



CHILTERN
District Council



SOUTH BUCKS
District Council

Stronger in partnership

Chiltern and South Bucks

Local Plan 2036



Councils' Responses to the Inspectors' Initial Questions

20 December 2019

Duty to Co-operate

2. The Duty to Co-operate Statement (Ref CSBLP12, dated September 2019) provides an overview of the cooperation that has taken place with Aylesbury Vale District Council in seeking to meet the full objectively assessed housing and employment needs from Chiltern, South Bucks and Wycombe districts. In summary, it confirms that Aylesbury Vale District Council has agreed to accommodate 5,725 dwellings from Chiltern and South Bucks. Please can the Councils provide an update on the latest position regarding the Vale of Aylesbury Local Plan and explain how it seeks to address the scale and distribution of unmet housing needs from Chiltern and South Bucks?

2.1 The Vale of Aylesbury Local Plan (VALP) was submitted for examination on 28 February 2018. The examination hearing sessions were held over two weeks in July 2018. The Inspector's question 29 to Aylesbury Vale District Council (AVDC) was as follows:

Q29 ii) Whether it is justified for VALP to make provision for a defined quantity of housing demand displaced from Wycombe, Chiltern and South Bucks in advance of adopted Local Plans for those areas defining the quantity of unmet need to make no provision for unmet need displaced from Luton when there is an adopted plan for that area which defines the quantity of displacement which Aylesbury Vale is likely to experience.

2.2 AVDC's response to this question (in ED108A) was that, "... the other Bucks councils were able to justify their need for unmet need to be accommodated within Aylesbury Vale on the basis of detailed cooperative work between the councils. Given that Aylesbury Vale had sufficient capacity to accommodate the unmet need within the best fit Housing Market Area it was accepted by AVDC that it would be reasonable and sustainable to do so. An important aspect of the best fit approach to the HMA is that it is accepted by the adjacent councils that the need arising from their HMAs within Aylesbury Vale is being met by the Bucks best fit HMA's housing requirement. This is a feature of the signed MoUs."

2.3 This issue was discussed during a hearing session though the debate focused on Luton Borough Council's unmet housing need rather than that of Wycombe, Chiltern or South Bucks. Subsequently, the Inspector did not comment on it in his Interim Findings published on 29 August 2018.

2.4 Policy S2 in the VALP provides for a total of at least 27,400 new homes. This includes 5,750 homes to meet the needs of Chiltern/South Bucks Districts. The policy also provides for the identified need of at least 27 hectares of employment land and additional provision of some employment land to contribute to the employment needs of the wider economic market area. The plan provides no specific spatial distribution for the 5,750 homes to meet the needs of Chiltern and South Bucks Districts.

2.5 AVDC published proposed Main Modifications to the VALP on 5 November 2019. MM010 proposes to remove the criteria in Policy S2 about meeting the unmet housing needs of Chiltern, South Bucks and Wycombe Districts, although the commitment to provide these homes would remain in supporting text. CSB was concerned that this proposed

change would make the VALP less clear and certain about the scale and purpose of the housing growth proposed over the plan period and would make what was a sound plan not sound. CSB therefore submitted a formal objection to this Main Modification on 12 December 2019.

3. The Duty to Co-operate Statement also refers to the cooperation that has taken place with Slough Borough Council. It states that Slough Borough Council is seeking to promote a 'Northern Extension' to help meet its unmet housing needs, although the overall scale of growth is yet to be determined.

3.1 As general background, Option J1 of Slough Borough Council's Regulation 18 Local Plan (2017) proposed a "Northern Extension" of Slough using land falling inside South Bucks District. In its response to this consultation¹, CSB advised Slough at paragraph 5 that, "We note that the Slough Local Plan Issues & Options Regulation 18 document includes a number of spatial options involving the development of land in the Green Belt in South Bucks District to accommodate unmet housing need arising within the Slough BC area. Slough BC estimate the unmet need will be significant (figures of between 6,000 and 8,000 are variously used in the consultation documents) particularly in the latter part of the Plan period which is the stated reason why '... options of building outside of Slough have to be considered and put forward for public consultation.'"

3.2 In paragraph 8 of the letter CSB wrote, "The spatial options involving Green Belt land in South Bucks District have been brought forward by Slough BC in a unilateral way outside the Duty to Co-operate. The legal Duty to Co-operate requires local authorities to engage constructively, actively and on an on-going basis in respect of plan-making so far as it relates to a strategic matter."

3.3 Paragraph 11 of CSB's comments² on Slough's 2017 Issues and Options consultation also contained the clear precaution that "the inclusion of Option J1 in a Slough BC consultation document also risks misleading the public". Slough's Sustainability Appraisal report also noted that development of any area(s) outside Slough cannot be delivered through the Slough Local Plan. Their Habitats Regulations Assessment Screening Document also stated that likely significant effects on the qualifying features of Burnham Beeches, (a protected feature under paragraph 11, footnote 6 of the NPPF) cannot be ruled out.

4. Please can you provide more information regarding the ongoing discussions that have been held with Slough Borough Council on this issue? In particular, has a request been made to accommodate unmet housing needs, and what work has been carried out to assess how, where and when such needs might be met? It would also be useful if the Councils could provide details of any meetings or correspondence with Slough Borough Council, including actions and outcomes.

¹ [https://www.southbucks.gov.uk/media/9241/Chiltern-and-South-Bucks-Councils-Response-to-Slough-Borough-Local-Plan-Issues-and-Options-Regulation-18-Consultation-24th-February-2017-/pdf/Chiltern and South Bucks Response to Slough BC Reg 18 Feb 2017.pdf?m=636420231007730000](https://www.southbucks.gov.uk/media/9241/Chiltern-and-South-Bucks-Councils-Response-to-Slough-Borough-Local-Plan-Issues-and-Options-Regulation-18-Consultation-24th-February-2017-/pdf/Chiltern%20and%20South%20Bucks%20Response%20to%20Slough%20BC%20Reg%2018%20Feb%202017.pdf?m=636420231007730000)

² As 1

4.1. As general background to this matter, the Councils are aware that paragraphs 26 and 27 of the National Planning Policy Framework (NPPF) note the importance of effective and ongoing joint working between strategic policy-making authorities and relevant bodies for producing a justified and positively prepared strategy. Local authorities are thus required to prepare and maintain statements of common ground, which document the matters to be addressed and any progress made in co-operating. A draft Statement of Common Ground was submitted by CSB to Slough Borough Council on 10 December 2019. This followed email and fact-to-face discussions which had taken place since April 2019 as a result of which it was understood that Slough would be revising and updating a memorandum of understanding from 2017 and converting it into a statement of common ground. The statement of common ground provides information on meetings and correspondence which have taken place between the authorities. 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.

4.2. Although local planning authorities are required to engage constructively, actively and on an ongoing basis with their neighbours, the Localism Act 2011 and Section 33A of the Planning and Compulsory Purchase Act 2004 have always been clear that the Duty to Co-Operate is not a formal "duty to agree", in the sense that any request for help in meeting needs is not an automatic guarantee that the authority receiving the request can, must or will be able to say 'yes'.

4.3. Chiltern and South Bucks are unable to fully meet their own housing needs entirely within the Plan area and, as discussed in more detail in responses the housing and economic development questions, the Councils' approach involves 5,725 homes being built in the neighbouring Aylesbury Vale district due to the land constraints which affect the CSB districts. Very simply, the Councils are not in a position to accommodate Slough's request at the present time.

4.4. There are two reasons for this; firstly is the national policy position. Paragraph 11 of the NPPF, footnote 6 is clear that an authority's own objectively assessed development needs do not need to be met where doing so would run contrary to elements of the NPPF which seek to protect specially designated areas of national importance – including Green Belt and AONB. If an authority cannot meet its own needs, then it cannot be considered to be in a position to provide assistance for anyone else. This is not considered to be a complex equation.

4.5. Paragraph 41 of the National Planning Practice Guidance's 'Natural Environment' section also elaborates the position: *"The National Planning Policy Framework makes clear that the scale and extent of development in these areas (Green Belt/AONB) should be limited, in view of the importance of conserving and enhancing their landscapes and scenic beauty. Its policies for protecting these areas may mean that it is not possible to meet objectively assessed needs for development in full through the plan-making process, and they are unlikely to be suitable areas for accommodating unmet needs from adjoining (non-designated) areas. Effective joint working between planning authorities covering designated and adjoining areas,*

through the preparation and maintenance of statements of common ground, is particularly important in helping to identify how housing and other needs can best be accommodated."

(Paragraph: 041 Reference ID: 8-041-20190721)

4.6. Secondly, considerable doubt still remains over the exact level of growth which Slough Council are looking to accommodate outside of its own boundaries as the Inspectors noted under Paragraph 3. The overall housing need for Slough is assessed as 20,000 homes between 2016 and 2036. Slough Council's Regulation 18 Issues and Options consultation document (2017) indicated that unmet need was 'significant' at 6-8,000 homes, and that they had found sufficient land has for around 12,000 homes. The exact level of the shortfall needs to be clarified, as the Regulation 18 document stated that the 'Northern Extension' could contain 5,000 homes. Slough then commissioned Atkins to prepare a report on the Northern Extension in 2017. The phasing and delivery plan made provision for 7,500 homes, nearly all of which will be located in South Bucks. These homes would cover an area stretching from the Slough boundary up to Richings Park, Iver, Langley Park and Black Park.

4.7. However, the Vision and Guiding Principles of the Atkins report describes the Northern Extension as a 'garden suburb of up to 10,000 homes', as was reported by the national news in 2017.³ There is, of course, a substantial difference between a delivery figure of 5,000 and 10,000 homes, and the associated harm which would then be caused to the Green Belt to deliver not only the homes, but also the necessary supporting social and physical infrastructure.

4.8. Moreover, the NPPF is also clear that an inability to meet housing targets by itself does not justify further releases of land from the green belt. National policy is clear that if planning authorities cannot release Green Belt to meet their own housing needs, it would follow that such authorities should not release Green Belt for other authorities' needs.

4.9. Section 6 of a July 2019 Slough Borough Council Cabinet Report notes *"The production of the new Chiltern and South Bucks Local Plan is to be welcomed because it will enable much needed new housing development to come forward, including 5,200 from land in the Green Belt. The main concern for Slough is however that the Plan is not seeking to meet all of its housing needs in full; it is exporting housing that is needed locally to Aylesbury; and has not considered this Council's proposals for a Northern Expansion of Slough in order to meet our unmet needs. The overall result is that only around half of the houses needed are actually going to be provided in the Chiltern and South Bucks area which are already two of the most unaffordable Districts in the Country.... However, they also added 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 Study⁴ which is seeking to resolve some of the outstanding issues."*

³ <https://www.bbc.co.uk/news/uk-england-berkshire-41510860>

⁴ = A Government funded study which is intended to address issues arising from growth that is anticipated across the area.

4.10. Therefore, it is clear that Slough Council do not consider that CSB have failed the Duty to Co-Operate. Responses to these preliminary questions clearly explain why approximately one-third of CSB's housing need will be met in Aylesbury, while national policy is clear that Objectively Assessed Needs do not need to be met in full where there are identified constraints such as green belt and AONB in an area.

4.11. Slough Council believes that the cumulative housing targets set out in the Local Plan 2036 should be higher; but this is only in order to accommodate Slough's unmet housing needs and their Northern Extension proposals on Green Belt land entirely within territories which they do not control. CSB are unable to assist Slough in accommodating their unmet needs at the present time for the reasons set out above, including the national policy position set out by Paragraph 11 and footnote 6 of the NPPF.

4.12. Where an authority has failed to secure support from its neighbouring authorities e.g. to meet housing needs, they are required to provide comprehensive and robust evidence of how they sought to engage and to demonstrate that they have explored all options for meeting their needs. At this moment, these are issues for Slough Council and its own policy making activities to address through their Local Plan and evidence base, as the Slough area has fewer land constraints than Chiltern and South Bucks districts. An authority cannot be expected to assist its neighbour(s) if it does not know the quantum of development and associated infrastructure required, but particularly so when any such proposals will involve sensitive development on Green Belt.

5. We note from the Duty to Co-operate Statement that Statements of Common Ground and/or Memorandums of Understanding are still being prepared with a number of neighbouring local authorities. This includes the London Borough of Hillingdon, Slough Borough Council and the Royal Borough of Windsor and Maidenhead Council. Please can you confirm when these documents will be available?

5.1 The London Borough of Hillingdon's comments on the publication draft Local Plan 2036 (August 2019) asked for "*a final version of the Infrastructure Delivery Plan (IDP) to be provided for review ahead of submission of the Plan*". They also asked for formal clarification of a breakdown and clarification of some of the figures and targets the Councils must aim to meet, in light of NPPF paragraph 86. This has been clarified through the Economic Development and Employment topic paper. LB Hillingdon are essentially concerned about traffic impacts from key developments occurring close to the South Bucks/Hillingdon boundaries at Iver and Denham, and seek confirmation that their own modelling data is correct i.e. that development will have limited overall impacts on traffic on the A40/M40 close to the South Bucks/Hillingdon boundary, and that office development will not have negative effects on Uxbridge town centre.

5.2 Once Hillingdon receive these documents and confirm they are content with CSB's approach, they have stated that they will be happy to provide a final response. A draft SCG is in place. The HELAA work will be finalised during January 2020 and this will enable a final version of the IDP to be prepared. The Council has completed the Economic Development and Employment topic paper and it is anticipated that CSB will be in a position to agree a final, signed SCG with Hillingdon during Q1 of 2020.

5.3 For Slough, this is addressed under paragraph 4.1 and the Statement of Common Ground between CSB and Slough Borough Council which was drafted and sent for approval to SBC on 10 December 2019. A draft Statement of Common Ground was submitted to the Royal Borough of Windsor and Maidenhead Council on 3 September 2019. Whilst CSB have several times sent chasing emails, no substantive response on the draft statement had been received from RBWM at the time of writing.

5.4 As an adjoining highway and education authority, a Statement of Common Ground was drafted and submitted to Hertfordshire County Council, for approval and signature on 18 November 2019. This was signed on 19 December 2019.

Spatial Strategy and Sustainability Appraisal

6. Paragraph 20 of the National Planning Policy Framework ('the Framework') requires strategic policies to set out an overall strategy for the pattern, scale and quality of development. Firstly, does the Plan include any strategic policies which set out the minimum number of new dwellings required over the plan period? Do any of the strategic policies include a trajectory illustrating the expected rate of housing delivery, as required by paragraph 73 of the Framework?

6.1. The minimum number of new homes over the plan period is set out in Chapter 5 – Living Places. Paragraph 5.1.1 explains that homes will be provided by the Chiltern and South Bucks Plan and the Vale of Aylesbury Plan. This builds on paragraph 3.4.7 of Chapter 3 the Spatial Vision. Paragraph 5.1.5 sets out the Local Housing Need as 15,260 homes between 2016 and 2036. Paragraphs 5.1.4-5.1.16 and Table LPb then sets out how this need will be met. This is a combination of roughly a third through strategic allocations, a third through existing planning permissions and HELAA sites and a third through the Memorandum of Understanding with (amongst others) Aylesbury Vale District Council. **[CSBLP12.1].**

6.2. However, the Councils recognise that they have erred in not setting this out in Policy SP LP1. The Councils decided not to submit proposed modifications but await the relevant hearing sessions to propose modifications, so that all parties can review the Councils hearing statements. To this end the Councils have also requested that the Inspectors make recommendations on these and such other modifications to make the Plan sound.

6.3. The Housing Trajectory, including that for the Site Allocations, has been submitted as **[CSBLP19.14]**. This will be updated when the new HELAA is published. The update will include completions and up-to-date trajectories for the site allocations. The HELAA is being prepared by AECOM and we anticipate this will be finalised in January 2020, with a draft being received before Christmas 2019.

7. Secondly, is it clear to decision-makers, developers and local communities what the spatial strategy of the Plan is, and where the majority of new development will be located? Is there a settlement hierarchy and/or other policy mechanism which seeks to actively manage patterns of growth to focus significant new development in locations

which are or can be made sustainable, as required by paragraph 103 of the Framework?

7.1. The Councils believe the strategy is clear. Chapter 3: Sustainable Places of the draft Local Plan set out the spatial vision and strategic objective of the Plan. Paragraphs / Objectives 3.5.2 and 3.5.3 particularly address NPPF paragraph 103.

- *3.5.2 To have plan-led developments which will secure balanced sustainable growth or development commensurate to deliverable local needs and taking into account environmental, social and economic constraints and opportunities.*
- *3.5.3 To focus new development in accessible locations, reducing the need to travel and increasing opportunities for walking, cycling and use of passenger transport.*

7.2. Where NPPF paragraph 103 focuses on transport, the relevant objectives are taken forward in Chapter 4, Designing Places particularly with reference to policies DM DP 11, 12 and 14 and Chapter 7, Connected Places policies DM CP1, 2 and 3.

7.3. The Local Plan does not contain a settlement hierarchy. Although it should be highlighted that this is not formally required by NPPF paragraph 103, it was considered unnecessary to produce one given that all of the settlements in Chiltern and South Bucks are tightly surrounded by Green Belt. This gives very little scope for countryside development and also means that there is a very high bar for any unplanned growth to happen. In turn, this means that any development will occur within existing settlements and will be assessed through the development management processes for sustainability. It is also most likely that any sites which come forward have been assessed within the HELAA, or from windfall, and these can again be assessed through the Development Management processes. The final HELAA, anticipated to be received in January 2020, will take account of sites within settlements and adds, as appropriate, those units to the trajectories.

7.4. It is important to understand that the Green Belt Part 1 review was not influenced by settlements, but the outcome was that the review identified the areas that least met the Green Belt functions were attached to existing settlements. Part 2 of the Green Belt review considered these potential large parcels for growth and narrowed the size of the parcels down in accordance with a number of considerations including defensible boundaries and impacts on the Chilterns. These considerations in turn also narrowed down the shape of the parcels of release and by coincidence contribute to a tighter distribution of growth to the settlements.

8. In answering the questions in paragraph 7 above, please can the Councils identify how the scale and distribution of growth has been determined as part of the plan-making process? What alternative strategies have been considered? The Sustainability Appraisal of the Chiltern and South Bucks Local Plan Volume 1 of 2: Main Report ('SA') (Ref CSBLP7, dated June 2019) states that 12 spatial options for the distribution of housing and employment were considered in 2016, but this did not identify a best performing option due to uncertainties surrounding the size and location of new development. Paragraphs 5.3.1-5.3.3 state that the spatial options were revisited by the plan makers in 2019 and presented as a suite of four options. However, the four

options relate to the local housing need figure and the issue of exporting housing to Aylesbury Vale. How were the decisions on the scale and distribution of development taken forward? What evidence is there to substantiate the conclusion that the proposals in the submitted Plan are an appropriate strategy given the reasonable alternatives available?

8.1. The question above covers multiple elements and, for clarity, it is intended to respond to the question in sections.

Please can the Councils identify how the scale and distribution of growth has been determined as part of the plan-making process? How were the decisions on the scale and distribution of development taken forward?

8.2. The scale and distribution of growth was determined firstly through land availability within districts excluding the Green Belt, the Chilterns AONB and Burnham Beeches SAC. This principally includes brownfield sites within settlements and sites with planning permission outside settlements, such as the Denham Film Studios.

8.3. The Sustainability Appraisal (SA) is the main document looking at the impact of various development options. As such this is the starting point to see the various alternative options considered by the council to meet its development and growth needs until 2036.

8.4. The SA document, including the September 2019 update, includes 5 strategic spatial options for meeting the Local Plan assessed development needs. None of the options was significantly different in terms of its SA appraisal. It is also worth noting that any 'alternatives' assessed have to be reasonable. Therefore, given the highly constrained nature of the two districts (88% of Chiltern, 87% of South Bucks is Green Belt and 72% of Chiltern District falls within the Chilterns AONB. Within South Bucks district, Burnham Beeches is also a protected area), these designations mean there are limited development alternative options open to the two councils.

8.5. However, to meet all of the Councils' development needs within the district council areas would involve causing significant and irrevocable harm, both to the Green Belt and to the Area of Outstanding Natural Beauty.

What alternative strategies have been considered? What evidence is there to substantiate the conclusion that the proposals in the submitted Plan are an appropriate strategy given the reasonable alternatives available?

8.6. Where meeting needs would run contrary to elements of the NPPF that seek to protect specially designated areas of national importance, Paragraph 11 of the NPPF allows for the Objectively Assessed Development needs figures not to be. Paragraph 2 in the Housing and Economic Land Availability Assessment section of the PPG poses the key question "Should plan-makers override constraints, such as Green Belt, when carrying out the assessment to meet identified needs?" but is explicitly clear that "*Plan-making bodies should consider constraints when assessing the suitability, availability and achievability of sites and broad locations. For example, assessments should reflect the policies in footnote 6 of the*

National Planning Policy Framework...' Footnote 6 then lists the areas where the NPPF would provide strong reasons for restricting the overall scale, type or distribution of development of a plan area. Those definitions include the presence of Green Belt and AONB.

8.7. As set out in paragraph 8.4 above, any 'alternatives' assessed have to be reasonable. Therefore, given the highly constrained nature of the two districts – 88% of Chiltern, 87% of South Bucks is Green Belt and 72% of Chiltern District falls within the Chilterns AONB - these designations mean there are limited alternative development options open to the two councils. As is discussed in greater detail under Question 14, and in the Councils' responses to the Housing and Economic Development questions, land constraints are a key reason why the Councils sought assistance from neighbouring councils under the Duty-to-Cooperate, and why 5,725 homes will be built in the current Aylesbury Vale council area.

8.8. The Councils do not consider that undertaking large scale release of land from the Green Belt would constitute a 'reasonable' alternative under the NPPF, but that is the only alternative approach to the strategy taken by the Local Plan (i.e. of meeting as much of the need as possible, and then using the Duty to Cooperate to ensure that needs can be addressed elsewhere). The CSB districts also have very limited resources of brownfield (previously developed) land available for development, discussed under Question 15.

8.9. The Councils' alternative options were set out in the Issues and Options Consultation in 2016. This consultation document presented the public with 12 options for meeting the housing and development needs of the districts. These were also the options assessed in the SA document. The response to the consultation document was assessed and reported to members. Cabinet were informed that 5,800 responses had been received within the consultation period and that 200 late responses had also been received (Chiltern DC Cabinet meeting, 5 April 2016). These responses were analysed. The results on the options were also provided in a summary document published on the Council websites <https://www.chiltern.gov.uk/article/7398/Summary-of-Responses-to-Initial-Regulation-18-Consultation-Jan-Mar-2016-> (and its equivalent South Bucks page). This report is available through [CSBLP4] of the Examination website. The public response showed that the most popular spatial development options were:

- A - More Efficient Use of Land
- C - Built Area Extensions - Principal Settlements
- J - Green Belt - Close to Train Stations

8.10. Given the above findings, the Councils ultimately focussed their development options on these three key areas. This direction of travel was incorporated into the findings of the Buckinghamshire Green Belt Assessment Part One [CSBLP15.7], and Green Belt Assessment Part Two in relation to the particular circumstances surrounding the option of development around stations [CSBLP15.3].

8.11. As far as possible, the Councils have sought to maximise the potential for meeting the areas' development needs within the Local Plan, and have examined alternatives to provide scope for land for additional development. For example, building on the issues and options feedback and the focus on sustainable locations, the Councils looked to see if there

were any areas in close proximity to rail stations where development could occur in a sustainable location without harming the overall role of the Green Belt. The site SP BP 11 North of Iver station subsequently came out of this exercise [See document [CSBLP15.3 Green-Belt-Assessment-Part-Two-Appendix-5-Volume-2](#)].

