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Chalfont St Peter Parish Council (CSPPC)

Chiltern and South Bucks Local Plan 2036 Examination

Matter 1 - Compliance with Act and Regulations



Issue 1 – Duty to Cooperate

1. The *Duty to Cooperate Statement* confirms that Aylesbury Vale District Council has agreed to accommodate 5,725 dwellings from Chiltern and South Bucks. What is this figure based on, how has it been calculated and what alternatives were considered as part of the preparation of the Plan?

1.1. It is unclear what the figure of 5,725 dwellings is based on and how it was calculated. Paragraph 4.1.7 of the Duty to Cooperate Statement (**CSBLP12**) states that:

“Both Councils discussed matters in relation to the development of the Aylesbury Vale Local Plan and a Duty to Cooperate Memorandum of Understanding was agreed between Chiltern, South Bucks and AVDC (Jan 2018), by which AVDC agreed that the Vale of Aylesbury Local Plan would accommodate 5,750 dwellings to 2033 of Chiltern and South Bucks’ objectively assessed housing need, including a proportion of Chiltern and South Bucks affordable housing need and employment need with appropriate triggers for review.”

1.2. Page 2 of the Duty to Cooperate Memorandum of Understanding agreed between AVDC, Chiltern and South Bucks Councils in relation to the Vale of Aylesbury Local Plan (Jan 2018) which is in the DTC Statement (**CSBLP12**) states:

“Agreement ... That Aylesbury Vale is able to accommodate further housing need from adjacent constrained plan areas with expected development rates, encompassing 5,725 dwellings of unmet for CDC/ SBDC, ...”.

1.3. No further justification or explanation is provided.

2. Have the Councils approached other local authorities to assist in meeting any potential unmet housing and economic development needs?



2.1. Apart from Aylesbury Vale, CDC and SBDC also approached Wycombe District Council to assist in meeting CDC/ SBDC unmet housing needs. Paragraph 4.2.4 of the DTC states that during the Regulation 18 Issues and Options stage and the Green Belt Preferred Options stage the following issues were discussed with Wycombe DC:

"That in exploring unmet housing needs strategic options should be explored and there was unlikely to be any scope for Chiltern/ South Bucks unmet needs to be met in Wycombe District."

2.2. No further details are provided and there are no notes of these discussions or identified actions outcomes.

3. How will the Councils ensure that the proposed number of dwellings agreed with Aylesbury Vale District Council will be delivered? What mechanisms are in place should the relevant sites not come forward as expected?

3.1. There appears to be no agreement between CDC/ SBDC and AVDC as to how the delivery of the dwellings to meet CBC/ SBDC's unmet housing needs will be ensured. There are references in the DTC Statement to joint working between the Buckinghamshire local authorities and that from April 2020 there will be a unitary Buckinghamshire Council. However, the Memorandum of Understanding between CDC/ SBDC and AVDC (**CSBLP12.4**) makes no reference to delivery mechanisms such as joint delivery boards, joint infrastructure planning, pooled infrastructure funding, or joint delivery teams. Similarly, there is no reference to mechanisms to address the shortfall if sites do not come forward as expected.

4. In response to the *Inspectors' Initial Questions* the Councils highlighted that Main Modifications are being sought to the *Vale of Aylesbury Local Plan* to delete policy criteria relating to the unmet needs of Chiltern and South Bucks. What is the latest position regarding the Vale of Aylesbury Local Plan, and what implications, if any, would this suggested change have?



