
- 1.5. The Regulations state that a Neighbourhood Plan will be considered to have met the basic conditions if:

- Having regard to National Policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the neighbourhood development plan
- The making of the neighbourhood development plan contributes to the achievement of sustainable development
- The making of the neighbourhood development 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)
- The making of the neighbourhood development plan does not breach, and is otherwise compatible with EU obligations

## 2. Background

- 2.1. The plan preparation has been led by WPC, through the Neighbourhood Plan Steering Group. It has comprised three main stages:
  - Evidence gathering which has been set out in the Scoping Report (July 2017, updated September 2017), a report that summarised background evidence on which the WNP is based. This was consulted on as the SEA Scoping Report with the relevant bodies in August and September 2017
  - Draft Neighbourhood Plan September 2017 (Pre-submission version), the draft plan and accompanying background documents were published for 6 weeks in accordance with regulation 14 of the Regulations and the SEA directive.
  - Submission Neighbourhood Plan (January 2018) which takes into account representations received on the earlier version and has been modified for submission to AVDC; it is accompanied by the SA/SEA report, Basic Conditions Statement and the Consultation Statement. Several background documents are also available.
- 2.2. WPC has consulted the local community extensively throughout the process including a questionnaire, drop-in days and exhibitions to obtain the fullest view of local community concerns, needs and wants from the Neighbourhood Plan. Relevant stakeholders have also been consulted including developers and landowners. Full details are set out in the Consultation Statement and appendices.
- 2.3. It has also worked closely with officers of AVDC since the start of the project to collate and examine the evidence base, to design and iterate policy proposals and to define the proper relationship between the NP and the 2004 Aylesbury Vale Local Plan and emerging policy in the Vale of Aylesbury Local Plan (VALP).
- 2.4. The Neighbourhood Plan contains an allocation and a designation policy that are defined on the Policies Map as being geographically specific. The Plan has not duplicated policies, both saved and emerging which will be used in determining planning applications. This has allowed the Neighbourhood Plan to focus on a small number of locally relevant and important policies.

## 3. Conformity with National Planning Policy

- 3.1. The Neighbourhood Plan has been prepared with regard to national policies as set out in the National Planning Policy Framework 2012 (NPPF) and is mindful of the National Planning Practice Guidance (NPPG) in respect of formulating neighbourhood plans.
- 3.2. There are four NPPF paragraphs that provide general guidance on neighbourhood planning, to which the Neighbourhood Plan has directly responded:
  - Para 16

WPC believes the Neighbourhood Plan is planning positively to support the strategic development needs of the district by making a housing allocation, which accords with the vision for the parish. It also seeks to protect and enhance community assets that benefit a wider rural population than its own.

- Para 183

WPC believes the NP establishes in its Section 6 a vision for the village and parish that reflect the desires of the local community for the place that Worminghall can and should become. It makes the outputs of these activities real by translating them into planning policies to determine future planning applications as part of the development plan.

- Para 184

WPC believes the Neighbourhood Plan, as is highlighted below, is in general conformity with all the relevant saved policies of the development plan but also anticipates the emerging VALP, with its strategic housing and other policies. Importantly, the Neighbourhood Plan allocates a site for housing, promoting more development than is proposed in the emerging VALP.

- Para 185

- 3.3. The Neighbourhood Plan avoids duplicating development plan policies by focusing on site-specific policies that translate the general requirements of the development plan into a Worminghall context. Once made, the Neighbourhood Plan should be easily considered alongside the development plan and any other material considerations in determining planning applications.
- 3.4. Set out below is a brief summary of how each policy conforms to the NPPF. The particular paragraphs referred to in the table are those considered the most relevant to each policy but are not intended to be an exhaustive list of all possible relevant paragraphs.