8.12. Additionally, the Councils investigated the potential for meeting any additional employment needs on sites located adjacent to the main road network through the area. This led for example to the identification of the site north of Denham Roundabout SP BP13 as shown in [**CSBLP15.3** [Green-Belt-Assessment-Part-Two-Draft-Appendix-5-Volume-3](#)].

8.13. There are a handful of former Council housing estates dating from the late 1960s and early 1970s which have been sold off to housing associations. Some of these estates are in need of refurbishment, and some of the garage blocks could be re-developed to help to provide a more dense form of development, and much needed additional housing. The Councils investigated the former council estates and held meetings with the two respective housing associations. Apart from a limited number of schemes involving the re-development of garage blocks on the estates, no significant housing sites were identified that could come forward during the plan period.

8.14. However, there is a sting in the tail. The Government 'right-to-buy' legislation now means that, in many cases, although the housing associations (Registered Providers) still control the garage blocks and open spaces between houses, they no longer control enough of the estate to fully enable re-development proposals to come forward.

8.15. In addition, the Councils explored the employment capacity of sites and their scope for redevelopment. Similarly to the above, the need to retain a supply of suitable employment sites to enable a buoyant economy meant that no significant development sites could be identified without compromising the supply of employment land.

8.16. Outside of the Green Belt and AONB, Chiltern and South Bucks districts simply do not have vast areas of land surplus to requirements that could be used to meet development needs. The main source of supply for development sites is therefore sites coming through the Housing and Economic Land Availability Assessment (HELAA) process [CSBLP19]. This document is available to view online from the Examination website, so the Councils will not repeat its findings here.

8.17. In conclusion, decisions taken on the amount and scale of development were related to the evidence base, firstly the highly constrained nature of both District Councils' areas, secondly the lack of a supply of vacant developable land to provide alternative development options and finally the limitations of accessing any alternative suitable development options other than limited development sites as identified through the HELAA process and via limited Green Belt releases. Decisions on the Local Plan direction of travel were made and or endorsed by members either through a local plan working group – the Joint Member Reference group and or at formal stages in the plan through both Councils committee decision-making processes.

9. In considering reasonable alternatives, the SA moves onto individual site assessments, identifying 37 sites in total. Table 5.7 provides a summary of sites that were rejected and sites that are allocated. However, please can you point to where the evidence makes a correlation between the allocated sites and the spatial strategy of the Plan? Paragraph 138 of the Framework states that when drawing up or reviewing Green Belt boundaries the need to promote sustainable patterns of development should be taken into account. How has this been considered as part of the strategy for the area?

9.1. This paragraph comprises two separate questions, which will be answered in turn.

Please can you point to where the evidence makes a correlation between the allocated sites and the spatial strategy of the Plan?

9.2. This question is answered under other questions which make reference to the spatial strategy and sites, scale and distribution of growth (in particular, questions 14, 16, 27 and 28). In summary, the nature of the districts and the high proportion of Green Belt and AONB land gives very little scope for countryside development and also means that there is a very high bar for any unplanned growth to happen. Overall, there is a lack of available land for development in the districts and, as set out under question 15, very limited availability of brownfield sites.

9.3. Both the Councils' evidence and national policy made it clear that providing for CSB's development requirements over the Plan period would require new land for development to be released from Green Belt, outside of existing settlement limits as justified by NPPF paragraph 84: *"Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist."*

9.4. The second part of the Council's response to Question 27 addresses the Spatial Strategy and access to employment. The "Spatial Vision" section on Page 8 of the Local Plan 2036 [CSBLP2] notes that the vision comprises of eight key objectives. The sixth bullet is clear that, in recognising the difficulties involved with meeting all of the needs within the district, the Councils would seek to work with adjacent Local Plan areas so that needs would be met "as part of sustainable development proposals within the wider housing and economic market areas". This helps to maintain the needs for employment and housing in balance, and fully respects other aspects of national policy.

9.5. The releases respect the findings of the Green Belt Assessment [CSBLP15.2], discussed in question 14. None of the Local Plan proposed Green Belt releases is considered to be of such a scale that they will negatively impact on the strategic role and function of the Green Belt.

Paragraph 138 of the Framework states that when drawing up or reviewing Green Belt boundaries the need to promote sustainable patterns of development should be taken into account. How has this been considered as part of the strategy for the area?

9.6. When drawing up the lists of 'reasonable alternative' sites for appraisal, a large number had to be ruled out due to being in active use or their inaccessibility. As explained in response to Question 15, there is very little brownfield land available within CSB. The districts are physically very close to urban areas such as High Wycombe, Watford and London, but in planning terms the CSB districts are worlds apart.

9.7. As set out under Question 16, while an element of realism is needed as to the frequency of local transport services, and what constitutes a 'good service' away from Amersham and Chesham (which are on the Metropolitan Line of London Underground), the Green Belt release sites are, by their very nature, located on the edge of the existing settlements. However, on the majority of the sites these are on the edges of the settlements which are most well served by public transport and are, therefore, accessible. The local bus company, Carousel, was supportive of many of the allocations in its Regulation 19 consultation response.

Residential Site Selection Process and Methodology

10. Appendix B of the SA includes assessments for each of the 37 sites identified as reasonable alternatives. It confirms that the sites were derived from the Green Belt Assessment Part Two (Ref CSBLP15.3, dated April 2019). Table 5.8 and Appendix E cover the SA findings for the preferred site allocations.

10.1 This paragraph does not contain a question.

11. Please can the Councils provide further information on the process and methodology for selecting the preferred sites and the reasonable alternatives? How did the sub-areas in the Part Two Green Belt Assessment inform the allocation of land for new development? In addition:

a. Are the reasons for selecting the preferred site allocations and rejecting others clear and justified? Do the reasons given in the SA comprehensively and consistently explain why the site allocations were selected or rejected? What other evidence is available to support this?

b. Have all reasonable alternatives been considered that could deliver the housing and economic needs in the area over the plan period? Please can the Councils prepare a list of submitted sites that have not been taken forward, usually referred to by representors as 'omission sites'. It would be helpful if the list includes details of each representor, the allocation/use of the land proposed in the plan, the allocation/use of the land being sought and a map showing their location.

c. Does the submitted evidence as a whole demonstrate that the sites have been selected on the basis of a robust, consistent and objective approach?

11.1. The Councils believe the reasons for the selection and rejection of sites under Section 5.6 of the SA are clear and justified.

11.2. As the Councils have set out in response to questions relating to the overall Strategy and scale and distribution of growth, the only other 'reasonable alternative' to the approach taken under the Local Plan 2036 would be attempting to meet more of the district's housing and employment needs within CSB. However, doing so would not be permissible under the NPPF given that it would risk causing significant and irrevocable harm, both to the Green Belt and to the Area of Outstanding Natural Beauty as significant further release(s) of land from green belt would be required. NPPF Paragraph 11 is clear that "*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 the application of policies in this 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.*"⁵⁶ Footnote 6 clearly includes Green Belt and Areas of Outstanding Natural Beauty among the areas where national policy therefore anticipates levels of development will be restricted. It is unlikely that there is a 'reasonable alternative' strategy.

11.3. 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. The Councils' Green Belt Exceptional Circumstances Paper (2019) [CSBLP15.1] provides further details of individual sites considered, even where following appraisal it was subsequently determined that exceptional circumstances did not exist to justify release of the site from green belt (which resulted in those sites not being taken forward).

11.4. A list of omission sites, some of which featured in [CSBLP15.1], is under preparation and will be submitted to the examination.

12. It would also assist the examination if the Councils could prepare a position statement or topic paper for each of the allocated sites (for both housing and employment sites). This should provide a brief description of the site, the justification for its inclusion in the Plan, a summary of any material planning considerations and whether the site(s) has planning permission. This will assist when discussing relevant issues at the hearing sessions.

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https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/810197/NPPF_Feb_2019_revised.pdf

⁶ Link as 5. "The policies referred to are those in this Framework (rather than those in development plans) relating to: habitats sites (and those sites listed in paragraph 176) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 63); and areas at risk of flooding or coastal change"

12.1 Due to the volume of information which will need to be assembled in order to answer this question, the Councils propose to create a separate timetable for the topic papers/position statements. We will liaise with the Programme Officer on this matter in the first instance. Once agreement is reached, the 13 topic papers/position statements will then be submitted to the examination.

Approach to Green Belt Release

13. The Part Two Green Belt Assessment refers to the difficulty in assessing impacts on the wider, strategic importance of the Metropolitan Green Belt which spans numerous local planning authorities. In particular, the use of General Areas at Stage 1 made it difficult to assess cumulative impacts, especially around the southern parts of South Bucks. The Strategic Role of the Metropolitan Green Belt in Chiltern & South Bucks (Ref CSBLP15.2, dated March 2018) therefore provides a high-level consideration of the performance of the Green Belt over a larger area.

13.1 This paragraph does not contain a question.

14. How does the spatial distribution of growth in the Plan relate to the strategic assessment in Examination Document CSBLP15.2? How does the strategy respond to conclusions on the importance of strategic gaps acting as a means of preventing coalescence and preserving the setting and special character of historic towns?

14.1. The principles of the Green Belt were first defined in guidance published in 1955, although the concept was originally proposed by Ebenezer Howard in 1902. These principles have changed very little since the mid-20th Century, despite a wide range of changes being made to national planning policy in the ensuing decades and delivery targets becoming substantially higher.

14.2. Paragraph 14 comprises of two questions which will be answered separately.

How does the strategy respond to conclusions on the importance of strategic gaps acting as a means of preventing coalescence and preserving the setting and special character of historic towns?

14.3. In short, by focussing on the main towns and settlements and, by only proposing to release relatively small areas of land from the Green Belt on the edges of these settlements (as recommended though the Green Belt assessment part one), the Local Plan's distribution of growth retains the separate character and identity of settlements by avoiding development that would result in their physical or visual coalescence. The strategy also seeks to protect the strategic Green Belt, as identified in the strategic Green Belt study report 'Strategic Role of the Metropolitan Green Belt in Chiltern & South Bucks' [CSBLP15.2] which was completed in March 2018.

14.4. [CSBLP15.2] was commissioned to assess the wider strategic role of the Green Belt both within the Local Plan area and in the wider region. The study was intended to feed into the Green Belt Assessment Part Two work which at that time was seeking to assess all

potential sites within the Green Belt that had been promoted either through the Local Plan consultations and or the Call for sites exercise. These exercises had generated some 500 locations where developers and landowners were seeking their sites removal from the Green Belt for development purposes. The spread of the sites was such that it was felt important to add a strategic tier to the more specific Green Belt Assessment Part One [CSBLP15.7].

14.5. In the event the decision was taken to focus on those areas identified through the Green Belt Assessment Part One work and not to individually assess all small individual Green Belt sites.

14.6. The strategic Green Belt assessment clearly identifies that the Green Belt does perform a role in preventing the outward spread of London and Slough and in maintaining gaps between settlements, including Slough and the outer boroughs of London. The strategic role is particularly relevant in relation to Slough Borough Council's proposals to expand Slough significantly into the South Bucks area. It is clear from the strategic review that an expansion on such a scale is likely to have a significant impact on the strategic role of the Metropolitan Green Belt in this area.

14.7. NPPF paragraph 135 states that Green Belts should serve five purposes. The Stage Two assessment divided CSB into four "Strategic Zones", and assessed each one against the five purposes of the Green Belt set out in the NPPF, which are:

- To check unrestricted sprawl of large built-up area
- To prevent neighbouring towns merging into one another
- To assist in safeguarding the countryside from encroachment
- To preserve the setting and special character of historic towns
- To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

14.8. The four strategic zones are:

- **Strategic Zone A (London Fringe zone):** The band of Green Belt stretching north-south along the outer fringes of west London from Heathrow Airport and surrounding villages in the south, through Uxbridge and Hillingdon, towards Rickmansworth in the north, and beyond to the southern edge of Hemel Hempstead. The western edge of the Strategic Zone abuts the large built-up areas of Slough, Gerrards Cross / Chalfont St Peter and Hemel Hempstead.
- **Strategic Zone B (Thames Valley):** A west-east band of Green Belt which broadly aligns with the Thames Valley, starting at the Staines Reservoirs in west London and moving east towards Windsor and Slough, and the onwards towards Maidenhead and Marlow. The southern corridor of Green Belt in Strategic Zone B constitutes a narrow but coherent network of semi-natural, managed open spaces, which broadly follow the River Thames channel, between the large built-up areas. It also plays a strong role in preventing urban sprawl, in preventing neighbouring towns merging and in assisting urban regeneration by recycling derelict and other urban land. It

plays a moderate role in safeguarding countryside & preserving the setting and special character of historic towns.

- **Strategic Zone C (Chilterns Wedge):** A broad wedge of Green Belt that extends from the West London suburbs and Three Rivers District to the edge of the Chiltern Hills Area of Outstanding Natural Beauty (AONB). This Zone predominantly comprises rural swathes of open countryside and woodlands, which form the hinterland of historic towns such as Amersham, Beaconsfield, Chesham, Chalfont St Peter and Chalfont St Giles and Great Missenden. While there are a number of settlements such as Chalfont St Peter / Gerrards Cross and Beaconsfield, whose development pattern was determined by proximity to commuter railway stations, the settlement pattern is generally dispersed and centred on small historic village cores.
- **Strategic Zone D (Outer Chilterns Belt):** The outermost section of the Metropolitan Green Belt north-west of London, stretching from the M40 in Wycombe District up to Dacorum District, where the Green Belt abruptly breaks beyond Tring and Berkhamsted to the north. This Strategic Zone predominantly covers a varied and rural landscape, comprising steep-sided chalk hillsides, open agricultural land and wooded enclosures. Its geographic and functional distance from Greater London and the large built-up areas to the south of the Zone results in a more remote and rural character.

14.9. The study concluded by noting that change within the Strategic Zones A and B would likely result in a reduction in the size and completeness of strategic gaps between settlements, thus compromising their ability to perform as they do at present in relation to preventing coalescence and restricting sprawl.

14.10. It also noted that the wedge of Green Belt to the west of the London fringe (Strategic Zone C) plays a particular role in preventing the coalescence of settlements. With a number of important strategic gaps acting as a means of protecting the integrity of individual settlement boundaries, this Zone demonstrates a sensitivity to change with regard to Purpose 2 (and to a lesser extent Purpose 1) of the Green Belt. This Zone too is home to a number of historic settlements whose settings and important views are framed by the Green Belt, which plays an important role in protecting these. The Green Belt provides corridors of open countryside, which abut a number of historic settlements in the Zone. Any significant encroachment into these corridors would consequently impact on the historic rural character of these historic cores, as well as possibly affecting currently maintained views into and from the settlements.

14.11. This is significant for the districts as Zone C contains the three largest settlements of Amersham, Chesham and Beaconsfield. The towns of Amersham and Chesham have populations in the region of 20,000 while Beaconsfield, which adjoins the Chilterns AONB, is smaller still. The towns' prospects for growth are limited given their tight enclosure by Green Belt. 88% of Chiltern District and 87% of South Bucks District are designated as Green Belt. 72% of Chiltern District is also within the Chilterns AONB, where additional protections apply under legislation such as the Countryside and Rights of Way Act 2000. Within South

Bucks, Burnham Beeches is also a protected area. These designations mean there are limited development alternative options open to the two councils.

14.12. Land constraints affecting the districts simply impede the ability to fully meet needs. Paragraph 2 in the Housing and Economic Land Availability Assessment section of the PPG poses the key question "Should plan-makers override constraints, such as Green Belt, when carrying out the assessment to meet identified needs?" but is explicitly clear that "*Plan-making bodies should consider constraints when assessing the suitability, availability and achievability of sites and broad locations. For example, assessments should reflect the policies in footnote 6 of the National Planning Policy Framework...*" Under paragraph 11, footnote 6 then lists the areas where the NPPF would provide strong reasons for restricting the overall scale, type or distribution of development of a plan area. These definitions include the presence of Green Belt and AONB. As is discussed in greater detail under the Councils' responses to the Housing and Economic Development questions, land constraints are a key reason why the Councils sought assistance from neighbouring councils under the Duty-to-Cooperate, and why 5,725 homes will be built in the current Aylesbury Vale council area.

14.13. Paragraph 5.17 of **[CSBLP15.2]** noted that "*Looking forward to 2036...and the forthcoming Local Plan, it is essential that the strategic role of the Green Belt, and its sensitivity to change, is intrinsically integrated into proposals for growth and change. In the context of 'sustainable development', there is a need to balance this role of the Green Belt with the need to encourage good, sustainable growth within the Districts. However, the vital element of future growth to be incorporated into the Local Plan must continue to support the Green Belt in fulfilling its purposes*".

14.14. **[CSBLP15.2]** was produced to inform the Councils' Part Two Assessment, which will form part of the evidence base for the joint local plan, and will be taken into account alongside other evidence in making decisions about possible changes to Green Belt boundaries. Paragraph 5.1.8 of the document concluded that "*While it is important to consider the Green Belt within Chiltern and South Bucks at the strategic scale, it should be recognised that smaller parcels of land could be released from the Green Belt should exceptional circumstances be demonstrated without compromising the ability of the Strategic Zones to meet the purposes of the Green Belt as identified in national policy*".

14.15. The Green Belt assessment part one had already taken account of important gaps between settlements and the role of the Green Belt in preventing outward expansion of the relevant settlements within the Green Belt. The recommended areas coming out of the Green Belt assessment part one review process were generally smaller areas than the Green Belt assessment parcels or in locations where the recommended parcel was surrounded by further Green Belt parcels.

14.16. Additionally, for those settlements identified though the Green Belt assessment part one study as being an historic town/settlement the impact of releasing a parcel of Green Belt on the setting of that historic town was assessed as part of the part two Green Belt assessment work. As such, none of the Local Plan proposed Green Belt releases is considered to be of such a scale to impact on the strategic roles of the Green Belt as identified in the Strategic Green Belt assessment.

14.17. The Strategic Green Belt assessment itself sets out clearly in its conclusions that the Councils should consider the strategic role of the Green Belt in the production of the emerging Local Plan. The strategic role of the Green Belt, and its sensitivity to change, is intrinsically integrated into proposals for growth and change. In the context of 'sustainable development', there is a need to balance this role of the Green Belt with the need to encourage good, sustainable growth within the Districts. It is also stated that, should exceptional circumstances be demonstrated, it should be possible to remove areas of land from the Green Belt without compromising the overall strategic role of the Green Belt.

How does the spatial distribution of growth in the Plan relate to the strategic assessment in Examination Document CSBLP15.2?

14.18. Overall, the CSB plan area is rural/semi-rural in nature and comprises of small towns and villages, tightly surrounded by Green Belt. Decisions taken on the amount, scale and distribution of development were related to the findings of the evidence base. Firstly, account had to be taken of the highly constrained nature of both Councils' areas. 88% of Chiltern District and 87% of South Bucks District are designated as Green Belt. 72% of Chiltern District falls within the Chilterns AONB. Secondly, it takes account of the lack of a supply of vacant developable land to provide the necessary alternative development options. Finally, it recognises the limitations of accessing any alternative suitable development options (other than limited development sites) identified through the HELAA process and through limited green belt release. Underneath Paragraph 11 of the NPPF, footnote 6 is clear that objectively assessed development needs do not need to be met where doing so would run contrary to elements of the NPPF which seek to protect specially designated areas of national importance – including Green Belt and AONB.

14.19. The conclusions of CSBLP15.2 were taken into account when drafting policies, but it did not propose a moratorium on green belt release. For example, the assessment [CSBLP15.2] noted that the wedge of Green Belt to the west of the London Fringe (Strategic Zone C) plays a particular role in preventing the coalescence of settlements. This is significant for the districts because Zone C contains the three largest towns of Amersham, Chesham and Beaconsfield - where national policy would typically require the bulk of growth to be situated. However, the towns of Amersham and Chesham have populations in the region of 20,000 while Beaconsfield, which adjoins the Chilterns AONB, is smaller still. As with other smaller settlements, all of their prospects for growth are limited given their tight enclosure by green belt.

14.20. The Councils' approach is underpinned by the aim of maximising the use of appropriate and deliverable brownfield land wherever possible, in line with national policy. However, evidence and national policy also made it clear that providing for CSB's development requirements over the Plan period would require new land for development outside of existing settlement limits to be released, as justified by NPPF paragraph 84: *"Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings,*

does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist."

14.21. Paragraph 5.1.8 of the document **[CSBLP15.2]** also concluded that *"While it is important to consider the Green Belt within Chiltern and South Bucks at the strategic scale, it should be recognised that smaller parcels of land could be released from the Green Belt should exceptional circumstances be demonstrated without compromising the ability of the Strategic Zones to meet the purposes of the Green Belt as identified in national policy"*. It is considered that the proposed spatial distribution of growth in the Local Plan 2036 is in line with this conclusion.

14.22. Within the wider context of 'sustainable development' there is a need to balance the role of the Green Belt with the need to encourage good, sustainable growth within the Districts. National planning policy requires the Councils to seek to deliver growth in order to reduce the need for residents to travel to access goods, services and employment opportunities. As is discussed further in responses to the housing and economic development questions, the approaches, decisions and overall spatial strategy and distribution of development implemented by the Councils through the submitted Plan has to be viewed entirely in a local context, paying particular reference to the limited land availability in the districts.

14.23. In addition, with the exception of the Aylesbury Vale District Council area, the other adjoining authorities such as Wycombe are similarly constrained by large areas of Green Belt or AONB. This also afforded limited opportunities for unmet needs to be located outside the CSB Plan area.

15. Before concluding that alterations would be required to Green Belt boundaries, have the Councils considered the potential for previously developed land to be reused within existing urban areas? Have the Councils examined fully all other reasonable options, including making use of suitable brownfield sites and optimising the density of development?

15.1. Yes, all reasonable options have been considered. It was concluded there was very limited potential to reuse brownfield sites. Chiltern and South Bucks districts are 88% and 87% Green Belt respectively, and 72% of Chiltern district falls within the Chilterns AONB. Only the main settlements, towns and larger villages are excluded from the Green Belt. The Green Belt has, and still does, tightly constrain the development potential across both districts.

15.2. In terms of brownfield land, the CSB districts are not known and never have been widely known for their industry. Towns such as Amersham historically formed part of 'Metroland', the early 20th century conception of constructing dream homes in the countryside for middle-class commuters, who would use the newly expanded railway services to access work and leisure opportunities in central London. Chesham had a historic

connection to brush making, beer and the manufacture of boots. These largely Victorian businesses were based in fairly small industrial units in the heart of the town, while their demise has not led to large areas of unused previously developed land.

15.3. In planning terms, the situation is incomparable to larger, nearby urban areas such as High Wycombe, Watford or, in particular, the London boroughs, where a large proportion of housing needs can be met through the use of redundant industrial, brownfield sites. Despite CSB's geographical proximity to those areas, the two largest towns of Amersham and Chesham only have populations in the region of 20,000 and as noted elsewhere; the districts' settlement boundaries are all tightly surrounded by Green Belt. For many years, flint and locally produced red bricks were the basic building blocks used in the Chilterns and houses were rarely more than two storeys high.

15.4. Beyond the built up areas excluded from the Green Belt, there is very little previously developed land - except the odd historical isolated factory unit or community building. With the exception of the Wilton Park former MOD site at Beaconsfield, there are no other large redundant military bases which could be regarded as being previously developed land (PDL). It must be reiterated that the supply of PDL is extremely limited across the Local Plan area.

15.5. To establish the supply of potential development land, the Councils held two calls for sites consultations. The Councils also reviewed any sites which were promoted in response to the Local Plan consultations. These sites were fed into the Housing and Economic Land (HELAA) document and process to see if there were any further viable development sites which could add to the overall housing supply **[CSBLP19]**.

