

LONDON  
AMSTERDAM  
HAMPSHIRE  
MANCHESTER  
PORTLAND



**troyplanning.com**  
14-18 Emerald Street  
London  
WC1N 3QA  
T: 0207 0961 329

## **Chalfont St Peter Parish Council (CSPPC)**

### **Chiltern and South Bucks Local Plan 2036 Examination**

#### **Matter 5 – Residential and Employment Site Allocations (Policies SP LP1 and SP BP2 – SP BP14)**

Issues 1 & 2 - Residential Site Allocations Methodology and  
Employment Site Allocations Methodology



## Issue 1 – Residential Site Allocations Methodology

### **1. Is the approach taken to the assessment and selection of allocated residential sites, as set out in response to the Inspectors' Initial Questions, justified? Does the submitted evidence demonstrate that the sites have been selected based on a robust, consistent and objective approach?**

1.1. There remains a fundamental objection to the proposed allocations SP BP7 (North East) and SP BP8 (South East) for Chalfont St Peter Parish, noting the Parish Council's already well-stated concerns regarding the lack of appropriate justification in the Local Plan evidence base (particularly concerning piecemeal updates and implications for the rationale for Green Belt Release). It is therefore evident that these sites have not been selected on the basis of a robust, consistent or objective approach.

1.2. For example, the Local Plan cannot be concluded to be robust given the piecemeal approach taken towards the collation of key evidence, ranging from 2011 to 2020; the majority of the evidence submitted in support of the Local Plan predates the revised NPPF and PPG, therefore raising further ambiguity. Furthermore, the Parish Council considers there has been a lack of transparency from the Councils as to how they have interpreted the evidence and arrived at informed conclusions. The Parish Council therefore cannot conclude that the approach taken is consistent or objective.

### **2. How was the scale and spatial distribution of allocations determined? For example, why do some settlements have allocations, but others do not? How were the allocations informed by the spatial strategy of the Plan?**

2.1. CDC/SBDC should respond to this question.

### **3. Has the site selection process for the residential site allocations been based on sound process of Sustainability Appraisal and the testing of reasonable alternatives? Are the reasons for selecting the preferred sites and rejecting others clear and justified? Do the reasons given in the SA and other evidence available comprehensively and consistently explain why the site allocations were selected or rejected?**



3.1. The Councils have not addressed the concerns previously raised regarding simplistic approach and assumptions within the Sustainability Appraisal of June 2019, particularly relating to transport and accessibility of allocated sites. The Parish Council maintains its objection to the conclusions regarding site allocation BP7 as being “a highly sustainable location” given that there has been no review or update of the assessment methodologies and assumptions within the SA.

#### **4. What is the justification for excluding sites in the Green Belt from the Housing and Economic Land Availability Assessment Update (January 2020) (HELAA)? Is the approach consistent with guidance in the PPG?**

4.1. As outlined in the Parish Council’s response to Matter 3 – Issue 1, Question 2, the availability of brownfield, or previously developed land, is a key consideration in determining the suitability of site allocations within the Green Belt. The Parish Council notes that the Councils have excluded Green Belt sites which do not comply with the definition of Previously Developed Land.

4.2. Regulation 17 of the Town and Country Planning (Brownfield Land Register) Regulations 2017, as highlighted by PPG (Reference ID: 59-002-20170728, para.: 002), requires local planning authorities to review their 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. Whilst the Local Plan was submitted in December 2019, it would have been pertinent for the Councils to review this prior to submission, as per the Councils’ statutory obligations. 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 or the extent of Green Belt release.

4.3. Whilst some remedial measures are referred to in site allocations policies, the Local Plan does not include any policies which outline site-specific and sufficiently detailed measures for compensatory improvements to the environmental quality and accessibility of remaining Green Belt land, as is a clear requirement under paragraph 138 of the



NPPF and the PPG. This issue is compounded by a lack of evidence and analysis of site-specific constraints such as landscape constraints, ecological features and heritage assets.

**5. If sites were discounted at the first stage of the HELAA, how did the Councils ensure that the allocations in the Plan are justified and appropriate having regard to reasonable alternatives? How did the Councils ensure that sites put forward for allocation in the Green Belt were assessed on a consistent and transparent basis?**

5.1. The basis for assessment cannot be considered to be consistent or transparent, given both Councils' lack of an up to date brownfield land register.