**Table 1: NPPF Conformity**

Policy	NPPF paragraph	Commentary
SB1:Settlement Boundary	58, 61	Seeks to locate new housing in appropriate places to add to the quality of the area and respond to local character and history
SB2: Open Countryside	28, 58, 61, 109	Seeks to support appropriate development in the countryside, locate new housing in appropriate places to add to the quality of the area and respond to local character, history and biodiversity
NH1: New Houses	57, 58, 60, 61	Seeks high quality design respecting the identity of the local context.
NH2: Housing Mix	50	Requires a mix of housing for all new development in the village to meet the needs of older people, families and younger people
NH3:Coldstream Farm/Rear of Clifden Arms	50, 58, 109, 111, 131	Seeks to provide a mix of houses and a play area, responding to the local character, adjacent listed buildings and countryside. The site has existing buildings on it, reusing land efficiently.
RC1:Rural character	58, 60, 61, 109, 118	Seeks high quality design respecting the identity of the local context. Supports the protection of the local landscape, wildlife and biodiversity
CFR1: Community Facilities	28, 69, 70	Promotes inclusion and opportunities for community cohesion
CFR2:Recreation	73	Seeks to ensure the provision of play and recreational space
CFR3:Footpaths	75	Seeks to protect and enhance rights of way
CH1:Heritage	126	Seeks to conserve, enhance and promote the historic environment
TT1: Parking and Traffic	39	The parking standards take account of the local circumstances and rural nature of the location. Takes account of the need to achieve suitable access and limit the impact on the road network

## 4. Contribution to Sustainable Development

- 4.1. The Neighbourhood Plan is accompanied by a Strategic Environmental Assessment (SEA) of its environmental effects. The assessment demonstrates that the Neighbourhood Plan will not have any significant environmental impacts; rather its sum of policies will deliver a positive environmental outcome.
- 4.2. A Sustainability Appraisal has been incorporated into the SEA, although this is not a requirement of a Neighbourhood Plan. Thus, the Neighbourhood Plan can clearly demonstrate that it has taken account of the need to contribute to the achievement of sustainable development in terms of how its policies will deliver a blend of economic, social and environmental benefits for Worminghall.
- 4.3. The vision and objectives of the Neighbourhood Plan comprise a balance of social, economic and environmental goals. The social goals are to improve the amenities, delivering new recreational facilities and of meeting the demand and need for new homes of the local community to allow a younger demographic to develop. Economic goals are limited in such a small village but to provide the growth in the number of households in the parish over the plan period will help retain existing facilities. Environmental goals include the protection and enhancement of Worminghall's natural and historic environment.
- 4.4. However, the goals make clear that there are environmental parameters within which these social and economic goals must be couched by keeping development in scale with the rural character of the existing village and wider parish.
- 4.5. The Neighbourhood Plan could have proposed an alternative strategy based on no or very little growth, given the Development Plan in place is out of date and the emerging Local Plan does not seek allocations in such locations. However, this would not have delivered a greater sustainability outcome than the options proposed in the Neighbourhood Plan.
- 4.6. The chosen policies therefore translate the objectives of the Neighbourhood Plan into viable and effective development management policies which will deliver strong social and environmental impacts, lesser on the economic aspect of sustainable development.
- 4.7. The sustainability attributes of each policy are summarised in the table below.

**Table 2: Sustainability Attributes**

**Key: \*\* very positive \* positive - neutral x negative xx very negative**

Policy	Soc	Econ	Env	Commentary
SB1: Settlement Boundary	*	-	**	New housing development is guided to the right locations to protect the integrity of the village, thereby delivering a very positive environmental impact. New housing will deliver a positive social benefit in supporting local facilities.
SB2: Open Countryside	-	**	**	The policy has a very positive impact on the environment and will allow the rural economy to prosper
NH1: New Houses	*	-	**	The policy has a very positive impact on the environment by respecting local character.
NH2: Housing Mix	**	-	-	The policy will have very positive social impact by ensuring that housing is available to a wide range of potential residents
NH3: Coldstream Farm/Rear of Clifden Arms	**	*	*	There is a very positive social impact with the provision of a play facility and footpath link. The allocation of new housing will overall provide a positive impact on the environment. Whilst development will be more intensive, the replacement of an unneighbourly use (chicken farm) will reduce smells and potential pollutants in the village. Economically there will be more residents to support the local pub and other facilities.

Policy	Soc	Econ	Env	Commentary
RC1:Rural character	*	-	**	The policy has a very positive impact on the environment and will enhance the wellbeing aspects of the social criterion by protecting green assets.
CFR1: Community Facilities	**	-	*	Retention of community facilities will have a very positive impact on the social fabric of the village and also the environment given the historic status of the buildings.
CFR2:Recreation	**	-	-	New play and recreation facilities will have a very positive impact on the parish
CFR3:Footpaths	*	-	*	Retention of existing and provision of new footpaths will have a very positive impact, both on the environment and on the social criterion
CH1:Heritage	**	-	**	The policy has a very positive impact on the environment and will enhance the health and wellbeing aspects of the social criterion by protecting and enhancing the historic environment
TT1: Parking and Traffic	*	-	x	Local standards are needed to allow generous parking standards reflecting the rural location and the existing difficulties parking in the village. This will not discourage use of the car and would have a minor negative impact on the village.