15.6. The HELAA and its 'call for sites' was the key way in which the Councils sought to make the best use of PDL. There was a recent Call for Sites in early 2019 to update the HELAA, this was undertaken to ensure that the councils had the most up-to-date information on the supply of non-Green Belt development sites during the Examination of the Local Plan. The May 2019 HELAA assesses 1095 potential sites. Of these sites, 37 had been developed and 662 fell within the Green Belt and were not considered to be PDL. Therefore the HELAA went on to assess 396 sites. Average housing densities across the two council areas are generally low apart from the older town centres and some newer developments.

15.7. The HELAA's approach to density is as follows: Where the capacity of the site has not been defined through a planning application, sites were assigned a capacity range as follows:

- a standard density of 50 dwellings per hectare (dph) for town centre sites, and
- 30 dph for other urban sites

15.8. These were applied to the 'developable area' in the first instance, with a higher level design-led approach being taken to determine the other capacity range. The lowest and highest of these two figures were then used to indicate the range. The range was intended to ensure that the best and most efficient use of PDL is made without conflicting with key constraints and achieving an acceptable form and scale of development in the locality.

15.9. This approach is also supported by a range of Local Plan policies relating to design in the Designing Places chapter of the LP, in particular Efficient Use of Land Policy DM DP 7. The Councils' Brownfield land register has also been used for the HELAA. The supply of sites identified through the HELAA are fed into the overall housing supply for the district and are specifically features in the Housing Trajectory [CSBLP19.14].

15.10. Thus the HELAA has included all potential development sites identified outside of the Green Belt or PDL in the Green Belt. The use of sites in the brownfield register has also ensured all possible forms of PDL or Brownfield land have been identified. The update to the HELAA independent consultants will verify if the Councils internal HELAA process has captured all available development land. However, it is thought unlikely that the overall supply of sites will be significantly altered by the HELAA review. The HELAA identified a supply of sites of up to 5200 dwellings. This is about 1/3 of the Councils' total need and, given the highly constrained nature of the CSB districts, this figure is considered to result from a full examination of all 'reasonable' options within the built-up areas.

16. Where it has been concluded that it is necessary to release Green Belt land for development, paragraph 138 of the Framework states that Plans should give first consideration to land which has been previously developed and/or is well served by public transport. Plans should also 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. How is the Plan consistent with these requirements of the Framework?

16.1. Due to their location both within the Green Belt and adjacent to the urban areas of Slough and Greater London, most public transport is focused on the main routes - either for commuters heading into central London or local buses operating services between neighbouring towns. Where there are transport nodes i.e. bus interchanges/bus stops (there are no bus stations in either district) where people can change buses/routes and or railway stations, these tend to be in the centre of settlements. Exceptions to this are at Denham (halt) station and Seer Green station which are located away from the settlements they serve.

16.2. Bus service frequencies are related to demand in this area. With reference to the population of the small towns and villages in Chiltern and South Bucks, an element of realism is needed for it will never be possible to get the very high frequency bus routes that may operate on some London or similar inner city bus routes. Green Belt release sites are by their very nature located on the edge of the existing settlements. However, on the majority of the sites these are on the edges of the settlements which are most well served by public transport.

16.3. Looking at the allocated development sites site by site:

- **Chesham SP BP2** – this site is to the north of the town centre where there is a bus interchange and a rail station served by a regular London underground service, with through trains to London and the opportunity to change to Chiltern Rail or underground services at Chalfont & Latimer, enabling onward travel to the rest of the underground network or through trains to Aylesbury. The site is adjacent to several

bus routes all served by regular bus services – with bus services following the A416 to the west of the site, Lycrome Road to the north of the site and Nalders Road to the south. Carousel, one of the local bus companies, supported the allocation of the site. They commented that, *“there may be potential to run a variant of the number 105 through the site. In order to do so a through road suitable for buses will be required in order to serve the development and 500 homes would be a minimum to support the service”*. As such it is considered that this site is well served by public transport.

- **Holmer Green – SP BP3** – this site is adjacent to a similar sized site proposed for removal within the High Wycombe Local Plan area. As such, there is a quantum of potential developments which could facilitate bus service enhancements. However, the entire site is no more than 10 minutes’ walk from the regular bus route which runs through the centre of Holmer Green linking High Wycombe to Amersham and onto Chesham. The route 1/1A (dependent on the route taken through Amersham) offers a service every 15 minutes on Monday to Saturday and an hourly service on Sundays. Carousel supported this site allocation, with the caveat that it would be unlikely to be possible to put in a bus link. Therefore, it will be important to design in paths that take the shortest route to the existing service. Despite the comment, it is not considered that a 10-15-minute walk to a bus stop is unreasonable and that the policy seeks to make improvements to bus services and bus infrastructure - paths will enable pedestrian access to the bus route. As such, it is considered that this site is in a sustainable location.
- **Old Amersham, London Road West SP BP4.** This site is located on the edge of the Amersham old town itself, which is part of the Amersham urban area. Although on the edge of the settlement, the area is quite well served by bus services. The bus stop immediately adjacent to the site is served by a regular service - the 1 between High Wycombe and Chesham, and another less frequent service from Amersham to Slough. The main bus service would provide a link to Amersham station as well as the shops within Amersham on the Hill Town Centre. Again, it is considered that this site is well served by public transport.
- **Old Amersham, Whielden Street SP BP5** – this site is similar to the other Old Amersham site in that it borders the Old Town and forms part of the larger Amersham Urban area. The site is also served by bus services which run along Whielden Street. This route is served by both the 1 and 1A routes, giving a 15-minute service frequency from Monday to Saturday and an hourly service on Sundays. For both of the Old Amersham sites, Carousel supported the allocations and noted it would support existing bus services. As such, the sites are well served by public transport.
- **Little Chalfont SP BP6** – this site is adjacent to the urban area of Little Chalfont. The centre of the village is slightly to the north of the site and across the rail line, however the village centre is served by both buses and the London Underground station of Chalfont and Latimer. This is served by underground trains running from Amersham into central London and trains running from Chesham into central London as well as the Chiltern line services from Aylesbury into central London. The site allocation

policy seeks to create a pedestrian cycle link across the tracks to enable easy access to the village centre and the rail station from the site. The main A404 through the centre of the village is served by two bus services, one offering an hourly service and the other five services per day. The main bus service could also be accessed at a stop at the junction of Lodge Lane (the road to the east of the proposed site allocation) and the A404. Carousel was supportive of the allocation, noting that the allocation of 700 homes had the potential to be linked well into the existing urban area, *'It may be possible to provide a bus link through the site so long as the number of homes is not reduced. We note the points requiring "financial contributions towards improvements to local bus services; bus stop infrastructure; and provision of a suitable pedestrian/cycleway linking the site to Little Chalfont Centre and services including Chalfont & Latimer Railway Station"*. Therefore, this site is considered to be well served by public transport.

- **Chalfont St Peter North East SP BP7** – this site is located to the north of the village centre and is by its very nature detached from the main village facilities. However, Rickmansworth Lane which runs along the southern boundary of the site is served by a bus service offering five bus services per day Monday to Saturday. More bus services are accessible in the village centre.
- **Chalfont St Peter South East SP BP8** – this site is located to the north-east of the village centre and is again somewhat detached from the main village services. There are no direct bus routes passing the site, but there is access to bus services serving Copthall Lane which is served by a bus route offering five services per day Monday to Saturday. Similar to the other Chalfont St Peter site, 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. Carousel were more neutral in their views of these sites, as they neither supported nor objected to these locations which together add a total of 560 homes. They pointed out that bus stops serving the nearest buses, the 105 and the 580, were a long walk from either site, and noted that, *"the quantity of dwellings would not likely justify a new or rerouted service, although as the sites are contiguous with existing houses, there might be sufficient total demand in some future where car use is restrained. For retired persons and especially for those with epilepsy if that is an intended specialism, bus service is highly relevant and therefore a demand-responsive transit service might be appropriate."* It is considered that, despite the edge of centre location, there is still access to a regular bus service and as such on the basis of bus service provision across the two districts, the sites could still be regarded as being well served by public transport.
- **Beaconsfield – SP BP9** – although on the edge of Beaconsfield, this site is adjacent to two of the main roads which cross the districts. Beaconsfield urban area is served by a train station with services on the Chiltern line running through to London and beyond. Adjacent to the site, Park Lane to the west and London Road to the south are both served by regular half-hourly bus services connecting with Slough/High Wycombe/Uxbridge. Carousel commented, *"We support this policy, with the caveat that the housing will need to be well designed with direct and attractive access to*

existing bus stops. Some new pedestrian crossings of the A40 may be required to allow access to two-way services. A diversion through the site would likely be warranted so long as the housing is designed in a way that makes a high quality bus route with comfortable bus stops and housing clustered around the stops to allow short, direct routes. Given the site's location and the opportunity which exists to potentially divert existing bus services through the site, it is considered that this site is indeed well served by public transport."

- **Iver Heath – SP BP10** – this site is on the edge of Iver Heath and accessed from three main roads. The central road – Slough Road A4007 is served by a regular bus service. Whilst some parts of the proposed allocation could be some distance from the site, it does mean there is nearby access to a regular bus service. Carousel neither supported or objected this allocation, as the site only has a bus service on Saturdays. They commented that, *"Some support for public buses would be appropriate, however, given that Pinewood Studios is the major generator of traffic in Iver Heath and that it runs its own private bus services which are not available to the public, it may be difficult to sustain a public bus service. Making private services available to the public, if that were possible, might be the best option"*. However, this would involve the bus companies to enter into dialogue with the current private providers of transport to and from Pinewood Studios.
- **North of Iver Station SP BP 11** - although somewhat isolated from the main settlement, the benefits of this site are its access to Iver station, which is due to be part of the Crossrail network and thus will provide excellent train services into the centre of London. A limited bus service currently serves Thorney Lane South to the east of the proposed site.
- **East of Ridgeway Business Park SP BP 12** this site is located just to the south of the main village of Iver. The main village is served by a regular bus service which runs along the high street. Thorny Lane North is served by a less frequent bus service (three buses per weekday) with a bus stop close to the site. Also, to the south of the site, is Iver station which is referenced in the above site. Given the close access to a regular bus service and a mainline train station within walking distance, the site is considered to have good public transport access. Carousel were supportive both of this allocation, and the nearby **SP BP 11**. Given the combination of a bus service and train service, it is considered that the sites have good public transport access.
- **North of Denham Roundabout SP BP 13** – this site is directly off the national road network and to the south of Denham Village. Regular bus services serve the Oxford Road A40 which passes the site. The nearest bus stops are a short walk away. It is therefore considered that this site would be well served by public transport.
- **Land adjacent to Taplow Station SP BP 14** – this site is immediately adjacent to Taplow Station, which on the main rail line and soon to be part of the Crossrail network. The site is also close to the Bishops retail centre which offers a range of retail outlets within easy walking distance. In addition, the main road to the south of

the site, the Bath Road, is served by several regular bus services including services between Slough and Maidenhead etc. Carousels were supportive of this site.

16.4. Whilst accepting that some allocated development sites have a poorer accessibility to public transport than others, overall the level of access to public transport is in line with the levels of provision generally across the two districts. Due to the sites' edge of urban area locations, the public transport provision is better than in some of the more rural areas of the district. Thus it is considered that all of the site allocations are well served by public transport.

Green Belt compensatory measures

16.5. This is a new element of the national planning guidance. However, the Councils requested the landscape assessment for each potential strategic Green Belt release to include potential for compensatory measures. These are set out in the conclusions for each site's landscape assessment [CSBLP39.6]. The key points are also identified in the text of each site allocation policy. These are set out in the Green Belt topic paper, but for completeness are repeated below.

Allocation	Compensatory Measures included in policy
SP BP2	4 upgrade of footpath CHS/37/1 to enable cycling from the site to Hilltop; 9 Green Infrastructure, including the creation of new links between woodlands, and improvements to the public rights of way network; 10 a comprehensive Landscaping Scheme to include: 1 the retention of characteristic views across the site; 2 the conservation of the existing woodland blocks, trees and hedgerows; 3 mitigation and enhancement to include orchard planting, native woodland planting and a strong planted edge adjacent to the open fields
SP BP3	3 safe and suitable access points and routes for cycle, pedestrian and vehicular, access and linkages to the public rights of way network; 10 provision of structural planting to create a sense of place, integration into the surrounding landscape and to reinforce a defensible Green Belt boundary; 11 measures to protect the setting of the Chilterns Area of Outstanding Natural Beauty and adjoining countryside; this could include the provision of landscaped buffers to create a wooded edge to the adjoining countryside and an open area adjacent to the A404 to protect the rural character of the A404 as well as an open setting for Holmer Green; 12 protection and enhancement of the remnant Orchards. The Orchards are required to be protected from impacts of construction and a management plan for protecting these retained areas is required to be agreed by the Council; 13 retention of important trees and hedgerows, with the presumption that trees will be retained and hedgerow losses will be kept to a minimum. Enhanced tree planting/landscaping within the site with particular attention to boundary areas to the countryside; 14 Green Infrastructure, including the creation of new links and improvements to the public rights of way network between the development site, the AONB, Holmer Green and Hazelmere;
SP BP4	8 retention of important trees, wooded areas and hedgerows; enhanced tree planting / landscaping within the site and provision of a landscaped buffer between the site and the A413 bypass; 11 a net gain in biodiversity and the provision of Green Infrastructure
SP BP5	9 retention of important trees, wooded area and hedgerows; enhanced tree planting / landscaping within the site and provision of a landscaped buffer

	<p>between the site and the A413 bypass, to include a footpath; 12 a net gain in biodiversity and the provision of Green Infrastructure;</p>
SP BP6	<p>9 a comprehensive landscaping scheme to include: 1 retention of important landscape features such as woodland, hedgerows and the dry valley; 2 protection of Ancient Woodland through the provision of a minimum 30m buffer; 3 strategic landscaping and open space to provide a buffer to the Chilterns AONB, particularly along the eastern edge of the site; 4 replacement of exotic species in the former golf course; 5 long term management of landscape and open space features; 10 Green Infrastructure, including the creation of new links between woodlands, and improvements to the public rights of way network between the development site and the AONB;</p>
SP BP7	<p>3 sustainable transport provision to improve sustainable transport options between employment, services, housing and onward travel options; including but not limited to: 2 upgrade of existing rights of way – Footpaths CSP/7/1 and CSP/12/1; 3 retain or provide alternatives to the current permissive path network across the site; 4 provision of safe and suitable access arrangements; 7 provision of 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; 8 Green Infrastructure, including the creation of new links between woodlands, and improvements to the public rights of way network between the development site and the AONB;</p>
SP BP8	<p>3 sustainable transport provision to improve sustainable transport options between employment, services, housing and onward travel options; including but not limited to: 2 upgrade of existing rights of way – Footpaths CSP/26/1 and CSP/47/1; 3 retain or provide alternatives to the current permissive path network across the site and new footway links through the development and Denham Lane; 6 provision of structural planting to create a sense of place, integration into the surrounding landscape and to reinforce a defensible Green Belt boundary to the south and east; 7 a landscaped buffer of at least 10 metres to be provided to separate the new residential development from the existing Paccar scout camp use in the south-east corner of the site; 8 phased replacement of existing Leylandii tree belts with locally appropriate species; 9 a net gain in biodiversity and the provision of Green Infrastructure;</p>
SP BP9	<p>4 sustainable transport measures and highway infrastructure improvements to include: 3 on-site delivery of pedestrian footpaths and cycleways towards Beaconsfield Town Centres and railway station; 4 upgrade footpath BEA/17/1 and BEA/44/1 to a bridleway to enable cycling; 10 structural planting to create a sense of place, integration into the surrounding landscape and to reinforce a defensible Green Belt boundary; 11 suitable alternative natural greenspace for recreation to mitigate the potential disturbance from the additional recreational impacts on the Burnham Beeches Special Area of Conservation; 12 provision of Green Infrastructure, including the creation of new links between woodlands and improvements to the Public Rights of Way network within the site and beyond;</p>
SP BP10	<p>2 safe and suitable access points for cycle, pedestrian and vehicular access; 3 measures to encourage cycling and walking and improved linkages to the public rights of way network in the locality (including improvements to footpath</p>

	IVE/4/2), links to local services and facilities and other public transport; 8 provision of strategic green infrastructure, planting and landscaping to create a biodiversity gain in partnership with the Colne Valley Regional Park and adjacent land owners including Pinewood Studios and Bucks Country Parks;
SP BP11	6 upgrade footpaths IVE/15A/1 and IVE/17/1; 13 remediation of the former landfill site 14 development brought forward at this site should be designed to retain the residential moorings along the canal. Construction and operational phases of development should be sensitive to the moorings. The provision of a marina would be acceptable; 15 the provision of accessible open space to the residents and commercial / mixed use of the site together with walking and cycle pathways allowing for connectivity through the site to the railway station, the shopping area and towards the airport; 16 provision of structural planting to create a sense of place, integration into the surrounding landscape and to reinforce a defensible Green Belt boundary; 17 provision of strategic green infrastructure, planting and landscaping to create a biodiversity gain in partnership with the Colne Valley Regional Park CIC, Network Rail, Cemex and The Canal and River Trust;
SP BP12	7 retention and enhancement of connectivity with adjoining built areas, community facilities and transport access points with emphasis on walking and cycling (including improvements to footpaths IVE/30/2); 10 built development to sensitively address the northern boundary of the site and the existing residential development on Marina Way, including open space and tree planting; retention of the tree-lined character of Thorney Lane North; retention of existing tree planting within the south of the site adjacent to the Grand Union Canal; and creation of a landscaped buffer zone adjacent to the M25 motorway; 11 provision of Green Infrastructure, including the creation of new links and improvements to the Public Rights of Way network within the site and beyond;
SP BP13	7 provision of structural planting to create a sense of place, integration into the surrounding landscape and to reinforce a defensible Green Belt boundary; 8 provision of Green Infrastructure, including the creation of new links improvements to the Public Rights of Way network within the site and beyond;
SP BP14	7 provision of structural planting to create a sense of place, integration into the surrounding landscape and to reinforce a defensible Green Belt boundary; 8 provision of Green Infrastructure, including the creation of new links and improvements to the Public Rights of Way network within the site and beyond;

16.6. It is therefore considered that by setting out the compensatory improvements to the Green Belt required on a site by site basis within the site allocation policies that the plan does set out ways in which the impact of removing land from the Green Belt can be offset. As such, it is considered that the plan is consistent with the requirements of the framework.

17. Specific questions regarding allocated sites will be published in our Matters, Issues and Questions for the Examination ahead of the hearing sessions. However, at this stage please can the Councils explain why the Plan seeks to release more land from the Green Belt than the proposed allocations at:

- a. Chesham;
- b. Amersham Old Town (London Road West);
- c. Chalfont St Peter (North East);
- d. Chalfont St Peter (South East); and
- e. East of Ridgeway Business Park, Iver.

17.1. The Local Plan focuses on sites identified through the county-wide Green Belt assessment **[CSBLP15]**. The Green Belt assessment used an agreed methodology to define boundaries for the proposed areas which should be considered further by the part two assessments – see paras 4.3.3 to 4.3.5 of **[CSBLP15.7]**. This method of treating Green Belt boundaries for the potential removal of areas from the Green Belt was repeated in the part two Green Belt assessment – see Paras 3.14 to 3.18 and Table 3 of **[CSBLP15.3]**.

17.2. As such, where an area of land identified though the part one Green Belt assessment passed the testing for the part two assessment, the proposed area was defined by the permanent features identified by the two assessments. These were the features considered to offer a permanent and defensible Green Belt boundary should the land be removed from the Green Belt. In the case of the five examples identified in the question, it was not considered possible for any development of the land to provide a new permanent defensible Green Belt boundary. Consequently, the whole area was proposed for removal from the Green Belt rather than a smaller area as identified for development.

Site A – Chesham: as described above the proposed removal is based on permanent defensible Green Belt boundaries. In this case, the boundaries of the site are formed by the current urban edge of Chesham to the south-west, the A416 road to the north-west, the B4505 to the east and Lycrome Road to the north. Within the site there are a number of unmade footpaths which currently cross the site and some areas of woodland. Much of the woodland is not protected (apart from a block nearer the A416 Nashleigh Hill and a row of trees adjacent to the houses in the south-east corner of the site which are covered by a tree preservation order). Given the current agricultural use of the land, the trees and hedgerows could be removed as part of a change in farming practices. As such, it was not considered that there was an alternative internal defensible Green Belt boundary that could be used to tie in with the proposed development allocation. One of the purposes of the Green Belt (purpose 2) is to stop towns from merging. The Green Belt assessment part one went further than this by defining settlements which should be separate. It identified not only towns but Green Belt settlements which it sought to protect from merging. In this case the settlement of Lye Green was so identified – see Table 4.2 of **[CSBLP15.7a]**.

17.3. The Councils' landscape assessment considered the impacts of removing the Chesham land from the Green Belt. The need to maintain a buffer to the adjoining settlement of Lye Green was specifically referenced in document **[CSBLP39.6]** and it was noted that development of site 1 was constrained by the need to protect the separate identities of the settlement of Lye Green and Chesham.

17.4. The area beyond the site allocation but within the area proposed for removal from the Green Belt was intended to act as a buffer between the built-up area of Chesham and the settlement of Lye Green. The buffer would be expanded by the proposed site allocation, if developed, and the space would be used for enhanced landscaping and public access. This additional compensatory landscaping would be in line with the advice of NPPF paragraph 138.

Site B - Amersham Old Town, London Road West: As with the Chesham site, the proposed Green Belt release is based on permanent defensible Green Belt boundary features. In this case, the boundaries are the A413 Amersham by-pass to the south, the A355 Gore Hill to the west and A355 London Road West to the north. The site has several different levels with the land to the south-east being situated lower than the land to the south-west, which rises up higher than the bypass. Given the changing topography within the site, the land to the south-west is more prominent in wider views than the land to the south-east. The River Misbourne, a Chiltern chalk stream, flows through the south-east area of the site. As a result, development will be required to maintain a suitable buffer from the river's edge. The Councils' landscape assessment accepts that, subject to the maintenance of a suitable buffer to the River Misbourne and additional compensatory planting, development could take place in the north-eastern part of the site, hence the site allocation proposed in the Local Plan. In relation to the wider area, the landscape assessment suggests additional planting whilst protecting views from and to the AONB and the public rights of way network. Bearing in mind the impact on views, there would be an option to allow limited development in the lower parts of the north-western part of the site. Although in this case an alternative Green Belt boundary could be formed by the River Misbourne (which would still allow the proposed development allocations to occur), this would limit the potential for a small amount of additional development elsewhere on the site and the ability to plan for suitable wider mitigation for the development.

Site C - Chalfont St Peter North East: This site forms the part of the land and buildings of the Epilepsy Society. The majority of the proposed area for removal from the Green Belt is currently identified as a Major developed site within the Green Belt. The major developed site area closely hugs the edge of the built form which existed at the time the Core Strategy was adopted. The boundary does not follow any recognisable features whilst part of it followed fence lines which existed at the time many of these fences have now been removed or fallen into disrepair and in other cases re-development of part of the site has altered the edge of the built form as such there is no defensible Green Belt boundary which could be followed alongside the existing major developed site area. However, beyond the edge of the major developed area, there is a clear demarcation between the grounds of the Epilepsy Society buildings and the wider agricultural land beyond. Marking the outer boundary is a series of marked permanent or semi-permeant footpaths which run along the boundary of the site between the complex of buildings and the open countryside beyond. This edge marking has been enhanced over the years by considerable woodland planting which whilst not protected woodland forms a buffer between the proposed Green Belt release area and the wider countryside. The inner boundary being formed by the edge of built form of Chalfont St Peter and or Chesham Lane and Rickmansworth Lane. The major developed site (MDS) only included the functional epileptic treatment buildings and not the wider technical buildings to the North Eastern part of the site as these buildings were non-agricultural and could be re-used for alternative uses anyway under Green Belt policy it seemed logical to include them in the site proposed for removal from the Green Belt. The farm holding and associated agricultural buildings remain in the Green Belt.

