

DELEGATED DECISION

Reference PL/25/2765/EIASR
Case Officer: Nathaniel Soneye-Thomas

E.O.T. Date:
Decide by Date: 01 September 2025

Parish: Chesham

Publicity end Date:

Ward: Chesham North

Date Validated: 11 August 2025

App Type: EIA screening request

Proposal: Request for an EIA Screening Opinion under Regulation 6(1) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended) in relation to the proposed development of up to 170 homes, a retail convenience store (Class E), a community pavilion, together with play facilities, new walking and cycling routes connecting to Brushwood Junior School / Chesham green infrastructure including woodland buffers, access to the development from Lycrome Road

Location: Land South Of Lycrome Road Chesham Buckinghamshire

Applicant: Capreon Ltd

1. Background to screening

1.1 A request for a screening opinion was received by letter dated 25 November 2024, in relation to the above proposed development to determine whether an Environmental Impact Assessment (EIA) is required.

1.2 The aim of EIA is to protect the environment by ensuring that a local planning authority when deciding whether to grant planning permission for a project, which is likely to have significant effects on the environment, does so in the full knowledge of the likely significant effects, and takes this into account in the decision-making process. There are a number of stages of EIA. This response deals specifically with the screening of the proposed development, to determine whether a proposed project falls within the remit of The Town and County Planning (Environmental Impact Assessment) Regulations 2017 (as amended), ('2017 Regulations') whether it is likely to have a significant effect on the environment and therefore requires assessment.

1.3 The 2017 regulations identify categories of development. Development that falls within a relevant description in Schedule 1 to the regulations, such as crude oil refineries, nuclear power stations and large airports, always require an EIA. Development of a type listed in Schedule 2, such as motorway service areas, industrial estate development projects, construction of roads, urban development projects, and golf courses, have to be assessed

against a specified list of criteria to see if an EIA is required as being likely to have significant effects on the environment. These criteria relate to factors such as the area of land involved, the scale of the development and its location. If development does not fall within Schedule 1, or within Schedule 2, or if it is concluded that the development would not be likely to have any significant effects on the environment, then EIA is not required under the regulations, although applicants may still choose to submit an environmental statement.

2. Site Details

2.1 The application site covers an area of approximately 9.8 hectares to the South of Lycrome Road. The site is Greenfield (agricultural land) and currently unoccupied by any built form. To the North(Lycrome Road), West (Field Close) and East (Deer Park Walk), there are residential properties which are predominantly 2 and 2/5 storey detached and semi detached properties. Bushwood Junior school sits within the south-western edge of the site. The application site is not situated within a conservation area and does not comprise any listed buildings but is located to the North East of the settlement boundary and approximately 1km from the town centre (Chesham).

3. Proposed Development

3.1 Proposal: Proposed development of up to 170 homes, a convenience store and a 3G Sports Pitch which includes a Community Sports Pavilion.

4. Assessment under the Regulations

4.1 The development does not fall within the descriptions of development set out in Schedule 1 of the 2017 Regulations and is not therefore is not a Schedule 1 Development.

4.2 The submission states that the development would fall within Schedule 2 Section 10(b) This is agreed.

4.3 Schedule 2 of the Regulations confirms that the basis for inclusion within the scope of the Regulations for the proposals fall within Category 10(b) of Schedule 2 of the EIA Regulations, which is applicable to 'urban development projects' seeking more than 150 residential units. Therefore, the threshold specified in Column 2 of Schedule 2 has been met. Moreover, the application site is also considered to fall within a sensitive area. The proposal is therefore a Schedule 2 development.

5. Assessment Criteria

5.1 Schedule 3 of the Regulations sets out 'Selection Criteria', which must be taken into account in determining whether a proposed development is likely to have significant effects on the environment and therefore require an EIA. The three broad criteria are as follows:

Characteristics of development

a) The size and design of the whole development

The Applicant is seeking to submit an outline planning application for up to 170 new homes, retail

convenience store (Class E), a community pavilion, together with play facilities, new walking and cycling routes connecting to Brushwood Junior School/Chesham, green infrastructure and ecology buffers.

