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18th July 2019

Chiltern and South Bucks
Planning Policy Team

By email only: planning.policy@chilternandsouthbucks.gov.uk

Chiltern and South Bucks Local Plan Regulation 19 Period for Representations

Dear Sirs,

Please find enclosed the representations made on behalf of Chalfont St Peter Parish Council. The representations should be considered as a whole.

The Parish Council has serious concerns regarding the soundness and legality of the Local Plan in its current form. The representations consolidate this view by discussing the approach taken in the authorities' consideration of reasonable alternatives, the lack of evidence provided to demonstrate exceptional circumstances to justify the release of Green Belt, the unsustainable and unjustified nature of the site allocations in the Parish and a number of points of soundness to raise regarding the proposed development management policies.

The Parish Council acknowledge the effort made by the Councils in the preparation of this Local Plan. However, it is considered that the Plan is unsound and not legally compliant in its current state and proposed modifications are suggested throughout these representations.

The Parish Council wishes to take part in any relevant examination hearings.

Yours sincerely,

TROY HAYES (MRTPI)
Managing Director
TROY PLANNING + DESIGN





1. Context of the Parish

- 1.1. Chalfont St Peter is a rural parish located in Chiltern District in the south east of Buckinghamshire. It is in a group of villages called “The Chalfonts” which also includes Chalfont St Giles and Little Chalfont, though these are not situated in Chalfont St Peter parish. With a population of 12,939 (recorded in the 2011 Census), Chalfont St Peter is one of the largest villages in South East England; however, set within the Green Belt, Chalfont St Peter Parish also has a distinctly rural character. The north-east of the Parish lies within the Chilterns Area of Outstanding Natural Beauty (AONB).
- 1.2. On 15th November 2016, the Chalfont St Peter Neighbourhood Plan was ‘made’ by Chiltern District Council. It is the only ‘made’ Neighbourhood Plan in Chiltern District and forms part of the development plan when considering planning applications in the Chalfont St Peter designated Neighbourhood Area (the whole Parish area). It includes policies for the ‘Village Centre’, ‘Housing’, ‘Open Space’, ‘Leisure, Community and Health’, ‘Mobile Phone Masts’ and ‘Parish-Wide Issues’.
- 1.3. These representations consider the Local Plan as a whole but give particular attention to matters relating to the Duty to Cooperate, Sustainability Appraisal, the proposed release of Green Belt (and failure to demonstrate exceptional circumstances) and policies ‘SP BP7 – Chalfont St Peter – North East’ and ‘SP BP8 – Chalfont St Peter – South East’ and considers that these sites are not allocated for development, now or in the future due to failing the tests of soundness set out in the NPPF and failure to comply with legal requirements.
- 1.4. In 2016 the Parish Council made representations to the Green Belt Preferred Options Consultation, which stated that the Preferred Options showed a clear lack of understanding of the local context. Critically, the Parish Council’s representations that the Council’s attempt to demonstrate that exceptional circumstances to justify the loss of either location proposed in Chalfont St Peter was unfounded because the consequences for sustainable development were entirely unknown.
- 1.5. The Parish Council welcomes the opportunity to submit representations to the Chiltern and South Bucks Local Plan Regulation 19 Period for Representations and trusts that the District Council takes these into account when finalising the Plan to submit for examination and reconsiders the proposed allocations in Chalfont St Peter.



2. Introduction

- 2.1. Chiltern District Council and South Bucks District Council (referred to as Chiltern and South Bucks) have prepared a joint Local Plan to cover the plan period to 2036.
- 2.2. Paragraph 35 of the National Planning Policy Framework (NPPF) explains that local plans are examined to assess whether they have been prepared in accordance with legal and procedural requirements and whether they are sound.
- 2.3. *“Plans are ‘sound’ if they are:*
 - a) **Positively prepared** – *providing a strategy which, as a minimum, seeks to meet the area’s objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;*
 - b) **Justified** – *an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;*
 - c) **Effective** – *deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and*
 - d) **Consistent with national policy** – *enabling the delivery of sustainable development in accordance with the policies in this Framework.”*
- 2.4. The NPPF (Paragraph 36) states that the tests of soundness will be applied to non-strategic policies in a proportionate way taking account of the extent to which they are consistent with relevant strategic policies for the area.
- 2.5. These representations consider the reasons why the policies included in the emerging Local Plan do not meet these tests of soundness and comment upon the modifications to the policies that are needed in order for the Plan to be considered sound.
- 2.6. The representations consider the overall structure and strategic nature of the Local Plan before commenting on individual policies.