The site has gone through a period of re-development based on the MDS area and as the Epilepsy Society has sought to consolidate its operations. Surplus areas of the site have been sold to care home providers, with parts of the site to the South East and South west of the site either being already developed by care home providers or are in the process of being developed. The areas of the site which have either been recently re-developed, or are in the process of being re-developed have not been included in the site allocation. (i.e. the areas to the south of the site allocation).

Site D - Chalfont St Peter (South East): This site again is formed based on the defensible Green Belt boundaries. In this case, the built edge of Chalfont St Peter forms two sides of the site to the north and west, with the road Denham Lane forming the boundary to the east. The southern boundary is partially made up of the edge of woodland extending to the south and east of the area proposed for removal from the Green Belt, and a hedge line. Whilst the hedge line is a weaker form of boundary it is only a small part of the overall boundary of the Green Belt area proposed for removal from the Green Belt.

In this case, the proposed development allocation site encompasses the site of Winkers nightclub, a previously developed site which has outstanding planning permission for demolition of the existing buildings and erection of eight dwellings. The remainder of the site is open agricultural land which has not been extensively used over recent years and part of the adjacent Paccar Scout camp – i.e. the camping field which is also known as Franks Field. The proposed development area includes the Winkers nightclub site and the open agricultural land, but not the scout camp or the camping field (a community use) which it is proposed to be retained.

Site E - East of Ridgeway Business Park: The boundaries of the land proposed to be removed from the Green Belt are formed by permanent defensible features. The Grand Union Canal is to the south, the M25 to the east, Thorney Lane North to the west and Marina Way to the north. The site is mostly open with a mixture of open land and a scrap business to the north. To the south is the Grand Union canal and to the north is an area of woodland. This woodland forms an important buffer both to the proposed site and to the wider area. It is specifically referred to in the Council's landscape assessment of the proposed Green Belt removal sites **[CSBLP39.6]** in the assessment conclusions.

The tree planting to the south is important to the landscape setting of the canal and contributes to screening the industrial activity, the M25 and power lines. This tree group should be retained and extended into the built form edge. Given this evidence, and that this element of the site would not contribute to any development, the decision was taken to exclude the woodland area from the proposed development site allocation. This allows for mitigation of the site, but is beyond the developed part of the area.

18. What use will the areas outside the allocations, but proposed to be removed from the Green Belt, have?

18.1. The Local Plan 2036 seeks to manage development in the Green Belt over the plan period in a manner consistent with the NPPF. Although the allocation sites will remove some

land from the Green Belt, the Council considers that their removal will not, overall, harm the purposes of the Green Belt. None of the Local Plan proposed Green Belt releases is considered to be of such a scale that they will impact on the strategic roles of the Green Belt, (as identified in the Strategic Green Belt assessment) and therefore the general extent of the Green Belt will remain untouched.

18.2. The sites will be used to assist the districts in meeting future needs arising over the Local Plan period. The Council has referenced the severe land constraints present within CSB, while NPPF Paragraph 84 is also clear that the economic development policies would and can require the use of land to be considered outside of existing settlements in areas such as CSB. The Councils have set out not just the need for housing, but the acuteness of that need and the constraints on other land in response to these initial questions, and we have objectively considered the impacts that the release of such land would have. The Green Belt assessment **[CSBLP15.2]** identifies sites where the de-designation from Green Belt would not affect the overall integrity and long-term permanence of the Green Belt.

18.3. Paragraph 5.1.8 of the Green Belt assessment **[CSBLP15.2]** also concluded that *"While it is important to consider the Green Belt within Chiltern and South Bucks at the strategic scale, it should be recognised that smaller parcels of land could be released from the Green Belt should exceptional circumstances be demonstrated without compromising the ability of the Strategic Zones to meet the purposes of the Green Belt as identified in national policy"*. It is considered that the proposed spatial distribution of growth in the Local Plan 2036 is in line with this conclusion.

18.4. The Strategic Green Belt assessment itself sets out clearly in its conclusions that the Councils should consider the strategic role of the Green Belt in the production of the emerging Local Plan. In the context of 'sustainable development', there is a need to balance the role of the Green Belt with the need to encourage good, sustainable growth within the Districts, and the requirements of the NPPF, but particularly so with respect to housing and economic development considerations.

19. What is the justification for removing the villages from the Green Belt as shown on the Proposed Changes to the Adopted Policies Maps (Ref CSBLP5)? Is this consistent with paragraph 140 of the Framework which states that if it is necessary to restrict development in a village primarily because of the important contribution that its open character makes to the openness of the Green Belt, then it should be included in the Green Belt. However, if the character of the village needs to be protected for other reasons, other means should be used, and the village should be excluded from the Green Belt. When seeking to remove those villages from the Green Belt how were the boundaries established? Are they clearly defined using physical features that are readily recognisable and likely to be permanent?

19.1. Government guidance on the status of villages washed over by the Green Belt is set out in the NPPF. As referred to in the Inspectors' questions, paragraph 140 specifically deals with the treatment of such villages. What is not immediately apparent from the guidance is whether or not it should be considered necessary to undertake a review of the status of such villages when reviewing the Green Belt more generally through a Local Plan.

19.2. The two councils had decided to comprehensively review the Green Belt, so it was considered prudent to undertake this review across the combined Local Plan area. The review picked up the questions of whether or not such areas continues to meet the five purposes for the inclusion of land in the Green Belt, and through the Inner Green Belt Boundary review to review any Green Belt boundary anomalies. A previous local plan inspector had instructed Chiltern District Council to review its Green Belt settlement through its next Local Plan.

19.3. The review of Green Belt settlements is fully described in the document – Green Belt Settlement Review [CSBLP15.5]. This interprets the advice in the NPPF related to village status as follows:

- a) if a village makes no contribution to the openness of the Green Belt then it should be excluded from the Green Belt; and
- b) unless there is some need to restrict development for other reasons, no policy restriction on new development is required
- c) if a village is appropriately included in the Green Belt because the open character of the village makes a contribution to the openness of the Green Belt there may still be some potential for limited infilling subject to the effect on Green Belt and any other development management considerations; and
- d) if a local plan wishes to encourage such infilling, it should identify where it is likely to be acceptable in principle.

19.4. Thus the Green Belt settlement review is considered to be constant with paragraph 140 of the NPPF. As pointed out in the settlement review methodology, the Government guidance refers only to villages but neglects to define what the Government considers to be a 'village'. For this reason, the settlement review firstly defines which settlement(s) across the Local Plan area are considered to be villages, and then moved on to assess their effect on the openness of the Green Belt in accordance with NPPF paragraph 140.

19.5. The Councils were not looking to allocate development specifically to these larger villages, but merely to allow the scale of development that had occurred over the last 20+ years in the form of infilling. As such, the councils were looking at the existing village envelopes and not looking to expand the settlements. Given this and the traditional form of such villages – houses fronting onto a main village road or side streets radiating out from the main village road, it is difficult to establish a defensible Green Belt boundary around such a settlement. With the houses in a village typically fronting a main road or side street, the rear of the properties on the outer edge of such a village often look out on to open countryside.

19.6. Many of the garden boundaries will be hedges or fences. Occasionally, there will be a block of woodland which features along the outer edge of a village. Where such woodland is protected, this could be regarded as a permanent defensible Green Belt boundary. In

other cases, there may be a stream / river or culvert which again could be considered to be a defensible Green Belt boundary feature. However, in the majority of such cases the outer boundary will be a field boundary – there is no permanent feature on which to follow.

19.7. Although some of the larger settlements identified as ‘villages’ were considered to be harmful to the Green Belt, it was considered difficult to follow a permanent defensible Green Belt boundary, and not possible to remove villages harmful to the openness of the Green Belt from the Green Belt in accordance with the NPPF guidance. Paragraph 140 of the NPPF is quite specific in that it only deals with the status of villages washed over by the Green Belt – thus, in the Councils interpretation of the paragraph as set out above, if a village is harmful to the Green Belt it should be removed from the Green Belt. There is no cross reference in this paragraph 140 to the need for such a village to have permanent defensible Green Belt boundaries. On this basis the Councils sought legal advice and the advice was that if a settlement is truly a village, it would be difficult to conclude that an appropriate boundary could not be identified. The test is “likely to be permanent”.

19.8. This advice on potential Green Belt boundaries of villages to be excluded from the Green Belt is significantly different to the approach followed for the other Green Belt review work. The impact of being able to rely on existing village outer boundary features which have existed over a long period and are thus likely to be regarded as likely being permanent (e.g. established garden fences and hedgerows) means the councils could consider removing 12 villages from the Green Belt.

19.9. It is considered therefore that the use of the established villages’ boundaries is aligned to the guidance in the NPPF paragraph 140 and that such boundaries by their very nature are readily recognisable and likely to be permanent.

20. When defining Green Belt boundaries, paragraph 139 of the Framework states that, where necessary, plans should identify areas of safeguarded land between the urban area and the Green Belt in order to meet longer-term development needs stretching beyond the plan period. It also states that plans should be able to demonstrate that Green Belt boundaries will not need to be altered at the end of the plan period. How have the Councils considered longer-term development needs, and is it necessary to identify areas of safeguarded land in Chiltern and South Bucks?

20.1. The Councils are aware of the intentions of the NPPF paragraph 139 c) and its reference to consider the need for safeguarded land. In relation to this, CSB faced two important issues; firstly, this was the first comprehensive review of the Green Belt in the two districts since the original development town maps defined the Green Belt boundaries. The concept of removing areas from the Green Belt and then not developing them would be difficult to justify to the public.

20.2. The second issue was that, as the Local Plan evolved, so too did the evolution of the Government’s review of the local government structure in Buckinghamshire. By the time the Local Plan was published, it was clear that a new local Government structure was going to be established and that this new district Council (Buckinghamshire Council) would, under the legislation put together to form the new council, have to undertake a Local Plan review and

establish a new Local Plan for the whole of the Buckinghamshire area within five years, in line with the NPPF.

20.3. The new Bucks Council will need to consider issues such as development from the east-west corridor, any needs emanating from the proposed development at Heathrow, and any new housing/population and or government guidance in carrying out such a review. So it was by no means certain that, if Chiltern and South Bucks had been able to identify suitable land to safeguard in the Local Plan area, that any such resource(s) would be required in any future county-wide Local Plan.

20.4. The Green Belt assessment part one was undertaken across the whole of the Green Belt in Buckinghamshire. The Green Belt assessment part one was done at a county level partly so that all the districts would be working to the same set of Green Belt assessments should there be a need to consider cross-boundary co-operation and with an eye to the future establishment of a new local government structure across the Buckinghamshire area. The Green Belt assessment part one identified areas that were less well performing in Green Belt terms which could be looked at further in the councils own Green Belt part two assessment.

20.5. There were no extensive areas of land thought not to be meeting Green Belt purposes strongly and, as such, the potential for establishing development sites to meet the Local Plans current needs was already limited. As noted in earlier questions, NPPF paragraph 11 and footnote 6 are clear that Objectively Assessed Needs do not to be met in full for areas with significant levels of Green Belt and AONB.

20.6. To seek to take some of this limited pool of lower performing Green Belt and to keep that for future uses would have been difficult given the typical 20-year lifespan of a Local Plan, potentially leading to some conflict with Aylesbury Vale District Council (AVDC). Although AVDC agreed to take some of Chiltern and South Bucks unmet needs, they may also have been less willing to take the numbers agreed if the Council had identified future land to meet development needs which it sought to safeguard. Given the above, it is not considered necessary to identify any safeguarded land in the currently emerging Chiltern and South Bucks Local Plan.

21. Paragraph 3.5.7 of the Plan suggests that further consideration may need to be given to the Green Belt boundary north of Slough through an early review. What is the justification for this, and what is the justification for seeking to deal with this issue through a review, and not as part of the Plan?

21.1. The response to this question should also be read with reference to CSB's response under Inspectors' Questions 3, 4 and 14. As the Inspectors will be aware, Slough Borough Council is in the early stages of considering its future housing growth needs. Slough commissioned work to investigate a potential northern extension of the Slough urban area which would fall within the South Bucks District Area on land within the Green Belt, and therefore within the Chiltern and South Bucks Local Plan area. However, as we advised in the earlier questions, Slough's proposals for their Option J1 did not come out of a duty to co-operate situation; neither do they form part of a current draft Local Plan.

21.2. Critically, although CSB are aware that Slough would like to consider the expansion of Slough to the north to meet its future development needs, there are no firm proposals on which to base any evidence based work or assess infrastructure demands at the present time. The current figures are 5 to 10,000, depending on the source. A future increase to numbers through building to higher densities also cannot be completely dismissed at this point, given that public transport accessibility between Slough, Reading and London will be improved considerably through Crossrail services which will stop at the Iver and Langley stations en-route between Reading and Central London as Slough, like CSB and many other areas, has seen sizeable increases to its housing targets since the days of the South East plan a decade ago.

21.3. However, the justification is straight forward: the lack of clarity over housing numbers required means it is simply not possible to address the matter through the present Local Plan 2036 process, so it has been proposed to pick the matter up through a review of the CSB Local Plan (or under the first Buckinghamshire Local Plan, which will need to be produced by the new Buckinghamshire Unitary Authority by 2025/26).

21.4. There will be a need for extensive Duty to Co-operate discussions between the authorities to agree what would comprise such a fundamental change to the character of the area of South Bucks and to the Green Belt. The sites in question which would be used for the proposed Northern Extension are considered to be performing well against the five purposes of Green Belt. Furthermore, as this is part of Strategic Zone A (see question 14), the sites are part of the London Fringe area which has a key role in preventing settlement coalescence. There will, inevitably, be political and other opposition to the proposals.

21.5. The current Local Plans for Chiltern and South Bucks were adopted in 1997 and 1999 respectively. CSB considered it better to get an up-to-date Local Plan in place, even if this has a limited time frame before its review, rather than continue to rely on two Local Plans adopted in the late 1990s. This, together with the recently introduced national requirement for Local Plans to be reviewed within five years of April 2020, means it was not considered necessary to deal with the northern expansion of Slough through the emerging Chiltern and South Bucks Local Plan 2036. As set out above, the new Buckinghamshire Unitary Authority becomes decision-maker for CSB in 2020, and under national guidance it must prepare the first plan for the newly-enlarged planning authority (which will share borders with both London and South Northamptonshire) by April 2025.

21.6. As part of the evidence base to assess Slough's growth needs, CSB have agreed with both Slough and Windsor and Maidenhead Councils to undertake a strategic growth review. The concept of this project has been agreed and will establish the geography of the areas which would be affected by the housing growth required in the Slough district. This study is due to have two parts, although the second part has not yet been commissioned. The second part will need to be completed in order to inform Slough's emerging housing numbers and any future review of the Chiltern and South Bucks Local Plan.

21.7. As the Inspectors will appreciate, waiting for Slough Council's evidence base to catch up is likely to take some time and would have severely delayed the Local Plan 2036, thus

impeding CSB's own policy making. Although that would have enabled CSB to incorporate increased dwellings numbers within our own evidence base, arguably calling a halt to work on the CSB Plan and waiting for Slough's evidence – for which there is no fixed timetable – would not have constituted positive planning. Leaving aside issues associated with the use of green belt land, there is certainly no requirement in national policy for an authority to put its neighbour's needs above its own, and by delaying the Local Plan in order to wait for Slough to produce concrete proposals is essentially what would have happened.

21.8. However, it was also considered helpful to acknowledge that the Northern Extension issue will need to be resolved in the future. In the event that the local Government re-organisation stalls for any reason, the Chiltern and South Bucks Local Plan could still need to be reviewed within five years.

22. The Habitats Regulations Assessment of the Chiltern and South Bucks Local Plan ('HRA') (Ref CSBLP32, dated June 2019) 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.

22.1 This paragraph does not contain a question.

23. The Addendum to the Regulation 19 HRA Report (Ref CSBLP33, dated September 2019) states that there should be a presumption against any new development within 500m of the SAC. Please can the Councils confirm what implications, if any, this change has for development proposed in the Plan? Does the Plan include any allocated sites within 500m of the SAC?

23.1 The Councils can confirm that the change from 400 metres to a 500-metre 'no net homes' buffer affects two HELAA sites which have already been permitted, but does not affect any site allocations within the Plan.

24. For development beyond 500m of the SAC, but within 5.6km, Policy DM NP3 requires financial contributions towards the Burnham Beeches Access Management Scheme. Paragraph 8.5.6 of the HRA states that the Councils are currently working to "...devise an appropriate scheme and charging schedule to be finalised prior to the Local Plan Examination." Please can you advise what the current status of the mitigation strategy is, when it is likely to be available and what involvement Natural England has had in its preparation? Is it sufficiently clear to developers, decision-makers and local communities what types of development would be subject to the mitigation strategy, and what would be required?

24.1. Paragraph 8.5.6 in the Habitats Regulations Assessment (HRA) [CSBLP32] has a wording error in that it is agreed to have a mitigation strategy in-place prior to adoption of the Plan, and not prior to the public examination. The Statement of Common Ground with Natural England [CSBLP12.7] states: "*It is agreed that impacts arising from the proposed*

allocations within the Local Plan on Burnham Beeches SAC can be appropriately mitigated and that mitigation strategies will be developed in consultation with Natural England. These strategies will be agreed prior to the adoption of the Local Plan, and implemented through Local Plan policy DM NP3.

24.2. Natural England has been fully engaged in the development of the HRA, the recreation mitigation strategy and further studies on atmospheric pollution. The City of London, the majority landowner and guardian of the SAC, has also been actively engaged on an on-going basis with both Natural England and the Councils.

24.3. The recreation mitigation strategy is at an advanced stage and it is feasible, following relevant consultation with developers, decision-makers and local communities, that it could be available, at least in draft, for the early hearing sessions. It is most likely that it would be a tariff on relevant development and spent on projects aimed at diverting people and their pets from the SAC to other facilities including country parks and the Beaconsfield SANG. Education and signage may also form part of the expenditure of the tariff.

24.4. In terms of atmospheric pollution, further sampling and modelling has been being undertaken and this is currently being assessed with Natural England, the City of London, Bucks County Council, the Councils and their consultants. The Councils can provide an update on the outcome of this assessment when it becomes available.

24.5. In terms of the potential implications of introducing the proposed mitigation strategy, there are 387 HELAA housing sites with the 5.6km buffer zone. 246 of these sites were rejected at Stage 1 and 141 proceeded to Stage 2. 47 of these sites passed Stage 2 of the HELAA (i.e. they were assessed as being 'suitable', 'available' and 'achievable'). The estimated capacity of the suitable, available and achievable sites within the 5.6km buffer zone is 2,105 homes.

Economic Development

25. Paragraph 6.67 of the Plan states that there is a requirement for 40,000 square meters of Use Class B1a/b floorspace (offices and research and development) and 48,000 square meters of Use Class B8 floorspace (storage and distribution). What are these figures based on and are they justified by up-to-date evidence?

25.1. Responses to all of the questions in this section should be read in tandem with the Council's Economic Development and Employment topic paper. The Councils' Employment floorspace needs (net change) are drawn from the Oxford Economics forecast in the HEDNA [CSBLP27]. These figures were derived from various sources including:

- Committed floorspace – this includes B-use class completions since the start of the plan period and B-class floorspace under construction
- Outstanding commitments – extant planning permissions for B-class floorspace
- Outstanding allocations – allocations for B-class floorspace in existing local plans
- Outstanding prior approvals – unimplemented prior approvals for conversion of B1 office, or B8 to residential

- Projected future losses - Projected Permitted Development (PD) losses (2016-2033) - Small site losses - Sites identified for change from B-use classes to residential
- Vacant floorspace (included as a + figure where over 7.5% and – where under 7.5%)

25.2. The HEDNA is broken down by Local Authority area. Figure 40, para 2.44 notes a B8 need for Chiltern DC of 3,000 square metres. Para 2.46 provides a breakdown for South Bucks. In Figure 43 the B8 figure shows a need of 45,000 sq. m. The combined total of these figures is 48,000 sq. m, as referenced in paragraph 6.6.7 of the Local Plan, and in paragraph 66 of the Economic Development and Employment Topic Paper. For the B1a/b figures, they are calculated by adding the relevant figures of 13,000 sq. m for Chiltern (Figure 40) and 27,000 sq. m for South Bucks (figure 43) together. This evidence is considered to be up-to-date.

26. The Housing and Economic Development Needs Assessment Update 2016 Addendum Report (HEDNA), (Ref: CSBLP27, dated September 2017) states that in meeting quantitative needs, there must be "...a co-ordinated approach across the FEMA local authorities to consider the extent to which needs in districts can be met by surplus elsewhere". How have the Councils considered the need for additional employment land through discussions with neighbouring authorities under DTC and how have you taken into account the surplus of land in neighbouring districts?

26.1. These questions are answered by the Economic Development Topic Paper and the demonstrated through the Duty to Co-Operate statement. A Memorandum of Understanding (MOU) was signed between the Bucks authorities which addresses the distribution of housing and employment development across the county. As identified by the HEDNA Aylesbury Vale has a surplus of an employment land and, as such, is well placed to accept some of the districts' employment shortfall. CSB agreed to work with Aylesbury Vale through the Bucks authorities' Memorandum of Understanding, and ensure that some of the surplus floorspace was thus used to address unmet needs arising from CSB.

26.2. Paragraph 2.74 of the HEDNA update **[CSBLP27]** also notes that the supply-demand balance of land varies across the FEMA area, with Aylesbury Vale having a floorspace surplus of 310,000 sq. m across all types of B class uses, while CSB has a floorspace shortfall of 245,000 sq. m across all B class uses.

26.3. Agreement therefore exists between Chiltern, South Bucks and Aylesbury Vale Districts that there should be a proportionate distribution of employment development to accompany the distribution of housing. The extent of employment need to be accommodated will be determined by factors including site location, deliverability, market strengths and transport links. There was no expectation that any neighbouring Council areas outside of Buckinghamshire would be expected to contribute towards addressing needs.

26.4. If such needs were not met in this way, CSB would have no option but to seek the release of further land from the Green Belt to meet needs.

26.5. 88% of Chiltern and 87% of South Bucks are in the Green Belt, and 72% of Chiltern district falls within the Chilterns Area of Outstanding Natural Beauty, which is afforded

additional protection under NPPF paragraph 172. It is important to draw attention to the fact that Chiltern and South Bucks districts are largely rural/semi-rural in nature and simply do not have large reserves of brownfield sites available, as is the case for example with some London boroughs. These constraints realistically mean that land availability is at a premium, and make it challenging to achieve growth and development targets.

26.6. Paragraph 2 of the PPG's Housing and Economic Land Availability Assessment section poses the key question "Should plan-makers override constraints, such as Green Belt, when carrying out the assessment to meet identified needs?" but is explicitly clear that "*Plan-making bodies should consider constraints when assessing the suitability, availability and achievability of sites and broad locations. For example, assessments should reflect the policies in footnote 6 of the National Planning Policy Framework...*" Underneath paragraph 11, footnote 6 then lists the areas where the NPPF would provide strong reasons for restricting the overall scale, type or distribution of development of a plan area. These definitions include the presence of Green Belt and AONB.