- 4.1. In January 2018, a MoU concerning the Vale of Aylesbury Local Plan was signed by CDC, SBDC and AVDC (**CSBLP12.4**). The MoU confirms that AVDC is able to accommodate 5,725 dwellings of unmet need from CDC/SBDC.
- 4.2. Policy S2 of the submitted Vale of Aylesbury Local Plan stated that provision to 2033 would include '5,750 homes to meet the needs of Chiltern/South Bucks Districts' – closely reflecting the MOU between CDC, SCBC and AVDC (see response to Question 1 above).
- 4.3. In November 2019 AVDC published its proposed Main Modifications to the VALP for consultation. Crucially, this version has omitted the criteria in Policy S2 to meet the unmet housing needs of CDC, SBDC and Wycombe Districts - although the commitment to develop these homes remains in the supporting text. In response, CDC/SBDC submitted a formal objection to this Main Modification on 12 December 2019.
- 4.4. There are, therefore, significant concerns regarding the scale and distribution of housing growth that is planned and will be delivered to meet CDC/SBDC's housing needs in the Chiltern and South Bucks Local Plan and the Vale of Aylesbury Local Plan. The Parish Council considers that these uncertainties render the Local Plan unsound.
- 5. In response to the *Inspectors' Initial Questions*, it was confirmed that Slough Borough Council had approached Chiltern and South Bucks to accommodate some of their unmet housing needs. However, the "exact level of the shortfall needs to be clarified". What is the latest position? Has the amount of housing which cannot be accommodated in Slough been established? Is there agreement on how Slough's potential unmet needs will be accommodated?**
- 5.1. The Parish Council is concerned that this is an important cross-boundary strategic matter that has not been adequately addressed through the Duty to Co-operate.
- 5.2. Although Slough Borough Council clearly requested during the development of the Issues and Options document in 2016 that the Chiltern and South Bucks Plan consider an urban extension of Slough in



the form of a new 'Garden Suburb' to meet the housing needs within the area (see Paragraph 4.6.2 of the DTC Statement) there is no record of ongoing or proactive co-operation by CDC/ SBDC with Slough BC to address this matter in the submitted Chiltern and South Bucks Local Plan.

6. Paragraph 3.5.7 of the submitted Plan refers to the potential need to further consider the Green Belt boundary north of Slough in an early review of the Plan. Is this approach consistent with the PPG, which states that *“Inspectors will expect to see that strategic policy making authorities have addressed key strategic matters through effective joint working, and not deferred them to subsequent plan updates...”*

6.1. This approach is not consistent with national policy. This is an important cross-boundary strategic matter that should have been addressed as part of the Duty to Co-operate in relation to the submitted Chiltern and South Bucks Local Plan.

6.2. Furthermore, NPPF Paragraph 136 clearly states that *“strategic policies should establish the need for any changes to Green Belt boundaries, having regard to their intended permanence in the long term, so they can endure beyond the plan period”*. It is not appropriate for Paragraph 3.5.7 of the submitted Plan to include reference to *“the potential need to further consider the Green Belt boundary north of Slough in an early review of the Plan”*. The scale of any unmet housing or economic development needs from Slough Borough have not been quantified. If such a need is identified, then all the options would need to be considered to accommodate it on a comparative basis and in accordance with Green Belt policy as set out in the NPPF.

6.3. The Parish Council is concerned that there is also a lack of clarity on the matter of Slough's potential unmet housing needs and great uncertainty has arisen as a result of the Slough Northern Extension report prepared by Atkins in September 2017 for Slough BC.

7. What is the purpose of the *Wider Area Growth Study* which is being prepared on behalf of Slough Borough Council, South Bucks District Council and the Royal Borough of Windsor and Maidenhead? How does



this relate to the strategic, cross-boundary matters of housing growth which have arisen during the preparation of this Local Plan?

- 7.1. The Parish Council understands that the purpose of the ‘Wider Area Growth Study’ is to define the geographic area for the ‘Wider Growth Area,’ and to assess the development needs and potential unmet needs of the Area through creating and testing a series of strategic spatial options and making recommendations for consideration in relevant Local Plans.
- 7.2. As stated within the Study’s Expression of Interest¹ document, *“all four Councils also need a sound basis on which to undertake Duty to Co-operate discussions with all relevant parties to identify, test and explore the scope for bringing forward the right options to meet their full needs, and the needs of other relevant authorities in a sustainable way.”* This implies that the Study will have direct implications for Slough BC’s ‘Northern Extension’ proposal.
- 7.3. Section 6 of a Slough BC Cabinet Report (July 2019)² stated that *“it is not considered that Chiltern and South Bucks have failed the Duty to Cooperate, because they are participating in the joint Wider Area Growth Study”*. The Parish Council strongly disagrees with this statement. As stated in response to Issue 1 – Question 5 above, the Parish Council considers that this is an important cross-boundary strategic matter that should have been addressed as part of the Duty to Co-operate in relation to the submitted Chiltern and South Bucks Local Plan.
- 7.4. The Parish Council also questions whether joint working between CDC/ SCBC and Slough BC fulfils the DTC obligations given that the joint Wider Area Growth Study Part I: Defining the Area of Search (June 2019)³ has been omitted from the Local Plan Examination document list.

