



**Chiltern and South Bucks Local Plan
Examination in Public**

Joint Representation

**Removal from the Local Plan of Green Belt site in Little
Chalfont, as identified in Policy SP BP6**

Submitted by:

Little Chalfont Parish Council

and

Little Chalfont Community Association

16 August 2019

Statement

The Little Chalfont Parish Council and Little Chalfont Community Association work together on Local Plan matters. During the emergence of the Plan we have held nine well-attended public meetings, at the largest of which district councillors explained the councils' point of view. We know from this process, and from the response of Little Chalfont residents to the Article 18 (1369 responses) and Preferred Options (964 responses) consultations, that in what follows we represent the views of a very large number of our residents.

The Little Chalfont Community Association is involved in many community projects, and has a membership approaching 700 households, plus businesses and voluntary organisations.

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LITTLE CHALFONT PARISH COUNCIL AND LITTLE CHALFONT COMMUNITY ASSOCIATION JOINT RESPONSE TO THE REGULATION 19 CONSULTATION ON THE CHILTERN AND SOUTH BUCKS LOCAL PLAN

EXECUTIVE SUMMARY

Purpose

- Our purpose is to show that Policy SP BP6 is unsound, not the whole plan. Our case is put, below, in terms of the soundness tests and of the NPPF, and includes a proposal which could remove the need to release this land from the Green Belt. We propose that the Local Plan should be modified by the removal of Policy SP BP6, and we wish to participate at the Examination in Public. (Para 1)

Availability/deliverability

- SP BP6 is ineffective because the availability, and hence deliverability, of the whole site is not demonstrated in the evidence base. Therefore the masterplan required in the Policy could not be produced. (Paras 2-6)
- SP BP6 is also undeliverable, therefore ineffective, because the evidence base identifies no viable vehicle access to the site. (Para 7)

Green Belt

- **We attach a Landscape and Visual Impact Assessment (LVIA) by Michelle Bolger Expert Landscape Consultancy.** We regret that the councils chose not to provide such an assessment in the evidence base. The main points in the LVIA are summarised in para 9 below.
- SP BP6 is inconsistent with national policy because its Green Belt characteristics are stronger than claimed in the evidence base, and the exceptional circumstances required by the NPPF for changes to Green Belt boundaries do not exist. (Paras 8-15). Bucks County Council has argued that it would be 'inappropriate' to release this site from the Green Belt, and that its release would harm the wider Green Belt. (Para 12(e))
- The site's performance against the Green Belt purposes is much stronger than the councils claim. The site should remain in the Green Belt. (Paras 16-20)
- The large area of Green Belt proposed for release is not justified by the much smaller area available for development within it. (Para 21)

AONB

- An AONB map shows part of the site within the AONB, and, as the LVIA makes clear, the whole site is an important part of the setting of the AONB, linking the site closely to the wider Green Belt. (Paras 12(g) and 32-36)

Sustainability

- SP BP6 is inconsistent with national policy because the site does not match requirements for sustainability in the NPPF and in the councils' own evidence base. (Paras 22-43)
- The site is weak against important Sustainability Assessment Objectives (paras 22-23, and 42-43) especially Objective 9 Transport and Accessibility (paras 24-41) because neither of the available public roads is suitable for access, and no possible access is identified in the Publication Version of the Local Plan. The inspector is invited to a short walk in Lodge Lane (para 37). **We attach a traffic study by Paul Mew Associates (para 24).**
- Since it identifies no viable vehicle access to the site, Policy SP BP6 is both undeliverable and unsustainable. Thus it is both ineffective and inconsistent with national policy. (Paras 40-41)

Natural Environment

- The councils have not adequately addressed the landscape issues in paragraph 170 of the NPPF. (Para 45 and the attached LVIA)
- The site is a 'valued landscape' in NPPF terms, but its characteristics cannot be retained if surrounded by development. The councils admit that the impact on landscape would be negative. (Para 46)
- We support objections made to SP BP6 on Natural Environment grounds by statutory consultees. (Para 47)
- SP BP6 is inconsistent with national policy because the councils have not done sufficient research on local biodiversity, including Priority Habitats in the Ancient Woodland. (Para 48)

Disproportionate social step-change

- Section 8 of the NPPF requires thoughtful planning to promote social welfare. SP BP6 is inconsistent with national policy because the disproportionate step-change in urbanisation, brought by a 25% increase in Little Chalfont's housing stock from this site alone (without counting other projected development in the village), would harm our community. Harm would occur especially in road and parking congestion, causing social disruption inconsistent with NPPF requirements. Furthermore, such action would be inconsistent with the councils' own policies in the Chiltern District Core Strategy and the Local Plan evidence base. (Paras 49-54)

NPPF changes ignored by councils could remove need for SP BP6.

- SP BP6 is inconsistent with national policy because the councils did not review the Plan to take account of an important national policy change in the new NPPF, necessitating a review of housing capacity before deciding to release Green Belt. We ask for such a review, which should cause SP BP6 to be removed from the Plan. (Paras 55-57)

PURPOSE OF THIS REPRESENTATION

1. It is not our purpose to argue that the whole Plan should be rejected as unsound. We agree with the councils that a period without a Plan in place could lead to a dangerous situation with inadequate control over development. However, we consider that policy SP BP6, Little Chalfont, is unsound because it is ineffective and inconsistent with national policy. Our reasons are explained below in terms of the soundness tests and the National Planning Policy Framework (NPPF). Finally, we draw attention to the councils' failure to respond to important government policy changes in the new NPPF which, if put into effect by the councils, could reduce the need to release Green Belt for development and make it possible for Policy SP BP6 to be removed from the Local Plan. We propose that the draft Local Plan should be modified by the removal of Policy SP BP6. We wish to participate at the Examination in Public to ensure that our reasons for this modification are fully made clear, and to supply any further information needed by the inspector.

