

**Chiltern and South Bucks
Local Plan Examination**

HEARING STATEMENT

by

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on behalf of

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February 2020

Public Examination Stage 1

Topic Matter # 3

Issues 1 & 2

Brown Not Green Chesham Ltd

HEARING STATEMENT – Matter No 3

CHILTERN & SOUTH BUCKS LOCAL PLAN

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NOTE: The body of this statement has a total word count of 2,773 words excluding any Footnotes and Appendices.

1. INTRODUCTION:

- 1.1. This Examination Hearing Statement is submitted by Phillip Plato MRICS on behalf of Brown Not Green Chesham Ltd (BNG see www.brownnotgreen.com) in respect of the Chiltern & South Bucks draft Local Plan.
- 1.2. Section 2 of this statement addresses only the Matters & Issues from the relevant MIQs specified herein together with any Questions raised by the Inspectors or any other information that has emerged since the Regulation 19 consultation.
- 1.3. BNG are a co-signatory to a Statement of Common Ground (SoCG) signed by various other organisations or community groups. In the interests of brevity, BNG will cross refer to the SoCG as necessary when responding to certain Issues but this statement will attempt to offer only additional comment to the SoCG.

RESPONSE TO MIQ's MATTER # 3 - SPATIAL STRATEGY

2. Issue # 1 – Distribution of Growth

2.1 Question 2 – “How has the distribution of housing & economic development proposed in the Plan responded to these development options?”

- i. It has not reflected these options as recited by CSB¹.
- ii. The first stated option was to make more efficient use of land. There was no proper appraisal of land across the Plan area. There has been a demonstrable failure to identify all brownfield opportunities or to adopt a more aspirational density of development on such land or previously developed land or considered on a case-by-case basis particularly for larger sites. The Plan is not effective in meeting its prioritised development option.
- iii. Whilst a number of allocations are effectively extensions to principle settlements, this has been adopted in an arbitrary fashion, based on a “call for sites” within an inadequate GB review, rather than assessment of the settlements and their infrastructure needs and constraints. For example, Chesham has an allocation more than double that of nearby Amersham, yet the towns’ populations are not dissimilar, and both have tube stations.

¹ See EXAM 2 - CSB's responses to Inspectors Initial Questions paragraph # 6.2

- iv. The third preferred development option was on Green Belt close to train stations yet several of the Green Belt sites allocated for development are in fact some distance from the train station including Beaconsfield (located well to the East of the town centre) and Lye Hill NE of Chesham (located up a steep hill & almost 2.5km from the tube station). Measurements were often taken selectively from edge of sites on by straight lines. Further, the latest capacity assessment indicates little reliance is to be placed on bus services, which was relevant to these sites' selections.
- v. Given the high volume of responses to the various public consultations, all of which expressed high levels of public criticism for the Green Belt options, but which equally were generally supportive of increased use of brownfield or previously developed land, (as was also found by BNG research² and a consultation undertaken by Chesham Renaissance³) the Plan has been subject to very little modification in terms of which sites were originally earmarked for allocation compared to those still allocated in the Plan.
- vi. Accordingly, the Plan is not effective in meeting its prioritised development options and there seems little justification for many of those allocations that are proposed within it.

2.2 Question 3 – “Does the Plan adequately set out an overall strategy for the pattern, scale & quality of development as required by paragraph 20 of the Framework? Is this sufficiently clear to decision makers, developers and local communities?”

- i. No. BNG would wish to refer the reader to the relevant responses in the previous Hearing Statement (Matter 2, Issue 1- Housing Needs), where some of the comments therein also apply equally to this Issue.
- ii. The Plan should have a strategic policy which sets out the housing (and other) requirements detailing the pattern, scale & quality of developments as required by paragraph 20 of NPPF. This is required not just for housing but also for employment, retail, leisure and other commercial development as well as necessary infrastructure, including water supply, drainage community facilities, landscapes, green infrastructure and climate change mitigation.

² See BNG Reg 19 Submission Annex 1

³ Ditto plus CRCIC Consultation responses at <https://app.box.com/s/ougv7vh3v1lqz2r8fopopado0ft7jstn>

- iii. It is apparent from CSB’s response to Inspector’s Initial Questions in paragraph 6.2, that the Local Authority recognise they have erred in not setting out their housing needs in Policy SP LP1.
- iv. If they are now proposing such modification, this requires assessment as part of the strategy; it is not simply a “main modification” but links to many other requirements which require re-assessment. There has been a substantial amount of additional information provided by the Councils since the Regulation 19 Consultation.
- v. In terms of retail distribution, whilst CSB have outlined a retail hierarchy in Policy SP EP1, the proposed allocations and distribution of growth that appeared in the Regulation 19 consultation, came after no prior public consultation or discussion, and within Chesham, these retail proposals have been greeted with incredulity given the constraints of the town. This is not appropriate.

2.3 Question 5 – “How did the Councils decide on the scale and level of growth attributed to the towns & villages in the Plan?”

- i. The answer to this is far from clear. Higher density of growth does not appear to have been appraised adequately for consideration nor higher density development on previously developed land.

2.4 Question 6 – What is the justification for the scale of proposed development on individual sites at Beaconsfield & Chesham? Why does the Plan seek to allocate large, single allocations, rather than several smaller sites in and around the towns?