26.7. However, this places the districts in a something of a "Catch 22" situation, as the nature of the CSB plan area makes it challenging to meet needs in full entirely within the plan area without causing irrevocable harm to environmental and policy designations, including the Area of Outstanding Natural Beauty (AONB), Green Belt and protected habitats sites, and offers limited scope to reuse brownfield land to meet (in particularly) employment floorspace targets, as set out by NPPF paragraph 137. The local bus services are relatively infrequent and would require significant investment to deliver more regular services, thus providing the 'better connections' as noted by NPPF paragraph 85. However, new development would be needed in itself as a mechanism to provide the necessary financial contributions to help in justifying better service frequencies.

26.8. As such, for this area the requirements of NPPF paragraph 85 and 86 must also be viewed against the general advice of the "Supporting a Prosperous Rural Economy" section of the NPPF, including paragraph 84 "*Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.*"

26.9. The wording "where suitable opportunities exist" is of paramount importance here, for at this point the national guidance ends and the local authority's approach towards site selection takes over. Where there is a lack of sites available, the authority must then consider how it best seeks to meet its identified needs, which may include working with neighbours to address unmet need through the Duty to Co-operate.

27. The HEDNA Update report also recognises that the need for employment land should be considered in the context of housing needs being transferred from South to

North, as this will have implications for the labour force and need for employment. How, therefore, have the Councils taken this into account? How has it shaped the spatial strategy to ensure that the planned growth in jobs will be accessible to existing and future residents?

27.1. The question is querying why some housing and employment needs are being met out of the districts as part of the overall spatial strategy. This must be seen entirely in a local context, given the limited land availability. A balance must be struck between workers and housing.

27.2. However, this is something of a circular argument given our districts and the fact that out-commuting is a long-established component of the economy. If the Councils sought to ignore the need for balance and meet needs entirely within the districts, then exceeding the required employment floorspace figures would not be supported by the existing labour supply/residents. If the additional housing need generated by economic growth in the area was not fulfilled, this would in turn cause negative effects, forcing people to commute longer distances, increasing congestion and highway safety issues as housing becomes more expensive locally, thus significantly worsening the current position. Conversely, building more housing to address economic need would again cause irrevocable harm to the Green Belt through the need to look at de-designating huge swathes of land, and causing harm to the AONB - contrary to paragraph 11 and footnote 6 of the NPPF, so would not be permissible under national policy.

Labour force and need for employment

27.3. The proximity of the districts to London means that out-commuting (particularly to London) is already a key and long-established feature of the local economies. The Chiltern District Council area has three stations on the Metropolitan line at Amersham, Chesham and Chalfont & Latimer. Both Council areas have several national rail stations, with Chiltern Rail's peak journey times to Marylebone in Central London taking as little as 30 minutes.⁷ Policy 10 of the South Bucks DC Core Strategy highlighted that *"There is a strong inter-relationship between the local economy in South Bucks, and the larger employment centres of High Wycombe, Maidenhead, Slough and Uxbridge. Approximately two-thirds of the resident workforce in South Bucks (19,000 as at 2001) commute out of the District on a daily basis"*. This demonstrates that, historically, some of the CSB Plan area's employment 'needs' have always been met elsewhere, thus out-commuting forms part of the overall approach taken.

27.4. The sectoral composition of the local economy should also be considered further: table 7 of the Local Plan Economic Development and Employment topic paper highlights a discrepancy in average annual earnings between residents of the CSB districts and workplace earnings in the districts. This reflects the number of residents who commute for better paid, higher level jobs elsewhere. Due to the nature of the areas, this trend is extremely unlikely to change.

⁷ Denham-Marylebone 18:17 non-stop peak service

27.5. As noted by para 2.1.2 of the CSB Economic Development Strategy, there are only 20 companies in the districts that employ 250 or more staff, with 91% of business in Chiltern and 89% in South Bucks districts employing fewer than 10 people. It should not be taken as a 'fait accompli' that, even if work at a suitable level was available locally for every resident, residents may not choose to accept such positions for personal reasons – e.g. if the salary was lower, or it meant giving up a post with a prestigious global firm for a smaller company based locally with fewer growth prospects and therefore fewer possibilities of company expansion/promotion.

27.6. The Chiltern and South Bucks Economic Development Strategy 2017-2026 sets out the strategic objectives and activities to ensure the districts are "prosperous and diverse economies that encourage local employers and small business". This includes actions around connectivity, business growth, space for business and skills. At the sub-regional level, the emerging Local Industrial Strategy for Buckinghamshire proposes a focus on five 'propositions' to drive economic growth, of which 'creative and digital' with its emphasis on Pinewood, 'growing a MedTech Sector and advanced AI' and 'super high technologies' can be considered particularly relevant to Chiltern and South Bucks.

27.7. In terms of job numbers and the planned growth of such, paragraphs 3.9-3.11 of the Councils HENA report **[CSBLP26]** highlights that, in order to achieve a balance between jobs and workers, the minimum local housing need is likely to yield a growth of around 2,463 extra workers in Chiltern and 5,667 extra workers in South Bucks – or a total of 8,130 across the two districts over the 20-year period 2016-2036.

27.8. The HENA report showed that the extra 8,130 workers does not translate into a need for 8,130 extra jobs in the area - as there are a number of factors which must be considered when relating jobs to workers in the manner posed by the question. These considerations include commuting patterns (some of the new residents will hold employment outside of the CSB districts), some may work-from-home, while a balance between main and second jobs also must be reflected in any forecast. A range of general publications on the internet also discuss the benefits of telecommuting for both employers and employees - a trend which is predicted to continue increasing in popularity during the Local Plan lifespan.

27.9. Public transport access is generally poor outside of Amersham and Chesham, while the generally rural/semi-rural nature of the CSB districts must be given consideration as this somewhat limits options in terms of sites being well-related to existing town centres and facilities. The NPPF places emphasis on the delivery of sustainable economic growth. This is not necessarily identical to economic growth per se - as any form of growth which leads to the declining affordability of homes and severe detrimental impacts on transport infrastructure would not be regarded as sustainable. Such consequences can be considered to act as barriers to growth in themselves, as longer, more stressful journeys to work risk increasing traffic congestion. These issues can also manifest themselves in other ways, such as through affecting worker productivity. The sites which the Council is proposing to release from Green Belt are relatively well-served in terms of their connections and links to existing settlements. Development will afford the possibility of some contributions to be received towards sustainable transport provisions under Section 106.

27.10. As noted in response to Question 26, NPPF paragraph 84 is equally applicable in the context of CSB. *"Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist."*

27.11. Considering the balance which must be struck between growth targets, existing land constraints, public transport constraints and national planning policy requirements, it is considered that, in as far as is realistically possible, the needs for employment and housing have been maintained in balance by the approach taken in the Plan.

Spatial Strategy

27.12. The core element of the spatial strategy is, as far as possible, to locate new homes and jobs in settlements which offer good access to the key public transport corridor, ensuring that residents have the best access to public transport and therefore also provide residents with good access to a wide range of jobs, services and facilities both within and outside the districts, in line with the NPPF's emphasis on encouraging sustainable economic growth (paragraph 81).

27.13. The Sustainability Appraisal **[CSBLP7]** identified the likely effects of a range of growth options; the results of which have also influenced the development of the spatial strategy in the Local Plan. Within the separate Core Strategies for Chiltern and South Bucks (both adopted in 2011), the housing and economic development floorspace targets were set at regional level by the now-revoked South East plan. These targets were much lower than the methodology currently used. While the exact proportions of land within AONB and Green Belt⁸ have not changed since 2011, the growth targets have now increased significantly which necessitates a different approach to be taken.

27.14. The districts are seeking to meet as much of the need as possible within the Plan area, including through the use of brownfield sites and have justified the reasons for seeking some limited Green Belt release. However, as set out above, it would be challenging to meet needs in full entirely within the plan area without causing irrevocable harm to environmental and policy designations (including the Area of Outstanding Natural Beauty (AONB), Green Belt and protected habitats sites), which runs contrary to the NPPF.

⁸ Paragraph 7.3 and 7.4 of the Chiltern Core Strategy noted "72% of Chiltern District lies within the Chilterns Area of Outstanding Natural Beauty where there is a duty under the Countryside and Rights of Way Act 2000 to conserve and enhance the natural beauty of the area. In this context, Government guidance precludes major developments in AONBs unless there are exceptional circumstances. The development needs of the District can be met without encroaching into undeveloped parts of the AONB and there are no exceptional reasons for departing from national policy.... '88% of Chiltern District (and all of its countryside) lies within the Metropolitan Green Belt. The development needs of the District can be met without encroaching into undeveloped parts of the Green Belt and there are no exceptional reasons for departing from national policy. Accordingly, it is neither necessary nor appropriate to consider large-scale building on undeveloped countryside in the Green Belt.'

27.15. Given the limited brownfield sites and other land constraints across the CSB plan area, the Spatial Strategy thus now involves some needs being met in other Council areas under the Duty to Co-Operate. The Council will agree with criticism that this is not an ideal solution, but when weighing up all relevant policy considerations, it is not apparent that another approach could actually be expected. NPPF Paragraph 11 (ii) would make it clear that any adverse impacts of meeting needs would significantly and demonstrably outweigh the benefits of development, given that para 11 (i) would also apply due to the significant presence of AONB and Green Belt in the districts. We believe that the need to strike a balance between national policy requirements and meeting the significantly higher needs - while also maintaining the integrity of the Green Belt and AONB means that there is no other realistic option. The approach is acceptable under the Duty to Co-Operate and permissible under the NPPF.

27.16. The "Spatial Vision" section on Page 8 of the Local Plan 2036 **[CSBLP2]** notes that the vision comprises of the following eight elements:

- Achieve sustainable development – to meet the local needs of today without compromising our ability to meet the needs of tomorrow, supporting our communities to be resilient and adaptive to climate change and secure enduring social, economic and environmental benefits.
- Plan to meet the development needs of all of our communities, both now and expected within the Plan period. Particular attention being given to the needs of those people who find private market housing unaffordable; the accommodation needs of an ageing population including those with special care requirements and people with disabilities; requirements for young people such as access to play spaces and schools; and the needs of others with specialist housing requirements such as travellers and people with self-build aspirations.
- Enable town and local centres and employment areas to evolve, develop and thrive to best meet the needs of our business community and local residents. Support new business start-ups, nurture growing businesses, attract new investment and become efficient, effective, modern entrepreneurial areas to grow our economy and provide a wide range of local job opportunities.
- Continue to protect and enhance our treasured local built and undeveloped environments contributing to local identity, community wellbeing and biodiversity. Importantly, the Chilterns Area of Outstanding Natural Beauty, Colne Valley Regional Park, conservation areas, listed buildings, historic parks and gardens, scheduled ancient monuments, important wildlife areas and river corridors but, wider than this, to include our town and local centres, rural areas and residential areas generally.
- Reinforce the role of our Green Belt to help deliver our Plan and the urban regeneration objectives of other plans around us whilst reviewing the Green Belt now to ensure that it remains an up to-date, effective, long-term part of our strategic planning policy.

- In recognising the difficulties of meeting all of the above, working with adjacent local plan areas so that any of our needs which cannot be met locally are met as part of sustainable development proposals within the wider housing and economic market areas.
- Ensure that new developments are of a high standard of design, layout and appearance, with a driving ambition to seek to improve the local environment and overall quality of life and to complement, enhance or promote local community identity, social cohesion and wellbeing. Ensure that new developments impact positively on air quality; reduce the opportunities for and alleviate fear of crime and anti-social behaviour; promote healthy lifestyles and enable waste minimisation, recycling and conservation of natural resources, particularly water.
- Where new development occurs, to have a clear understanding of the infrastructure implications and to ensure that required new or improved infrastructure is planned and, as far as possible, delivered in a timely manner so as to avoid periods of infrastructure deficit, as an integral part of securing sustainable development.

27.17. There is no conflict between the spatial strategy as set out above, and an element of need being met in neighbouring areas. Indeed, the sixth bullet point is explicit in that any needs which cannot be met locally would be met within the wider housing and economic market areas. It is also considered that, as far as possible, the needs for employment and housing are maintained in balance.

27.18. Paragraph 81 of the NPPF places emphasis on the encouragement of sustainable economic growth. This is considered to be different to economic growth per se - as any form of growth which leads to the declining affordability of homes and severe detrimental impacts on transport infrastructure would not be regarded as sustainable. Such consequences can be considered to act as barriers to growth in themselves, as longer, more stressful journeys to work risk increasing traffic congestion. Such issues can also manifest themselves in other ways, such as through affecting worker productivity. The sites which the Councils propose to release from Green Belt are relatively well-served in terms of their connections and links to existing settlements. However, the availability of public transport is poor in the districts – and particularly so when this is compared to larger, urbanised areas. This must be given some consideration.

27.19. Therefore, an approach which ensures that development strikes a balance between employment and housing is considered to be both justified and in accordance with national policy.

27.20. However, the risk of loss of floorspace under the Permitted Development rules can also never be ruled out - something which in itself justifies the need for new site allocations in so far as the overall needs figures demonstrated in the Economic Development & Employment topic paper should be achieved making it important to ensure that existing strategic and key sites, as set out on the policies map, are protected. The policy is sufficiently flexible to allow the changes required by a dynamic local economy, and by

national policy in the NPPF, while maintaining a sufficient portfolio of sites to support that economy.

28. In seeking to meet the identified need for employment land, what process did the Councils follow and how did this differ from residential site allocations referred to above? What alternative employment sites have been considered and where is this set out?

28.1. The National Planning Policy Framework and its supporting Planning Policy Guidance, require that Councils must pro-actively identify sites to meet local employment needs by undertaking an assessment of land availability in the borough. This process must identify a future supply of land which is suitable, available and achievable for economic development over the Plan period. However, existing sites are only able to accommodate a proportion of the forecast growth and cannot meet all of the needs. It was therefore necessary to establish a framework through the Local Plan to explore and, where possible, identify opportunities to provide new suitable sites.

28.2. As set out at paragraph 61 of the Economic Development and Employment Topic Paper, the employment site appraisals **[CSBLP23 and CSBLP24]** were initially prepared for Chiltern DC and South Bucks DC in 2013 by GL Hearn as part of the evidence base for separate local plans. The work categorised sites on a Red-Amber-Green basis, whereby green indicated one of the districts' most important sites, and grey indicated one of the least important.

28.3. This ruled out a number of sites which were initially identified in the appraisal based on their importance (or lack of) as, where buildings are in active use and therefore not available, they could not be taken forwards and allocated (e.g. King George V House, Amersham). The position could only be reconsidered when any sitting occupiers/tenants have firm proposals to relocate to new premises.

28.4. The following table assesses all sites considered by the consultants and proposed for protection. This table also appears at Appendix 1 of the Topic Paper.

Table 1: Employment sites proposed for protection

Town	Site	Street	Area (ha)	Floorspace (sq. m)	Main Uses	Green Belt?	Status in SPD (SBDC only)	Evaluation by Consultant (where given)	Suggested Status for Local Plan	Actual Status in Local Plan	Reason for Suggested Status	Notes
Amersham	King George V House	King George V Road	0.92	8764	Office	N		Most important	Strategic site	Strategic site	High quality site in good location	Currently in use - forms part of a wider civic uses site
Amersham	Decimal Place (was Buildmark House)	Station Approach	0.36	2022	Office	N		Most important	Key site	Key site	High quality site in good location	
Amersham	Woodside Road / Robendene	Woodside Road / Grimsdell's Lane	0.25	370	D Uses	N		Average	No protection	No status	Good location but of little strategic importance	PP for office on part. May declassify. Check status of northern part (s. part is 0.1ha)
Amersham	Plantation Road	Plantation Road	1.13	8434	Industry	N		Least important	Other site	No status	Relatively constrained site but no obvious development proposal	Difficult accesses
Amersham	Corinium IE / Fairview IE / Amersham Comm Park / Jewson	Raans Road / Quill Hall Lane	7.5	25000	Industry / Warehouse	N		Most important	Strategic site	Strategic site	High quality and relatively large site in good location	Jewson is average importance
Amersham	Anglo Office Park	White Lion Road	1.06	2282	Office	N		Most important	Key site	Key site	High quality site in good location	
Amersham	St George IE	White Lion Road	1.35	7000	Industry	N		Most important	Strategic site	Strategic site	High quality site in good location	
Old Amersham	Broadway	Broadway	0.39	2244	Office	N		Most important	Key site	Key site	High quality site in good location	
Old	St Mary's	Broadway	0.45	2237	Office	N		Most	Key site	Key site	High quality site	Serviced

Amersham	Court							important			in good location	offices
Old Amersham	Maltings Estate	School Lane	0.76	3221	Office / Craft	N		Least important	No protection	No status	Site of less strategic importance	Potential for other uses
Old Amersham	Badminton Court	Church Street	0.44	1800	Office	N		Most important	Key site	Key site	High quality site in good location	
Chesham	Chess BP	Moor Road	2	7480	Industry / Warehouse / Office	N		Most important	Strategic site	Strategic site	High quality site in good location offering modern industrial premises	Part under construction
Chesham	Springfield Road IE	Hospital Hill	1.56	5340	Industry	N		Least important	Other site	No status	Site of less strategic importance with significant constraints and potential for other uses	Difficult access, part PP for housing (retain emp status for rest)
Chesham	Cameron Road	Cameron Road / Berkhamsted Road / Alexandra Street	0.15	1024	Industry	N		Least important	No protection	No status	Site of less strategic importance, potential for other uses	Three separate buildings. Some difficult access. Potential for housing
Chesham	Preston Hill	Nashleigh Hill	0.73	3384	Warehouse / Office	N		Average	No protection	No status	Site of less strategic importance	
Chesham	Alma Road IE	Alma Road	1.34	5000	Industry / Warehouse	N		Least important	Other site	Key site	Site of less strategic importance	Floorspace is for this and site below combined
Chesham	Crown & Mead Business Centres	Broad Street	0.5		Industry / Office	N		Most important	Key site	Key site	High quality site in good location	Floorspace is for both sites combined
Chesham	Various developments	Asheridge Road	4.7	20000	Industry / Warehouse / Office	N		Most important	Strategic site	Strategic site	High quality site in good location	Excludes housing permission on 90 Asheridge

												Road but includes business element
Chesham	Hivings Hill	Asheridge Road	0.88	900	Office	N		Average	No protection	No status	Site of less strategic importance	
Chesham	Deansway	Bellingdon Road	1.38	6000	Industry	N		Least important	No protection	No status	Site of less strategic importance, scope for other uses	Potential for housing
Chesham	Higham Road / Townsend Road	Townsend Road	0.34	6000	Warehouse / Office	N		Average	No protection	No status	Site of less strategic importance	Floorspace is for this and site below combined
Chesham	Phoenix BP	Bellingdon Road	0.56		Industry / Warehouse	N		Least important	No protection	No status	Site of less strategic importance, scope for other uses	Potential for housing
Chesham	Higham Mead	Higham Road	1	2200	Industry / Warehouse / Office	N		Most important	Key site	Key site	High quality site in good location	Access issues for warehousing
Chesham	Howard IE	Chilton Road	1.22	5340	Industry / Warehouse	N		Average	No protection	No status	Site of less strategic importance	
Chesham	Chess House	Red Lion Street	0.56	2000	Office / A & D Uses	N		Average	No protection	No status	Site of less strategic importance	Reasonable quality
Chesham	Waterside BP	Waterside	0.37	730	Industry	N		Least important	Other site	No status	Site of lesser strategic importance, scope for other uses	Potential for redevelopment
Chesham	Waterside / Moor Road	Waterside / Moor Road	1.68	4000	Industry / Warehouse / Office	N		Average	No protection	No status	Site of some importance, scope for other uses but no obvious	Potential for mixed use

											proposal	
Chesham	Chiltern House	Waterside	1.6	2000	Industry / Office	N		Least important	No protection	No status	Site of less strategic importance, scope for other uses	Potential for housing
Chesham	Saxway BP	Chartridge Lane	0.68	320	Office	N		Least important	No protection	No status	Site of less strategic importance within largely residential area	PP for warehousing on part
Chalfont St Peter	High Street / Chiltern Hill	Chiltern Hill	1.16	5100	Office	N		Most important	Strategic site	Strategic site	High quality site in good location	
Chalfont St Peter	Churchfield Road	Churchfield Road	0.88	3440	Office	N		Average	No protection	No status	Site of less strategic importance	
Little Chalfont	GE Healthcare	Amersham Place	0.6	5670	Office	N		Most important	Strategic site	Strategic site	High quality site in good location, significant local employer	
Little Chalfont	GE Healthcare Grove Centre	White Lion Road	7.7	29821	R&D / Industry	N		Most important	Key site	Key site	High quality site in good location, significant local employer	
Little Chalfont	Repton Place	White Lion Road	0.4	2428	Office	N		Average	Other site	No status	Site of less strategic importance although may be important locally	
Little Chalfont	Boughton Business Park (was Bell Lane Office Village)	Bell Lane	2.15	9729	Warehouse / Office	N		Most important	Key site	Key site	High quality site in good location	Warehouse site offers scope for other uses
Penn	31 & 33-37 Hazlemere Road	Hazlemere Road	0.25	800	Industry / Office	N		Average	No protection	No status	Site of less strategic importance, scope for other	Potential for housing

											uses	
Penn	Regius Court	Church Road	0.2	730	Office	N		Most important	Other site	No status	Site of less strategic importance although may be important locally	Important for rural employment
Prestwood	Collings Hanger Farm	Wycombe Road	0.5	660	Industry	N		Least important	No protection	No status	Site of less strategic importance	Now used by brewery
Holmer Green	Chiltern Trading Estate	Orchard Way	0.6	2100	Industry / Office	N		Least important	Other site	No status	Site of less strategic importance although may be important locally	Of little strategic importance but important for local employment
Chalfont St Peter	Chalfont Grove	Narcot Lane	8.1	8630	Office / Telecoms	Y		Most important	Strategic site	Strategic site	High quality site in good location, significant local occupier	Green belt
Little Chalfont	GE Healthcare Pollards Wood	Doggetts Woods Lane	2.7	4572	Office	Y		Most important	Key site	Key site	High quality site in good location, significant local occupier	Green belt
Penn	De Havilland Court	Penn Street	0.4	n/k	Office	Y		Most important	Key site	Key site	High quality site in good location albeit small	Green belt
Penn	Penn Street Works	Penn Street	1.6	n/k	Industry / Warehouse	Y		Average	No protection	No status	Site of less strategic importance	Green belt
Chesham	Weir House Mill	Latimer Road	1.7	n/k	Warehouse	Y		Least important	No protection	No status	Site of less strategic importance	Green belt
Chalfont St Peter	Chalfont Park	Chalfont Park	4.9	5675	Office	Y		Most important	Strategic site	Strategic site	High quality site in good location	Green belt. Shown as Chiltern Park in Local Plan
Beaconsfield	Grosvenor	Horseshoe	0.29	1530	Office	N	Important		No	No status	Of limited	