AVAILABILITY, AND VEHICLE ACCESS (SOUNDNESS TEST: EFFECTIVE?)

2. We find Policy SP BP6 ineffective under this test in two respects: availability, and vehicle access to the site.

Availability

3. SP BP6 is unsound because availability of the whole site is not demonstrated in the evidence papers. The whole site is not 'available now' as required by the definition of deliverability in the **NPPF glossary**:

***Deliverable:** To be considered deliverable, sites for housing should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years. Sites that are not major development, and sites with detailed planning permission, should be considered deliverable until permission expires, unless there is clear evidence that homes will not be delivered within five years (e.g. they are no longer viable, there is no longer a demand for the type of units or sites have long term phasing plans). Sites with outline planning permission, permission in principle, allocated in the development plan or identified on a brownfield register should only be considered deliverable where there is clear evidence that housing completions will begin on site within five years.*

4. We understand that while the owner of the former golf course is known to be willing to permit development, the willingness of the owners of some other parts of the site has not been established. Proposal SP BP6 is thus ineffective because the deliverability of the site is not proven.
5. In relation to SP BP6 the councils say (11.7.2 on page 166 of the **Local Plan Publication Version**)

'A comprehensive approach to the development of the land is essential for good planning of this site. Preparation of a site masterplan for the site will be essential to

coordinate the detailed planning of the site and this should be used to inform any planning application for the future development of the site'

6. Such a comprehensive approach, with a masterplan, would not be possible as long as the availability of the whole site is uncertain. It cannot be practicable to plan for a site 'bit by bit' as parts become available. Policy SP BP6 is therefore ineffective in this respect.

Vehicle Access

7. The Plan does not provide evidence that there is viable vehicle access to the site from Burtons Lane or Lodge Lane, the only two available public roads. Both roads are highly unsuitable for the reasons given in detail below under **SUSTAINABILITY**. Without any evidence to the contrary, we suggest that the inspector should logically conclude that there is no evidence of an access which would enable the site to be delivered. Policy SP BP6 is therefore ineffective in this respect.

GREEN BELT (SOUNDNESS TEST: CONSISTENT WITH NATIONAL POLICY?)

8. We well understand the time pressure on the inspector, but we invite him or her to read the attached **Landscape and Visual Impact Appraisal (LVIA) by Michelle Bolger Expert Landscape Consultancy (MBELC)**, which identifies the landscape and visual harm that would result if site SP BP6 is allocated for development. We commissioned this report because we thought it a serious flaw that the councils had produced no such study of site SP BP6 in their evidence base. The evidence presented in the councils' Landscape Capacity Assessment (LCA) of November 2017 does not provide the relevant detail of a full landscape and visual impact appraisal.

9. The LVIA contains highly relevant information which expands on and further justifies our own arguments in paragraphs 10 – 21 and 44 -48 below. The LVIA shows that 700 dwellings could not be satisfactorily accommodated on the site without significant landscape harm, as it would:-

- "Remove 45.8ha of land from the Green Belt which currently makes a positive contribution to the purposes of the Green Belt by safeguarding the countryside from encroachment.
- Harm both the setting of the AONB and views from the AONB by removing the buffer of open land that separates the AONB from Little Chalfont and which provides an appropriate setting for the AONB through the continuity of landscape character across the AONB boundary into BP6.
- Harm the rural character of Lodge Lane from development within a close proximity to it and the traffic generated by 700 new homes, and the infrastructure/upgrades required to accommodate it.
- Result in the loss of an attractive, mostly rural landscape which contributes positively to the setting of Little Chalfont, the AONB and the wider countryside.

- Develop across the dry chalk valley and therefore depart the village's characteristic development pattern which avoids surrounding valley landscapes.
- Detract from the current rural setting to the woodlands which are characteristic of the local landscape and include Ancient Woodlands which are identified as having a high sensitivity as part of the Ancient Woodlands HLC type.
- Result in BP6 being removed from the Rolling Farmland Landscape Type.
- Would be contrary to the strategy and vision set by the Landscape Assessment 2011 for LCA 18.3 as it would not conserve and enhance the woodland and farmland '*which contributes to the rural, peaceful character of Little Chalfont Rolling Farmland*'.
- Be at risk of harming characteristics of LCA 18.3 identified in the Landscape Assessment 2011 as being sensitive to change e.g. '*Stretches lanes/roads through open farmland or enclosed by woodland which retain a rural character*'.
- Result in a form and density of development that is uncharacteristic and unsympathetic to the Burtons Lane to Doggetts Wood Lane Area of Special Character.**
- Be difficult to access without causing substantial harm to the character of Lodge Lane and/or Burtons Lane and the neighbouring AONB/Area of Special Character. In addition, harm would occur from adding new roads within the dry valley landscape.
- Require a greater area of land and/or a higher density than anticipated in the Capacity Assessment to achieve 700 homes.
- Directly impact upon woodland habitats within the site, which include two areas of Ancient Woodland and other deciduous woodland that is identified as Priority Habitat.