The proposal is a substantial development, across a site currently free from built form. The physical scale and footprint, including lighting and associated boundary treatment is therefore notable. A review of the councils constraints map attached to the local plan indicates that the application subject to a number of sensitive constraints and characteristics. This would include the proximity to the Chilterns National Landscape, Chilterns Beechwoods SAC 12.6 km zone of influence, the existing agricultural status of the land and nearby Archaeological sensitivities. Taking this into consideration it is considered that the impact of the proposed development owing to the quantum of development sought would not be localised. Additional consideration would be required to determine the extent of the harm arising as a result of the proposed development.

b) Cumulation with other existing development and/or approved development:

The site is within the Green Belt restraint policies limit development on the site and in the surrounding area. The potential for housing or commercial development within these surrounding areas is considered extremely limited. There are no other known or permitted developments of this scale that need to be assessed on an in-combination basis. It is not considered that there is any evidence of cumulative effects.

(c) The use of natural resources, in particular land, soil, water and biodiversity:

The proposed development would not result in a significant use of natural resources in either its construction or operation.

(d) The production of waste:

In the short term, the proposal will produce waste arising from the construction works. Once operational, waste would be generated by the day-to-day use associated with the residential properties users of the sports facilities and the convenience store, but this would be appropriately managed. It is not considered that waste production would result in significant environmental effects.

(e) Pollution and nuisances:

The development could result in significant effects from pollution. 170 dwellings in this location would likely to generate increased vehicular trips during the construction and operational phase of the development. The submitted information provides projected vehicular movement and its potential effect on the road network. The particulars of the development in transport terms are not yet finalised owing to the overall number of car parking spaces provided on site for residents and visitors and any other uses that would generate vehicular use age to the site and within the development site. The submitted information further states that whilst the increase is noted projected patterns of movement would be away from sensitive receptors. Officers consider there to be potential for other routes and movements to be established which have the potential to give rise to negative effects on the surrounding environment. As such, noting nearby environmental sensitivities including Ancient Woodland(Francis Wood) and Chiltern Beechwoods SAC this could result

in significant impacts. Impacts of noise and dust during construction could affect the amenity of residents and users of the local roads however, appropriate mitigation measures could be identified and implemented.

It is considered that an EIA is required as the development is considered likely to have significant effects on the environment by virtue of pollution impacts resulting from this proposal.

(f) The risk of major accidents and/or disasters relevant to the development concerned, including those caused by climate change, in accordance with scientific knowledge;

Given the nature of the development, the risk of major accidents and/or disasters in the context of this assessment are considered limited.

(g) The risks to human health (for example, due to water contamination or air pollution

None of a substantive nature.

5.3 Location of development

a) Existing Land Use

The site currently comprises agricultural fields, free from built form. The site is designated as being within the Green Belt as well as within the Chiltern Beechwoods SAC 12.6m impact zone (approximately 6.5km away). The Chiltern Beechwoods is defined as a sensitive Landscape in EIA terms. The proposed development could result in recreational impact to Chilterns Beechwoods. Additionally the site is in close proximity to the National Landscape. The submitted information states that the site would be visible (based on summer and winter surveys) however given the site layout, form and landscaping details are not yet finalised the full extent of the visibility and therefore impact is not yet demonstrated. Taking the above into consideration, this would likely result in significant environmental effect.

Moreover, the existing site comprises agricultural land. The effects of the loss of this land has also not been assessed and could give rise to additional environmental impacts.

As discussed above, the development is considered to be of a substantial scale. It is not clear how visible the proposed development would be from the immediate area, the ZTV does provide a clear indication that the site would be visible however states that views may be limited as a result of existing buildings and trees screening the site, it is anticipated that the proposed development would result in tree loss which could increase visibility. It is also considered that landscaping would not significantly mitigate against the visual and landscape effects of the proposal. Overall, it is concluded that this proposal is likely to lead to significant effects on the Chilterns national Landscape to such an extent that an EIA is required.b)

Natural Resources in the Area

The site does have some biodiversity and ecological value. However, the development is unlikely to result in significant effects on the capacity of natural resources on the site, and improvements and benefits to biodiversity can be sought as part of the development and where necessary secured by a planning condition.

c) Absorption Capacity of Natural Environment

The proposal is not considered to raise substantive issues relating to this identified criterion.