	House	Crescent							protection		importance to plan area, no obvious development potential	
Beaconsfield	Timberstore	Pyebush Lane	1.58	1961	Timber Yard	Y		Good	No protection	No status	Less important use, little development potential	Green belt
Burnham	Grenville Court	Britwell Road	2.11	850	Office	Y	Important	Good	Key site	Key site	Listed building offering useful accommodation	Green belt
Burnham	58 Britwell Road	Britwell Road	0.28	372	Industry	Y		Least important	No protection	No status	Poor quality site of little strategic importance	Green belt
Burnham	24 Britwell Road	Britwell Road	0.34	832	Industry / Office	N	Important		No protection	No status	Relatively poor site with potential for change of use	Potential for redevelopment
Burnham	3 Lincoln Hatch Lane	Lincoln Hatch Lane	0.32	1592	Industry / Warehouse	N		Average	Other site	No status	Average site with potential for change of use but no obvious proposal	Average quality site but with potential for redevelopment
Burnham	The Priory	Stomp Road	1.43	2438	Office	Y	Important	Most important	Key site	Key site	Listed building offering useful accommodation	Green belt
Burnham	Dropmore Depot	Dropmore Road	1.48	650	Warehouse / Depot	Y		Least important	No protection	No status	Poor quality site of little strategic importance	Green belt. Useful for storage of council refuse vehicles
Burnham	Huntercombe Lane South	Huntercombe Lane South	3.4	8500	Office	Y	Important	Most important	Other site	No status	Excellent location and significant development potential, but PD notification	Green belt. PP for HQ office - not taken up. Known as Huntercombe Park. LP status

											for change to residential use	assumes resi conversion goes ahead
Burnham	Lake End Court	Taplow Road	0.38	1250	Office	N			Other site	No status	Of lesser importance to whole plan area, little development potential	
Burnham	Marshgate Trading Estate	Hitcham Road	1.4	6000	Industry	N			No protection	No status	Of limited importance to whole plan area, no development potential	
Denham	Broadwater Park	North Orbital Road	10	35675	Office / Industry	N	Important	Most important	Strategic site	Strategic site	High quality site in excellent location	
Denham	Denham Media Park	North Orbital Road	4.31	25000	Film / Media	N	Important	Most important	No protection	No status	Being redeveloped for residential	
Denham	Denham Aerodrome	Tilehouse Lane	40	5000	Aviation	Y			No protection	No status	Operational uses to support aerodrome; no extra protection required	Green belt
Denham	Chalfont House	Oxford Road	0.6	2210	Office	Y	Important	Average	Key site	Key site	Smaller site but good quality	Green belt settlement
Denham	Martin Baker Engineering	Lower Road	2.75	15000	Industry / Office	Y	Important		Strategic site	Strategic site	Occupier of international importance and wishes to expand	Green belt. Average quality site but important occupier
New Denham	54-66 Oxford Road	Oxford Road	0.3	1970	Industry / Office / Non-B class	N		Poor	No protection	No status	Relatively poor mixed use site with potential for change of use	Potential for redevelopment
New Denham	52 Oxford Road	Oxford Road	0.6	2121	Office / Retail	N	Important	Reasonable	No protection	No status	Mixed use site of average	

											importance with potential for COU	
New Denham	1 Oxford Road	Oxford Road	0.3	290	Office	Y		Poor	No protection	No status	Relatively poor site with potential for change of use	Green belt. Otherwise strong location with potential for redevelopment
New Denham	Rivermead	Oxford Road	0.85	4150	Office	Y	Important		Strategic site	Strategic site	High quality site in good location	Green belt
New Denham	Uxbridge Business Park	Oxford Road	6.6	25500	Office	N	Important	Most important	Strategic site	Strategic site	Excellent site of sub regional importance	Site of sub regional importance
New Denham	Capswood Business Centre	Oxford Road	0.75	3176	Office	Y	Important	Good	Key site	Key site	High quality site in average location	Green belt settlement
New Denham	Phoenix House	Oxford Road	0.5	1835	Office	Y	Important	Good	Key site	Key site	High quality site in average location	Green belt settlement
New Denham	Anamax BP	Oxford Road	1.5	3100	Industry	Y		Poor	No protection	No status	Relatively poor site with potential for change of use	Green belt settlement. Poor quality site but with potential for redevelopment
New Denham	Willow Avenue	Willow Avenue	0.3	1000	Industry	N		Least important	No protection	No status	Relatively poor site with potential for change of use	Poor quality site but with potential for redevelopment
Farnham Royal	Bishops House	Crown Lane	0.36	300	Office	Y		Reasonable	No protection	No status	Less important use, little development potential	Green belt
Farnham Royal	Farnham House	Farnham Lane	0.5	1568	Office	N			No protection	No status	Less important use, little development potential	
South Iver	Thorney Lane BP	Thorney Lane	14.3	n/k	Storage	N		Important	No protection	No status	Relatively poor site, desire for	Mostly open storage. Poor

											change of use to remove HGV traffic	HGV access but scope for redevelopment
Iver	Court Lane IE	Court Lane	3.2	n/k	Storage	Y		Average	No protection	No status	Relatively poor site, little development potential	Green belt. Mostly open storage. Poor HGV access but scope for redevelopment
Iver	Duttons Farm	Bangors Road South	1	1858	Industry	Y		Poor	No protection	No status	Poor quality site of little strategic importance	Green belt. Of little strategic importance but important for local employment and cheaper space
Iver	The Boatyard	Mansion Lane	0.5	200	Boatyard	Y		Good	No protection	No status	Of limited importance to whole plan area, no development potential	Green belt
Iver	9-17 High Street	High Street	0.8	1500	Motor Trade	N		Least important	Town centre	No status	Relatively poor site with potential for change of use	
Iver	Ridgeway Trading Estate	Thorney Lane North	15.4	50000	Industry / Warehouse / Office	N	Important	Most important	Strategic site	Strategic site	Good quality site with relatively poor HGV access but important because of its size and range of premises	Site excludes two buildings converted to housing (but total ha shown includes these elements)
Iver	Thorney Mill Road	Thorney Mill Road	10.1	n/k	Aggregates	Y			Key site	Key site	Important because of railhead	Green belt. Rail access
Iver Heath	Pinewood Studios	Pinewood Road	36.5	104800	Film / Media	Y	Important	Most important	Strategic site	Strategic site	Occupier of international	Part green belt. Site of

											importance	national importance
Stoke Poges	Pioneer House	Holybush Hill	4	4505	Office	Y	Important	Most important	No protection	No status	Has changed use to education	Green belt
Stoke Poges	Sefton Park	Bells Hill Road	5.6	10250	Office	Y	Important	Most important	Strategic site	Strategic site	High quality site in desirable location	
Stoke Poges	Stoke Court	Rogers Lane	3.6	4465	Office	Y	Important	Most important	No protection	No status	Listed building with potential for change of use	Green belt
Stoke Poges	Stoke House	Grays Park Road	2.54	925	Office	Y		Average	No protection	No status	Listed building with potential for change of use	Green belt
Taplow	Bishop's Gate	Station Road	0.74	250	Industry / Office	N		Average	No protection	No status	Relatively poor site with potential for change of use	
Taplow	Marsh Lane	Marsh Lane	0.28	327	Storage	Y		Least important	No protection	No status	Relatively poor site with potential for change of use	Largely open storage
Taplow	Mill Lane	Mill Lane	9.5	11250	Industry / Office	Y	Important	Average	No protection	No status	Site within a large new residential development; potential for change of use	Green belt. Being redeveloped, largely for housing
Taplow	Hermitage House	Bath Road	0.25	150	Office	Y		Reasonable	No protection	No status	Of limited importance to whole plan area, no development potential	
Wexham	Marish Wharf	St Mary's Road	1.21	6130	Warehouse	N		Reasonable	No protection	No status	Of limited importance to whole plan area, no	

											development potential	
Wexham	Wexham Springs	Frameworkood Road	13	10684	Office	Y	Important		Strategic site	Strategic site	High quality site in desirable location	Green belt
			275	575611								

28.5. The Local Plan HELAA of June 2019, [CSBLP019] also noted that in meeting floorspace targets, existing employment sites will be considered as part of an Employment Land Review. This will consider whether or not existing employment sites are still suitable. Where sites are identified as being suitable for alternative uses, these will be considered in the HELAA for housing or mixed use.

28.6. Where sites identified for employment uses are being released from Green Belt, these were identified through the Arup Green Belt assessment. The Green Belt Assessment Part Two [CSBLP15.3] sets out the methodology, and that other sites were investigated for their potential to meet employment floorspace needs, but the majority of sites were rejected.

28.7. Those site appraisals are indicated at:

[https://www.chiltern.gov.uk/media/8729/Green-Belt-Assessment-Part-Two-Draft-Appendix-5-Volume-3-October-2016-/pdf/Green_Belt_Assessment_Part_Two_Draft_-_Appendix_5_-_Volume_3_\(October_2016\).pdf?m=636132471403530000](https://www.chiltern.gov.uk/media/8729/Green-Belt-Assessment-Part-Two-Draft-Appendix-5-Volume-3-October-2016-/pdf/Green_Belt_Assessment_Part_Two_Draft_-_Appendix_5_-_Volume_3_(October_2016).pdf?m=636132471403530000)

28.8. The SA report [CSBLP7] also appraises the sites and sets out the alternatives considered, rejected and the reasons for the decisions.

29. Paragraph 85 of the Framework states that planning policies should allocate a range of suitable sites in town centres to meet the scale and type of development likely to be needed, looking at least 10 years ahead. Where suitable and viable town centre sites are not available for town centre uses (which include offices) planning policies should seek to allocate appropriate edge of centre sites that are well connected. If edge of centre sites cannot be identified, then policies should explain how identified needs can be met in other accessible locations that are well connected to the town centre. Please can the Councils explain how the allocations for new office development have followed this approach, and how they are consistent with national planning policy in this regard?

29.1. The requirements of national guidance clearly support and promote a 'town-centre first' approach towards retail and other town centre uses, including offices. NPPF paragraph 85 must be seen in the context of Chiltern and South Bucks, however. The Retail and Town Centres topic paper sets out the justification for the allocation of six sites for retail uses in different town centres.

29.2. However, and has been noted elsewhere, these allocations must be considered in light of the high proportion of Green Belt and AONB across the districts which severely constrains land supply. Paragraph 26 of the retail topic paper itself notes that '*one key conclusion from the studies is that the Plan area has a lack of large sites that would be available and suitable for the development of any sizeable retail provision. Heritage and conservation aspects are both important constraints in almost all of the key settlements and their surrounding countryside*'.

29.3. The Council does not disagree with the role which town centres play in contributing to the overall economic vitality and wellbeing of an area, and CSB is not seeking to undermine their position through its policy making. There are no sites within the identified

town centre frontages or edge-of-centre locations which are large enough to host the necessary growth in office floorspace. This means that policies should explain how identified needs can be met in accessible locations. However, for a semi-rural area like CSB, the provisions of NPPF paragraph 84 would also apply, and is therefore of equal relevance in the context of our districts.

29.4. Following the NPPF position it is then necessary to establish a framework through the Local Plan to explore and, where possible, identify opportunities to provide new suitable sites.

29.5. The CSB districts are mostly comprised of small towns and villages tightly constrained by Green Belt. The defined town centre frontages are also small in scale as a consequence of this. In terms of the 'connectivity' of sites, this must be seen in context as local bus service frequencies are demand-led. Given the populations of the towns and villages in Chiltern and South Bucks districts, it will simply never be possible to offer the high frequency bus services which are typically found in London and some of the larger Core Cities. Green Belt release sites are, by their very nature, located on the edge of the existing settlements so are sustainable locations. For the majority of the sites, these are on the edges of the settlements best served by public transport.

29.6. As was pointed out in response to question 27, the CSB Economic Development Strategy noted that there are just 20 companies in the districts that employ 250 or more staff, with 91% of business in Chiltern and 89% in South Bucks districts employing fewer than 10 people. If a key aim is to seek to diversify the economy accordingly, and attract some larger businesses, then larger, modern floorspace would be needed and there are no suitable sites within the town centres to achieve this. This leads naturally to an assessment of suitable, well-connected locations, with one of the key considerations being that South Bucks will be one of the areas to benefit from Crossrail (Elizabeth Line).

29.7. As the sites perform poorly against the five Green Belt purposes, the allocations proposed for release from the Green Belt in and around Iver and Taplow must also be seen in light of the Crossrail (Elizabeth) line, as Iver and Taplow are two of the stations on the Reading/Maidenhead to Central London branch of the route. This will dramatically improve public transport accessibility in the locations, and may mean four Crossrail trains an hour calling at those stations in addition to existing stopping services. <http://content.tfl.gov.uk/pic-161130-09-crossrail-services-and-transition.pdf>

29.8. Importantly, and, despite the lack of available land in the districts, there is no 'opt-out' per se under national policy from allocating sites. A failure to make sufficient new allocations would not ensure that businesses have the necessary choice of floorspace they require when deciding whether or not to locate in the area.

29.9. As noted elsewhere, the Government's permitted development rules pose a further challenge to the long term health of centres by removing much change from the scope of planning scrutiny and will necessitate further allocations. Planning policy must therefore seek to protect existing floorspace as far as possible, to strike a balance between differing policy frameworks, legislation, targets and competing objectives, and generally seek to

create a positive environment. Although the Councils have no realistic option but to look away from town centres for larger office sites, it should also be noted that, away from town centres, the possibility of losing valuable office floorspace to other uses (such as to residential development under PD) may also be lessened.

29.10. Numerous objections were received on the Local Plan on the grounds of the negative impacts that development in town centres (of town centre uses such as offices and retail) would have on traffic levels, air pollution and highway safety matters. As a general comment, within the context of CSB, situating such development away from town centres could therefore contribute in lowering pollution levels and improving air quality within the town centres themselves, by ameliorating parking stress, highway safety and traffic congestion issues – all of which are issues to be given due consideration under Paragraph 102 and 103 of the NPPF. Paragraph 103 in particular notes that opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making.

30. Finally, Policy DMEP3 refers to strategic economic sites, key economic sites and other economic sites. How have these sites been categorised? Are they based on an up-to-date assessment of market indicators? Where is this set out?

30.1 In Paragraphs 25 and 26 of the Economic Development and Employment Topic Paper, it is set out that:

- **Strategic Economic Sites** are those considered to be of prime importance for the national or regional economy or are significant employers or sectors in the Plan area. They are primarily offices (B1), often with elements of industrial and warehousing floorspace. Some are large and contain a variety of sites and uses while others are occupied by a single important employer.
- **Key Economic Sites** are those of importance to the local economy. This could be for reasons of the type of floorspace provided or the presence of an important employer. In some cases, they represent the only significant example of a particular type of floorspace in an area. The sites have been assessed as having the ability to perform well and have long-term potential for economic uses.
- **Other economic sites** mainly comprise smaller sites and those not performing as well as those that are defined as Key Economic Sites.

30.2 Sites may be considered in the 'other' category for reasons of location or access difficulties, or because they do not perform such an important economic function, or it is considered unlikely they will be able to do so in the future. Where sites in 'other economic' uses become available for development, it will be first required to explore the potential for other economic uses, and then, subject to criteria, to explore alternative uses that would help deliver the broader aims and strategy of the Local Plan. This approach affords a suitable degree of flexibility about the future of economic sites, allowing for alternative uses where these can be properly justified.

30.3 Lists of the “Strategic” and “Key” sites are also provided under those paragraphs. The Councils consider that the allocations are fully justified by appropriate available evidence, with regard to national guidance and local context.

30.4 The area’s businesses make a significant contribution to the regional and national economy. For this reason, it is important to protect strategic and key employment sites, both for their current role and for their potential for intensification, which would help to meet the demand for new employment floorspace and respond to future development requirements and technological change. Equally it is important to allow some flexibility within policy to allow for potential changes in circumstances and ensure the strongest possible employment base. For this reason, the policy allows for small scale and ancillary development on these sites that would help to support existing employment uses.

30.5 The categorisation follows a hierarchical approach. Strategic sites are classified as the most significant with an economic influence stretching beyond the Buckinghamshire area, key sites are locations of significance in at the local/county level and economic sites exert a lower level of influence, but all have a purpose and should be protected. The Strategic and Key Economic Sites are shown on the Policies Map, and will be safeguarded to ensure that the growth required from the site allocations is not undermined by the loss of other economic floorspace.

30.6 The “Approach to Green Belt” site selection of the Economic Development and Employment Topic Paper introduces the Employment Site Appraisals documents **[CSBLP23 and CSBLP24]** which were carried out by GL Hearn. These categorised sites on a Red-Amber-Green analysis, whereby green indicated one of the districts’ most important sites, and grey indicated one of the least important. Appendix 5 of the HELAA indicates the geographical location of sites on maps, and Appendices 2 and 4 provide a short description of the site.

Statement of Consultation (Regulation 22(1)(c) Statement)

Q31. Examination document CSBLP3 confirms how the Councils have complied with the requirements of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended). Page 12 states that following the Regulation 18 consultation, where appropriate, comments from representors have been used to “... modify and shape the plan policies”. Please can you provide further information? In particular, how have representations made pursuant to Regulation 18 been taken into account in the Plan’s preparation?

31.1. CSB’s Regulation 18 engagement **[CSBLP4]** included the publication of an Issues and Options consultation document (January 2016) and a Green Belt Preferred Options consultation document (October 2016). There was no consultation on a ‘Preferred Policy Options’ document containing draft policies.

31.2. Paragraph 2.23 of the Statement of Consultation **[CSBLP3]** actually reads as follows: *“Following the closure of the Regulation 18 stage, the representations made by consultees were then considered in detail by the Councils. Where appropriate, and, in accordance with national*

policy, these comments have been used to modify and shape the plan policies. Thus it is considered that all stakeholders had an opportunity to help in shaping the development of their Local Plan.”

31.3. In hindsight, the use of the word ‘modify’ in the paragraph above is incorrect. Notwithstanding this, the Councils believe it is clear that the paragraph refers to the representations submitted at the Regulation 18 stage being used to inform the plan’s policies (which were introduced at Regulation 19 stage), therefore consequently ‘shaping’ the development of the Local Plan.

31.4. As to how the representations made pursuant to Regulation 18 were taken into account, all of the activity at Regulation 18 stage is available on the Examination page via **[CSBLP4]** or, alternatively at <https://www.chiltern.gov.uk/article/7398/Summary-of-Responses-to-Initial-Regulation-18-Consultation-Jan-Mar-2016->). Volume 1 provides a detailed summary of the Regulation 18 consultation and Volumes 2-5 list all of the representations individually. The “Council response” column in the tables set out how these views were taken into account.

31.5. Responses to the Green Belt preferred options document (October 2016) are also available via **[CSBLP4]** or, alternatively at <https://www.chiltern.gov.uk/summary-of-responses-to-preferred-options> . The “Officer Response” column sets out how each of the comments was taken into account. As reported through the Regulation 22 Statement of Consultation **[CSBLP3]**, there were 3,027 comments received.

31.6. However, the Regulation 22 Statement of Consultation **[CSBLP3]** does what it is required of it by the 2012 Regulations in providing a summary of the main issues which were raised at the Regulation 18 stage. Within document **[CSBLP3]** a link was provided to the detailed consultation statement which reported on activity at Regulation 18.

Affordable Housing – Policies DM LP2 and DM LP3

32. What is the justification for requiring development of between 5 and 9 dwellings to provide 40% affordable housing under policy DM LP3? Is this consistent with paragraph 63 of the NPPF which states that the provision of affordable housing should not be sought for residential developments that are not major development, other than in designated rural areas? Has the cost of providing 40% affordable housing on small sites been considered through viability testing?

32.1. This response should be read in conjunction with the Councils’ Affordable Housing Topic Paper. The three questions above are concatenated.

32.2. The questions seek clarity on the approach of seeking affordable housing contributions from small sites within CSB and the feasibility of requiring developments to do so, given paragraph 63 of the revised National Planning Policy Framework. The changes now mean that, for residential schemes, national policy exempts developments from paying affordable housing and other contributions where 10 or fewer homes will be provided, or

where the site has an area of 0.5 hectares as *'Planning obligations for affordable housing should only be sought for residential developments that are major developments... major development is defined in the National Planning Policy Framework as development where 10 or more homes will be provided, or the site has an area of 0.5 hectares or more.'*

(PPG Paragraph 023 Reference ID: 23b-023-20190901 Revision date: 01 09 2019).

What is the justification for requiring development of between 5 and 9 dwellings to provide 40% affordable housing under policy DM LP3?

32.3. The reason for requiring developments of 5-9 dwellings to contribute towards affordable housing is due to the high and demonstrable existing levels of need as the Councils explain below. In addition, some 88% of Chiltern District and 87% of South Bucks District fall within the Green Belt. 72% of Chiltern District – the northern part of the Plan area - is also covered by the Area of Outstanding Natural Beauty (AONB) designation - where seeking a contribution from sites of 5-9 units does not represent an inconsistency with national policy. Overall, the districts are mostly rural/semi-rural in nature, comprising small towns and villages which are tightly constrained by Metropolitan Green Belt with only limited scope for expansion within their settlement boundaries. Making efficient use of the sites we have, and therefore, making contributions towards affordable housing where schemes are viable is therefore critical.

32.4. Paragraph 27 of the Affordable Housing Topic Paper notes that the HELAA **[CSBLP 19]** identifies capacity for at least 326 homes on 48 sites of 5 to 9 dwellings. Due to the nature of the areas it is not uncommon to receive applications for schemes of 9 or fewer units in CSB.

32.5. Local Plan 2036 policies DM LP2 and LP3 set thresholds which are consistent with affordable housing policies in the existing Core Strategies for both Chiltern and South Bucks. Policy CS8 in Chiltern's Core Strategy and policy CS CP3 in South Bucks' Core Strategy require 40% affordable housing on qualifying sites. These 'qualifying sites' were defined in the Core Strategies as sites of 15 homes or more in Chiltern and sites of 5 homes or more in South Bucks districts – although the intention is for the thresholds in DM LP2 of 10+ (major) and DM LP3 of 5-9 (minor) to now apply across both districts.

32.6. Historically, Chiltern DC's Core Strategy was adopted in 2011. It set a target of 2,900 homes for the period 2006-26 and was derived from the revoked 2009 South East Plan (RSS). The target was determined at the regional level, and took account of the significant constraints present in the district. However, the old regionally-set targets were never subjected to the same degree of scrutiny regarding their deliverability, viability and achievability, all of which are key requirements within the NPPF. Indeed, under the old South East (and other RSS documents) the key regional 'growth point' towns were always intended to accommodate the bulk of housing growth for their area. The Core Strategy policies seeking affordable housing provision, rural exception housing, and contributions towards affordable housing had some limited success, but this must be considered against the modest level of the original RSS target. For South Bucks DC, Policy 1 of the relevant Core Strategy set a target of a net increase of 2,200 to 2,800 homes to be delivered over the

period 2006-26, and highlighted this was above the net 1,880 homes required by the South East Plan.

32.7. Whilst the theme of boosting housing supply has continued to be a common theme in national planning guidance, the way in which housing need has been identified and calculated for the purposes of plan preparation has changed significantly in a short space of time. This has also moved things along from local authorities needing to use the RSS housing target, to establishing their own 'objectively assessed need' figures after revocation of the RSS, to the more-recent introduction of the Government's standardised methodology for calculating housing needs.

32.8. These changes have increased the delivery targets from a combined Chiltern and South Bucks (CSB) range of 5,100 to 5,700 under the 2006-26 Core Strategies and South East Plan a decade ago to the current figure of 15,260 over the period 2016-36.

32.9. The shortfall in affordable housing in the two authority areas is summarised by Figure 44 in the HENA [CSBLP026]. The assessment estimates the need for 4,251 affordable homes over the plan period of 20 years. This equates to 213 affordable homes per annum. To put this in perspective, the annualised need of 213 homes is more than has been delivered over the last 5 years in the two Districts combined. The challenge to boost affordable housing delivery across the districts is therefore substantial. Private renters often pay more as a proportion of their income than social renters or owner occupiers, and if savings in the cost of living cannot be made, private renters (particularly those on low incomes) run the risk of falling into rent arrears, or amassing personal debt. This often results in bleak prospects for those who are trapped with the rising costs and insecurity of private renting, particularly for those who earn too much to qualify for affordable housing.

