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Chalfont St Peter Parish Council (CSPPC)

Chiltern and South Bucks Local Plan 2036 Examination

Matter 4 – Revision of Green Belt Boundaries and Development in the Green Belt

Issues 1 & 2 – Principle of Green Belt Release and Boundary Changes



Issue 1 – Principle of Green Belt Release

Reasons for proposed boundary changes and capacity of existing urban areas

- 1. Paragraph 11 of the Framework states that plans should apply a presumption in favour of sustainable development. Amongst other things, for plan-making this means that strategic policies should provide for objectively assessed needs for housing and other uses unless the applications of policies in the Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area. In response to the Inspectors' Initial Questions the Councils refer to constraints such as the Burnham Beeches SAC, the Chilterns AONB and areas of the Green Belt as reasons for not meeting the objectively assessed needs of the area in full in Chiltern and South Bucks.**

However, the Plan does include new development within the Green Belt and the Chilterns AONB. How, therefore, did the Councils determine the amount of housing and employment development which is proposed to be released from the Green Belt?

Before concluding that exceptional circumstances exist to justify changes to Green Belt boundaries, paragraph 137 of the Framework states that the strategic policy-making authority should be able to demonstrate that it has examined full all other reasonable options for meeting its identified need for development. This includes whether the strategy:

- a) Makes as much use as possible of brownfield sites and underutilised land;**
- b) Optimises the density of development, including whether policies promote a significant uplift in minimum density standards in town and city centres and other locations will served by public transport; and**



c) Has been informed by discussions with neighbouring authorities about whether they can accommodate some of the identified need for development.

1.1. The Parish Council considers that the process followed by the Councils' to determine the amount of housing and employment development, capable of being delivered through Green Belt Release, has not been adequately demonstrated. The Parish Council maintains its position that the Councils' have failed to evidence the development capacity in the two local authorities without Green Belt release, including a detailed assessment of brownfield sites and potential to intensify existing sites, supported by thorough and up to date evidence, such as landscape, townscape and heritage baseline assessments. The appropriate up-to-date evidence must be the starting point in determining the spatial strategy of the Local Plan.

1.2. The Parish Council considers that the Green Belt Exceptional Circumstances Report (2019; **CSBLP15.1**) provides limited justification to amend the Green Belt Boundaries. It relies on data within the Brownfield Land Register Review, undertaken in 2018, which concluded that 33 sites were available on the Chiltern Register with a dwelling capacity of between 789 and 919 units.

1.3. Regulation 17 of the Town and Country Planning (Brownfield Land Register) Regulations 2017, as highlighted by Paragraph 002 of the PPG, requires local planning authorities to review their brownfield land registers at least once a year, and yet, from the available information on the Chiltern and South Bucks Councils websites, it is not apparent that any review has been carried out since December 2018. The absence of an up to date brownfield land register severely undermines the Councils' assessment of available sites, from which it is not possible to establish either the need for, or the extent of Green Belt release.

1.4. The Parish Council considers that the Green Belt Exceptional Circumstances Report (**CSBLP15.1**) must be updated in line with the findings of the updated HELAA (Jan 2020, **CSBLP19**), in order for the Councils to justify an up-to-date availability of deliverable sites across the



Districts, before considering the need for Green Belt Release around Chalfont St Peter.

- 1.5. In the absence of the evidence upon which to base its decisions, the Local Plan does not comply with NPPF Paragraph 11b) ii) whereby *'strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas, unless: [...] any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework, taken as a whole.'*
- 1.6. A significant challenge remains for the community, developers and stakeholders to determine the Councils' conclusions on the deliverability of previously developed sites within such areas. The Councils have proceeded with the Plan which lacks sufficiently robust evidence to demonstrate the availability of sites from which it can provide the deliverable OAN across the Plan period, contrary to the requirements of Paragraph 11 of the NPPF.
- 1.7. In relation to point b), the Green Belt Exceptional Circumstances Report (**CSBLP15.1**) confirms that, where the capacity of a site has not been defined (developable area), the capacity range is given as a standard density of 100 dwellings per hectare (dph) for town centre sites, 50 dph for urban area centre sites, 30 dph for greenfield sites. A dph of 5 is assigned to Green Belt sites, however, the lack of a site-specific approach to determining appropriate housing capacity and density remains wholly inappropriate to justify Green Belt release. This lack of a detailed approach has the potential to severely undermine the requirements for Green Belts to check unrestricted sprawl of large built-up areas (NPPF para 134: a) and safeguarding the countryside from encroachment (NPPF para 143c). The Councils' approach demonstrates a lack of robust evidence to justify exceptional circumstances from which residential development might be justified.
- 1.8. In relation to point c), the Parish Council has provided comments on this point under Matter 2 – Question 8. The Councils' reliance on the inclusion of Green Belt land for release is contingent on the retention of part of the unmet housing need being met by Aylesbury Vale.