3. Local Plan Content & Policies Map

- 3.1. The Parish Council are concerned that the Local Plan has no strategic policy setting out the overall spatial strategy for the plan area in terms of the pattern, scale and quality of development and as a result does not meet the requirements of the NPPF.
- 3.2. The NPPF (paragraph 20) states that *“Strategic policies should set out an overall strategy for the pattern, scale and quality of development”*. The first policy in the Plan (SP SP1) addresses sustainable development and the policies then continue immediately into Development Management policies. Therefore, there is no strategic policy which sets out the location and quantum of development and what the quality of development will be. As a result it is not possible for the Sustainability Appraisal to have assessed the overall spatial strategy of the plan as this is not set out anywhere in policy.
- 3.3. The Parish Council therefore considers the plan to be unjustified, ineffective, inconsistent with national policy and is not legally compliant. The Parish Council suggest that a spatial strategy is included at the beginning of the document which clearly complies with the NPPF.
- 3.4. Planning Practice Guidance¹ states that *“the policies map should illustrate geographically the policies in the plan and be reproduced from, or based on, an Ordnance Survey Map”*. The Town and Country Planning (Local Planning) (England) Regulations 2012 set out the form and content to be followed in the preparation of a Policies Map.
- 3.5. The Regulations state that the *“adopted policies map must be comprised on, or contain, a map of the local planning authority’s area”*. The use of the singular form of ‘map’ suggests that there should be a map which shows the full extent of the local planning authority area. Chiltern and South Bucks have not provided such a map, other than the key diagram, and have therefore not complied with the regulations and failed to communicate changes to the area as a whole. The maps that are provided are individual maps of key constraints, site allocations and settlements. This makes it very difficult to understand the information of the local planning area as a whole and near impossible to understand the strategic scale and important context and constraints of Local Plan proposals.
- 3.6. In addition, the suite of policies maps is included as a separate document to the Local Plan and it is therefore not immediately apparent of where, for instance, to find geographic detail for policies, such as amendments to Green Belt boundaries.
- 3.7. The Plan and Policies Map are therefore not compliant with national policy and should be found unsound. It is recommended that a map is produced showing the entire Local Plan area with changes to the Policies Map and that it be reconsulted on.

¹ Paragraph: 002 Reference ID: 61-002-20190315 Revision date: 15 03 2019



- 3.8. The Parish Council note with disappointment that the Local Plan makes no mention of the 'made' Chalfont St Peter Neighbourhood Plan which forms part of the Council's Development Plan. Significant resource, including that of Chiltern District Council, went into the preparation of the Neighbourhood Plan and it is alarming that the only mention of the Chalfont St Peter Neighbourhood Plan is Appendix LP1 where it refers to Chalfont St Peter as a designated neighbourhood plan area however does not acknowledge its status as a made plan.
- 3.9. We request that the Local Plan Local Plan is modified to include additional references to the made Chalfont St Peter Neighbourhood Plan as it forms part of the Development Plan for the area.
- 3.10. The Parish Council will keep the Neighbourhood Plan up to date.

4. Sustainability Appraisal

- 4.1. A Sustainability Appraisal (SA) of the Local Plan has been carried out to appraise the economic, environmental and social performance of the Plan. There are a series of SA objectives against which each policy is assessed to understand the full impact of the Plan. We consider the Sustainability Appraisal to be flawed and does not provide a sufficient basis on which to assess the impact of the policies of the Local Plan.
- 4.2. For the purposes of these representations, the focus is primarily on the way that two of the site allocation policies have been assessed which in effect go to the heart of the method of the Sustainability Appraisal. These are allocations SP BP7 and SP BP8, both of which are located in Chalfont St Peter.
- 4.3. The SA considers a number of objectives including cultural heritage, landscape and transport and accessibility.
- 4.4. The Transport and Accessibility objective considers whether a policy will "*improve the efficiency of transport networks by increasing the proportion of travel by sustainable modes and by promoting policies which reduce the need to travel*". It is measured using the research by Barton et al (2010)² as a basis. This research suggested that development located within 600m of a local service provides users with access to services. If a development is within 600m of a local service, it would be assumed to have a minor positive impact on local accessibility. From the same research, it is suggested that residents should be within 2km of a railway station and 400 metres of a bus stop in order to have transport accessibility. If a development is located within a target distance to a bus stop or railway station then they are assumed to have a minor positive impact on local transport and accessibility.
- 4.5. It should be noted that the Parish Council does not support this simplistic approach to measuring distances to services. A more sophisticated method should be applied which considers additional factors such as limitations to travel routes and topography. For example, Chalfont St Peter has

² Barton, H., Grant. M. & Guise. R. (2010) Shaping Neighbourhoods: For local health and global sustainability.



particularly challenging topography which would render some modes of transport, such as cycling, very difficult to implement on the ground. This would be further supported by the lack of cycle network provision and, often, lack of safe pedestrian crossings. These act as limitations for the use of public transport.