Overall in landscape terms BP6 is considered to be unsuitable for residential development as it would result in significant landscape and visual harm and be at risk of harming components within the landscape which hold high landscape and ecological value."

** (Note: references to the Area of Special Character are to be seen in the light of our para 31 below.)

10. In the view of the Parish Council and Community Association Policy SP BP6 is unsound because it is inconsistent with national policy in section 13 of the NPPF, *Protecting the Green Belt*.
11. **NPPF** para 133 states '*The essential characteristics of Green belts are their openness and their permanence.*' The councils have failed to recognise the openness of site SP BP6 and its strong relationship to the wider Green Belt.
12. The councils' **Green Belt Exceptional Circumstances Report** claims falsely in section 4.4 that release of the Little Chalfont Green Belt site '*would not undermine the purposes of the wider Green Belt*'. Release would undermine those purposes because:-

- a) The eastern side of the site now contains only very limited development, and overlooks open Green Belt and AONB. Therefore the site is an extension of the wider, open Green Belt into the outskirts of Little Chalfont, and the removal of that extension would cause harm to the rest of the wider, open Green Belt. As established as a planning principle, the concept of openness is distinct from visual impact.
- b) The site, which contains under 5% built form, is by far the most open and undeveloped of the four large Green Belt sites selected in the draft Local Plan for development, meeting strongly the NPPF definitions of openness and permanence as Green Belt characteristics. This was emphasised in an appeal judgment in 2013, (Chiltern District Council Ref CH/2013/1031/FA), when the inspector said an application within the site *“would substantially encroach and project into an undeveloped and open part of the Green Belt. It would therefore reduce the openness of the area. The Framework notes that one of the essential characteristics of Green Belts is their openness.”*
- c) The Green Belt Assessment Part 2 Draft Report of October 2016 stated *‘the existing developed roads and the presence of a depot in the middle of the area already give an urban fringe character to the area.’* This statement exaggerates the influence of the few existing buildings within the site, and those of the neighbouring village. It misrepresents the character of the site – which, as a visit will show, is deeply rural in many parts, including Lodge Lane, and does not have an ‘urban fringe’ character.
- d) If being adjacent to a built-up area makes a site weaker Green Belt, this would permit the gradual removal of the entire Green Belt. Common sense suggests that it is at the urban edge that Green Belt is at its most vulnerable and most needs protection.
- e) Bucks County Council has commented (page 22 of Mark Kemp’s letter of 9 December 2016 in response to Green Belt Preferred Options Consultation of Oct 2016) that removing the site from the Green Belt would be ‘inappropriate’ because it was found to perform well against the Green Belt Purposes, and that its removal would harm the wider Green Belt. We support the detailed argument used by BCC to show that the southern and eastern borders of the site would be weak and hard to defend against further development. We invite the inspector to enquire how the councils have dealt with that objection, as we have seen no response.
- f) The Green Belt Exceptional Circumstances Report claims (p50) that *‘The impacts on the Green Belt can be mitigated’*. It is not clear from the evidence base how that could be done. It is hard to see how the loss of openness from the encroachment of a development including 700 new homes, a school, community hub etc into the countryside could be mitigated.

The AONB

- g) As the LVIA points out, the site also performs a very important role as the setting for the adjacent Area of Outstanding Natural Beauty (AONB) which spreads to the east from Lodge Lane and south of Long Walk. Part of the site (parts of Lodge Lane) is shown on a map from Landscapes For Life, the national AONB association, at <https://landscapesforlife.org.uk> to be within the AONB. Whether this is so or not, the *whole site* is a vital part of the setting of the AONB. The character of the

AONB landscape is continued through the chalk dry valley, and there is a strong link between the ancient woodland in the AONB immediately east of Lodge Lane and the ancient woodland immediately west of the Lane in the SP BP6 site. This factor links the site even more closely to the wider Green Belt east of Lodge Lane. The setting of the AONB would be harmed not only by the visual effect of the proposed development, but by the noise and pollution caused by its associated additional vehicle traffic, and by any new industrial activity on the site.

‘Exceptional Circumstances’

13. Housing need alone does not justify release of Green Belt unless there are exceptional circumstances. The requirement in **NPPF** para 136 that exceptional circumstances should be *fully evidenced and justified* has not been met in the **Green Belt Exceptional Circumstances Report** pages 49-50 section 4.4.
14. The location of the Little Chalfont site is not *‘highly sustainable’* as claimed in section 4.4 of the **Green Belt Exceptional Circumstances Report**, so that claim does not support exceptional circumstances. See details below under **SUSTAINABILITY**.
15. Questions about the availability of the land other than the former golf club site also weaken ‘exceptional circumstances’ for release from the Green Belt, as the **Calverton judgement** indicates. Paragraph 42 of that judgment makes clear that the suitability of a site for development does not by itself amount to exceptional circumstances, but may do so if combined with availability. If any land is not known to be available (see paragraphs 3-6 above on availability) both effectiveness (one of the four tests of ‘soundness’) and exceptional circumstances (for release from the Green Belt) must be diminished.
16. The strong performance of the site against the Green Belt purposes also weakens the claim of ‘exceptional circumstances’ for this site.