5.4 Types and characteristics of the potential impact

In accordance with Schedule 3(3) it is necessary to consider the likely significant effects of the development on the environment in relation to the characteristics of the development, on the location of the development and with regard to the impact of the development on the factors specified in regulation 4(2).

a) Population and Human Health

Socio-economic

The proposed development will generate employment opportunities (both in construction and once operational), which would have a positive local economic effect.

Human Health

The proposed development would not result in substantive risk to human health or major accident disasters. No substantive risks are therefore identified in relation to this matter, beyond corners which can be addressed within planning application submission details.

Traffic, Highways and Pedestrians

Whilst there may be some impact on traffic and highways during the construction phase of the development, this would only be a temporary impact and could be controlled via a planning condition requesting the submission of a Construction Traffic Management Plan. Once operational, given the nature of the proposed works, there is likely potential for a significant increase in vehicular movements travelling to and from the site and within the surrounding road network. Nevertheless, the amount and nature of vehicle movements associated with the development, and the impact of those movements on pedestrian routes within or adjacent to the site, through consultation with the highway authority could be appropriately mitigated subject to wider material considerations.

b) Biodiversity with particular attention to protected species and habitats

Ecology and Nature Conservation

The proposed development would result in impact on the existing ecological and biodiversity value of the site. There are a number of ecological designations that could be affected, along with Ancient Woodland and priority habitats. Limited information and mitigation measures have been provided at this juncture. The proposed development may have likely significant effects on the site's flora and fauna (e.g., including breeding, nesting, foraging, resting, over-wintering, or migration). There are no clearly identified proposed mitigation measures or built in scheme design features with regards to potential impacts. Given the sensitivity of the site in the context of the biodiversity described above and given the extent and scale of the development proposed, is deemed to result in a precautionary approach being adopted such that significant effects are considered likely.

Land, Soil, Water, Air and Climate

Ground Conditions

There are no immediate concerns with respect to the existing ground conditions owing to the underdeveloped nature of the application site. Subject to assessment and mitigation, such matters can be adequately addressed and are unlikely to result in likely significant environmental effects.

Flooding

The Site and its immediate surroundings are predominantly located within Flood Zone 1.

Flood risk mapping data indicates a small portion of land in the centre of the site which shows medium risk of surface water flooding risk. Whilst this is a small portion of land that carries a moderately risk to surface water flood risk, the comprehensive flood risk assessment would be required to justify the proposed development in this particular location and therefore be accompanied by a sequential test and detail adequate mitigation measures to respond to the level of flood risk identified

Subject to appropriate measures to provide a sustainable drainage scheme for the site, the proposal would not result in likely significant environmental effects in this respect.

Noise and Vibration

During construction there would be some intermittent noise from the development site, although this is commensurate with normal construction activities and would be a temporary impact. During operation, any noise impacts from the development would likely be comings and goings associated with vehicle movements to and from the site. Having regard to the proximity to sensitive noise receptors, the proposed development is unlikely to give rise to significant environmental effects in terms of noise and disturbance. Any concerns could be mitigated, and further assessment will be provided in the form of a noise impact assessment.

Air Quality

The proposed development has the potential to generate additional vehicle movements during the construction and operational phase of the development. Whilst the site is not situated within an Air Quality Management Area, It is considered that these additional movements in proximity to sensitive sites would result in significant environmental effects in respect of air quality. An EIA assessment is therefore required to understand the likelihood of effects.

Energy, Sustainability and Climate

The proposed additional built form would need to comply with the relevant building regulations in terms of energy and efficiency. Given the nature and scale of the proposed works it is considered that the proposed development would not result in likely significant effects in this respect.