32.10. 213 homes a year only equates to 28% of the 763 homes per year housing target and, as set out in the Affordable Housing Topic Paper, it is necessary to apply a higher percentage to achieve the absolute number which are required over the Plan period.

32.11. Affordable housing delivery is currently running at levels far below the 40% requirement. Of the 2,121 completions during the five years from 1 April 2013 to 31 March 2018 across the two districts, an aggregated total of just 168 (7.9%) were affordable. In Chiltern's case, almost half (71) of the total number of affordable completions in the district actually took place during 2017/18.

32.12. This under-provision in itself justifies a need to seek the maximum possible amount (40%) of affordable housing from 'qualifying sites'. PPG paragraph 24 'Housing Need' notes that '*an increase in the total housing figures included in the plan may need to be considered where it could help deliver the required number of affordable homes*'. However, an increase to the housing target is impractical given the significant land constraints in CSB. Footnote 6 under Paragraph 11 of the NPPF lists areas where national policy would provide strong reasons for restricting the overall scale, type or distribution of development of a plan area. These definitions include the Green Belt and AONB.

32.13. Of the current delivery, 5,725 homes will be built in Aylesbury Vale DC's plan area under the Duty-to-Cooperate due to the highly constrained nature of CSB. Thus there is all the more reason to make the most efficient use of land within CSB; there is considerable reliance on small sites in brownfield land for the delivery of homes as there are few medium or large sites available that can deliver on-site affordable housing. The limited availability of land makes it all the more important to retain some flexibility in local decision-making on matters of significance such as affordable housing delivery.

32.14. High land values and the affordability gap in Chiltern and South Bucks are so extreme that many of the models used elsewhere for making housing more affordable still do not achieve genuine affordability for people looking to rent or to buy. Affordability (or lack of) in the CSB districts is comparable to the problems faced by many of the more costly areas of London. As such, local circumstances are considered to justify an alternative approach to require small developments resulting in a net gain of housing to contribute to affordable housing provision. This is on the basis of the acute need for affordable housing in the District, as demonstrated through the HENA [CSBLP026] and through the Affordable Housing topic paper.

32.15. Planning Practice Guidance (PPG) sets out that the unmet gross need for affordable housing should be calculated by assessing past trends and current estimates of:

- the number of homeless households;
- the number of those in priority need who are currently housed in temporary accommodation;
- the number of households in over-crowded housing;
- the number of concealed households;
- the number of existing affordable housing tenants in need (i.e. householders currently housed in unsuitable dwellings); and
- the number of households from other tenures in need and those that cannot afford their own homes, either to rent, or to own, where that is their aspiration.

(PPG Paragraph 006 Reference ID: 67-006-20190722. Revision date: 22 07 2019)

32.16. These issues are not within the direct control of the planning system to solve. Therefore, it is clear that concerns falling within the field of housing policy, such as the growing numbers of people on the housing registers, increasing overcrowding, increasing numbers of people in temporary accommodation along with increasing competition for such lets in the private rented sector all contribute to an increased demand for affordable housing. This both highlights, and justifies, the need to construct affordable housing to rent and buy.

32.17. Paragraph 5 of the Councils' Affordable Housing Topic Paper shows that average transaction values by Local Authority area at the end of March 2019 listed Chiltern and South Bucks as the 2nd and 3rd most expensive local authority areas in the UK to buy property (excluding London boroughs).⁹ Within London, just eight Inner London boroughs and

⁹ Using Land Registry data for March 2019.

Richmond on Thames had higher average values than CSB. Outside of London, only the Elmbridge Borough Council area of Surrey was more expensive on average.

32.18. Although it has no formal jurisdiction in Chiltern and South Bucks, policies within the draft London Plan (2017) formally encourage London Boroughs to circumvent national guidance on affordable housing thresholds where they can demonstrate acute need.¹⁰ Paragraphs 4.2.12 and 4.2.13 do, however, very aptly describe the situation 'on-the-ground' in CSB, in noting that sites of ten or fewer units play an important role in contributing to affordable housing delivery via cash in lieu contributions. London Plan Policy H2(H) essentially replicates CSB's justification for policy DM LP3.

32.19. This is all important from the perspective of affordability as the Land Registry data in the Affordable Housing topic paper means that, in March 2019, 23 London boroughs had cheaper average house prices than are found in the two districts. Furthermore, the income threshold for accessing intermediate forms of affordable housing is a maximum of £80,000 in England, as opposed to £90,000 within London. This serves to compromise actual affordability in the CSB districts to a greater degree than is found in many parts of London, given the existing levels of house prices and associated high rents and mortgage payments required. Market-based solutions to affordability, such as Help to Buy, only offer 20% loans outside of London, as opposed to 40% inside, requiring residents to take on more debt - despite house prices actually being higher in CSB than many parts of London.

Is this consistent with paragraph 63 of the NPPF which states that the provision of affordable housing should not be sought for residential developments that are not major development, other than in designated rural areas?

32.20. 88% of Chiltern District and 87% of South Bucks District fall within the Green Belt. 72% of Chiltern District – the northern part of the Plan area - is also covered by the Area of Outstanding Natural Beauty (AONB), a designated rural area, where seeking a contribution from sites of 5 to 9 units does not represent an inconsistency with national policy.

32.21. In other parts of the Plan area, the Councils' approach of seeking contributions from schemes of 5-9 units is no longer consistent with Paragraph 63 of the NPPF. However, the approach to affordable housing taken in the Local Plan 2036 is fully informed by local circumstances and these are not solely restricted to matters of viability or consistency with national policy. Local circumstances are considered to justify the departure from national policy. In addition to the high levels of affordable housing need, the Councils' approach should also be viewed in light of the land constraints, pressure to meet targets and the existing high prices affecting the CSB districts as set out above and through evidence in the HENA [CSBLP26] and the Affordable Housing Topic Paper.

32.22. Paragraph 2 of the PPG's Housing and Economic Land Availability Assessment section is explicitly clear that "*Plan-making bodies should consider constraints when assessing the suitability, availability and achievability of sites and broad locations. For example, assessments should reflect the policies in footnote 6 of the National Planning Policy Framework....*". This

¹⁰ <https://www.london.gov.uk/what-we-do/planning/london-plan/new-london-plan/draft-new-london-plan/chapter-4-housing/policy-h2-small-sites>

footnote lists the areas where the NPPF would provide strong reasons for restricting the overall scale, type or distribution of development of a plan area. These definitions include the Green Belt and AONB. In areas such as Chiltern and South Bucks, where land and site availability are a premium, then, logically, following Paragraph 2 of the PPG's HELAA guidance and Footnote 6 of the NPPF, this means that some local flexibility in decision making must be enabled.

32.23. With limited available sites for development, the efficient use of land becomes critical - as required by Section 11 of the NPPF. This also means that, given the number of applications across the districts which propose a small number of dwellings (under 10 units) such types of proposals constitute important sources of housing supply. Consequently, they are important in ensuring the ongoing delivery of affordable housing. Appendix 4 of the Councils' HELAA **[CSBLP19.5]** provides information on identified supply with and without planning permission at the time of its production (May 2019). This evidences a trend of schemes of under 10 units coming forward within the districts.

32.24. When a small-scale scheme is fully viable in a rural area, it is unclear why national policy would seek to cast doubt on the scheme's viability elsewhere within the same district - particular in areas like CSB, in which overall land values and property prices are more expensive than in many parts of London.

Legal Decisions and Consistency with the NPPF

32.25. National thresholds were formally proposed through the Written Ministerial Statement (WMS) of November 2014, and an update to the National Planning Practice Guidance (PPG) subsequently confirmed the introduction of thresholds preventing authorities from seeking affordable housing contributions for 'developments of 10 units or less, and which have a maximum combined gross floorspace of no more than 1,000 square metres floorspace'. In rural areas, including designated Areas of Outstanding Natural Beauty (AONB) the threshold was reduced to 5 units, and the floorspace threshold remained the same.

32.26. Earlier versions of the PPG, for example that shown at Appendix 1 of this paper from November 2016, showed that "*affordable housing and tariff style contributions should be sought from developments of between 6 and 10-units in the form of cash payments which are commuted until after completion of units within the development. This applies to rural areas described under [section 157\(1\) of the Housing Act 1985](#), which includes National Parks and Areas of Outstanding Natural Beauty*". This meant that affordable housing requirements could be applied to a scheme of 6 to 10 units in the Chilterns AONB area, or from similar schemes elsewhere where the floorspace was under 10 units and greater than 1,000 sq. m which would be fully consistent with national guidance. An element of friction has now arisen due to the considerably larger site area threshold of 0.5Ha introduced by the 2019 NPPF.

32.27. As a matter of law it is recognised that policies contained within a local plan may depart from national planning policy, whether set out in the NPPF or otherwise, if local circumstances justify such an approach. A high-profile recent example of this was recognised by the Court of Appeal in the Reading and West Berkshire v Secretary of State for

Communities and Local Government case¹¹ and indeed was supported expressly by a statement made in that case on behalf of the Secretary of State. It therefore follows that an individual policy within a local plan may, if justified by local circumstances, include a policy which departs from national planning policy in the NPPF on securing affordable housing from developments which are not classified as 'major' developments. Challenges in the courts upheld the legality of the statement^{12 13}, but they also clarified that the WMS and the thresholds did not have the effect of overriding local policies where there is evidence of exceptional need for affordable housing¹⁴.

32.28. Various appeal decisions from different Council areas between 2014 and 2019 have also supported these findings¹⁵ and have seen Inspectors conclude that planning applications must be decided in accordance with the development plan as the starting point, unless material considerations indicate otherwise.^{16 17}

32.29. The tests of soundness set out by paragraph 35 of the NPPF should be applied by reference to a whole plan, and a justified departure of an individual policy from the NPPF in light of local circumstances should not generate a finding that a local plan is unsound. Furthermore, Paragraph 3 of the NPPF states that *'the Framework should be read as a whole (including its footnotes and annexes)'*.

32.30. For example, with regards to housing and affordable housing delivery, NPPF Paragraph 59 states that within the context of boosting the supply of homes, *'it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay'*.

32.31. Paragraph 61 states *'... the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to, those who require affordable housing...'*

32.32. Paragraph 62 states that: *'where a need for affordable housing is identified, planning policies should specify the type of affordable housing required, and expect it to be met on-site unless off-site provision or an appropriate financial contribution in lieu can be robustly justified; and the agreed approach contributes to the objective of creating mixed and balanced communities.'*

32.33. In areas like CSB it is not uncommon to receive proposals comprising of a small number of homes due to the nature of the area. **[CSBLP19.5]** evidences that a number of

¹¹ <https://www.no5.com/cms/documents/JWI%20West%20Berkshire%20Judgment.pdf>

¹² See: <http://www.bailii.org/ew/cases/EWCA/Civ/2016/441>

¹³ <https://www.lambchambers.co.uk/news-and-resources/secretary-of-state-for-communities-and-local-government-v-west-berkshire-dc-and-reading-bc-2016-ewca-civ-441.htm>

¹⁴ See: https://www.london.gov.uk/sites/default/files/ad_34_richmond_pins_response.pdf

¹⁵ See: <https://www.elmbridge.gov.uk/EasySiteWeb/GatewayLink.aspx?allId=3680>

¹⁶ See: [https://present.brighton-hove.gov.uk/Published/C00000118/M00009176/AI00068107/\\$AppealDecisionLandEastoftheVale.pdfA.ps.pdf](https://present.brighton-hove.gov.uk/Published/C00000118/M00009176/AI00068107/$AppealDecisionLandEastoftheVale.pdfA.ps.pdf)

¹⁷ See: https://www.london.gov.uk/sites/default/files/ad_34_richmond_pins_response.pdf

sites across the districts are for proposals of 10 or fewer dwellings. If national policy is therefore afforded full weighting, it would simply serve to reduce the number of schemes from which contributions could be sought. The significant increase in the threshold from 1,000 sq. m to 0.5ha is therefore likely to intensify any identified affordable housing needs, given it will reduce the number of schemes eligible to make affordable housing contributions. Specifically, it takes small developments of executive homes outside the purview of providing affordable housing under Section 106 obligations.

32.34. In addition, the change to the national policy floorspace threshold would not automatically eradicate the relevance of the WMS and its associated Court rulings, given the legal confirmations that affording considerably lesser weight to local policies because they are in part, inconsistent with national planning policy, is arguably not an appropriate one. Such rulings, which were subsequently confirmed in a letter from PINS to the London Borough of Richmond on Thames¹⁸ found that the effect of the WMS was not to reduce the weight that should be given to the statutory development plan, or automatically to outweigh relevant development plan policies.

32.35. Local policy will continue to remain the legal starting point for the consideration of planning applications under Section 38(6) of the Planning and Compulsory Purchase Act 2004, which requires that the Council determines applications in accordance with the adopted development plan unless material considerations indicate otherwise. This point is acknowledged in paragraph 2 of the NPPF as a matter of planning law. While paragraph 63 of the NPPF will be a material consideration, the weight to be given to it is a matter for the decision maker when determining each planning application.

32.36. Despite NPPF paragraph 63, the Councils are aware of other local authorities who are continuing to assess on a case-by-case basis whether local circumstances exist to justify the collection of affordable housing contributions in their areas. These authorities include Elmbridge Borough Council and the London Boroughs of Richmond, Camden and Islington. The aforementioned Councils are four of the 10 UK areas with higher house prices (on average) than Chiltern and South Bucks. Outside of London, only Elmbridge has higher values than CSB.

32.37. Reading Borough Council was able to adopt its Local Plan in November 2019 despite non-conformity with the affordable housing thresholds set out in national policy. The Inspector's report suggested a modification to make it clear that for sites of 5-9 dwellings, the provision of affordable housing should not be on site, and that in-lieu contributions could be sought (essentially replicating the London Plan policy H2H, referenced earlier in this response). The Inspector then concluded that, *"Subject to MM19 and, having carefully considered the issues there are a number of specific local circumstances in the case of Reading to support the proposed thresholds for sites of 1-4 and 5-9 dwellings and to justify a departure from national policy."*¹⁹

¹⁸ https://www.london.gov.uk/sites/default/files/ad_34_richmond_pins_response.pdf

¹⁹ Paragraph 60 of http://www.reading.gov.uk/media/10392/Final-Inspectors-Report-24092019/pdf/Final_Inspectors_Report_24092019.pdf

32.38. From a planning point of view, it would be desirable to have the affordable housing units on site. However, for reasons of management, registered providers are often reluctant to take on board the management of small or very small numbers of a handful of units across dispersed areas and it is not cost efficient for them to do so.

NB: At this stage of the Examination process, CSB would acknowledge there is a need for a modification to DM LP3 to make it clear that for schemes of 5-9 dwellings, the provision of affordable housing should not be on site. In lieu payments will therefore be preferred, while DM LP3 currently requires that a minimum of 40% of affordable homes are delivered on site.

32.39. The Berkshire Strategic Housing Market Assessment (SHMA, 2016) was undertaken in 2016. South Bucks district formed part of the study area. This was another study which emphasised the critical need for affordable housing. For the reasons set out above, it is therefore appropriate that small sites contribute to meeting this need.

Inconsistency between Paragraph 63 and other aspects of national policy

32.40. A Local Authority must submit a Plan for examination which it believes is sound. In comparison, there appears to be an element of tension between the thresholds of 10 units and 0.5Ha required under NPPF Paragraph 63 and other aspects of national policy, including the provisions of Section 11 'Making Effective Use of Land'. Taken together, these thresholds would represent a maximum density of just 20 dwellings per hectare.

32.41. Where development proposals would require the construction of any estate roads, open space or play facilities to be provided on-site, the site area figure would stay the same but the developable area of a site would be reduced, potentially causing a further lowering of density.

32.42. Given that pre-2010 iterations of the former PPS3 on Housing²⁰ required a national indicative minimum of 30 dwellings per hectare (dph) net to guide policy development and decision-making, and that, as set out above, the methodology behind calculating housing need has changed resulting in a tripling of housing targets in this area, it is unclear why the Government would seek to enforce the promotion of development at densities which are lower than were required under national policy a decade ago.

32.43. Low density development is intensive in its land take, and contributes towards urban sprawl. The promotion of low-density, land intensive development would undermine and contradict many other sections of the NPPF, including Section 11 which requires authorities

²⁰ See

<https://webarchive.nationalarchives.gov.uk/20100408023853/http://www.communities.gov.uk/documents/planningandbuilding/pdf/planningpolicystatement3.pdf>

to make effective use of land. Paragraph 123 specifically requires that planning policies and decisions '*avoid homes being built at low densities*'.²¹

32.44. Low density development will also contribute towards accelerating the pressure for further and ongoing Green Belt releases to meet needs, so is contrary to the intentions of Section 13 "Protecting Green Belt Land". It appears hostile to the intentions of Paragraph 127 in Section 12, as promoting low-density development cannot optimise the potential of a site to "accommodate and sustain an appropriate amount and mix of development". It is also contrary to paragraph 104, given that it interferes with the ability to support an appropriate mix of uses and that low density development risks lengthening journey times as a greater proportion of land would be required to accommodate less.

32.45. The cost to a developer of meeting planning obligation costs, too, are likely to be reduced as density increases, given that some of the necessary infrastructure (utilities such as gas, water and electricity) will already be present in the area and that viability is a material planning consideration under national planning policy.

32.46. Paragraph 3 of the NPPF states that '*the Framework should be read as a whole (including its footnotes and annexes)*'. It is clear, therefore, that individual paragraphs should not be given a disproportionate emphasis. As a consequence of this, full consistency with Paragraph 63 would, arguably, cause inconsistency between the Local Plan 2036 and several other sections of the NPPF – thus arguably a Local Plan promoting such a strategy would not be 'justified', as an appropriate strategy must involve delivering affordable housing where schemes are viable. It would cast doubt on the overall 'consistency with national policy' for the reasons set out in Paragraphs 32.40 to 32.43 above, and would then not be 'positively prepared' as the strategy would not achieve sustainable development, in line with tests 'a', 'b' and 'd' of the Tests of Soundness, set out by Paragraph 35 of the NPPF.

32.47. If greater weighting is afforded to national policy in respect of affordable housing contributions in areas where land availability is severely restricted, or, for example, where a 5 year supply of land for housing cannot be fully demonstrated, this could, conversely, be seen to justify a need for more radical local policy changes to be implemented in future to force the efficient use of land, a proposal which may be justifiable under Section 11 of the NPPF. This would include a need to explore the use of 'maximum' residential space standards to attempt to meet ever-increasing housing targets, and ensure that a greater proportion of future residential development would be accommodated within the districts' boundaries, thus reducing the need to utilise the Duty to Co-Operate in future. This was not considered as a 'reasonable' alternative for the Local Plan 2036 due to the existence of the former 10 units/1,000 sq. m thresholds under earlier versions of the PPG.

NPPF Impact Assessment

²¹ NPPF Para 123: "Where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site"

32.48. In setting the new, higher 10 units or 0.5 Ha thresholds for residential development, it is unclear as to whether Government made any assumptions about the size of the dwellings to be built and whether they comply with national space standards (NSS) or not. If their assumptions are that the homes are larger than NSS, the high property prices in an area like CSB mean there would be no viability concerns and schemes will comfortably be able to provide an affordable housing contribution, as shown by Appendix 1 and Appendix 2 of the Viability Assessment [**CSBLP51 and CSBLP52**]. Alternatively, if the Government had assumed they were built to NSS only, then a greater number of units could be built on site, subsequently giving reason to question a threshold of 0.5Ha rather than using a lower figure; and likewise if any units built were smaller than NSS.

32.49. Furthermore, the change from 1,000 sq. m to 0.5 Hectares does not appear to have been picked up by an Impact Assessment. Although an EQIA was prepared for the July 2018 revised NPPF, the effects of the change in threshold were not specifically addressed.

32.50. The floorspace changes will clearly exempt schemes delivering small numbers of executive homes from paying contributions when they would have needed to do so under the 2012 NPPF and the 1,000 sq. m floorspace threshold. The Councils have provided some proof of this in Table 1.

32.51. The Government's Impact Assessment seems to assume that *"policies in the NPPF as a whole will increase the overall supply of housing and should not reduce the current supply of affordable housing for rent..."*, yet it is not apparent why this is the case, as a minimum of 10% of the affordable housing delivered on-site should be available for purchase and, without the existence of the 10% requirement in national policy, some (or all) of the 10% may have been built for intermediate rent. However, this overlooks that many of those on local housing registers cannot afford to purchase a home, and compromises the ability of the Councils to deliver the mixed and balanced communities required under the NPPF. In an expensive area like CSB, this would firmly skew the demographics towards hosting an aging resident local population, as the younger and lower paid would need to go elsewhere to afford a home. This, again, would be contrary to the NPPF.

Has the cost of providing 40% affordable housing on small sites been considered through viability testing?

32.52. Viability was not the starting point for policy development. It was established by the evidence base that there was an acute affordable housing need and severe constraints on land supply (set out below) which would justify a policy response. The CIL and Local Plan viability study then assessed whether requiring the maximum possible amount (40%) of affordable housing would be viable.

32.53. CSB's CIL and Local Plan Viability Assessment Final Report (DSP, June 2019) [**CSBLP050**] tested the viability of achieving affordable housing on typical development sites within the area, assessing whether requiring the maximum possible amount (40%) of affordable housing would be viable. This included testing some sites providing fewer than 10 dwellings.

32.54. **[CSBLP50]** provides a measured and proportionate analysis of the emerging Local Plan policies, from a viability perspective, including affordable housing delivery, and supported the Community Infrastructure Levy (CIL) Charging Schedule, for which the hearings took place in November 2019²².

32.55. The assessment [**CSBLP50**, p95-96, Figure 12] concluded that implementing an affordable housing percentage of 40% would allow for CIL to be introduced at the rates proposed in the Draft Charging Schedule whilst still encouraging growth and development within the two Districts. The modelling work to confirm this is shown in Appendix 1 and Appendix 2a of the viability assessment.

32.56. Given that **[CSBLP50]** shows that schemes would remain viable after making contributions, it should also be acknowledged that the viability section of the PPG also seeks to prevent developers from using viability assessments as a means to avoid building affordable homes. The PPG achieves this by making it clear that the role for viability assessment is primarily at the plan-making stage, and that *'under no circumstances will the price paid for land be a relevant justification for failing to accord with relevant policies in the plan'* (Paragraph 006, Reference ID: 10-006-20190509, also Paragraph 011, Reference ID: 10-011-20180724) as *'where up-to-date policies have set out the contributions expected from development, planning applications that fully comply with them should be assumed to be viable'*. (Paragraph: 007 Reference ID: 10-007-20190509).

32.57. This enables local authorities to make the case for why affordable housing policies are economically viable on the sites in their plan, which in turn should help to prevent developers from using the argument that they have paid too much for land as a way to avoid building affordable homes.

32.58. However, in order to plan for the size, type and tenure of housing needed for different groups in the community, and therefore increase affordable housing delivery to meet the needs of all groups (as required under Section 5 of the NPPF). CSB must have the ability to consider on a case-by-case basis whether local circumstances are sufficient to warrant the application of local policies, with regard to affordable housing and the nature of the development sites, or whether greater legal weighting should be attached to the NPPF and PPG.

32.59. The Councils believe such a case has been made, and that a departure from national policy is justified.

33. How has the method for calculating an off-site financial contribution towards affordable housing in Appendix LP2 been determined? What is it based on and is it justified by supporting evidence? What provision does the Plan make for considering development proposals that do not provide 40% affordable housing, for example due to site viability?