Green Belt Purposes (NPPF Para 134)

Purpose (b)

17. Evidence showing the positive performance of the Little Chalfont site under purpose (b) (preventing coalescence, in this case with Chorleywood), including section E.11.3.1 in the Sustainability Appraisal, has not been given sufficient weight. The area performs well in that respect, not “moderately” as claimed in section 4.4. of the **Green Belt Exceptional Circumstances Report**, and should have been awarded a score of 3, not 1, against Purpose 2 in **the Green Belt Assessment Part 2, Appendix 5, Vol 2** ref 2.10, Area No.35 for the following reasons.
18. The Green Belt land north of Long Walk (part of the SP BP6 site) was the subject of planning application CH/1979/0103/FA - Refused: “inappropriate development in the Green Belt and would extend and intensify the existing ribbon development along Long Walk, which is an open and rural zone important in preventing the merging of the settlements of Little Chalfont and Chorleywood”.
19. In the **Draft Green Belt Assessment Part Two**, Parcel Ref. 4.349, a triangle of land immediately south of Long Walk, was scored 3 for Purpose 2 with the comment “The option is considered to make a significant contribution to both the real and perceived gap between the settlements of Little Chalfont and Chorleywood.” A glance at the map

will show that the SP BP6 site, which lies immediately to the north of Parcel 4.349, performs the same role, since it is only very slightly further from Chorleywood.

Purpose (c)

20. The site performs strongly under purpose (c) (safeguarding the countryside from encroachment) because it contains well under 5% built form, is closely linked to the wider Green Belt, and projects openness and tranquillity close to the centre of Little Chalfont. Moreover, the assessment of performance in the evidence documents conflicts with the stated methodology, the proper application of which would have produced a result which would have eliminated the SP BP6 site from further consideration for release from the Green Belt. We challenge the score of only 3 awarded in the pro-forma at **Appendix 5 Vol 2 to Draft Green Belt Assessment 2 (GBA2)** for this site. Details are as follows.
- a) Section 4.4.25 of the **Buckinghamshire Green Belt Assessment Part 1 Methodology and Assessment of General Areas** (Referred to below as **GBA1**) records that when the General Areas identified at Stage 1 of the assessment were reviewed, for Green Belt Purpose 3, a score of 4 was awarded where an Area contained less than 10% built form and **and/or** possessed a strong unspoilt rural character.
 - b) The councils' own analysis (**Green Belt Assessment Part 1 (January 2016) - Parcel Proformas**) of GB Parcel 35 (the "General Area 35") site which is now the Little Chalfont SP BP6 site, confirms that the built form within the site is less than 5%. In fact, it is only about 2.4% (Source: Magic Maps). In this case, the first requirement (that the site contains less than 10% built form) is satisfied and therefore, the site should score at least 4.
 - c) According to Section 3.10 of the **Draft Green Belt Assessment Part 2 (GBA2)**, land "scoring strongly (4 or 5) against the criteria for one or more of the Green Belt Purposes was judged to be meeting the Purposes strongly overall" and Section 3.11 confirms that **GBA2** adopted the same approach as the Part One Assessment, **GBA1**. In Section 4.4.4 of the **GBA1**, land "judged to be meeting the [NPPF] purposes strongly overall" was "deemed unsuitable for further consideration in Part 2 of the Green Belt Assessment".
 - d) After the very late change in the methodology for **GBA1** (see g) below) an exception to the scoring methodology was allowed in section 4.4.4 where a possible subdivision of sites was identified. The scoring of this Little Chalfont site was clouded because it was only part of the site taken forward as a strategic option site for consideration in the **GBA2**. The site taken forward encompassed the western parts of the large General Area 29 and all of General Area 35. While it was considered that the combined site had "the potential to score differently" and "may score weakly", no score was awarded to the combined site. However, the **GBA2** concluded that the initially proposed extension of General Area 35 was ruled out in the **Green Belt Development Options Appraisal** because of "significant harm to the AONB" and "exceptional circumstances are not demonstrated" to include the western parts of General Area 29.
 - e) With the exclusion of the western part of General Area 29 from the strategic option site, the Preferred Option 6 site (now SP BP6) is the same as the original General Area 35, which under the published methodology (specifically the table in 4.4.25 of

GBA1) warrants a score of at least 4, and should therefore have been excluded from further consideration for development.

- f) The councils have sought to justify the score of 3 for Green Belt Purpose 3 on the grounds that the initial score for the site's low percentage of built form was appropriately adjusted on the basis of 'qualitative assessments of character', referred to in **GBA1** 4.4.25. It is claimed that the factors which influenced that assessment of character of General Area 35 as "semi-rural" were the position of the site on the edge of Little Chalfont, with development on 3 sides, the fact that it includes a former golf course and some built form, but the assessment appears to have excluded acknowledgement of the site's substantial openness, tranquillity, dry valley, ancient woodlands, traditional orchards and pre-18th century field enclosures – all features identified by the Chilterns Conservation Board. The councils then ignore the site's built form of less than 5% and subjectively contend that a score of 3 is correct for a site with less than 10% built form and with a largely rural character. We dispute this justification: it is flawed because it is in direct conflict with the scoring table at the end of 4.4.25 which, if the council's claimed justification were accepted, would be rendered unexplained and redundant.
- g) Although it is not directly relevant to our contention that the councils' justification is flawed, it is also noted that the methodology used by the councils to justify the score was significantly amended by the councils just four days before the close of the Initial Regulation 18 Consultation, and that under the previously published methodology, a site with as much as 20-30% built form and a semi-rural character would have scored 3, the score the councils decided to be appropriate for the Little Chalfont site with less than 5% built form.