## 5. General Conformity with Strategic Local Policy

- 5.1. The determination of how the Neighbourhood Plan is in general conformity with the strategic policies of the development plan has proven to be a challenge during its preparation given that the most up to date version of the Local Plan had not been published until during the regulation 14 publication of the WNP. Whilst the saved policies of the 2004 Aylesbury Vale District Local Plan (AVDLP) have been helpful in shaping the Neighbourhood Plan, there is currently no up-to-date Local Plan in respect of providing a firm housing supply position.
- 5.2. The Vale of Aylesbury Plan (VAP) that was intended by the District Council to provide the strategic planning policy framework to 2031 was withdrawn from its examination in January 2014. The District Council is currently preparing a Vale of Aylesbury Local Plan (VALP) comprising strategic, development management and site allocation policies but this is not likely to be adopted until 2018.
- 5.3. To an extent, the reasoning and evidence of the VAP can still be used to inform the Neighbourhood Plan. However, more up to date evidence has been used given that there has been a significant time lapse since the VAP evidence base. The Neighbourhood Plan has considered many of the evidence base documents as set out in the SA/SEA Scoping Report (Table 2) including the HELAA v4, the Strategic Flood Risk Assessment and Landscape Character Assessment reports.
- 5.4. WPC accepts that given the low level of services in the village and the relatively unsustainable location, no additional growth is sought through the VALP (Submission Version) for housing growth contributing towards the overall need for the whole Aylesbury Vale area. Early iterations of the VALP (Draft Summer 2016) suggested that the housing requirement for Worminghall was 11 new homes during the plan period, however 8 had already been committed or completed. Subsequently, 15 new homes have been given planning permission in the Parish. However, given that none of these new dwellings contributed towards the provision of a desperately needed play area in the village, the Parish Council felt that an additional allocation which could provide an on-site facility should be brought forward through the Neighbourhood

Plan. In addition, the new allocation could provide some smaller units, again not provided for through the recent planning permissions.

- 5.5. The 2004 AVDLP could not, of course, have anticipated the existence of the Localism Act almost a decade later and so made no provision for translating generic planning policy into a distinct parish-based plan. The Neighbourhood Plan generally conforms to the relevant saved policies of the Aylesbury Vale District Local Plan (AVDLP) of 2004. The policies starting with GP are all those that are saved which are applicable to the whole district, including Worminghall, except GP3 as this was superseded by the NPPF. There is no definition of 'strategic' policy available for the AVDLP, so all the relevant saved policies are listed below. All of the policies for Rural Areas (starting with RA) which are not location specific, are applicable. There are a large number of other saved policies, but most of them are not relevant to the Neighbourhood Plan.

**Table 3: Conformity with AVDLP Saved Policies**

<b>AVDLP Policy</b>	<b>Subject</b>	<b>Neighbourhood Plan Policy</b>	<b>How the Neighbourhood Plan conforms with AVDC Policies</b>
GP2	Affordable Housing	NH3	Whilst affordable housing is not specifically sought in the policy, smaller homes are sought which may be cheaper to purchase. AVDC will determine if affordable units are sought on the site through the planning application process.
GP4	Affordable housing on small sites	NH3	Extends the provision, although it is not an exceptions scheme
GP8	Protection of Amenity of Residents	SB1, NH1, NH3, RC1, TT1	Protects amenities of residents against impact of new development
GP17	Retention in use of existing employment sites	SB2	Allows rural employment to expand where appropriate
GP24	Car parking guidelines	TT1	The parking standards do not conflict with the parking standards used by AVDC.
GP32	Retention of shops, public houses and post offices	E3	Protects and supports facilities
GP35	Design of new developments	SB1, SB2, NH1, NH3, RC1	Protect and enhance built and natural qualities, features, historic environment of the Parish
GP38	Landscaping of new developments	NH3	Provision of landscaping
GP39	Existing trees and hedgerows	SB2, RC1	Establishes need to retain trees and hedgerows
GP40	Retention of existing trees and hedgerows	SB2, RC1	Establishes need to retain trees and hedgerows
GP84	Footpaths	CFR3	Footpaths are to be retained, with new footpaths supported
GP86	Provision of Outdoor Playing Space	NH3	Provision of play space is integral to the proposals
GP87	Application of Open Space policies	NH3	Provision of play space is integral to the allocation proposals.