- 4.6. However, for the purposes of these responses, the applied method is used for discussion.
- 4.7. The SA refers to site allocation BP7 as being in “*a highly sustainable location*” and it scores a ‘*moderate positive*’ impact on the transport and accessibility objective. The Parish Council questions the validity of this result, on the basis of the assessment methodologies and assumptions included in the SA and outlined above.
- 4.8. In terms of railway access, we assume that access would be secured via the junction of Micholls Avenue with Chesham Lane, adjacent to Woodland Manor Care Home. Gerrards Cross Station, the nearest rail station, is approximately 3.8km³ away from the assumed point of access. To travel by road however, this distance increases to 4.79km between the site and Gerrards Cross Station. This therefore does not conform to the methodology which states that a railway station should be within 2km of the site in order for there to be even a minor positive impact on transport and accessibility.
- 4.9. The nearest shopping facilities to BP7 are in Chalfont St Peter centre itself, which is approximately 1.7km away from the site. There is a post office in closer proximity, but this will not offer essential services.
- 4.10. Site BP8 is also incorrectly assessed as having a ‘*moderate positive*’ impact on transport and accessibility. Proposed access to the site is currently unknown, but taking a centre point from the site, it is approximately a 2.5km walk to Gerrards Cross station, the nearest train station. This therefore does not conform to the methodology which states that a railway station should be within 2km of the site in order for there to be even a minor positive impact on transport and accessibility.
- 4.11. The nearest shopping facilities to site BP8 are 1.1km away from the centre of the site, assuming walking access can be achieved from Upway. This also does not conform with the methodology in the SA, which states that local services should be within 600 metres of a site.
- 4.12. Of importance for both sites, is the location of the nearest facilities, which are on the other side of the busy A413 road, which dissects the village of Chalfont St Peter from north to south. There are no services, such as a doctors, dentist or shops, on the eastern side of the A413 and therefore residents on the Chalfont Common side must cross the A413 to get to the village. This poses as a physical barrier to being able to access services and this is something that should have been considered through a sophisticated Sustainability Appraisal approach to transport and accessibility.
- 4.13. The Sustainability Appraisal outlines the reasons that the site allocations were selected. The reason given for Allocation SP8 is that there are only “*limited disadvantages from developing the area*” and

³ All measurements in these representations are taken from Google Maps



therefore the advantages clearly outweigh them. PPG⁴ explains that: *“The sustainability appraisal should identify any likely significant adverse effects and measures envisaged to prevent, reduce and, as fully as possible, offset them. The sustainability appraisal must consider all reasonable alternatives and assess them in the same level of detail as the option the plan-maker proposes to take forward in the Local Plan (the preferred approach).”*

- 4.14. As we set out below, this approach was not undertaken in the Sustainability Appraisal.
- 4.15. It is concluded that neither site SP BP7 or BP8 should not be considered favourably in terms of transport and accessibility. The SA has incorrectly ‘boosted’ the results for the transport and accessibility objective and the SA is therefore unsound evidence and the Local Plan is not justified.
- 4.16. The Parish Council has previously submitted comments in relation to the Sustainability Appraisal published during the Chiltern and South Bucks Local Plan Initial Consultation (Incorporating Issues and Options) 2016. Whilst the Sustainability Appraisal and Local Plan have progressed since those representations were made in 2016, it is considered prudent to refer to the points which are still pertinent. For ease of reference, the particularly relevant paragraphs from the responses have been included below.
- 4.17. *“The summary of the pre-mitigation assessment given at Table 5.1 often records different outcomes to the individual assessments within the document. For example, the ‘Transport’ domain for CSP3 on Table 5.1 records a significant positive outcome (“++”) compared to a slight positive outcome at Para 3.10 (“+”). Whilst we agree with neither assessment, this raises significant doubt on the robustness of the approach.*
- 4.18. *In addition, we consider that limited weight should be given to the ‘post-mitigation’ outcomes recorded in Table 5.2 given the extremely limited detail available for the individual options at this stage. This table almost ubiquitously records that positive outcomes can be achieved on any individual domain for any individual site. However, this is likely to give inadequate consideration of the cumulative effects and outcomes for actual development characteristics.”*
- 4.19. It appears that only sites in the Green Belt have been assessed through the Landscape Capacity Study for Green Belt Development Options (2017), and therefore it is not possible to ascertain whether there may be other sites which would have less of an impact on the landscape and therefore a greater capacity for development. This is a significant flaw in the evidence base which leads to the site selections not being fully justified. The Sustainability Appraisal disregards the Landscape Capacity Assessment (2017) and instead only uses the findings of the Landscape Character Assessment (2011). This does not provide a sufficient understanding of the capacity of the landscape to accommodate development the Sustainability Appraisal does not therefore form a