8. How are the Councils intending to consider and implement any findings from the Wider Area Growth Study?

¹ https://www.chiltern.gov.uk/media/12347/A-Wider-Area-Growth-Study-Part-1-Defining-the-Study-Area-Expression-of-Interest-for-Consultants-July-2018-/pdf/A_Wider_Area_Growth_Study_-_Part_1_-_Defining_the_Study_Area_-_Expression_of_Interest_for_Consultant.PDF?m=636680295099530000

² <http://www.slough.gov.uk/moderngov/documents/s56299/Report.pdf>

³ https://www.chiltern.gov.uk/media/13451/Wider-Area-Growth-Study-Part-1-Defining-the-Area-of-Search/pdf/WAGS_final_for_issue.pdf?m=636976586209570000



8.1. The Parish Council notes that Paragraph 4.6.11 of the DTC Statement states that the Wider Area Growth Study has a two-stage process of Stage 1 – Demographics is completed but no details are provided of the findings or how they will be used. In relation to Stage 2 – Capacity the DTC Statement states:

“Stage 2 will take time to conclude (not anticipated until 2020) and does not influence the current draft South Bucks/Chilterns Local Plan. It will be a key issue for consideration as part of the development of the forthcoming single Bucks Plan due for development following the creation of the Bucks Unitary from April 2020.”

No further details are provided of how the Wider Area Growth Study’s findings will be considered and implemented.

9. Have all the necessary Statements of Common Ground been prepared and do they cover the scope expected in the Planning Practice Guidance (the ‘PPG’)?

9.1. The Parish Council notes that there are no Statements of Common Ground with Aylesbury Vale District Council, Wycombe District Council, Slough Borough Council or Buckinghamshire County Council.

10. How have the Councils cooperated with other relevant organisations, such as Buckinghamshire and Milton Keynes Natural Environment Partnership?

10.1. CDC/ SBDC should respond to this question.

11. Has the Duty to Cooperate under sections 22(5)(c) and 33A of the 2004 Act and Regulation 4 of the 2012 Regulations been complied with, having regard to advice contained in the National Planning Policy Framework (the ‘Framework’) and the PPG?

11.1. As stated in response to Issue 1 – Questions 5, 6 and 7 above, the Parish Council considers that the Duty to Co-operate has not been met.



Issue 2 – Sustainability Appraisal ('SA')

1. The *Inspectors' Initial Questions* asked how the scale and distribution of growth has been determined as part of the plan-making process and what alternative strategies have been considered as part of the SA. In response, the Councils confirmed that the *September 2019 SA Update* assessed five spatial options. This included:

- **Do nothing;**
- **Export all unmet housing need to Aylesbury and develop all suitable commitments;**
- **Partially meet housing needs over the plan period, including using commitments and all suitable HELAA sites, and export the remaining unmet housing need to the Vale of Aylesbury;**
- **Meet housing needs over the plan period, including using all sources of land and additional Green Belt releases as necessary, and exporting any remaining unmet housing need to the Vale of Aylesbury; and**
- **Meet housing needs in full within Chiltern and South Bucks.**

Part of the justification for not pursuing Option 5 (meeting all housing needs in Chiltern and South Bucks) is the constraints of the Green Belt and the Chilterns Area of Outstanding Natural Beauty ('AONB').

However, the Plan includes strategic development sites which require alternations to the Green Belt boundary, and, some residential development sites that fall within the AONB. How, therefore, did the Councils determine the scale of housing and economic development that would take place within the Plan area?

1.1. In summary, the Councils determined the joint housing need by applying the national standard methodology for calculating local housing need, the Housing Needs Assessment for Chiltern and South Bucks, and the Gypsy, Traveller and Travelling Showpeople Accommodation Needs Assessment (**CSBLP16**). The combined housing need from 2016 to 2036 is 15,260 homes equivalent to 763 homes per annum. The Publication Draft Local Plan states the following:



“5.1.14 In a Memorandum of Understanding (July 2017⁴) it was agreed that, following a Green Belt review, if housing and employment needs could not be fully met in Chiltern and South Bucks, the Vale of Aylesbury Local Plan (VALP) could meet up to 5,725 homes and contribute an element of economic growth. An allowance for this number has been included within the VALP.”