<b>AVDLP Policy</b>	<b>Subject</b>	<b>Neighbourhood Plan Policy</b>	<b>How the Neighbourhood Plan conforms with AVDC Policies</b>
GP88	Planning Agreements for play space	CFR2	Provision of play space contributions is sought from new development
GP91	Provision of Amenity Areas	NH3, CFR2	Provision of a play area and open areas is integral to the allocation. Maintenance arrangements and funding will be sought for new green spaces.
GP93	Safeguarding of community buildings and facilities	CFR1	Protects facilities
GP94	New community facilities	CFR1	Encourages provision
RA2	Coalescence of Settlements	SB1, SB2	The policies restrict inappropriate development in the countryside
RA13	Development within Rural Settlements	SB1	Infill housing is permitted where amenity and local character are respected.
RA14	Development outside Rural Settlements	SB1	The Neighbourhood Plan policies update and replace Policy RA14 in so far as the village of Worminghall is concerned. The purpose of Policy RA14 was to implement a housing requirement that is now out of date, therefore the location, size and number limitations in RA14 are no longer applied by AVDC.
RA29	New or extended Employment Uses in the Countryside	SB2	Allows sustainable growth of employment uses where there is no undue impact on the landscape or road network.
RA36	Protection against excessive traffic generation	SB2	Allows small scale employment expansion where there is no undue impact on the landscape or road network.

## 6. Compatibility with EU Legislation

6.1 The Neighbourhood Plan has regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights and complies with the Human Rights Act.

6.2 A formal screening opinion has been issued by AVDC, attached at Appendix 1. The Neighbourhood Plan has been prepared in accordance with EU Directive 2001/42 on strategic environmental assessment (SEA).

6.3 A SEA Scoping Report was published by WPC for consultation with the statutory authorities to complete Stage A of the SEA process. The comments received were then taken into account in Stages B and C of drafting the SEA alongside the Pre-Submission Neighbourhood Plan, both of which were published for consultation with the statutory authorities as well as the general public. The final SEA is published to accompany the Submission document.

6.4 The Neighbourhood Area is not in close proximity to any European designated nature sites so does not require an Appropriate Assessment under the EU Habitats Regulations.



**Aylesbury Vale District Council**

**Strategic Environmental Assessment and Habitats Regulations  
Assessment**

**For the Worminghall Neighbourhood Development Plan**

**DRAFT – FOR NEIGHBOURHOOD PLAN EARLY DRAFT SCOPE**

**June 2017**

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## **1. Introduction**

- 1.1 This screening statement considers whether the contents of the Worminghall Neighbourhood Development Plan requires a Strategic Environmental Assessment (SEA) in accordance with the European Directive 2001/42/EC and associated Environmental Assessment of Plans and Programmes Regulations 2004.
- 1.2 The screening process is based upon consideration of standard criteria to determine whether the plan is likely to have “significant environmental effects”. The result of AVDC’s screening process is detailed in this Screening Statement.
- 1.3 The legislative background set out below outlines the regulations that require the need for this screening exercise. Section 4, provides a screening assessment of the likely significant environmental effects of the policies in the Worminghall Neighbourhood Development Plan and whether there is a need for a full Strategic Environmental Assessment.
- 1.4 The screening statement will also consider whether the Neighbourhood Development Plan requires a Habitats Regulations Assessment. This is a requirement of Regulation 102 of the Conservation of Habitats and Species Regulations

## **2. Strategic Environmental Assessment (SEA) and Sustainability Appraisal - Legislative Background**

- 2.1 The basis for SEA and Sustainability Appraisal (SA) legislation is the European Directive 2001/42/EC. This was transposed into English law by the Environmental Assessment of Plans and Programmes Regulations 2004, or SEA Regulations. Detailed Guidance of these regulations can be found in the Government publication ‘A Practical Guide to the Strategic Environmental Assessment Directive’<sup>1</sup>.
- 2.2 The Planning and Compulsory Purchase Act 2004 required SA to be produced for all Local Development Documents to meet the requirement of the EU Directive on SEA. It is considered best practice to incorporate requirements of the SEA Directive into an SA.
- 2.3 In some cases SEA will be required for Neighbourhood Plans, however a SA is not a requirement for a Neighbourhood Development Plan. Part of meeting the ‘Basic Conditions’ is to show how the plan achieves sustainable development. The Sustainability Appraisal process is an established method and a well recognised ‘best practice’ method for doing this. It is therefore advised, where an SEA is identified as a requirement, an optional SA should be incorporated with SEA, this is so not just the environmental aspects of sustainability are considered, but instead social and economic aspects of sustainability are also considered. This should be at a level of detail that is appropriate to the content of the Neighbourhood Development Plan