1.9. It is disappointing that the Councils' have not produced a Topic Paper from which their decisions can be evidenced. It is also noted that new evidence has been prepared since the Plan was submitted.

2. How have the Councils made as much use as possible of brownfield sites and underutilised land and buildings in existing urban areas? How has the capacity of the existing urban areas to accommodate new development been established? Is the evidence in this regard accurate and up-to-date?

2.1. The Parish Council considers that the Councils have not made as much use as possible of brownfield sites and underutilised land and buildings in existing urban areas.

2.2. The Councils' technical evidence to support the conclusions regarding availability of brownfield sites is outdated and requires further review in light of the HELAA update (Jan 2020, **CSBLP19**). The Parish Council considers that updated assessments of Townscape Character and Landscape Capacity, previously undertaken in 2017, should be undertaken in order to inform the Councils' assessment of development options on brownfield sites.

3. What is the capacity of the existing urban areas to absorb additional housing and employment growth?

3.1. The Parish Council considers that the capacity of the existing urban areas has not been adequately assessed – see Question 2 response above.

4. How have the figures in the updated Settlement Capacity Study been derived? What methodology did the Councils use to consider the potential for existing settlements to meet the identified need for new housing and economic development?

4.1. Whilst the national PPG confirms there is no set methodology for calculating housing numbers it does state that *"In setting requirements for housing in designated neighbourhood areas, plan-making authorities should consider the areas or assets of particular importance (as set out in paragraph 11, footnote 6), which may restrict the scale, type or distribution of*



development in a neighbourhood plan area (PPG, 2019, Reference ID: 41-101-20190509, para. 101).

4.2. The Settlement Capacity Study (**CSBLP58**) updated January 2020 also advises that *“The Councils have received legal advice which interprets this requirement as saying that this study needs to focus on infill options for supply to supplement proposed Green Belt site allocations in the Local Plan”*. The Parish Council is unconvinced by the assessment of infill options.

4.3. The justification for infill options to meet housing needs must be informed by an updated and site-specific review of landscape, townscape and Green Belt constraints. The Parish Council is concerned a piecemeal approach towards drawing relevant conclusions, based on an incomplete and out-of-date evidence base.

4.4. For example, the Landscape Character Assessment (**CSBLP39.5**) was undertaken in October 2011, and Chiltern Historic Landscape Characterisation (**CSBLP22**) undertaken in 2009. The Townscape Character Study (**CSBLP21**) undertaken in January 2019 (which updates the 2016 Study), considers settlements in isolation, without sufficient regard towards wider studies.

5. How does the Plan seek to optimise the density of development in existing urban areas?

5.1. As per Question 4, the Councils’ Heritage Strategy or Townscape Character Studies have not been reviewed, and therefore the Parish Council believes that not enough consideration has been given to optimising density of development in existing urban areas.

5.2. The Parish Council considers that any conclusions based on the updates relevant to Settlement Capacity Study (**CSBLP58**) should also result in updates to other core supporting documents. For example, this should reflect changes in height and density in urban areas, having regard to broader changes in landscape and townscape.



6. Have the Councils examined fully all other reasonable options for meeting the identified need for development outside the Green Belt, as required by paragraph 137 of the Framework?

6.1. No, the Councils' have not undertaken an appropriate assessment of potential brownfield development sites, which should be considered in detail, prior to consideration of previously developed Green Belt sites. The Parish Council believe that the Local Plan evidence base fails to evidence this, making it particularly difficult to determine how any meaningful conclusions have been drawn.

Green Belt assessment methodology

7. After following the process referred to above, how did the Councils decide where alterations would be made to Green Belt boundaries? Did the Councils look first at certain settlements, such as the Principal Settlements referred to in the SA, or on sites put forward through consultation?