**6. Does the Plan identify land to accommodate at least 10% of the housing requirement on sites no larger than one hectare, as required by paragraph 68 of the Framework?**

6.1. CDC/SBDC should respond to this question.

**7. How have the constraints of each site been taken into account and any necessary mitigation been considered as part of the process of allocating land for housing? In particular, how have the Councils considered and assessed the impact of development on transport infrastructure, air quality, heritage assets, drainage, schools and health care provision? Where is this set out?**

7.1. Responding to this question is particularly challenging due to challenges of navigating the Councils' Evidence Base web pages. There is no one comprehensive list of the evidence base and this has been supplemented during the Examination process with critical evidence that relates to site allocation decisions published after the Submission of the Chiltern and South Bucks Local Plan, e.g. the HELAA, the Green Belt Exceptional Circumstances Topic Paper, the Employment Land Topic Paper. Moreover, the Parish Council wishes to highlight a series of fundamental flaws in the Councils' approach.



7.2. As stated in response to Matter 1 – Issue 2 Questions 8, the Parish Council considers that the SA fails to appropriately assess whether the Chalfont St Peter sites proposed to be allocated for development have sustainable access to transport and services, both relating to SP BP7 (Chalfont St Peter – North East) and SP BP8 (Chalfont St Peter – South East). It has already been demonstrated that the BP7 site, in particular, is in a location which does not provide appropriate access to public transport, shops and services. Allocation SP BP8 is situated adjacent to Coptall Lane, which does not benefit from any pedestrian pavement or walkway. It is therefore unsustainable to expect future residents to walk along Denham Lane in order to gain access to a very limited bus service (5 services running per day currently). Development in such circumstances would therefore not constitute sustainable development from a social or environmental perspective.

7.3. Landscape and Heritage constraints have also been ignored, including a failure to produce any site-specific Landscape and Visual Impact Assessments, appropriate heritage assessments. The Parish Council considers that this is a significant omission in key evidence which should have been prepared prior to the formulation of the Regulation 19 Plan.

7.4. For example, the proposed site allocations should have been subject to a landscape and visual impact assessment, instead relying on this information being submitted and successfully proven as part of a planning application (required under point 5 of Policy SP BP7). The allocation Policy SP BP8 (Chalfont St Peter – South East) evidently requires no such landscape and visual impact assessment, notwithstanding that no landscape and visual impact assessment has been carried out during the Local Plan preparation process. Site allocations are not considered as part of the Local Plan policy mitigation, which focus on more general development management policies (Policies DM DP2, DM DP3 etc).

7.5. The subtext of Policy SP BP7 (Chalfont St Peter – North East) states that *'Given the prominent urban edge location it is important that the Green Belt boundary is protected and the development suitably screened to prevent damage to the wider countryside views, as such the policy includes a requirement for suitable landscaping.'* The use of terms such as *'suitable landscaping'* are particularly concerning to the Parish Council, as this



reinforces the general presumption made by the Councils that an adequately detailed and site-specific assessment can all be undertaken beyond the adoption of the Local Plan. Therefore, the Parish Council considers that the Local Plan is unsound as no landscape/visual studies have been undertaken as required by para. 31 of the NPPF. Given that there is no firm evidence base relating to landscape sensitivity, the Councils' decision to vouch for 'exceptional circumstances' cannot be adequately justified, as key pieces of evidences are missing.

7.6. There is no Heritage Impact Assessment to support the Local Plan, with a reliance on the findings of the SA to understand heritage impacts. The Parish Council previously raised concerns regarding the lack of detailed evidence on heritage impacts and criticised the reliance on the SA. The addendum SA, updated in September 2019, does nothing to allay these fundamental concerns. As such, the emerging Local Plan is contrary to paras. 187 and 188 of the NPPF and is therefore deemed unsound.

7.7. Within the SA (June 2019), under Assessment Methodologies and Assumptions for Cultural Heritage (Page 25) it is stated that: *"Where a Grade II\* or Grade II Listed Building, a Conservation Area or Archaeological Notification Site coincides with a site proposal, or where a site lies adjacent to a Grade I or Grade II\* Listed Building, a Scheduled Ancient Monument or a Registered Park and Garden, it is assumed that the proposal would also permanently alter the setting of the asset and a moderate negative impact on the historic environment would be expected."*

7.8. The Parish Council considers this level of assessment is woefully inadequate. To illustrate best practice, Historic England's Historic Environment Good Practice Advice in Planning: 1 (The Historic Environment in Local Plans) advises that *'Site allocations should be informed by an evidence base and an analysis of potential effects on heritage assets.'* This is expanded by Historic England Advice Note 3 (The Historic Environment and Site Allocations in Local Plans) which details that *'The site allocation process is best informed by an up-to-date and robust historic environment evidence base. It is important that the gathering of this evidence begins prior to the commencement of work on the Plan, to provide baseline information at all stages in its preparation'*.