1.2. The Green Belt Assessment Part II (2019)⁵ highlighted that Green Belt set for release has the potential to deliver 5,200 homes, thus resulting in a shortfall of 4,161 homes. This shortfall is to be met through the Vale of Aylesbury Local Plan. When assessing which Green Belt parcels are most suitable for release, the Green Belt Exceptional Circumstances paper includes a narrative of *‘the balance of advantage and disadvantage in relation to each site individually in the context of need’*.

1.3. The Parish Council considers that the outline of reasons for selection and rejection of reasonable alternative Green Belt sites within the SA Main Report (Figure 1; June 2019) is entirely inaccurate for Sites 1.10, 1.10a and 1.11.

Site Reference Number (see Appendix B)	Name of the reasonable alternative	Selected or rejected	Outline of reason for selection or rejection (provided by the Local Plan Team)
1.10	Area North East of Chalfont St Peter (Epilepsy Centre Site)	Selected	The site can make a very significant contribution to meeting the development needs of the Districts in a highly sustainable location. The impacts on the Green Belt can be mitigated and a firm and defensible boundary either exists or can be provided. The benefits of the release of the site and its subsequent development clearly outweigh the dis-benefits.
1.10A	Epilepsy Centre Site, Chalfont St Peter	Selected	See 1.10.
1.11	Area South East of Chalfont St Peter (Winkers)	Selected	Given the limited disadvantages from developing the area the advantages clearly outweigh the disadvantages in the balance. The site would assist in meeting the Districts’ acute development needs in line with the emerging spatial strategy and would represent sustainable development.

Figure 1) SA Main Report (June 2019, page 65) (CSBLP7) - Outline of reasons for selection and rejection of reasonable alternative Green Belt sites.

⁴ *Buckinghamshire Memorandum of Understanding between Aylesbury Vale District Council, Wycombe District Council, South Bucks District Council, and Buckinghamshire Thames Valley Local Enterprise Partnership (July 2017)

⁵https://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



1.4. As shown above, both sites are noted as having limited disadvantages/dis-benefits. This is clearly not the case. With reference to Site BP7 (Chalfont St Peter North East), the Exceptional Circumstances Paper (**CSBLP15.1**) states that *“the site is located within a sustainable location and falls within 800m of Market Place, Chalfont St Peter Centre”*. This statement is simply unjustifiable, as the Phase 3B Modelling Report (June 2018) states that modelling outputs (which include mitigation scenarios) will result in travel time increases in both directions along the A413. The above extracts are clearly in contradiction with one another, as increased travel time along the A413 will reduce the overall accessibility to local services. The Parish Council considers that without consideration of the findings of the 3b modelling outputs the SA is not justified.

2. The five options referred to above all relate to the scale of growth that will occur in Chiltern and South Bucks, comparing it with options for exporting unmet needs to Aylesbury Vale. Once the scale of development had been established within Chiltern and South Bucks, where does the SA consider the spatial distribution of this growth and test it against reasonable alternatives? I.e. where does the SA consider the geographic distribution of proposed new housing and economic development?

2.1. Chapter 5 of the SA Main Report (June 2019, **CSBLP7**)⁶ assesses the reasonable alternatives to deliver the housing requirement. This assessment included an appraisal of Green Belt sites and small HELAA sites that were identified by the Councils as a suite of reasonable alternatives.

2.2. The Parish Council considers that the reasons set out in the SA Main Report (June 2019, **CSBLP7**) for releasing the Green Belt ‘Epilepsy Centre’ site at Chalfont St Peter for development are weak.