## **3. The Habitats Regulations Assessment (HRA) process**

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<sup>1</sup>‘A Practical Guide to the Strategic Environmental Assessment Directive’ <https://www.gov.uk/government/publications/strategic-environmental-assessment-directive-guidance> (ODPM 2005)

- 3.1 The application of HRA to land-use plans is a requirement of the Conservation of Habitats and Species Regulations 2010, the UK's transposition of European Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora (the Habitats Directive).
- 3.2 The HRA process assesses the potential effects of a land-use plan against the conservation objectives of any European sites designated for their importance to nature conservation. These sites form a system of internationally important sites throughout Europe and are known collectively as the 'Natura 2000 network'.
- 3.3 European sites provide valuable ecological infrastructure for the protection of rare, endangered or vulnerable natural habitats and species of exceptional importance within the EU. These sites consist of Special Areas of Conservation (SAC), designated under the Habitats Directive and Special Protection Areas (SPA), designated under European Directive 2009/147/EC on the conservation of wild birds (the Birds Directive). Additionally, Government policy requires that sites designated under the Ramsar Convention (The Convention on Wetlands of International Importance, especially as Waterfowl Habitat) are treated as if they are fully designated European sites for the purpose of considering development proposals that may affect them.
- 3.4 Under Regulation 102 of the Habitats Regulations, the assessment must determine whether or not a plan will adversely affect the integrity of the European sites concerned. The process is characterised by the precautionary principle. The European Commission describes the principle as follows:
- "If a preliminary scientific evaluation shows that there are reasonable grounds for concern that a particular activity might lead to damaging effects on the environment, or on human, animal or plant health, which would be inconsistent with protection normally afforded to these within the European Community, the Precautionary Principle is triggered."
- 3.5 Decision-makers then have to determine what action/s to take. They should take account of the potential consequences of no action, the uncertainties inherent in scientific evaluation, and should consult interested parties on the possible ways of managing the risk. Measures should be proportionate to the level of risk, and to the desired level of protection. They should be provisional in nature pending the availability of more reliable scientific data.
- 3.6 Action is then undertaken to obtain further information, enabling a more objective assessment of the risk. The measures taken to manage the risk should be maintained so long as scientific information remains inconclusive and the risk is unacceptable.
- 3.7 The hierarchy of intervention is important: where significant effects are likely or uncertain, plan makers must firstly seek to avoid the effect through for example, a change of policy. If this is not possible, mitigation measures should be explored to remove or reduce the significant effect. If neither avoidance, nor subsequently, mitigation is possible, alternatives to the plan should be considered. Such alternatives should explore ways of achieving the plan's objectives that do not adversely affect European sites.
- 3.8 If no suitable alternatives exist, plan-makers must demonstrate under the conditions of Regulation 103 of the Habitats Regulations, that there are Imperative Reasons of Overriding Public Interest (IROPI) to continue with the proposal. The following European site was identified using a 20km area of search around the Worminghall

Neighbourhood Area as well as including sites which are potentially connected (e.g. hydrologically) beyond this distance:

- Chiltern Beechwoods SAC (13km)
- Oxford Meadows SAC (14km)

#### **4. Criteria for Assessing the Effects of Neighbourhood Development Plans**

4.1 Criteria for determining the likely significance of effects referred to in Article 3(5) of Directive 2001/42/EC are set out below<sup>2</sup>:

1. The characteristics of plans and programmes, having regard, in particular, to:

- 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 degree to which the plan or programme influences other plans and programmes including those in a hierarchy,
- the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development,
- environmental problems relevant to the plan or programme,
- the relevance of the plan or programme for the implementation of Community legislation on the environment (e.g. plans and programmes linked to waste-management or water protection).