7.1. The Parish Council has already expressed its concerns as part of initial Regulation 129 representations, regarding the lack of justification for amendments to the Green Belt boundaries around Chalfont St Peter. The ordering of the Councils' selection is unclear, and CDC / SBDC should respond to this question.

8. How were the results from the Green Belt Assessment Part 1 taken forward and how were sites considered further? Were potential sites for development identified in the Part 1 Assessment?

8.1. CDC / SBDC should respond to this question.

9. How does the Part 2 Green Belt Assessment build on the conclusions of the Part 1 Assessment? How were the findings from the Part 1 Assessment used to determine which sites to assess in more detail?

9.1. CDC / SBDC should respond to this question.



10. How do the proposed Green Belt revisions align with the spatial strategy for the area? How will they promote sustainable patterns of development? For example, were settlements scored on their sustainability merits to first establish whether they represented an appropriate location for new development, having regard to accessibility to services or public transport provision?

10.1. The Parish Council strongly believes that the proposed allocation of 560 new dwellings represents a disproportionately large expansion of the settlement, without any safeguards to ensure delivery of associated infrastructure and services. A detailed discussion, with site specific comments relating to Chalfont St Peter are contained with the Matter 5 Hearing Statement.

11. Why is the Green Belt proposed to be altered in some settlements (such as Amersham, Beaconsfield and Chesham) but not others (such as Gerrards Cross)?

11.1. CDC / SBDC should respond to this question.

12. Are the revised boundaries capable of enduring in the long term, beyond the plan period?

12.1. Further to review of the Proposed Changes to the Adopted Policies Maps (CSBLP5) the Parish Council does not believe that the *revised boundaries for SP BP7 (North East) or SP BP8 (South East)* would be enduring or represent a robust and defensible edge beyond the Local Plan period. This is in, part due to a lack of clarification on the developability of these allocated areas, as well as a lack of safeguards to ensure delivery of effective mitigation for landscape and ecological constraints.

Compensatory Improvements to remaining Green Belt land

13. Paragraph 138 of the Framework states that plans should set out ways in which the impact of removing land from the Green Belt can be offset through compensatory improvements to the environmental quality and accessibility of remaining Green Belt land. In response to the Inspectors'



Initial Questions the Councils included a table of compensatory measures for each allocation. This includes, amongst other things, the retention and improvement of landscaping on each site, and the provision of links to existing public rights of way. However, how will improvements be achieved to the environmental quality and accessibility of remaining Green Belt land, especially where this may fall within separate ownership?

13.1. In relation to the Chalfont St Peter proposed site allocations BP7 and BP8, the Parish Council believes it is unclear how improvements to the environmental quality and accessibility of remaining Green Belt land will be achieved. The CSB Response to Inspectors' Questions (EXAM 2) outlines retention/improvement of landscaping and links to existing Public Rights of Way, notwithstanding the more fundamental comments of a lack of connectivity to public transport and accessibility to services within the settlement. The Councils recommend for SP BP8 (South East) that a 10 metre 'landscaped buffer' be provided to separate new residential development from the existing Paccar scout camp to the south east, although there is no compelling landscape rationale to justify this decision. References to a 'net gain in biodiversity and the provision of Green Infrastructure' are also overly broad in description and should be supported by up-to-date context analysis.

13.2. Overall, the Parish Council does not consider that it is clear or certain that improvements will be achieved to the environmental quality and accessibility of the remaining Green Belt land in the vicinity of the allocated sites SP BP7 or SP BP8 in Chalfont St Peter Parish. The Plan offers no guarantees or detail within its evidence base to suggest that there would be scope for cooperative discussions with existing or future landowners to deliver appropriate compensatory improvements. Therefore, the Parish Council cannot be satisfied that the requirements under paragraph 138 would be met.

Exceptional Circumstances

14. In principle, do the exceptional circumstances, as required by paragraphs 136-139 of the Framework, exist to justify revisions to the



Green Belt boundary to provide for objectively assessed needs for housing and employment land?