⁴ Paragraph: 019 Reference ID: 11-019-20140306 Revision date: 06 03 2014



reliable evidence base document

- 4.20. The view of the Parish Council remains that it is premature to include 'post-mitigation' outcomes in the Sustainability Appraisal 2019. Whilst the proposed site allocations now have defined boundaries and broad levels of development, it is not clear how it has been possible to appraise the post-mitigation impacts, when the sites are merely proposals at this stage without detailed masterplans having been designed. It has further not been demonstrated how the policies of the emerging Local Plan have been applied to show that they have a positive impact which has led to improved scorings in the post-mitigation appraisal.
- 4.21. The images included below are taken from the SA 2019 and show the appraisals of the sites and the relevant sites are circled. For information, BP7 is identified as 1.10 and 1.10A and BP8 is identified as 1.11.
- 4.22. It is unclear to the Parish Council how the appraisal of the site in table 5.5 has then been amended before it is presented in table 5.9. For the two sites in Chalfont St Peter, the scoring against the objectives for transport and accessibility is particularly pertinent as it has changed from a minor negative to a moderate positive. The Parish Council support the findings of the sites being scored as 'minor negative' and do not envisage that any mitigation measures could change this to 'moderate positive'. This is because the reasons the sites should be scored as minor negative are the distance they are to the train station and the challenging local topography, neither of which can be mitigated through policy.
- 4.23. The only explanation given is that the sites have been appraised in light of the mitigation provision included as part of the policy wording in the Local Plan. The policy wording is vague, and it is unclear how such drastic changes have been assumed when it is not clear what the mitigation will involve
- 4.24. There is no explanation for the reasons behind this, and if there are, they need to be made far clearer. The Sustainability Appraisal is therefore not an effective nor justified piece of evidence on which to base the Local Plan.



Table 5.4: SA impact matrix for Green Belt sites, pre-mitigation (see Appendix B).

| Site Reference | 1 Cultural heritage | 2 Landscape | 3 Biodiversity & Geodiversity | 4 Climate Change Mitigation | 5 Climate Change Adaptation | 6 Natural Resources | 7 Pollution | 8 Waste | 9 Transport and Accessibility | 10 Housing | 11 Health | 12 Economy |
|----------------|------------------------|----------------|----------------------------------|--------------------------------|--------------------------------|------------------------|----------------|------------|----------------------------------|---------------|--------------|---------------|
| 1.01 | -- | --- | -- | - | --- | --- | --- | - | - | +++ | - | - |
| 1.02 | -- | +/- | - | 0 | -- | + | - | 0 | - | 0 | - | - |
| 1.03 | 0 | --- | - | - | + | -- | --- | - | - | +++ | - | - |
| 1.04 | -- | --- | - | - | --- | -- | --- | - | - | +++ | - | --- |
| 1.05 | -- | --- | - | 0 | + | -- | - | 0 | ++ | + | - | - |
| 1.06 | -- | --- | - | 0 | --- | - | - | 0 | - | + | - | - |
| 1.07 | --- | --- | --- | - | + | --- | --- | - | - | +++ | - | - |
| 1.08 | -- | --- | --- | --- | --- | --- | --- | --- | - | +++ | - | - |
| 1.09 | -- | --- | - | - | --- | --- | --- | --- | - | +++ | - | - |
| 1.10 | -- | --- | -- | - | - | --- | --- | - | - | +++ | - | - |
| 1.10A | -- | -- | 0 | - | - | -- | --- | - | - | +++ | - | - |
| 1.11 | - | - | - | - | -- | -- | --- | - | - | +++ | - | --- |

Table 5.5: SA impact matrix for Green Belt sites, post-mitigation (see Appendix B).

| Site Reference | 1 Cultural heritage | 2 Landscape | 3 Biodiversity & Geodiversity | 4 Climate Change Mitigation | 5 Climate Change Adaptation | 6 Natural Resources | 7 Pollution | 8 Waste | 9 Transport and Accessibility | 10 Housing | 11 Health | 12 Economy |
|----------------|------------------------|----------------|----------------------------------|--------------------------------|--------------------------------|------------------------|----------------|------------|----------------------------------|---------------|--------------|---------------|
| 1.01 | 0 | -- | 0 | - | + | --- | -- | - | - | +++ | - | - |
| 1.02 | 0 | 0 | 0 | 0 | + | + | 0 | 0 | - | 0 | - | - |
| 1.03 | 0 | - | 0 | - | + | -- | - | - | - | +++ | - | - |
| 1.04 | 0 | - | 0 | - | --- | -- | - | - | - | +++ | - | --- |
| 1.05 | 0 | - | 0 | 0 | + | -- | - | 0 | ++ | + | - | - |
| 1.06 | 0 | - | 0 | 0 | --- | - | - | 0 | - | + | - | - |
| 1.07 | 0 | -- | 0 | - | + | --- | - | - | - | +++ | - | - |
| 1.08 | 0 | -- | 0 | --- | + | --- | --- | --- | - | +++ | - | - |
| 1.09 | 0 | - | 0 | - | --- | --- | -- | --- | - | +++ | - | - |
| 1.10 | 0 | -- | 0 | - | + | --- | - | - | - | +++ | - | - |
| 1.10A | 0 | 0 | 0 | - | + | -- | - | - | - | +++ | - | - |
| 1.11 | 0 | - | 0 | - | + | -- | - | - | - | +++ | - | --- |