2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to:

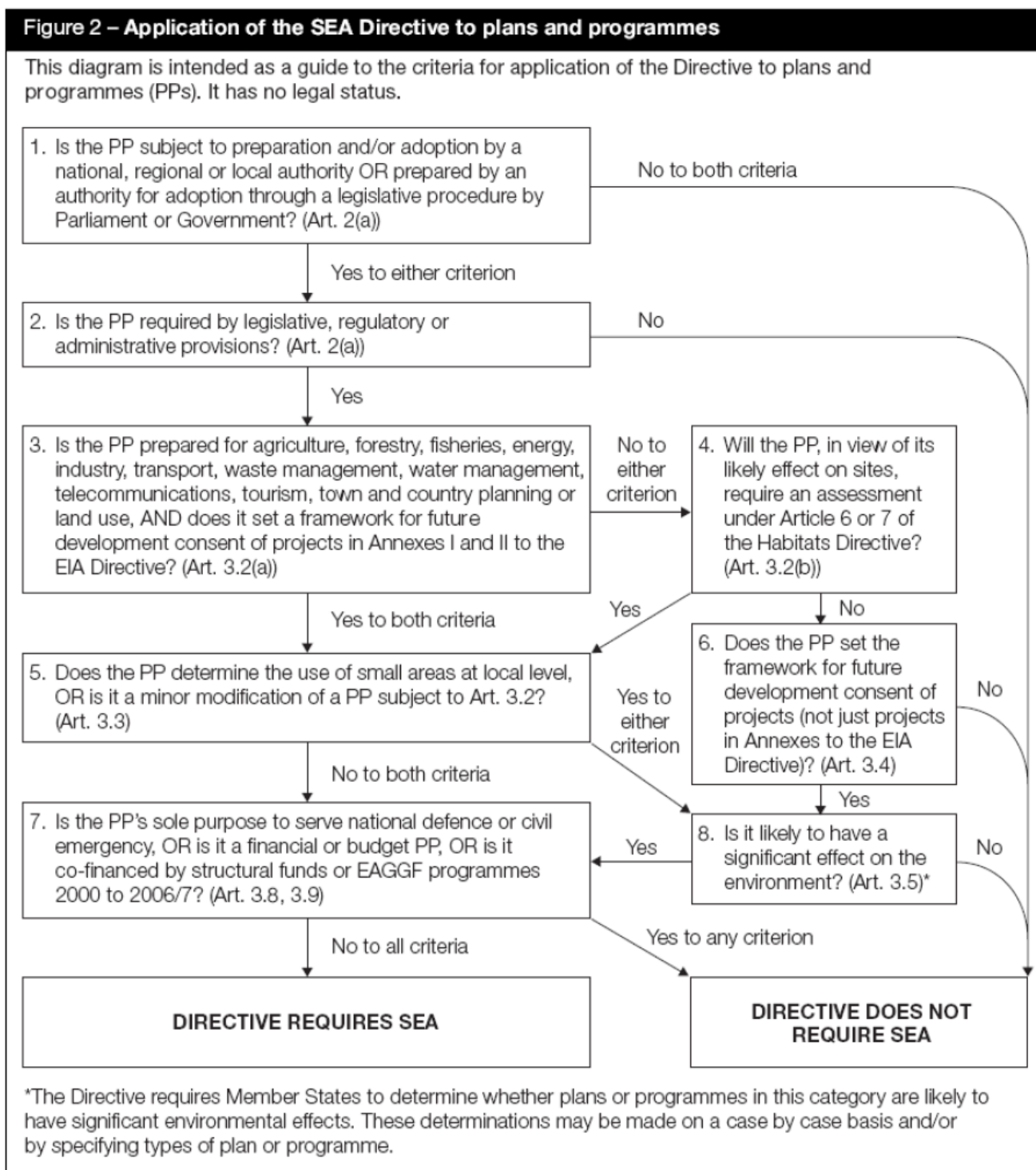
- the probability, duration, frequency and reversibility of the effects,
- the cumulative nature of the effects,
- the transboundary nature of the effects,
- the risks to human health or the environment (e.g. due to accidents),
- the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected),
- the value and vulnerability of the area likely to be affected due to:
  - special natural characteristics or cultural heritage,
  - exceeded environmental quality standards or limit values,
  - intensive land-use,
- the effects on areas or landscapes which have a recognised national, Community or international protection status.

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<sup>2</sup> Source: Annex II of SEA Directive 2001/42/EC

## 5. Assessment

5.1 The diagram below illustrates the process for screening a planning document to ascertain whether a full SEA is required.



5.2 The table below shows the assessment of whether the Worminghall Neighbourhood Development Plan will require a full SEA. The questions below are drawn from the above diagram which sets out how the SEA Directive should be applied.