⁶ https://chiltern.gov.uk/media/13318/Draft-Sustainability-Appraisal-Report-June-2019-/pdf/LC-485_SA_Report_C_SB_Reg19_15_060619CW-compressed.pdf?m=636958432713670000



Site Reference Number (see Appendix B)	Name of the reasonable alternative	Selected or rejected	Outline of reason for selection or rejection (provided by the Local Plan Team)
1.10	Area North East of Chalfont St Peter (Epilepsy Centre Site)	Selected	The site can make a very significant contribution to meeting the development needs of the Districts in a highly sustainable location. The impacts on the Green Belt can be mitigated and a firm and defensible boundary either exists or can be provided. The benefits of the release of the site and its subsequent development clearly outweigh the dis-benefits.
1.10A	Epilepsy Centre Site, Chalfont St Peter	Selected	See 1.10.

Figure 2) SA Main Report (June 2019, page 65) (CSBLP7) - Outline of reasons for selection and rejection of reasonable alternative Green Belt sites.

2.3. As shown in Figure 2 above, the SA states in the ‘outline of reason for selection or rejection’ column that the ‘Epilepsy Centre’ site is ‘in a highly sustainable location’. This is clearly not the case, as evidenced by the following statement relating to Chalfont St Peter within the Settlement Capacity Study Update (January 2020):

“while not all facilities are found within the town itself, the wider area including Gerrards Cross functions as one urban area with shared facilities available.”

2.4. With this in mind, the Parish Council considers that Site BP7 is entirely unsustainable, as the new residents would have to travel approximately 5km, through the centre of Chalfont St Peter, to access services and amenities in Gerrards Cross.

2.5. On a strategic level, it is clear that developing Site BP7 would be contrary to the Environmental Objective in Paragraph 8 of the NPPF – to contribute to protecting and enhancing our natural, built and historic environment. Given that the Councils’ have failed to produce a Landscape Sensitivity Assessment, it cannot be considered that the SA is justified. This, in turn, undermines the soundness of the submitted Local Plan.



3. Appendix B of the SA includes assessments for each of the 37 sites identified as 'reasonable alternatives'. What process did the Councils follow to determine which sites were taken forward into this stage of the assessment? In creating the list of 37 sites to be tested through the SA did the Council consider sites on a consistent and transparent basis?

3.1. It is unclear as to what process was used to determine the 37 sites taken forward and identified as 'reasonable alternatives'. Paragraph 5.4.1 of the SA states:

"The Councils have identified a wide range of locations as reasonable alternatives to deliver their housing requirement (15,260 homes; a proportion of which are to be met by the Aylesbury Local Plan). Generally, larger sites have been identified through a review of the Green Belt in Buckinghamshire (see Box 5.1 which summarises the Green Belt Review process). The Exceptional Circumstances Paper (2019) provides further details about the rationale behind the identification of reasonable alternatives. During January 2016, a total of 38 Green Belt locations were identified by the Councils as reasonable alternatives to be appraised through the SA process; in 2017 this list was narrowed down by the Councils to a shortlist of 15 preferred sites."

3.2. It is also unclear how many sites were assessed. In the SA it states that "a total of 37 Green Belt reasonable alternative sites have been assessed in this section of the report. These 37 sites were identified as part of the Green Belt Assessment Part Two". However, the Green Belt Assessment Part Two clearly assesses just 27 sites against the NPPF's five Green Belt purposes. It is evident that the SA subdivides these 27 sites into 37 sites.

4. Were the sites chosen to be taken forward and tested as 'reasonable alternatives' based on an established, and tested, spatial strategy? Where is this set out?

4.1. The sites tested as 'reasonable alternatives' do not appear to have been tested against a spatial strategy. The sites were only tested against the SA objectives – see Appendix B of the SA.



4.2. The Parish Council is also concerned that the appraisal of ‘reasonable alternatives’ is not evidenced. The PC notes that the SA findings for Sites SP BP7 and SP BP8 (pre- and post-mitigation) have been updated in the SA Update version (September 2019, **CSBLP9**). With reference to SAs, Paragraph 32 of the NPPF states that “*where significant adverse impacts are unavoidable, suitable mitigation measures should be proposed (or, where this is not possible, compensatory measures should be considered)*”. It is clear that CDC/ SBDC appraised these sites prior to the full evidence base coming forward (SA findings shown in Figure 3 below - Sites SP BP7 and SP BP8 circled), and therefore all post-mitigation impacts cannot be deemed accurate.

4.3. It is important to note that the SA Main Report refers to evidence within the SA Scoping Report (November 2015, **CSBLP6**). This document does not include vital evidence such as the Phase 3B transport modelling. As such, the SA is based on outdated information, thus undermining the soundness of the SA.