Table 5.9: SA performance of Building Site Allocations

| SA Objective | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 |
|----------------------------------|-------------------|-----------|-----------------------------|---------------------------|---------------------------|-------------------|-----------|-------|---------------------------|---------|--------|---------|
| | Cultural Heritage | Landscape | Biodiversity & Geodiversity | Climate Change Mitigation | Climate Change Adaptation | Natural Resources | Pollution | Waste | Transport & Accessibility | Housing | Health | Economy |
| Building Site Allocations | | | | | | | | | | | | |
| SP BP2 | 0 | - | 0 | - | + | --- | -- | - | ++ | +++ | - | + |
| SP BP3 | 0 | - | 0 | - | + | -- | - | - | ++ | +++ | - | + |
| SP BP4 | 0 | 0 | 0 | 0 | --- | 0 | 0 | 0 | ++ | + | - | + |
| SP BP5 | 0 | - | 0 | 0 | + | -- | 0 | 0 | ++ | + | - | + |
| SP BP6 | 0 | -- | 0 | -- | + | --- | -- | -- | ++ | +++ | ++ | + |
| SP BP7 | 0 | 0 | 0 | - | + | -- | - | - | ++ | +++ | ++ | + |
| SP BP8 | 0 | - | 0 | - | + | -- | - | - | ++ | +++ | ++ | + |

5. SP BP7 Chalfont St Peter- North East

- 5.1. One of the sites (BP7) proposed to be allocated for development in the Parish is adjacent to the north east of the settlement boundary of Chalfont St Peter. The site is proposed for allocation for residential and epilepsy research and care/retirement homes uses. The capacity of the site is approximately 360 homes, including 250 market and affordable properties and 110 retirement homes. The site is currently situated within the Green Belt. The western part of the site contains the existing National Society of Epilepsy functions with the eastern part of the site being open grassland. The policy suggests that the Epilepsy Society functions would be remodelled but retained as part of the site.
- 5.2. Paragraph 8 of the National Planning Policy Framework 2019 (NPPF) describes three objectives which are to support the delivery of sustainable development in the planning system.
- 5.3. Considering first the social objective, this states that in order to achieve sustainable development, developments must have *“accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being”*. These representations have previously considered the flawed approach in the Sustainability Appraisal for assessing whether the sites have access to transport and services. It has been demonstrated that the site is not in a location which provides access to public transport and does not have sufficient access to shops and services.



Development at this would not constitute sustainable development from a social perspective.

- 5.4. Secondly, the environmental objective in the NPPF states that the planning system should *“contribute to protecting and enhancing our natural, built and historic environment”*.
- 5.5. Site BP7 contains a mixture of existing land use, including the National Society of Epilepsy, and open grassland. Beyond the grassland to the east is an area of mature trees and hedges, and additional mature hedge and tree rows provide a border to the open areas of grassland. Therefore, the open area of grassland, between the tree area and the National Society of Epilepsy and the hedgerows will be important for biodiversity habitats, including creating green links between habitats. The construction of dwellings here would be contrary to the environmental objective of conserving the natural environment.
- 5.6. The Parish Council do not think that the historic environment part of the environmental sustainability objective has been sufficiently considered. A Heritage Impact Assessment has not been prepared to support the Local Plan, and instead it relies upon the findings of the Sustainability Appraisal to understand heritage impacts. This is inadequate and the Local Plan is not able to demonstrate that it has led to historic environmental sustainability.
- 5.7. It is clear that neither the social nor environmental sustainability objectives are met through this site allocation in Chalfont St Peter. It therefore does not contribute toward sustainable development, required through the NPPF and the Local Plan Policy SP SP1 itself.
- 5.8. For BP7 in particular it is important to note that the policies are very vague as drafted in that it is not clear in what form the facilities will remain and how their functionality will be affected during and after the construction phases. It is therefore difficult to understand the full implications of the proposal in terms of the impact on health care facilities as well as impact on the Green Belt.
- 5.9. Notwithstanding the vague nature of the policy in relation to the operation of existing uses, the Parish Council has other concerns with these site policies.
- 5.10. The use of the word ‘approximately’ in relation to the proposed number of homes is worrying. Particularly when considered in the context of the area of land to be removed from the Green Belt being larger than the proposed allocation, it is highly probable that this proposed allocation could result in a far larger development than currently intended. The Parish Council therefore suggest that the policies are modified to include firmer wording, such as by the removal of the word ‘approximately’.
- 5.11. The Parish Council is also concerned about the ambiguous language relating to masterplans for the sites. Insufficient detail is given to suggest what the Council will require in terms of the preparation of a masterplan, what the process is and who should be involved. It is suggested that more detail is added to the policies describing what will be required through the masterplans.