Stage	Y/ N	Reason
1. Is the 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	The Neighbourhood Development Plan will be 'made' by a Local Planning Authority, Aylesbury Vale District Council. The Plan is prepared by the relevant Qualifying Body, although modifications to the plan can be carried out by the Local Planning Authority once the Plan has been submitted, if necessary to meet the basic conditions.
2. Is the plan required by legislative, regulatory or administrative provisions? (Art. 2(a))	N	The Neighbourhood Development Plan is an optional plan produced by Worminghall Parish Council.
3. Is the 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 to the EIA Directive? (Art 3.2(a))	N	The Neighbourhood Development Plan is prepared for town and country planning purposes, but it does not set a framework for future development consent of projects in Annexes I and II to the EIA Directive (Art 3.2(a)).
4. Will the 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	<p>The neighbourhood plan area does not include areas of Natura 2000 sites (Special Areas of Conservation or Special Protection Areas). However the nearest is Oxford Meadows, 13km away and the Chilterns Beechwoods SAC 14km away.</p> <p>The plan is understood to be primarily concerned with proposals and policies covering the area of the Worminghall Parish and therefore there would not be any impact on the Natura 2000 sites. This impact can be subject to re-screening at the Pre Submission, Submission and Referendum stages of the plan.</p>
5. Does the plan determine the use of small areas at local level, OR is it a minor modification of a plan subject to Art. 3.2? (Art. 3.3)	Y	The draft neighbourhood development plan allocates land for up to 18 homes through one single allocation: Coldstream Farm and land to the rear of the Clifden Arms. The plan aims to allow carefully designed new housing on a small scale in village locations, through the single allocation and infill development within the village envelope, to reflect the rural character of the parish. Supported by a presumption against development of new homes outside the Village Envelope in the open countryside. The Pre Submission draft plan may contain Local green space designations - these could be identified though these would not change the current use of the land.
6. Does the plan set the framework for future development consent of projects (not just	Y	The Neighbourhood Development Plan will set a framework for future development consents of projects.



projects in annexes to the EIA Directive)? (Art 3.4)		
7. Is the plans 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	The purpose of the Neighbourhood Development Plan is not for any of the projects listed in Art 3.8, 3.9.
8. Is it likely to have a significant effect on the environment? (Art. 3.5)	Y	The Neighbourhood Plan has the potential to have a significant effect on the environment as the policies will determine the future use of land and will guide development in the area.
1 (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	N	The Worminghall Neighbourhood Plan will set out a spatial vision for the designated Neighbourhood Area and provide objectives and policies to guide sustainable development coming forward.
1 (b) the degree to which the plan or programme influences other plans or programmes including those in a hierarchy.	N	<p>The Worminghall Neighbourhood Plan, where possible, will respond to rather than influence other plans or programmes. A Neighbourhood Plan can only provide policies for the area it covers while the policies at the District and National level provide a strategic context for the Worminghall Neighbourhood Plan to be in general conformity with.</p> <p>None of the policies in the Neighbourhood Plan have a direct impact on other plans in neighbouring areas.</p>
1 (c) the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development	N	<p>Proposals to be set out in the Worminghall Neighbourhood Plan will look to balance environmental, social and economic considerations of sustainable development. However the Worminghall Neighbourhood Plan recognises that for rural communities such as Worminghall, the importance of the surrounding environment is particularly acute.</p> <p>It is considered that the Worminghall Neighbourhood Plan contains sensitive and mitigating policies to address constraints may have a positive impact on local environmental assets and places valued by local people in the Neighbourhood Area.</p>
1(d) environmental problems relevant to the plan	N	<p>The draft neighbourhood development plan allocates land for up to 18 homes through one single allocation. The plan aims to allow carefully designed new housing on a small scale in village locations, through the single allocation and infill development within the village envelope, to reflect the rural character of the parish. There is a presumption against development of new homes outside the Village Envelope in the open countryside.</p> <p>The impact on traffic flow from the proposed developments is not expected to be a concern given</p>