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	-	+	--	-	-	-	+++	-	---

Figure 3) SA Main Report (June 2019, page 56) (**CSBLP7**) – SA impact matrix for Green Belt sites, post-mitigation

5. Has there been a material change in circumstances since the latest iteration of the SA? If so, what implications does this have on the robustness of the assessment?



- 5.1. The SA Main Report (June 2019, **CSBLP7**) set out four reasonable alternatives 'spatial options' to be tested against the SA objectives. Of these, the Councils selected Spatial Option D – 'Meet the housing need set out in the Standard Methodology over the plan period (2016-2036) including using all sources and include additional Green Belt Strategic Options releases as necessary (Exceptional Circumstances), and all suitable HELAA sites, and exporting remaining unmet housing need to the Vale of Aylesbury'.
- 5.2. Paragraphs 5.3.5 – 5.3.7 of the SA Main Report set out the Councils' rationale for this selection. Of particular note is:
"the evidence on housing supply and availability indicated that it would not be possible for the LHN to be met in full within the Plan area without proposing either Green Belt releases or relying on the relatively less constrained AVDC to meet some of that need [...] by means of a signed memorandum of understanding, Aylesbury Vale District Council agreed to accommodate 5,750 homes of the Chiltern and South Bucks unmet housing need in their emerging Vale of Aylesbury Local Plan."
- 5.3. The Councils maintained committed to deliver Spatial Option D, despite a fifth Spatial Option coming forward in the SA Update (September 2019)⁷.
- 5.4. Having taken Spatial Option D forward (i.e. considering exporting unmet housing need to the Vale of Aylesbury), it should be recognised that deliverability of this Spatial Option is now jeopardised by AVDC's Aylesbury Local Plan Proposed Main Modification (November 2019) MM010⁸, which has omitted the wording *"5,750 homes to meet the needs of Chiltern/ South Bucks Districts"*.
- 5.5. The Parish Council, therefore, questions whether the submitted Chiltern and South Bucks Local Plan is sound, as it appears that AVDC are loosening their commitment to delivering Chiltern and South Bucks unmet housing need.

⁷ https://chiltern.gov.uk/media/13718/Sustainability-Appraisal-of-the-Chiltern-and-South-Bucks-Emerging-Local-Plan-Update/pdf/LC-485_Chiltern_SouthBucks_Update_9_250919CW.pdf?m=637050236638070000

⁸ https://www.aylesburyvaldc.gov.uk/sites/default/files/page_downloads/VALP%20Main%20Modifications_0.pdf



6. In response to the *Inspectors' Initial Questions* the Councils have signed a Statement of Common Ground with Natural England and the City of London. Paragraph 4.3 states that the strategic allocation at Beaconsfield (Policy SP BP9) will be required to incorporate a suitable alternative natural greenspace ('SANG'). How has this been taken into account as part of the SA process and assessment of reasonable alternatives?

6.1. The Parish Council have no comments on this question.

7. Paragraphs 2 and 3 of the *September 2019 SA Update* estimates that the growth proposed as part of the Plan will increase carbon emissions by 16.6%. How has this been calculated, is it accurate and how has it been taken into account in shaping the Plan's strategy for growth? Why does it differ from the figure of 21% in the Regulation 19 version SA?

7.1. The revised carbon emissions figure in the SA Update (September 2019, **CSBLP9**) has been calculated using updated Government carbon emissions data, applied to the total housing supply within the emerging Local Plan (June 2019). The Parish Council considers this to be a sensible approach to calculating carbon emissions as it incorporates the most up-to-date information available.

8. Does the SA justify the policies in the Plan? Does it represent an appropriate strategy taking into account the reasonable alternatives available?

8.1. With reference to Policies SP BP7 and SP BP8, the Parish Council do not consider that the SA provides credible justification for the release of Sites BP7 and BP8 from the Green Belt. In both cases, the sites lie to the east of the A413, severing the sites from the centre of Chalfont St Peter. As noted above in response to Issue 2, Question 4, these sites cannot be considered "*highly sustainable locations*", as the development is likely to result in adverse transport impacts, particularly for Sites 1.10 and 1.10a (Site SP BP7). Given that the Phase 3B transport modelling (testing of detailed schemes and their impacts on settlements) identified that



developing the site allocations in Chalfont St Peter would result in increased travel times along the A413, the SA cannot be considered robust and does not provide justification for the policies in the submitted Local Plan.