Release of Green Belt disproportionate to proposed amount of development

21. The loss of approximately 45ha. of Green Belt land is disproportionate to the amount of development that might be accommodated on the site, given the environmental and other constraints already accepted by the councils. This is because about 60% of the site would be removed from the Green Belt but would not be developed (approximately 27ha). The proposed development areas identified within the councils' Landscape Capacity Assessment cover approximately 18ha.

SUSTAINABILITY (SOUNDNESS TESTS: EFFECTIVE? AND CONSISTENT WITH NATIONAL POLICY?)

22. The site proposed in Policy SP BP6 is both unsustainable and undeliverable. The policy fails both the soundness test for effectiveness and the soundness test of consistency with national policy.
- NPPF** 11 and 11 b ii read: *"Plans and decisions should apply a presumption in favour of sustainable development..... unlessany adverse impacts of so doing would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework as a whole."*

23. Section E11 in **Appendix E to the Sustainability Report** states that the SP BP6 site's performance against the councils' Sustainability Appraisal (SA) Objectives, even after mitigation, would be adverse on Landscape, Climate Change Mitigation, Natural Resources, Pollution and Waste, neutral or very minor on five others and significantly positive only on 'Housing', and, it is claimed, 'Transport and Accessibility'. In paragraphs 24-41 below, we contend that the site's performance on Transport and Accessibility is, in fact, very negative, because the site is exceptionally impermeable to vehicle access. Our comments on other SA Objectives then follow.

Transport and Accessibility Objective. NPPF paras 7-10 and 102-111

Professional Traffic Study

24. Please find attached a letter from **Paul Mew Associates, Traffic Consultants**, which strongly supports our argument below that Burtons Lane and Lodge Lane are unsuitable for access, and draws attention to the high additional congestion which would be caused in the village centre by the proposed development if a main access is placed in Burtons Lane – on which see also paras 28 and 53-54 below.
25. Burtons Lane and Lodge Lane are both unsuitable for access. All other roads surrounding the site are private, and a railway line forms the site's northern boundary.

Burtions Lane

26. Bucks County Council said, in response to the **Green Belt Preferred Options Consultation of Oct 2016**, that the site is *"unlikely to be supported by the Highway Authority unless a suitable access can be achieved from Burtons Lane"*, and in the Preferred Options Appraisal of November 2017 the councils proposed Burtons Lane as the principal vehicular access. However, the latest version of the Plan makes no proposal for where vehicle access to the site would be located.
27. The only reference in the evidence base to access to the site is the brief note in the list of road transport requirements on page 48 of Appendix 1 to the Draft Infrastructure Delivery Plan of June 2019 which, without any background, evidence or reasoning, mentions *'Burtons Lane Little Chalfont – new mini-roundabout at access for site SP BP6'*. (Note that this reference is itself inconsistent with the reference in the April 2019 Transport Topic Paper which refers to a mini-roundabout not at the access for the site but at the junction of Burtons Lane and the A404.) However, there is no reference to an access to the site from Burtons Lane in the publication version of the Local Plan, which appears to leave the question of access to a future traffic assessment linked to a development 'masterplan' after the inspector's examination. That sequence of events is utterly wrong. No decision should be taken to release land from the Green Belt before evidence has been provided to show that there is a viable vehicle access to the site.
28. In practice, access from Burtons Lane would be very difficult to achieve without harm to the dry valley, a valued landscape feature which the councils intend to leave as "open grassland managed for wildlife and public access". A simple priority access would require a minimum sightline provision of 2.4m x 43m in both directions. No evidence has been presented in the current version of the Plan to indicate that this is achievable within the land that can be delivered. Burtons Lane is narrow, winding and unsuitable for heavy traffic; its junction with the A404 is already heavily congested (**see the attached Traffic Study by Paul Mew Associates**). It should also be noted that

congestion on the village centre section of the A404 will increase further when the development of about 300 homes is opened at Newland Park (off the B4442), the residents of which will use Chalfont and Latimer Station for commuting at Transport for London prices rather than pay the higher prices on Chiltern Rail from Gerrards Cross. The resulting new vehicle flow from the Cokes Lane/A404 junction will meet traffic emerging onto the A404 from Burtons Lane, a few metres further east on the way to the station. There will inevitably be further increased congestion on the A404 from the other developments in Chiltern District proposed in the Plan. The introduction of a mini-roundabout at the A404/Burtons lane junction would not alleviate the existing problem of queuing back from the adjacent junction with Cokes Lane. Rather, the addition of significant levels of traffic arising from the development of the site would exacerbate congestion on a network which is already over capacity.

29. Furthermore, Burtons Lane is situated at the extreme western border of the site, whereas the main area for development is understood to be the higher ground within the former golf course, situated closer to the north-eastern border of the site by the railway. Therefore, it is unrealistic to expect that an access on Burtons Lane would promote only moderate personal car use by residents, or convenient access to the public transport services available from the village centre.
30. Access from Burtons Lane therefore appears unsustainable.