- 5.12. The Parish Council requests that specific reference is made stating a requirement to engage with the relevant Parish Council in all stages of the preparation of a masterplan for this site.
- 5.13. The Chiltern and South Bucks Green Belt Assessment Part Two Update Draft Report (March 2019)⁵ includes, at table 3, the potential boundary features for the Green Belt. It states that boundaries that are likely to be weaker include:
- Existing development with soft, irregular or inconsistent boundaries (eg. back gardens of residential properties)
 - Unmade roads
 - Footpaths
 - Fences
 - Field boundaries
 - Unprotected woodland, trees or hedgerows
- 5.14. The proposed site boundary for the site to the north east of Chalfont St Peter (BP7) is considered to be lacking defensible boundaries, particularly to the north and east of the site. The boundaries to the east are formed of areas of woodland which are not protected, and the boundary to the north is a narrow tree line. As stated in the text from the Green Belt Assessment Part Two Update (2019), these are considered to be weaker boundaries and it is therefore not possible that they will be able to endure beyond the Plan period.
- 5.15. Notwithstanding the above analysis, the Green Belt Exceptional Circumstances Report (2019) states that for site BP7, *“While part of the boundary would be acceptable in NPPF terms, others parts of it are likely to be weaker, comprising features that while readily recognisable are unlikely to be permanent. The boundary of Area 1.10A would require strengthening to accord with NPPF requirements”*. The document therefore clearly states that the boundaries are not defensible and need to be strengthened through policy.
- 5.16. Policy BP7 identifies that there is a need to provide *“structural planting to create a sense of place, integration into the surrounding landscape and to reinforce a defensible Green Belt boundary to the north and east”*. Given that the Green Belt Assessment Part 2 specifically states that unprotected woodland is a weak Green Belt boundary, the planting of new woodland is therefore highly unlikely to be able to form a durable boundary.
- 5.17. The Parish Council consider therefore that this policy is unjustified, as it disregards the Council’s own evidence by suggesting a weak defensible boundary as a mitigation method, which is not in accordance with the evidence base.

⁵ [https://www.chiltern.gov.uk/media/13094/Green-Belt-Assessment-Part-2-April-2019-pdf/Green Belt Part Two Update Main Report final draft may.pdf?m=636934472694700000](https://www.chiltern.gov.uk/media/13094/Green-Belt-Assessment-Part-2-April-2019-pdf/Green%20Belt%20Part%20Two%20Update%20Main%20Report%20final%20draft%20may.pdf?m=636934472694700000)



- 5.18. It should also be noted that due consideration has not been given to the existing levels of traffic congestion in the Chalfont St Peter area, especially in the morning. This will be exacerbated by the proposed development, particularly given its unsustainable location.

6. SP BP8 Chalfont St Peter- South East

- 6.1. The other site proposed for allocation in Chalfont St Peter is site BP8, which is adjacent to the south eastern edge of the settlement boundary. The site is proposed for allocation for residential-led development with a capacity of approximately 200 homes. The site is currently situated within the Green Belt. The north eastern corner of the site contains Winkers nightclub and one dwelling, at the southern end of Upway, is also included within the boundary.
- 6.2. Paragraph 8 of the National Planning Policy Framework 2019 (NPPF) describes three objectives which are to support the delivery of sustainable development in the planning system.
- 6.3. Considering first the social objective, this states that in order to achieve sustainable development, developments must have *“accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being”*. These representations have previously considered the flawed approach in the Sustainability Appraisal for assessing whether the sites have access to transport and services. It has been demonstrated that the site is not in a location which provides access to public transport and does not have sufficient access to shops and services. Development at this would not constitute sustainable development from a social perspective.
- 6.4. Secondly, the environmental objective in the NPPF states that the planning system should *“contribute to protecting and enhancing our natural, built and historic environment”*.
- 6.5. Site BP8 is adjacent to Paccar Scout Camp, which is a thriving camp site. There are over 60,000 visitors to the camp site every year and it is well renowned for being in the countryside and encouraging young people to understand the importance of nature conservation⁶. The surrounding open and natural setting of the camp site is imperative to its success. The Scout Camp has developed a 25-year plan for the woodland areas, replacing the pine trees with more traditional trees, to help encourage more wildlife back to the area. The development of dwellings around the site would have an impact on the closeness to nature that the campsite currently benefits from and the work that is going into developing a more native tree habit and encouragement of biodiversity.
- 6.6. The Parish Council does not consider that the historic environment part of the environmental sustainability objective has been sufficiently considered. A Heritage Impact Assessment has not been prepared to support the Local Plan, and instead it relies upon the findings of the Sustainability Appraisal to understand heritage impacts. This is inadequate and the Local Plan is not able to demonstrate that it has led to historic environmental sustainability.
- 6.7. The third objective in the NPPF relating to sustainable development is economic sustainability.