Issue 3 - Public Consultation

1. Has public consultation been carried out in accordance with the Council's *Statement of Community Involvement*, the Framework, the PPG and the requirements of the 2004 Act and 2012 Regulations?

1.1. The Parish Council has no comments on this question.

2. Were adequate opportunities made available for participants to access and make comments on the Plan, and other relevant documents, in different locations?

2.1. The Parish Council has previously expressed concerns over the lack of clarity surrounding the overall objectives of the draft Plan and limited findings of the evidence base (with regard to how the evidence has shaped the strategic priorities for the Plan area) during the Preferred Options Consultation (as documented in our previous representations dated 12 December 2016).

2.2. Within the Green Belt Preferred Options Consultation and Regulation 19 Joint Local Plan Consultation, a combination of methods were used to publicise the Consultation events. As outlined in the Statement of Consultation (2019)⁹, individuals were given the option of commenting on the emerging Plan via the online consultation portal, or by producing written comments for submission at either: CDC Offices, SBDC Offices or the District Council libraries across both areas.

2.3. The Parish Council is satisfied with the Councils' efforts in promoting and undertaking the emerging Local Plan consultations.

⁹ https://chiltern.gov.uk/media/13724/Statement-of-Consultation-September-2019/pdf/CD9_Statement_of_Consultation_-_FINAL_26_September_2019.pdf?m=637061249732070000



3. What was the justification for extending the period of public consultation at the Regulation 19 Stage? Were adequate opportunities provided for participants to make comments on the Plan?

3.1. As stated within the Statement of Consultation (September 2019)¹⁰, the Councils invited representations for a period of six weeks between 7 June - 19 July 2019. Various members of the public expressed the view that the period of consultation was too short, therefore the Councils extended the consultation period by five additional weeks (until 23 August 2019). The Parish Council commends the Councils' decision to extend the consultation period.

3.2. The Parish Council questions why drop-in sessions were only held in Amersham, Capswood and Denham. In particular, the Statement of Consultation states that questions in the Denham session related to the two site allocations at Chalfont St Peter. The Parish Council considers that Chalfont St Peter would have been a more appropriate consultation location, as there would have been more opportunity to fully engage with the consultation material, whilst offering the opportunity to visit the sites in question.

4. How were representations made at the Regulation 18 Stage taken into account? How did comments from representors help shape the preparation of the Plan?

4.1. CDC/ SBDC should respond to this question.

Issue 4 – Local Development Scheme ('LDS')

1. Has the Plan been prepared in accordance with the LDS?

1.1. CDC/ SBDC should respond to this question.

2. What is the justification for progressing a joint Chiltern and South Bucks Local Plan, as opposed to a new, composite Plan for Buckinghamshire?

¹⁰ https://www.chiltern.gov.uk/media/13724/Statement-of-Consultation-September-2019/pdf/CD9_Statement_of_Consultation_-_FINAL_26_September_2019.pdf?m=637061249732070000



2.1. The decision of CDC and SBDC to prepare a Joint Local Plan is supported in principle by the Parish Council. The Parish Council is particularly supportive of the opportunities afforded by joint plan-making in relation to infrastructure provision and providing for housing need as stated in Paragraph 24 of the NPPF:

“joint working should help to determine where additional infrastructure is necessary, and whether development needs that cannot be met wholly within a particular plan area could be met elsewhere”.

2.2. However, the Parish Council does have concerns relating to the strategic partnerships with neighbouring local authorities and how the strategic cross-boundary matters have been addressed in the Chiltern/ South Bucks Joint Local Plan. For example, with regard to the ongoing discussions with Slough Borough Council regarding Slough’s Northern Extension, CDC/ SBDC stated in the Councils’ Responses to the Inspectors’ Initial Questions (December 2019) that:

“the key area of disagreement between the authorities are that many of the sites which Slough wish to use to promote their ‘Northern Extension’ to help to address their own unmet need involve the release of Green Belt land in South Bucks district.”