7.9. PPG reinforces the role of Historic England's Good Practice advice and requires that planning policies need to be based on up-to-date evidence about the historic environment in their area. The Draft Chiltern and South Bucks Heritage Strategy (January 2016), the Chiltern and South Bucks Townscape Character Study (November 2017) and the Chiltern Historic Landscape Characterisation Assessment (2009) are all considered to be too generalised in approach, and out of date. The SA should not be taken as a substitute for a lack of baseline evidence.

7.10. Neither the submitted Local Plan or its evidence base reference or show any appreciation of the four Grade II Listed Buildings and the one Grade II Listed monument within the Epilepsy site (Policy SP BP7). It is of particular concern to the Parish Council that no references are made to the heritage aims and objectives as outlined in the Chalfont St Peter Neighbourhood Plan 2013 – 2028. There should have been a Heritage Impact Assessment setting out in detail the significance of the heritage assets at the site and an assessment of their setting and potential impacts. In the absence of any such information, the Parish Council can only conclude that the site allocation has been poorly considered, and exceptional circumstances (para 136 of the NPPF) cannot be argued to exist to justify the principle for the proposed allocation.

## **8. How were site areas and dwelling capacities determined? Are the assumptions justified and based on available evidence?**

8.1. The allocation policies still maintain an approximate housing figure, although this is not shown to have been informed by site specific constraints, such as heritage or landscape impact. The Parish Council remains concerned that there has been insufficient analysis through masterplanning to determine the appropriate housing capacity for the site allocation.

## **9. Are all sites viable? How has viability been considered as part of the preparation of the Plan?**

9.1. The Parish Council is concerned that as the site constraints have not been adequately identified the implications for site size, site layout and design have also not been considered. These are significant matters that would





affect a site's viability, assuming a site was still considered to be suitable for development.

## **10. For the larger, mixed-use allocations, how was the range of uses determined?**

10.1. Site Allocation Policy SP BP7 (Chalfont St Peter - North East) is proposed to be allocated for approximately 360 homes, comprising 250 market and affordable homes, and 110 retirement homes. The allocation also seeks the retention of the Epilepsy Society to be redeveloped as part of a masterplan process. Given the potentially significant increase in the number of homes being built within the Parish, there is no detailed assessment of necessary infrastructure and additional services which may be required.

## **Issue 2 – Employment Site Allocations Methodology**

**1. Is the methodology for the assessment and selection of the sites for development set out in the Employment Site Appraisal documents and Economic Development and Employment Topic Paper (December 2019) justified? Have the sites been selected using an appropriate methodology?**

1.1. CDC / SCBC should respond to this question.

**2. How was the spatial distribution of employment allocations determined? How were the allocations informed by the spatial strategy of the Plan?**

2.1. CDC / SCBC should respond to this question.

**3. Has the site selection process for the employment site allocations been based on sound process of Sustainability Appraisal and the testing of reasonable alternatives? Are the reasons for selecting the preferred sites and rejecting others clear and justified? Do the reasons given in the SA and other evidence available comprehensively and consistently explain why the site allocations were selected or rejected?**

3.1. CDC / SCBC should respond to this question.





**4. In the Council's response to the Inspectors' Initial Questions, is the approach taken to the allocations for new office developments consistent with national planning policy? What evidence is available to support a sequential approach to the assessment and selection of sites in accordance with Paragraph 85 of the Framework?**

4.1. CDC / SCBC should respond to this question.

**5. Is the amount of employment land to be accommodated on each of the sites allocated justified and effective? How has the development potential or yield for each site been arrived at? What safeguards are there that the development potential of each allocation will be realised?**

5.1. CDC / SCBC should respond to this question.

**6. Are all sites viable? How has viability been considered as part of the preparation of the Plan?**

6.1. The Parish Council does not believe that there has been any detailed viability assessment undertaken of specific site allocations, and the Local Plan and CIL Viability Assessment (June 2019) only considers the financial implications of Development Management policies in simplistic terms. CDC / SCBC should respond to this question.

**7. How have the constraints of each site been taken into account and any necessary mitigation been considered as part of the process of allocating land for housing? In particular, how has the Council considered and assessed the impact of development on transport infrastructure and air quality? Where is this set out?**

7.1. It is presumed that this question should relate to how site constraints and any necessary mitigation have been considered as part of the process of allocating land for employment land. CDC / SCBC should respond to this question.