⁶ <https://www.paccarscoutcamp.org/about-paccar-scout-camp/>



- 6.8. Site BP8 contains a 2.8ha parcel of land that is the site of Winkers nightclub. The nightclub is in active use and is a popular venue for students and local residents alike. It is not explicit within the Local Plan allocation, but it is assumed that the nightclub would not be retained as part of any planning application. This would have a significant negative affect on the night-time economy of the area.
- 6.9. The loss of the nightclub would not be in conformity with the economic objective of sustainable development as detailed in the NPPF as it will result in the loss of a unique type of employment within the local area.
- 6.10. Further, there exist strong economic and social issues with the development of housing adjacent to the Scout Camp as part of the proposals for site BP8. The Parish Council are aware of a report prepared by an independent consultancy which highlights the economic impact of development in close proximity to the Scout Camp. It is important to outline the key points from the report here.
- 6.11. The viability of the site depends on the relatively isolated location, which has strong positive impacts on the safety of the young people using the site. The Scouts are concerned that the houses located nearby will cause issues, including problems with trespassing on the site and vandalism of boundary fencing . The risk of intruders would be far less manageable.
- 6.12. The Scouts are concerned about the impact on safeguarding risk assessments and consider that the number of young people that will be allowed to stay at any one time will be reduced to an unviable level. This is likely to lead to the closure of the camp. Therefore, this site allocation also does not lead to economic or social sustainability and it would result in the closure of an economically viable facility.
- 6.13. It is clear that neither the economic, social nor environmental sustainability objectives are met through this site allocation in Chalfont St Peter. It therefore does not contribute toward sustainable development, required through the NPPF and the Local Plan Policy SP SP1 itself.
- 6.14. The use of the word 'approximately' in relation to the proposed number of homes is worrying. Particularly when considered in the context of the area of land to be removed from the Green Belt being larger than the proposed allocation, it is highly probably that this proposed allocation could result in a far larger development than currently intended. The Parish Council therefore suggest that the policies are modified to include firmer wording, such as by the removal of the word 'approximately'.
- 6.15. The Parish Council is also concerned about the ambiguous language relating to masterplans for the sites. Insufficient detail is given to suggest what the Council will require in terms of the preparation of a masterplan, what the process is and who should be involved. It is suggested that more detail is added to the policies describing what will be required through the masterplans.



- 6.16. The Parish Council would request that specific reference is made stating a requirement to engage with the relevant Parish Council in the preparation of a masterplan for this site.
- 6.17. It should also be noted that due consideration has not been given to the existing levels of traffic congestion in the Chalfont St Peter area, especially in the morning. This will be exacerbated by the proposed development, particularly given its unsustainable location.

7. Policy SP PP1 – Protected - Green Belt

- 7.1. A fundamental area of concern with the Local Plan is the lack of explanation of whether exceptional circumstances exist to warrant the amendment of Green Belt boundaries.
- 7.2. The Local Plan states at paragraph 10.1.4 that *“National policy allows for Green Belt boundaries to be altered through the preparation of a Local Plan, where exceptional circumstances exist. The Council has reviewed its housing and employment needs up to 2036 and has concluded that the locally identified needs cannot be met without some Green Belt release.”*
- 7.3. The Plan then continues to state, in Policy PP1, that over 7 square kilometres of land is being removed from the Green Belt. The Local Plan does not itself detail which areas of land are to be removed from the Green Belt, and instead the reader is required to refer to a separate document entitled *“Proposed Changes to the Adopted Policies Map”* which one can only assume is intended to be read as an appendix to the Local Plan. The Plan should be modified to reflect this.
- 7.4. There are two maps within the Policies Map document mentioned above that are of particular relevance to the Parish in relation to Green Belt. These are the maps that show the areas of land proposed to be removed from the Green Belt as part of the allocation for sites BP7 and BP8.
- 7.5. The Parish Council does not consider that exceptional circumstances have been adequately demonstrated. The *“Green Belt Exceptional Circumstances Report”* provides limited justification to amend Green Belt boundaries. Rather, it appears that the report lists a site’s performance against the Green Belt purposes and the impact that removing the site from the Green Belt would have on said performance as well as the contribution the site would make to meeting the housing need.
- 7.6. A letter from Brandon Lewis in June 2016 (the then Minister of State for Housing and Planning) made it particularly clear that *“demand for housing alone will not change Green Belt boundaries”*. Therefore, the inability to meet housing and employment needs is not justification alone to amend Green Belt boundaries.
- 7.7. It is considered that exceptional circumstances have not been demonstrated to justify the removal of the two sites within Chalfont St Peter parish, from the Green Belt.
- 7.8. Further, the NPPF 2019 states at paragraph 136 that *“Once established, Green Belt boundaries should only be altered where exceptional circumstances are fully evidenced and justified”*. As



outlined above, there is minimal reasoning as to why Green Belt boundaries should be altered. This part of the Plan, and all other parts that relate to the allocation of sites in the Green Belt, is therefore not consistent with national policy and the Plan is unsound. In order to rectify this and be considered sound, the Plan needs to be able to demonstrate clearly that exceptional circumstances exist.