The former ERASC

31. Those parts of Burtons Lane adjacent to the site have, until now, been in an Established Residential Area of Special Character (ERASC), which precluded significant change. There is a detailed description of this unique and attractive area at sections 2.2.15 to 2.2.20 of Chapter 2 of the Townscape Character Study of November 2017. We understand from *Section 1, Table 1 in 'Proposed Changes to the Adopted Policies Maps'* that ERASCs will no longer be designated or used for purposes of considering planning applications, and that this policy approach is to be replaced by policies in the Designing Places Chapter. Since the councils say nothing to the contrary, we assume that abolition of the term 'ERASC' does not change the councils' policy of maintaining the character of the area concerned, which will remain in practice an area of special character. It would be inconsistent with that policy, and harm the amenity of residents in the former ERASC, if the usage, or the physical shape and appearance, of Burtons Lane are substantially changed to permit access to the site. From the Green Belt point of view, it is also relevant that site SP BP6 is sandwiched between the AONB to its east and an area of special character to its west, to both of which it contributes tranquillity and fine views.

Lodge Lane

32. Lodge Lane is narrow with poor vision and a low railway bridge, between the A404 and the site, under which double-decker school buses and tall delivery lorries could not pass. Most car drivers now choose to pass under the bridge on a single track basis because the gap is so narrow. There are also steep slopes which can be impassable in frozen conditions.
33. The Chiltern Conservation Board describes Lodge Lane as "a very attractive sunken lane, characteristic of the Chilterns AONB woodland and unsuitable for additional traffic or upgrade." We agree with the Chiltern Conservation Board's concern that the

proposed "development would add traffic and air pollution to the AONB at Lodge Lane (and wider)." As pointed out above, a map from Landscapes For Life, the national AONB association at <https://landscapesforlife.org.uk> shows Lodge Lane within the AONB for most of its length inside the site.

34. In the Conclusion to **Green Belt Options Appraisal of November 2017** the councils proposed only "*limited access and alteration to Lodge Lane so as to retain its country lane character and incorporated (sic) into the landscape buffer with the Chilterns AONB.*" We can find no updating of this proposal, so assume that it is still valid. (We note in policy SP BP6 of the new Local Plan item i) (ii), Landscape, "*strategic landscaping and open space to provide a buffer to the Chilterns AONB, particularly along the eastern edge of the site*", but we assume this refers to the territory of the site itself, not to Lodge Lane.)
35. Therefore a main access from Lodge Lane appears unsustainable.

Harm to Lodge Lane from Increased employment plans

36. The Transport Topic Paper refers on Page 39 to "*widening of Lodge Lane and implementation of priority scheme under existing railway bridge IF employment use is intensified*". An expansion of employment appears to be foreseen on the existing employment land at the eastern extreme of the site (Table 3B on page 9 of the Jacobs Phase 3B Modelling report refers to over 550 jobs on the site). This is also implied by the significant expected employment-related increase in traffic (page 24 of the Chiltern and South Bucks Local Plan Modelling Support, *Local Plan Impacts on the Strategic Road Network*). Both increased employment and increased traffic would conflict sharply with the intention for Lodge Lane (para 34 above) and would significantly harm the AONB itself, in which parts of Lodge Lane are shown to lie, and the setting of the AONB.

Other transport and pedestrian issues

37. The claimed positive implication for Transport & Accessibility disregards the two fundamental questions set out in Appendix A of the published **SA Framework**: Q9a: *Will it reduce the need to travel?* Q9b: *Will it provide adequate means of access by a range of sustainable transport modes (i.e. walking/cycling/public transport)?* In the context of these questions, the councils' supporting documentation (in the **Sustainability Appraisal, Green Belt Preferred Options, September 2017**) includes on page 44 two incorrect assertions:- (A) "*A regular bus service to Watford and Chesham operates from Amersham Road, with majority of prospective residents anticipated to be within 400m*" In reality very few, if any, residents would be within 400 metres, and the implied pedestrian route to the bus stop via Lodge Lane is dangerous with poor vision and no footpath. In the 'reasonable alternatives' section of the latest Sustainability Assessment report there is even a false claim that there are bus stops within 200 metres of the site! **We invite the inspector to walk the length of Lodge Lane under the railway bridge at an early stage of the EiP.** (B) "*The PRoW network around the option is good, offering walking or cycling access into Little Chalfont and the surrounding countryside... likely to contribute to moderate personal car use by prospective residents.*" In fact, there are no PRoW across the site, or in the direction of Little Chalfont centre. Although the Councils indicated, in their **Preferred Options Appraisal of Nov 2017**, the possibility of reinstating (sic) pedestrian access over a disused railway bridge to the north, there has never been any public right of way or permitted

pedestrian access over the disused railway bridge, which was established only for cattle crossing before the land to the north of the crossing was developed for its current housing. In any case, use of the bridge would lead only to a most indirect route to the village centre along Oakington Avenue.

38. In Policy SP BP 6, among the conditions required before planning permission will be granted, is “7. *Provision of a suitable pedestrian/cycleway linking the site to Little Chalfont Centre and services including Chalfont and Latimer Railway Station*”. The new Plan contains no indication of where such a route could be constructed. In fact, such a route appears impractical given the existing housing in Oakington Avenue, the position of the railway, the congested nature of the A404 (which pedestrians and cyclists would inevitably have to cross to reach the railway station) and the absence of existing rights of way.
39. It is also claimed that access to a transport ‘hub’ in the form of Chalfont and Latimer railway station is a major advantage of the proposal. Page 57 of the main **Sustainability Appraisal Report**, and pages E54 E.11/10 of Appendix E refer to the importance of access to the station. Yet the Plan and evidence documents ignore the present overcrowding of TfL Underground and Chiltern Rail commuter services on the Metropolitan Line, and overcrowding of the station car park, which is already full before 0900 am on most working days. Astonishingly, the **Infrastructure Delivery Report** contains no proposals for improvements to Chalfont and Latimer Station and to parking there, as it does for other stations in the area. This is unsound and ignores paras 102 (a) (b), (d) and (e) of the **NPPF**.