- 14.1. The Parish Council does not consider that the exceptional circumstances exist to justify the release of land from the Green Belt to provide for objectively assessed needs for housing and employment land.
- 14.2. In particular, the Parish Council considers that the proposed Green Belt Release and subsequent housing allocations will not promote a sustainable pattern of development, due to the disproportionate amount of housing allocations proposed within Chalfont St Peter Parish, contrary to Paragraph 138 of the NPPF. The sites identified for Chalfont St Peter rely on imprecise analysis of density and capacity.
- 14.3. The Parish Council remains concerned by the poor accessibility of allocations SP BP7 and SP BP8, particularly their lack of connectivity with public transport, contrary to paragraph 138 of the NPPF. The scale of development proposed, consisting of 560 new homes, will require that the sites have the capacity to integrate easily into existing transport infrastructure.
- 14.4. In relation to SP BP8, the Parish Council is not reassured by the Councils' response to question 16 of the CSB Response to Inspectors' Questions (**EXAM 2**), where at paragraph 16.3 (bullet point 7) the Councils comment: *'There are no direct bus routes passing the site, but there is access to bus services serving Coptall Lane which is served by a bus route offering five services per day Monday to Saturday. Similar to the other Chalfont St Peter site (SP BP7), it is considered that there is access to a regular - although limited - bus service within walking distance of the site and on the basis of public transport provision within the two districts, this site could be considered to be well served by public transport.'*
- 14.5. It should be noted that there is no pedestrian walkway to the bus stop on Coptall Lane and no mention of measures to secure safe walking routes within the policy. A lack of off-site infrastructure puts the safety of future occupants at risk, particularly with the additional increase in vehicle movements being generated by the new development. Parish



Council therefore considers that the Councils' assessment of site suitability lacks detail and realism of the particular constraints of the site.

14.6. The Inspector will note the Parish Council's concerns, submitted as part of the Regulation 19 reps, regarding the degree of harm to the Green Belt arising from development at site allocations SP BP7 and SP BP8. In light of gaps in the Councils' evidence base, regarding the exploration of suitable alternatives to Green Belt release, the Parish Council does not agree with the finding of the Green Belt Exceptional Circumstances Report (**CSBLP15.1**) relating to individual site's performance in terms of meeting Green Belt purposes, as outlined at paragraph 143 of the NPPF. The degree of harm stated to be caused cannot be concluded to be outweighed the need to deliver housing.

14.7. The Parish Council maintains that the Councils have failed to appropriately assess other sites with less harm to Green Belt purposes, which offer greater environmental, social and economic sustainability. Sites within existing urban areas or adjoining larger settlements closer to public transport or services and facilities should be assessed. In particular, the evidence considering brownfield land / previously developed land is not comprehensive or up to date.

Issue 2 – Boundary Changes

1. Does the Plan adequately identify the proposed revisions to the Green Belt boundary? Are the revisions clear to decision-makers, developers and local communities?

1.1. The Councils have provided a Proposed Changes to the Adopted Policies Map (CSBLP5) document, although this does not clarify the extent of the alterations (existing and proposed), making the assessment of changes difficult for the reader. Any sound boundary changes should be well integrated into the Local Plan for ease of use. Furthermore, the proposed site buffers to the Green Belt are imprecise in their scope, as discussed above.

2. In response to the Inspectors' Initial Questions the Councils confirmed that in some cases the area of land proposed to be removed from the



Green Belt is larger than the corresponding allocation. In some cases, this is to act as a buffer, or to provide a more logical boundary based on clearly defined features. However, is it clear to decision-makers, developers and local communities what these areas will be used for? If removed from the Green Belt, will the principle of additional development be acceptable?

2.1. It is not adequately explained how any buffers to the Green Belt would be used, maintained, or enforced against future risk of piecemeal development. This further exacerbates the Parish Council's well-placed concern that there cannot be justification for exceptional circumstances where amendments to Green Belt boundaries extend further than proposed site allocations.

2.2. The Parish Council considers that the Local Plan submission lacks transparency and precision in this respect. The Parish Council remains unclear as to whether additional land to be removed from the Green Belt would or should result in the provision of compensatory Green Belt elsewhere.

3. Are there any sites or parcels of land where revisions to Green Belt boundaries are proposed, but which are not needed to meet housing or employment land requirements?

3.1. CDC / SBDC should respond to this question.

4. Are any new areas of Green Belt proposed? If so, what are the exceptional circumstances which justify their inclusion and are they set out in strategic policies, as required by paragraph 135 of the Framework?

4.1. No new areas of Green Belt are identified, nor is there any detailed indication of compensatory measures to strengthen remaining Green Belt, despite the substantial loss of two main areas adjacent to the settlement boundary within the Chalfont St Peter parish.