- 7.9. Relating equally to both sites, the Parish Council is concerned as to why the areas of land proposed for removal from the Green Belt are larger than the site allocations with which they are associated. As has been established above, exceptional circumstances have not been demonstrated to warrant the removal of land from the Green Belt. It holds further that there are certainly not exceptional circumstances to amend Green Belt boundaries which extend further than proposed site allocations.
- 7.10. If the boundaries are extended further than the proposed allocation, it is reasonable to assume that any future planning application for either of the sites end up comprising the full area of land removed from the Green Belt. By not continuing to protect parcels of land which are outside of the proposed allocations, it makes them vulnerable to speculative development. It is of great concern that there is an absence of any other development management policies, relating solely to these areas. Without any specific policies, the Parish Council raises concern that these sites could be at risk of speculative residential development, which would be outside of the Local Plan process and therefore planned in a piecemeal way.

8. Policy SP EP3- Enterprising- Retail Allocations

- 8.1. Policy SP EP3 allocates the Library/ Ambulance Station in Chalfont St Peter for 500sqm (gross) A1-A5 use, subject to the reprovision of the library.
- 8.2. As currently drafted, the policy is very weak. It is considered that more detail is required in this policy that provides some guidance as to where the library should be reprovided, whether it will need to be of equal or better quality and what size it will need to be. Particularly, as the functionality of libraries is often far wider than just a library, more detail is needed to demonstrate what is expected. The Parish Council questions why there is no requirement to reprovide the ambulance station and would suggest that the policy should be amended to include specific reference to the requirement for an impact assessment at the time of an application to understand the implications of the loss of the ambulance station.
- 8.3. There is a further lack of detail in regard to what will be permitted on the site. Whilst the policy says 500m² of A1-A5 floorspace, it is not clear if the figure relates to footprint or floorspace and therefore whether multiple stories will be permitted. There is no detail given for form, height or design, all of which are important to retain the local character and ensure that the development happens in a planned way.



9. Additional Policy Comments

Policy DM DP4 – Design- Local Heritage Assets

- 9.1. The Parish Council are concerned that insufficient reference is given to locally listed heritage assets. Policy DM DP4 offers protection to local heritage assets but the Parish Council consider that the policy should be more specific in stating where the local listed heritage assets are identified. For example, the Chalfont St Peter Neighbourhood Plan establishes sixteen local heritage assets but these are not referred to in the emerging Local Plan policy.
- 9.2. The Parish Council suggests that the wording of Policy DM DP4 is amended to make reference to where locally listed heritage assets may be found, such as in a relevant Neighbourhood Plan.

Policy DM DP6 – Design- Low Carbon Development

- 9.3. This policy states that at least 20% of energy needs should be achieved through on-site renewable or low-carbon technologies. The Parish Council is concerned that this percentage is very low if it is to last the duration of the Plan period. This is particularly relevant now that the Government has agreed to set a zero-carbon target by 2050, over and above the current EU target of 32% renewable energy targets by 2030.
- 9.4. The Parish Council therefore trust that there is the intention that the proposed 20% target will be reviewed as part of the Local Plan review, required every five years. It would be appropriate to include specific reference to such intention in the policy.

Policy BP SP1 Building- Developer Contributions to Support Growth

- 9.5. The policy should be removed as it is not justified to include a CIL policy in the Local Plan when the Charging Schedule has not yet been examined or adopted. We have provided separate representations to the current CIL Draft Charging Schedule consultation. A key part of our representations is the lack of evidence to justify the arbitrary threshold of 400 units or 10 hectares in order to apply a Nil rated CIL for large sites. We raise the same points in relation to Policy BP SP1.

10. Conclusion

- 10.1. These representations demonstrate that the Plan, Policies Map and Sustainability are unsound and not legally compliant for the reasons set out above.
- 10.2. The proposed allocations in Chalfont St Peter Parish do not contribute to sustainable development and the exceptional circumstances required to amend Green Belt boundaries have not been demonstrated and therefore to remove these sites from the Green Belt is unjustified.
- 10.3. Sufficient detail has not been provided through policy SP EP3 (Retail Allocations) and therefore the policy will not be effective in ensuring that reversion of existing use is appropriate.

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- 10.4. The inclusion of a policy regarding developer contributions is premature and unnecessary when the Community Infrastructure Levy is yet to be examined and the Parish Council has made separate responses in relation to the current Draft Charging Schedule consultation.
- 10.5. The Sustainability Appraisal is an unnecessarily complex and flawed document which does not properly appraise each of the reasonable alternatives using unreliable evidence and giving too much weighting to 'post-mitigation' outcomes in the assessment of sites.