Conclusion on Transport and Accessibility

40. For the above reasons we believe that the site would have a very strong adverse impact under the Transport & Accessibility objective. See para 108b of the NPPF on the need for safe and suitable access to the site for all users, and para 109. The cumulative impact on the road network would be severe. In this respect Policy SP BP6 is inconsistent with national policy.
41. It is a serious flaw that the published Plan fails to identify a vehicle access to the site, apparently leaving this for developers to propose after the inspector’s examination. Without any evidence that there is a viable vehicle access to the site from either of the two available public roads, Burtons Lane and Lodge Lane, we suggest that the inspector should logically conclude that there is no evidence of an access which would enable the site to be delivered. Therefore Policy SP BP6 is both unsustainable and undeliverable, and so both ineffective and inconsistent with national policy.

The Other SA Objectives

42. Given that negative outcomes are forecast by the councils themselves on five of the SA Objectives, and that the benefits claimed for Transport and Accessibility are highly questionable for the reasons given above, we challenge the claim that SP BP6 could be sustainably developed. In the current climate, which affords enhanced weight to sustainability, we urge the inspector to give detailed scrutiny to this flawed aspect of the councils’ case at the EiP.
43. We also consider that the post-mitigation positive or neutral scores against some of the SA Objectives, in **Appendix E of the Sustainability Appraisal Report** (pages E52-E55), are unjustified. In particular:-

- a) Objective 3, Biodiversity & Geodiversity. It is preposterous to claim that Green Infrastructure improvements and the limitation of damage by landscape buffers would fully compensate for the removal of large areas of unspoilt, open land which currently acts as an important Green Corridor; the overall effect must be negative.
- b) Objective 5. Climate Change Adaptation. It is suggested that a site-specific Flood Risk Assessment (and any corresponding mitigation measures) and the partial replacement of woodland warrant a positive impact assessment. The overall assessment should be at best neutral.
- c) Objective 11, Health. The moderately positive assessment appears to be based on an unrealistic reliance on PRow and cycle networks, neither of which have been demonstrated to be developable. As indicated under Objective 3 above, we consider the expectation of the successful provision of such Green infrastructure to be over-optimistic, and that there would be an inevitable increase of car use (negative for health and pollution) to access developable sections of this site, which sites would be accessible only if the councils renege on their aim of "retention of important landscape features such as woodland, hedgerows and dry valley". The health assessment should be negative, not moderately positive.

CONSERVING AND ENHANCING THE NATURAL ENVIRONMENT (SOUNDNESS TEST: CONSISTENT WITH NATIONAL POLICY?)

NPPF Section 15

- 44. For the following reasons, Policy SP BP6 would cause unacceptable damage to the natural environment and would, therefore, be inconsistent with section 15 of the NPPF.
- 45. The Plan fails to address adequately the issues in NPPF Section 15 (Conserving and Enhancing the Natural Environment), in particular those in paragraph 170 (a) and (b), under both of which it is important to take account of the typical Chiltern AONB character and beauty of the site, chalk dry valley, ancient woodland and deeply rural landscape providing priority habitat in the setting of the AONB.
- 46. As shown in the attached LVIA, the site is a 'valued landscape' in respect of NPPF para 170a. The level of development proposed in the Plan is in conflict with the councils' LCA which states that *'the key landscape and visual characteristics must be retained and enhanced'*. The site's valued characteristics will not be retained if they are surrounded by development, let alone enhanced. The councils own Sustainability Appraisal concludes (APP E.11.3.1) that the overall impact on landscape would be 'moderate negative', the second highest/most harmful level.
- 47. We share the strong environmental concerns and objections concerning the Little Chalfont site raised by Bucks County Council, The Chilterns Conservation Board and the Woodland Trust, recorded in the summary of comments by 'Key Duty to Cooperate Organisations' in the Green Belt Development Options Appraisal document of Nov 2017.
- 48. The evidence base does not make clear what work has been done to identify and record important habitats on the site, as required in NPPF para 174 and using the guidance in Circular 06/2005 referred to in footnote 56. We understand that only some site visits and a desktop exercise have taken place. A defensible baseline of biodiversity

and the natural environment needs continuous assessment throughout the year, particularly on this site which is by far the most open and rural of the large Green Belt sites proposed in the draft Local Plan for development, and contains a wildlife corridor. Woodland habitats within the site include two areas of Ancient Woodland and other deciduous woodland that is identified as Priority Habitat. The habitats, rather than merely the mitigation measures proposed in Appendix E to the Sustainability Appraisal section E.11.4.1, should be identified and addressed before any decision is taken about releasing the site from the Green Belt.

PROPORTIONALITY AND SOCIAL EFFECTS OF DEVELOPMENT (SOUNDNESS TEST: CONSISTENT WITH NATIONAL POLICY?).