²² Accessed at: <https://chiltern.gov.uk/cil/examination>

33.1 The Local Plan 2036 [CSBLP1 p56 and 58 paragraphs 5.4.6 and 5.5.2] allows for site specific viability testing in limited circumstances. Exceptions to meeting requirements in full can be made on the grounds of viability where this is demonstrated, in line with the NPPF.

33.2 However, as set out in response to Question 32, viability was not the starting point for policy development. The acute affordable housing needs in the CSB districts, as demonstrated through the HENA [CSBLP026] and the Affordable Housing topic paper, and the severe constraints on land supply are considered to justify a strong policy response, as set out in response to the three sub-questions under Question 32 above, and in the Affordable Housing Topic Paper.

33.3 Para 2.2.7 of [CSBLP50] sets out a table showing the scheme typologies assessed. The study considers how the costs of meeting any potential planning obligations interact with each other in detail at Appendix IIa of the viability study [CSBLP52]. Benchmark land value of a scheme is based on the Existing Use Value (EUV) of the land. The assessment is also consistent with the new NPPF and accompanying PPG on Viability, as the revised NPPF no longer contains any reference to competitive returns to a willing land owner and willing developer.

33.4 The findings of the study [CSBLP50], Appendix 1 [CSBLP051] and Appendix 2a [CSBLP052] all indicate that from smaller sites a proportion of affordable units can reasonably be sought and still be viable. It is generally accepted that, from small sites, seeking a financial contribution is more appropriate than on-site provision. As such, the Council has proposed a wording modification to DM LP3 to address this matter.

Housing Standards – Policy DM LP6 34

34. What is the justification for requiring 25% of market homes, and all affordable homes, to be built to the higher accessibility standards set out in Building Regulations Part M4(2), of which 10% must be provided to category M4(3) standards? How have the Councils taken into account the likely future need for housing for older and disabled people, the accessibility and adaptability of existing housing stock, how needs vary across tenures and the overall impact on viability?

34.1. Requiring new housing to be built to M4(2) accessible and adaptable standards will ensure that the housing stock becomes progressively more capable of responding to the needs of households. It will also help to ensure that households are able to make feasible and effective adaptations to their homes, without incurring substantial cost or needing to move property. Paragraph 61 of the NPPF now identifies that local planning authorities should plan for households with specific needs, and plan to meet this need. The PPG also states that the optional standards on accessibility have been created to reduce burdens on house building. Local Authorities must also gather evidence to determine if there is a need for the standards in their area, and, where they are proposed, the use of the standards in a Local Plan must be fully justified. Site specific factors such as vulnerability to flooding, and topography must be considered.

34.2. On this basis, in establishing the need for M4(2) Category 2 housing it is important to consider the population projections and health demographics of the area. The Councils' HENA [CSBLP26] notes that the needs of households will change over time, as health deteriorates as members of a household get older, but also as a consequence of an accident/health condition affecting mobility. Households may also gain additional members with existing conditions, including children born with disabilities.

34.3. Based on available evidence, the Council has taken account of the following factors to inform its policy preparation:

a) Projected change in Population of Older Persons over the Plan Period (2016-36)

34.4. The ward profiles show that many wards across Chiltern district²³ and South Bucks²⁴ district already contain a higher proportion of people aged 45-64 and 65+ than the national (and district) averages. Figures 2 and 3 of Pages 14 and 15 of the Councils' HENA [CSBLP26] also demonstrates there will be a significant increase in the numbers of people aged 65 and over in the districts by 2036. Chiltern and South Bucks districts are not alone in this trend, ONS household projection data confirms that the proportion of elderly people will increase nationally. Nevertheless, these statistics are of importance when establishing the types of housing required going forward, and in highlighting the increasing need for purpose-built housing developments for older people.

b) The likely future need for housing for older and disabled people (including wheelchair user dwellings)

34.5. Page 62 of the HENA [CSBLP26] concludes that, over the Local Plan 2016-36 period, a total need of around 5,347 homes for older people should be provided over the Plan period. This figure comprises around 3,650 sheltered homes (2,824 owner occupied and 822 for rent) and around 1,700 extra care homes (816 owner occupied and 885 for rent). Most of these properties will already be counted as part of the overall housing need; however, some extra care provision may offset some of the identified need for residential care and would therefore be additional to the household projections.

34.6. The HENA also identified a substantial growth in older households, although many of these will not move from their current home and will make adaptations as required to meet their needs. However, a large number of older households will still choose to move to an accessible home and others may have to move where it is not viable for their current home to be adapted. Not all of these households want to live in specialist older person housing, so it is important to ensure that accessible general needs housing that is suitable for older people is also provided. This will often free up family housing occupied by older households. Not all health problems will affect households' housing needs. Nevertheless, just over 17% of households with a disability that affects their housing need either require adaptations or

²³ http://www.chiltern.gov.uk/media/9870/Chiltern-Ward-Profiles-2015-full-set/pdf/Chiltern_Ward_Profiles_2015_-_full_set.pdf?m=636335536899670000

²⁴ <https://www.southbucks.gov.uk/article/7486/Profile-of-the-District>

need to move to a more suitable home, which equates to 1.5% of all households across the districts.

34.7. Additionally, the Government's reforms to Health and Adult Social Care are generally underpinned by a principle of sustaining people in their own homes for as long as possible. The Chiltern and South Bucks ward profiles were prepared in 2015. Based on Census 2011 data, these showed that the average percentage of people who declared themselves as having bad or very bad health was 3.8% for the South Bucks district and 3.2% for Chiltern District. Even if these proportions remain unchanged into the future, it will be another way in which there will be an increase in the number of people potentially requiring assistance in their own homes.

34.8. The National Planning Practice Guidance (PPG) sets out that the Local Plan should clearly state the proportion of new dwellings which are expected to comply with accessibility requirements. In addition, there are other general sources of information which highlight the need for homes to be built to accessibility standards. For example, the Leonard Cheshire Disability 2014 report 'The Hidden Housing Crisis' states that 54% of those with mobility impairments who have looked for accessible homes said they were difficult to find. A report by Habinteg in 2010, '*Mind the Step: an estimation of housing needs among wheelchair users in England*'²⁵ also concluded that the majority of homes in England (84%) do not enable a wheelchair user to get to (and through) the front door without difficulty. Age UK's 2019 report "Home Truths"²⁶ also draws attention to the lack of accessible housing, and recognises that the UK has some of the poorest space standards in Western Europe.

34.9. There is a demonstrable need for including the proposed optional access requirements M4(2) in a policy as this will ensure appropriate and accessible dwellings are built for both the current and future population. Habinteg's "A forecast for Accessible Homes"²⁷ report of June 2019 reviewed 322 Local Plans in England and noted that, of all new homes due to be built outside London by 2030, just 23% will be built to an accessible or adaptable standard, with just 1% of homes outside London set to be wheelchair accessible properties.

34.10. This requirement also has to be seen in light of the growing number of homes nationally which are being provided under permitted development rights via the conversion of buildings originally designed for other uses, such as office blocks. Dwellings which are suitable for wheelchair users require additional circulation space to be provided, and homes which are 'easily adaptable' may need the same size of floorspace to be provided to enable sufficient access to the property. These requirements are unlikely to be met through conversions which often result in the creation of apartments below the minimum 'nationally described space standards'.

c) Size, location, type and quality of dwellings needed to meet specifically evidenced needs

²⁵ See: <https://www.habinteg.org.uk/download.cfm?doc=docm93jjm4n450.pdf&ver=537>

²⁶ See: <https://www.ageuk.org.uk/globalassets/age-uk/documents/reports-and-publications/consultation-responses-and-submissions/safe-at-home/housing-age-uk-mythbuster-apr-19.pdf>

²⁷ See: <https://www.habinteg.org.uk/download.cfm?doc=docm93jjm4n2151.pdf&ver=2575>

34.11. In 2016 there were around 16,018 households living in Chiltern and South Bucks in 2016 with one or more persons with a limiting long-term illness or disability. This included around 5,372 (16,018 minus 10,647 rounded) households where their health problems affected their housing needs, but the majority of these households (around 4,541) were already living in a suitable home. However, at the start of the Plan period in 2016, it is estimated that there were around 407 households needing to move to a more suitable home due to a disability or another long-term health problem. These households would represent an existing need for M4(2) housing, however some of these households would be wheelchair users needing M4(3) housing. A further 424 households needed adaptations to their current home.

34.12. Paragraph 6.50 of the HENA modelling pointed out that, in addition to those 5,372 households with existing conditions, it is likely that a further 2,516 households would develop health problems within 10 years.

d) The accessibility and adaptability of existing housing stock

34.13. 'Accessible and adaptable' dwellings are dwelling which enable most people to gain access to and use the property and its facilities. It enables differing needs to be met including the needs of older people and wheelchair users i.e. accessible. The standards also allow the adaptation of the property to meet these needs over time i.e. adaptable. Figure 49 of the HENA [CSBLP26] identified that many existing homes in the districts were not suitable for adaptation to meet the M4(1) Category 1 standard, and others would require major works. Fewer dwellings would be adaptable to the M4(2) Category 2 standard given the additional requirements. Based on the housing mix in Chiltern and South Bucks, it is likely that around 62% of all dwellings could be converted to meet the M4(1) standard.

34.14. Whilst the proportion that could be converted to meet the M4(2) standard would be lower, this provides a reasonable upper estimate of the number of households likely to be able to adapt existing homes rather than move to new housing. On this basis, we could assume that at least 38% of the additional households where illness or disability affects their housing need would move to new housing – some 3,267 households.

34.15. Together with the 407 households identified as needing to move at the start of the Plan period, this would represent a total of 3,674 households requiring a move.

34.16. There is inevitably uncertainty about how many households will be able to meet their housing needs without moving and how many will move to existing homes rather than new housing. Nevertheless, the minimum of 3,674 households and maximum of 9,659 households identified in Figure 53 of the HENA provided an appropriate range for the local authorities to consider. It was noted that, even at the lower end of this scale, the figure represents 24% of the overall planned housing requirement for Chiltern and South Bucks, while the 9,659 figure represents 63% of overall need.

34.17. Figure 56 of the HENA [CSBLP26] provides a table showing the proportion of households likely to have a wheelchair user by the age of the household. Generally, this

increases with age. It is evident that the number of households likely to need wheelchair adapted housing in Chiltern and South Bucks is likely to increase by 820 over the 20-year period, equivalent to around 5.8% of the overall housing requirement. The evidence supports the need for a target of 6% of all housing to meet M4(3) Category 3 requirements. Based on the earlier conclusion that between 24% and 63% of all new housing should be suitable for the needs of households with health problems or disabilities that affect their housing requirement, we can therefore conclude that the evidence also supports the need for a target of between 18% and 57% of all housing to meet M4(2) Category 2 requirements.

34.18. However, this comes with a caveat in that over 70% of the identified growth in households with wheelchair users (580 households) are aged 75 or over, and it is likely that many of these households would also be identified as needing specialist housing for older persons. The earlier analysis identified a need for around 5,300 specialist older person housing units for households aged 75 or over in Chiltern and South Bucks. Nonetheless the HENA has concluded that evidence supports the need for a target of at least 25% and ideally 50% or more of specialist housing for older people to meet M4(3) Category 3 requirements, and that all specialist housing for older people should meet M4(2) Category 2 requirements.

34.19. Elderly people will tend to spend a greater proportion of their time at home. This could also mean that, in tandem with the conditions of the current housing stock and the high proportion of homes which cannot be easily adapted, it is reasonable to conclude that a greater proportion of the population may be considered to be at risk of living in unsuitable homes.

e) Overall impact on viability

34.20. The justification is based on the HENA, prepared by ORS [CSBLP26]. The viability is based on the analysis of Dixon Searle Partnership [CSBLP50]. The evidence from ORS [CSBLP26] provides that at least 6% of specialist, market and affordable housing should be to M4(3) standard. It goes on to state that the requirements should be at least 25% and ideally 50% for specialist homes. Building to the M4(2) and M4(3) requirements will not make schemes unviable in areas with high land and property values, like CSB. Some flexibility will be needed if it can be demonstrated at planning application stage that a development cannot meet the optional higher M4(2) standard. However, viability was not the overriding consideration in setting the policy direction.

34.21. Work undertaken by the Councils' viability consultants Dixon Searle for another Local Authority (Eastleigh) pointed out that, in their view, the implications of meeting the higher standards were more about early planning and design considerations, and are not related to financial viability to a detectable degree. Viability, therefore, should not be seen as the main driver behind an approach to deliver a greater proportion of accessible homes. For the assessment purpose, some slightly increased floor areas would result in slightly higher build costs, but that it would be reflected in pro-rata sales values increases, as development values and costs can be looked at on a price per square metre basis.

34.22. As part of the Government's Housing Standards Review consultation in 2014, a cost analysis was produced by EC Harris relating to a range of proposed standards. This included

access.²⁸ Approximate costs of complying with the optional Category 2 requirements of Part M4 were included. The analysis covered various costs for different types of dwelling and on different forms of development. Critically, the report anticipates that approximately 60% of the extra costs incurred by providing additional access-related space would subsequently be recouped by developers as a consequence of being able to sell the units for a higher price than a 'standard' home.

35. Likewise, what is the justification for requiring all specialist housing for older people to be constructed to M4(2) standards, of which at least 25% must meet category M4(3)? Is this policy intended to apply to those types of housing listed under paragraph 5.8.2?

35.1 This is set out in response to Question 34 above.

36. Is the wording in Policy DM LP6 sufficiently flexible to ensure that the policy does not undermine the viability and delivery of residential development in the Plan area, particularly when taking into account site specific factors? Have the standards in Policy DM LP6 been tested to ensure that all new residential development will remain viable, particularly in relation to smaller sites and those with lower land values?

36.1 The policy has limited flexibility given that the policy is fully viable. There will be some degree of flexibility for M4(2) standards at planning application stage for smaller sites, and with regards to M4(3) where the Council has opted for at least 25% rather than the potential for at least 50%.

36.2 The districts do not contain areas where differentiation is required for low land value as evidenced by the viability assessment [CSBLP50, p96 final row] and by the CSB CIL charging schedule. There is very little difference of average land values between Chiltern district and South Bucks district. [CSBLP50] pointed out that for "*Residential (all forms of C3, including for the elderly - retirement / sheltered) Our assessment considers the proposed £150/sq. m. across each district (2 charging schedules) to be viable and at this level to not require differentiation for particular areas/zones of sub-sets of development type*".

Older Persons, Specialist and Supported Living – Policy DM LP7

37. How have the Councils considered the size, type, and tenure of housing needed for older people over the plan period, and how is this reflected in the Plan as required by paragraph 61 of the Framework? What is the requirement for the number of specialist homes needed for older people over the plan period and how does the Plan ensure that these needs will be met?

37.1 To some degree the Councils have considered the size, type and tenure of through the HENA and evidence base as outlined in response to questions 34, 35 and 36 above.

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https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/353387/021c_Cost_Report_11th_Sept_2014_FINAL.pdf

37.2 Figure 46 of the HENA [CSBLP26, as replicated below] shows a need for 2,818 homes between 2016 and 2036 - or approximately 141 homes each year. If a backlog is added could raise the need to 5,347 [pg. 62, fig 4]. These numbers have been assumed to be part of the Governments Local Housing Need figures for plan making authorities. Supporting text Policy DM LP7 lists some of the types and tenures for older person homes. It is acknowledged these may change as models evolve over time. The policy itself therefore has a focus on location, facilities, balanced communities and an emphasis on an applicant's justification for any losses.

Figure 46: Additional Modelled Demand for Older Person Housing 2016-36 (Source: Housing LIN Toolkit)

		Chiltern and South Bucks
Population aged 75+		
	2016	17,322
	2036	28,550
Change 2016-2036		11,228
Additional Modelled Demand for Older Person Housing		
Traditional sheltered		674
Extra care	Owned	337
	Rented	168
Sheltered 'plus' or 'Enhanced' Sheltered	Owned	112
	Rented	112
Dementia		67
Leasehold Schemes for the Elderly (LSE)		1,347
TOTAL		2,818

37.3 However, it appears that there is still a role for planning application stage / site-specific viability reviews but that it is *'up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage'*. An illustrative list of those circumstances where viability should be assessed in decision taking is also included in PPG paragraph 7, under the 'Viability' section. These circumstances include: *'where development is proposed on unallocated sites of a wholly different type to those used in viability assessment that informed the plan; where further information on infrastructure or site costs is required; where particular types of development are proposed which may significantly vary from standard models of development for sale (for example build to rent or housing for older people); or where a recession or similar significant economic changes have occurred since the plan was brought into force'*.

37.4 The supporting text to Policy DM LP2 of the emerging joint Local Plan states in this regard: 'If the Council determines that the full affordable housing contribution cannot be made at the time of the decision, the Council will require a review mechanism in the S106, to assess if circumstances have improved the position to increase the provision to the full policy compliant amount'. The Councils also acknowledge there is the potential for the development of some sites identified by them to need to overcome abnormal issues and support added costs when further master planning is undertaken. A number of the strategic sites are expected to be influenced to some extent by such factors. The NPPF recognises that within this picture there could be sound reasons for site-specific viability evidence to be brought forward at the delivery stage in such circumstances; as a part of ultimately settling the development details and exact degree of support that can be maintained for planning obligations to secure infrastructure.

Internal Space Standards – Policy DM DP17

38. Footnote 46 of the Framework confirms that planning policies may make use of the nationally described space standards, where the need for an internal space standard can be justified. Please can you point to where the evidence base justifies the requirements of Policy DM DP17?

38.1 The Government’s Technical Housing Standards introduced national space standards for housing which can be used in a Local Plan policy if there is sufficient evidence of need and no undue impact on viability. The need for internal space standards in new housing is overwhelming given the evidence both nationally and locally that, without them, many new homes are likely to be built below the recognised minimum standards sufficient for a healthy living environment for individuals and families. A number of studies over recent years have found that the UK has the smallest homes by floorspace in Europe.

38.2 Sub-standard homes²⁹ can have significant societal costs, which will more than outweigh the modest extra capital cost of providing at least minimum space standards in every new dwelling. Unaffordable housing plays a vital role in changing the way people live, and constraining their life choices.³⁰ Land values are very high in Chiltern and South Bucks, and the Councils’ policy approach needs to encourage the delivery of good quality affordable housing and homes with fewer bedrooms (i.e. smaller homes, not ‘small’ homes) across the districts.

38.3 While it has no jurisdiction within Chiltern and South Bucks, the London Plan has successfully used space standards for many years. They provide a consistent set of standards for developers in London, which help to provide certainty and clarity about the requirements for new development to be permitted.

38.4 Page 38, paragraphs 2.8.2 – 2.8.4 and Appendix 1 of the Local Plan and CIL Viability Assessment **[CSBLP50]** concluded that the introduction of a policy applying the nationally described space standards to new dwellings would not have a significant effect on development viability. Furthermore, as set out in the Councils’ Affordable Housing topic paper, 23 London boroughs have average property prices which are lower than is found in Chiltern and South Bucks districts, and the introduction of space standards in these boroughs has had no impact on development viability or prevented housing development from coming forward in London. For this reason, the Councils seek to apply the standards in line with the NPPF.

Equipped Play Areas – Policy DM HP3

39. Is the wording in Policy DM HP3 sufficiently flexible to ensure that the policy does not undermine the viability and delivery of residential development in the Plan? Have

²⁹ For example: <https://www.telegraph.co.uk/news/2019/08/20/children-growing-shipping-containers-due-lack-council-housing/>

³⁰ See: <https://iea.org.uk/the-hidden-costs-of-the-housing-crisis-2/>

the requirements in Policy DM HP3 been tested, alongside other policy requirements, to ensure that new residential development will remain viable?

39.1 The Viability Assessment [CSBLP50, pp. ii/iii, paragraphs 10 and 11] finds the whole plan policy requirements to be viable. It concluded that:

'Based on the policies and other estimated development viability cost impacts, at a "whole plan" level, developments should be capable of coming forward viably in accordance with national policy and guidance. This takes account of the affordable housing (at 40%) together with the policies on development standards such as accessibility, water usage efficiency and sustainability iii (enhanced over base building regulations) as well as s.106 infrastructure contributions/ works and/or CIL as proposed. These have been found suitable positions in viability terms.'

39.2 The policy takes account of the deficits of provision for children and young people [CSBLP39.7, pp. 38 and 78]. These show a deficit of 24.9ha. of equipped and active play space in Chiltern and a deficit of 12.98ha. in South Bucks. This means that population growth over the plan period will result in a need to at least provide for the Fields in Trust outdoor sport and play standards.

39.3 In relation to the proposed site allocations, Policy DM HP3 will also require capital and land for compensatory measures for the loss of the Green Belt, such as the provision of LAPs, LEAPs and NEAPs.

Topic Papers and Evidence Base Documents

40. The Councils' covering letter, dated 26 September 2019, states that some additional topic papers will be submitted. Please can you provide an update on the preparation of the topic papers and the likely timescale for their completion?

40.1 The Affordable Housing and Economic Development and Employment Topic Papers are being submitted in parallel with this document. The Councils will submit a Green Belt Topic Paper as an examination document early in 2020.

41. The submissions and representations also refer to a Settlement Capacity Study that does not appear to have been submitted. Please can the Councils confirm whether this is different to the Review of Settlements within the Green Belt (Ref CSBLP15.5, dated April 2019), and if so, provide a copy for the examination website?

41.1 A Settlement Capacity Study was published in June 2019 at the start of the of Regulation 19 consultation. This is a different document to the *Review of Settlements within the Green Belt* [CSBLP15.5, dated April 2019]. The purpose of the former was to calculate housing numbers for each parish within the districts to allow Appendix LP1 – Housing Supply in the Local Plan to be compiled. This appendix sets out potential housing numbers from sites adjudged to be suitable, deliverable and available in the HELAA [CSBLP19] for each of the neighbourhood areas which have been designated, thereby fulfilling the requirement to do so in NPPF paragraph 65.

41.2 Whilst we are happy to provide a copy of the Settlement Capacity Study for the examination website, figures within it have been rendered out of date by a revised version of the HELAA which is under preparation. We shall publish a revised version of the Settlement Capacity Study, which takes into account the findings of the latest HELAA, on the examination website in January.

Appendix 1: Previous archived version of PPG Paragraph 31 setting out floorspace thresholds from the Written Ministerial Statement (referenced in para 32.24)

Are there any circumstances where infrastructure contributions through planning obligations should not be sought from developers?

As set out in the [Starter Homes written ministerial statement](#) of 2 March 2015, starter homes exception sites should not be required to make affordable housing or tariff-style section 106 contributions.

There are specific circumstances where contributions for affordable housing and tariff style planning obligations (section 106 planning obligations) should not be sought from small scale and self-build development. This follows the order of the Court of Appeal dated 13 May 2016, which give legal effect to the policy set out in the [written ministerial statement](#) of 28 November 2014 and should be taken into account.

These circumstances are that:

- contributions should not be sought from developments of 10-units or less, and which have a maximum combined gross floorspace of no more than 1,000 square metres (gross internal area)
- in designated rural areas, local planning authorities may choose to apply a lower threshold of 5-units or less. No affordable housing or tariff-style contributions should then be sought from these developments. In addition, in a rural area where the lower 5-unit or less threshold is applied, affordable housing and tariff style contributions should be sought from developments of between 6 and 10-units in the form of cash payments which are commuted until after completion of units within the development. This applies to rural areas described under [section 157\(1\) of the Housing Act 1985](#), which includes National Parks and Areas of Outstanding Natural Beauty
- affordable housing and tariff-style contributions should not be sought from any development consisting only of the construction of a residential annex or extension to an existing home

Paragraph: 031 Reference ID: 23b-031-20161116

Revision date: 16 11 2016 See [previous version](#).