Material assets, cultural heritage and the landscape

Heritage Assets

The Development is considered unlikely to have a significant effect on built heritage assets. There are no designated heritage assets within, or within the immediate vicinity of, the Site. Designated heritage are in the wider area include the Grade II listed White House (370m east of the Site), Brockhurst Farmhouse and Granary (360m south of the Site) and Lye Green House and Barn (636m east of the Site). Chesham Conservation Area is approximately 1.4km southwest of the Site and comprises a large part of the town including a number of Grade II listed buildings, the Grade II* listed 54 and 56 Church Street and Grade I Church of St Mary.

A heritage statement will be a validation requirement as part of the submission. The submission documentation would assess the overall harm and setting of the heritage statements.

Landscape

As discussed above, the site is situated in close proximity to the national landscape. The submitted documents make reference to the sites geographical and topographical features that would potentially restrict the views of the development from the national landscape. Notwithstanding this however, given the site form and layout including landscaping features have not yet been substantiated it is not yet demonstrated that there would not be significant impacts upon the nearby landscape designation. Whilst weight will be given to mitigation measures including landscape features that may be used to screen the site, it is not apparent the level of harm that would arise and the extent of the mitigation measures required. As such , an EIA assessment is therefore required to understand the likelihood of effects.

Consideration of the likely significant effects on the environment against the criteria in Schedule 3(3):

a) The magnitude and spatial extent of the impact

The proposed development is unlikely to have significant effects beyond the local extent of the site.

b) The nature of the impact

The nature of any potential impacts would be commensurate with the nature of the proposed development which are unlikely to have any significant effect.

c) The transboundary nature of the impact

The proposed development would not result in any transboundary impacts.

d) The intensity and complexity of the impact

The intensity and complexity of any impacts are unlikely to be unusual or significant.

e) The probability of the impact

The probability of any impacts is likely to be low.

f) The expected onset, duration, frequency and reversibility of the impact

The proposed development is intended to be permanent but the nature of any impacts associated with the development is unlikely to change over time.

g) The cumulation of the impact with the impact of other existing and/or approved development

The submitted information has not assessed the full extent of major development within proximity to the site. The full extent of the impact is therefore not yet known. The schemes listed within the submitted information however would likely not give rise to significant impact. Further information is required in the full ES that would take into consideration major development within Chesham and the surrounding areas.

h) The possibility of effectively reducing the impact

The potential significant impacts of the proposed development on the surrounding environmental sensitivities including the Chiltern Beechwoods SAC, the national landscape, agricultural land, and air pollution and nearby ancient woodland (Francis Wood). Some of the above could potentially be mitigated through robust planning conditions requiring additional surveys and details as well as those that restrict the commencement or occupation of the development until such details have been provided. Moreover, an accompanying S106 agreement could require mitigation measures by way of financial contribution to deal with additional pressures placed upon the Chiltern Beechwoods SAC. This however has not been demonstrated at this juncture through the submitted information and as such, the potential likely effects remain unknown. Officers therefore consider the EIA to be required owing to the cumulative impacts outlined above.

6. Conclusion and Recommendation

6.1. This screening opinion is not considering the acceptability of the proposed development in broader planning terms. This opinion does not in any way prejudice the Local Planning Authority's assessment of any impacts, environmental or otherwise, arising from the proposed development and does not preclude further detailed consideration of such impact when determining any subsequent planning application(s). This request relates solely to whether the type and scale of development proposed is such that it would require an EIA.

6.2 There are potential environmental impacts arising from the proposed development which will need to be addressed through the provision of supporting reports to the planning application and conditions to any consent. It is therefore considered the proposed development constitutes a Schedule 2 development, and with regard to the Indicative Criteria and Thresholds within the Planning Practice Guidance and also the screening criteria set out in Schedule 3 of the EIA Regulations, that some of the impacts identified from the development would be 'significant' such as to warrant the submission of an Environmental Impact Statement alongside any planning application.

6.3 This decision has also been reached in accordance with Regulation 5(5), having regard to the location of the site and the nature of the development.

Case Officer:.....Nathaniel Soneye-Thomas.....Date: 01 September 2025

Clearing Officer:...Rachel Marber... Date: 20/10/25