NPPF para 91:

49. The disproportionate step-change in urbanisation proposed in Policy SP BP6 is inconsistent both with national policy (NPPF 11, 11 b 1 on sustainability, 85, 102 and 106) and with existing policies of the councils (para 51 below).
50. The inspector will see from the Summary of Responses to the Initial Regulation 18 Consultation in March 2016 that 31% of all the responses from the two districts were objections from residents in Little Chalfont (1396 communications) and from the Green Belt Preferred Options Summary of Responses (Oct-Dec 2016) that there were 964 objections to the inclusion of this site. The exceptionally high level of public opposition in this village of about 2800 households is an important factor in the considerations below.
51. SP BP6 on its own would bring an increase of 25% in Little Chalfont's housing stock, and if other growth projected in the Settlement Capacity Study (page 53) is included, this would grow to a total increase of about one third. The social consequences of a disproportionate development as high as 25% should have been taken into account in the light of policy statements in the **Core Strategy** including the "Key Spatial Issue" *"How to maintain and improve the high quality environment of our towns, villages and countryside"*, and **Green Belt Development Options Appraisal Nov 2017** section 1.3. *"Focusing new development in or close to settlements within the Plan area proportionate to the size and function of those settlements informed by the settlement hierarchy. At the same time taking into account the ability of settlements to support development through adequate and timely delivered infrastructure (e.g. roads, education and health)." However, these consequences have been ignored in the evidence base and in the Plan.*
52. We ask the inspector to take account of the effects on our community of such a disproportionate increase in the population of the village. Details are as follows.
53. Little Chalfont is by far the smallest of the four settlements identified in the **Core Strategy** as 'primary' for development in Chiltern District – Amersham, Chesham, Chalfont St Peter, Little Chalfont- and its infrastructure has less absorptive capacity than does the infrastructure in the other three. It is not listed as a main settlement in the councils' Local Plan and CIL Viability assessment. Such a radical urbanisation would materially damage the character of the village. See para 85 of the **NPPF** on the viability of town centres. The immense new pressure on our already overloaded roads, parking (**NPPF** paras 102(e) and 106), station and services could damage social cohesion. Little Chalfont has already had to accept two large developments in the last few years - 250 homes at Turners Field and 45 at Harvard Grange – which have put a strain on infrastructure.

54. Little Chalfont is alone among its 'primary settlement' neighbours (Amersham, Chesham and Chalfont St Peter) in having no bypass around the centre. Therefore increased congestion on the A404, a Strategic Inter-Urban Route which passes through the village centre, would have a more direct effect in reducing the amenity of the centre. This would include, in particular, worsening of the already chronic queuing problem on the A404 for entry to the village's main shopping precinct on Chenies Parade. These issues are explored further in the attached study by Paul Mew and Associates.

GOVERNMENT POLICY (SOUNDNESS TEST: CONSISTENT WITH NATIONAL POLICY?)

55. Development of the Plan ignored the important and strongly worded changes of government policy made in the **new paragraphs 137 and 123 of the July 2018 NPPF** quoted below. The Plan is therefore inconsistent with government policy.

Section 13 – Protecting Green Belt Land

137. Before concluding that exceptional circumstances exist to justify changes to Green Belt boundaries, the strategic policy-making authority should be able to demonstrate that it has examined fully all other reasonable options for meeting its identified need for development. This will be assessed through the examination of its strategic policies, which will take into account the preceding paragraph, and whether the strategy:

- a. makes as much use as possible of suitable brownfield sites and underutilised land;
- b. optimises the density of development in line with the policies in chapter 11 of this Framework, including whether policies promote **a significant uplift in minimum density standards in town and city centres and other locations well served by public transport;** and
- c. has been informed by discussions with neighbouring authorities about whether they could accommodate some of the identified need for development, as demonstrated through the statement of common ground.

Section 11 – Making Effective Use of Land

123. Where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site. In these circumstances:

- a) plans should contain policies to optimise the use of land in their area and meet as much of the identified need for housing as possible. **This will be tested robustly at examination, and should include the use of minimum density standards for city and town centres and other locations that are well served by public transport. These standards should seek **a significant uplift in the average density of residential development within these****

areas, unless it can be shown that there are strong reasons why this would be inappropriate;

- b) *the use of minimum density standards should also be considered for other parts of the plan area. It may be appropriate to set out a range of densities that reflect the accessibility and potential of different areas, rather than one broad density range; and*
- c) *local planning authorities should refuse applications which they consider fail to make efficient use of land, taking into account the policies in this Framework. In this context, when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards).*

56. The sections we have underlined above place new stress on the need to protect the Green Belt and to review densities to make optimal use of the potential of each non-Green Belt site, before concluding that exceptional circumstances exist to justify changes to Green Belt boundaries. There is also a perception that some brownfield sites may have been overlooked.

57. These changes in government policy occurred after the councils had completed their selection of sites, and of Preferred Options for release from the Green Belt, to meet the OAN. However, we can find no evidence that they carried out any review, or changed direction in any way, as a result of the changes. Their failure to hold such a review of site capacity to reflect the changes is a serious flaw in the evidence base. Such a review could have led to a greater contribution to the OAN from other sites, and made it possible for SP BP6 - which for the reasons given above has very strong Green Belt characteristics - to remain in the Green Belt. That decision would have been justified because, as shown in paragraphs 8-21 above, SP BP6 is by far the most open and undeveloped of the four large Green Belt sites selected in the draft Local Plan for development and, contrary to the case put forward by the councils, strongly meets **NPPF** Green Belt purposes 2 and 3.

Little Chalfont Parish Council

Little Chalfont Community Association