2.3. The Parish Council is unclear how strategic cross-boundary matters such as Slough’s potential expansion will be addressed in the future, once the Buckinghamshire unitary authority is formally established in April 2020.

Issue 5 – Habitats Regulations Assessment

- 1. The *Habitats Regulations Assessment of the Chiltern and South Bucks Local Plan* (‘HRA’) states that increased recreational pressure has the ability to change the structure and function of habitats at the Burnham Beeches Special Area of Conservation (‘SAC’). The greatest risk is posed from new residential development within 400m of the SAC. Elsewhere, new housing within 5.6km of the SAC is considered likely to have an impact on the integrity of the site from increased visitor pressure. The Addendum to the Regulation 19 HRA Report states that there should be a presumption against any new development within 500m of the SAC. To**



ensure that the Plan is justified, should references throughout the Plan therefore refer to the 500m distance?

- 2. In response to the *Inspectors' Initial Questions* the Councils confirm that a mitigation strategy is in preparation to mitigate against the impacts of additional recreational disturbance on the Burnham Beeches SAC. What is the current position regarding the mitigation strategy and when is it expected to be completed?**
- 3. What are the likely implications of the necessary mitigation strategy on the policies and allocations in the submitted Plan? For example, where the provision of SANGs will be required, how has this been considered from a deliverability and viability perspective?**
- 4. The Councils also confirm that further sampling and modelling work is being undertaken and assessed by Natural England, the City of London, Buckinghamshire County Council and the Councils own consultants. What is the purpose of this additional modelling work and when will the results be available?**

4.1. The Parish Council has no comments on these questions. CDC/ SBDC should respond to these matters.

Issue 6 – Strategic Flood Risk Assessment ('SFRA')

- 1. Do any of the sites allocated for development in the Plan fall within Flood Zones 2 or 3 (or have significant areas falling within Flood Zones 2 or 3)? If so, are the allocations and policies consistent with paragraph 157 of the Framework which states that Local Plans should apply a sequential, risk- based approach to the location of development, taking into account current and future impacts of climate change, to avoid where possible flood risk to people and property?**

1.1. Policies SP BP7 and SP BP8 of the submitted Local Plan are particularly relevant to the Parish Council. As stated within the SFRA Level 2



(December 2018, **CSBLP14.2a**)¹¹, both sites fall within Flood Zone 1, which is at 'low' or 'very low' risk of flooding from all sources. The SFRA adds that *"they are all located within Flood Zone 1 and therefore pass the Sequential Test and would not need to pass the Exception test"*. As such, this approach is in accordance with Paragraphs 157 and 159 of the NPPF.

2. How has the Council taken a sequential approach to identifying sites for new development?

2.1. The SFRA Level 1 was published in 2018. As outlined in the SFRA Level 2 (**CSBLP14.2a**), the SFRA Level 1 *"provided an overview of flood risk within the Districts to provide the information for the Councils to apply the Sequential Test to potential new development during the site allocation process"*.

2.2. The information provided in the SFRA Level 1 forms the evidence base for the site/ broad location identification stage (1) of the HELAA. This stage states that *"land that is in flood zones 3a and 3b proposed for residential development or zone 3b for economic development will not be included in the HELAA unless it can be demonstrated, through a planning application, that satisfactory mitigation measures can be put in place"*.

2.3. The Parish Council is satisfied that the criteria used in the HELAA to ensure that sites with the lowest flood risk have been prioritised in order to mitigate flood risk is in accordance with Paragraph 157 of the NPPF.

3. Where land allocated for development does fall within areas at risk of flooding, what measures does the Plan include to ensure that any residual risks are appropriately managed?

3.1. CDC/ SBDC should respond to this question.

Issue 7 – Public Sector Equality Duty ('PSED')

¹¹https://www.chiltern.gov.uk/media/13797/B127F002-L2-SFRA-03-CSBDC-Level-2-SFRA/pdf/B127F002-L2-SFRA-03_CSBDCLevel_2_SFRA.pdf?m=637061308608800000

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1. In what way does the plan seek to ensure that due regard is had to the three aims expressed in s149 of the Equality Act 2010 in relation to those who have a relevant protected characteristic?

1.1. The Parish Council has no comments on this question.