		<p>that the overall levels of residential growth proposed are unlikely to give rise to significant additional car movements. In addition to this draft policy TT1 states that Mitigation measures will be required for proposals resulting in significantly increased traffic movements which have negative impacts.</p> <p>Employment provision could potentially create more of an impact on highways and air quality but if employment provision is not allocated in the Worminghall NEIGHBOURHOOD Plan.</p>
1 (e) the relevance of the plan or programme for the implementation of Community legislation on the environment (e.g. plans and programmes linked to waste management or water protection)	N	The Worminghall Neighbourhood Plan is to be developed in general conformity with the AVDLP, the Minerals and Waste Core Strategy Plan and national policy. The plan has no relevance to the implementation of community legislation.
2 (a) the probability, duration, frequency and reversibility of the effects	N	It is highly unlikely there will be any irreversible damaging environmental impacts associated with the LCNP, it is intended to have a positive effect on sustainability.
2 (b) the cumulative nature of the effects	N	It is highly unlikely there will be any negative cumulative effects of the policies, rather it could potentially have moderate positive effects. Any impact will be local in nature.
2 (c) the trans boundary nature of the effects	N	Effects will be local with no expected impacts on neighbouring areas.
2 (d) the risks to human health or the environment (e.g. due to accidents)	N	No risks have been identified.
2 (e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)	N	The Neighbourhood Area covers an area which is 611.63ha and contains a population is of 534 residents (2011 census).
2 (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 (iii) intensive land-use	Y	<p>The neighbourhood plan aims to allow carefully designed new housing on a small scale in village locations to reflect the rural character of the parish. Supported by a presumption against development of new homes outside the Village Envelope in the open countryside. The plan allocates land for 18 homes through one single allocation: Coldstream Farm and land to the rear of the Clifden Arms.</p> <p>The plan is unlikely to adversely affect the value and vulnerability of the area in relation to its natural or cultural heritage. If anything it will provide greater support to enhance the setting of heritage, heritage assets and green spaces. This is through Policy CH1: which aims to ensure that new development respects the rural character of the village and CH2: which aims to both conserve and enhance heritage assets and promote the use of construction methods and finishes which reflects the culture and heritage of the surrounding area.</p>

		<p>Furthermore policy CFR1 seeks to protect and enhance footpaths and policy CFR2 encourages all new housing development to incorporate play and recreational provisions.</p> <p>The plan has the opportunity as it evolves into the Pre Submission plan version to enhance policies which relate to the natural and cultural heritage, for example provide greater support in design policies and the allocated sites to enhance the setting of heritage, heritage assets and green spaces.</p> <p>There could also be specific policies to enhance recreation areas, green corridors and protect trees and hedgerows which will have a positive effect environmentally and help protect the rural character of Worminghall.</p>
2 (g) the effects on areas or landscapes which have a recognised national, community or international protection status	<b>N</b>	<p>The neighbourhood plan area does not include areas of Natura 2000 sites (Special Areas of Conservation or Special Protection Areas). However the nearest is Oxford Meadows, 13km away and the Chilterns Beechwoods SAC 14km away. The plan is understood to be primarily concerned with proposals and policies covering the area of the Worminghall Parish and therefore there would not be any impact on the Natura 2000 sites.</p> <p>The parish contains 25.6ha of the water Perry biological notification site. The impact on this is likely to be small given the proposed scale of development.</p> <p>Other than the mentioned above There are no such designations within the Neighbourhood area or close enough to be impacted.</p>

## **6. Screening Outcome for Worminghall Neighbourhood Development Plan**

### **Sustainability Appraisal required.**

- 6.1 The draft neighbourhood development plan intends to allocate land for up to 18 homes through one single allocation: Coldstream Farm and land to the rear of the Clifden Arms. The plan aims to allow carefully designed new housing on a small scale in village locations, through the single allocation and infill development within the village envelope, to reflect the rural character of the parish. Supported by a presumption against development of new homes outside the Village Envelope in the open countryside.
- 6.2 Having reviewed the criteria Aylesbury Vale District Council concludes that the Worminghall Neighbourhood Plan has some potential to have significant environmental effects beyond those expected by 'strategic' district-wide policies of the Local Plan, although the magnitude and location of these effects is difficult to ascertain at this stage of the plan making process. Therefore the best course of action is to produce a Strategic Environmental Assessment, particularly as this is a process that needs to be started in the early stages of the plan making process and cannot be retrofitted at a later stage. Although not a requirement, we would recommend this incorporates a Sustainability Appraisal to consider more widely the balance of sustainability and to help ensure the plan meets the basic conditions.

### **No Habitats Regulations Assessment Screening required.**

- 6.2 The plan, which only allocates just 18 dwellings, is not anticipated to have a significant effect on the Oxford Meadows or the Chiltern Beechwoods SAC. The Vulnerabilities of the SAC are not likely to be exacerbated by an increase in population (e.g. air quality, visitor disturbance, recreation), there are no anticipated likely significant effects of the Neighbourhood Plan policies or areas for development on either SAC. The Neighbourhood Plan is not likely to lead to adverse effects on any European sites alone or in-combination. There is no requirement to prepare an appropriate assessment.