- i. BNG would again refer the reader to the relevant responses in the previous Hearing Statement (Matter 2, Issue 1- Housing Needs), where some of the comments therein also apply equally to this Issue.
- ii. BNG is concerned that there has been a preoccupation with meeting overall housing numbers (OAN) rather than on identifying the right type and number of homes for the right places.
- iii. In terms of retail growth, similarly there seems little justification for the proposed retail allocations other than from a Retail & Leisure Study in the Evidence Base (CSBLP40) by Lichfields which makes questionable recommendations and which itself acknowledges in its Forward that the Report “... adopts a standard approach, but several issues relating to the age of the data adopted and the depth of analysis has been highlighted in certain areas. As a result, a partial update of the TCRLS is required,...”. It later adds that the Report

“... provides limited commentary on how projected growth can be accommodated i.e. within existing vacant space and future town centre development opportunities. This review assesses how much growth might reasonably be accommodated within vacant floorspace within town centres and assesses potential development opportunities.” The underlined phrases are added by BNG to emphasise that this Report seems to focus on what might be capable of being provided rather than what is actually needed or necessary. Accordingly, BNG feel the retail allocations are unjustified.

- iv. Other than expediency, there appears to be little justification in terms of housing and retail provision, for allocating large sites or a few town centres rather than various smaller sites in and around the towns spread across the wider administrative area. Such a policy would spread the load on infrastructure particularly upon highways rather than creating potential “hotspots” of increased congestion where there often appears to be little scope for mitigation of such effects through highways improvements or additional parking provision.
- v. Several areas with the administrative districts have little or no allocation nearby either for housing or increased retail provision. These include the affluent area of Gerrards Cross as well as Amersham and the Missenden’s. This appears to be no strategic oversight and is not justified or effective in terms of planning for growth.
- vi. In terms of retail growth, BNG would direct the reader to comments already made in their Regulation 19 submission⁴, outlining its concerns on retail distribution, minimising the need to travel, or to use private cars, and the need to stimulate local and night-time economy. Specifically, why it feels there is no justification for such distribution of retail growth in Chesham. The town does not need any more shops and certainly not less car parking. What it needs is more people living in closer proximity to the town centre to revitalise the area and stimulate a night-time economy rather than unaffordable homes being built up the hill on Green Belt almost 2.5 km away from the town centre.

2.5 Question7 – “Is the spatial strategy and distribution of development consistent with paragraph 107 of the Framework.....and to focus on locations which are or can be made sustainable?”

- i. No, for the reasons already discussed.

⁴ See BNG Regulation 19 Submission page 21, paragraphs 7.59 to 7.63

- ii. In addition, the suggestion that some site allocations in the rural or semi-rural areas within CSB could be made sustainable by enhanced bus services is not thought through. These areas have a bus service that is already infrequent and underutilised. There simply is not the density of population to justify more regular bus services in the long term as even a few hundred homes at such a location will not generate sufficient passengers to sustain the service. Even if developers fund such enhanced bus services for the first few years under s.106 obligations what will happen to those services when funds are depleted?

2.6 Question 10 – *Is the spatial strategy justified? Does it represent an appropriate strategy when considered against the reasonable alternatives available?*

- i. BNG feels the spatial strategy, such as it is, is not justified.
- ii. BNG would again refer the reader to the relevant responses in the previous Hearing Statement (Matter 2, Issue 1- Housing Needs), where some of the comments therein also apply equally to this Issue.
- iii. Given that paragraph 65 of the NPPF requires plan making authorities to set out the housing requirement for designated neighbourhood areas which reflects the overall strategy for the pattern and scale of development together with any relevant allocations, it seems ineffective and contrary to national guidance for the CSB Plan not to do so.
- iv. BNG feels that the Plan has not considered the option of seeking to accommodate need across many smaller sites in and around the towns. This would self-evidently “spread the load” on local infrastructure and resources. It is a further option that does not appear to have been adequately investigated in the SA either.⁵
- v. BNG have concluded that without the Plan first being appropriately modified to set out the overall strategy for the pattern and scale of development preferably with regard to reasonable alternative options, such as using many more smaller sites nearer town centres, that without such modification, the Plan should be considered “unsound” by virtue of being ineffective and contrary to national guidance.

⁵ See BNG Hearing Statement – Topic Matter #1, Issue 2 - SA

Issue 2 – Location of New Development

2.4 Question 1 – *Is it clear to decision makers, developers and local communities, where new housing and economic development will be permitted? Is the Plan effective in this regard?*

- i. No. Several local groups & residents in Chesham have periodically asked during the last 4 to 5 years of the Local Plan’s development, “*how many homes is Chesham expected to provide over the Plan period*” and have yet to receive a clear answer on this point from CSB. Whilst preparing this Hearing Statement, it was noted that a Settlement Capacity Study⁶ update was published in the Evidence base presumably in the last days of January or in early February, although the document itself appears undated. This document details overall housing allocations for each parish but notably is the first time any such figures have been promulgated by parish or neighbourhood area. Certainly, no such figures appear to have been published prior to the Regulation 19 Public Consultation and therefore at the time of consultation, it was not clear where new housing and economic development would be permitted or could be considered.
- ii. This is unhelpful as, in Chesham at least, there are several alternatives that BNG feel have not been given sufficient consideration in the preparation of the local Plan; first there is a local Community Interest Company who have spent several years developing a “*vision for Chesham*” reflected in the emerging Chesham Masterplan⁷ which seeks not only to provide more affordable homes that are proposed on previously developed land often in public ownership, but that these homes are being proposed in locations close to the town centre together with other proposals that offer benefits to improve access to public transport and to revitalise the High Street in the town. They have little guidance from this Local Plan on what scale of development is deemed acceptable as currently drafted.
- iii. Second, whilst Chesham does not have an adopted Neighbourhood Plan, the Town Council more recently appear to be motivated to develop one, possibly in conjunction with the Chesham Renaissance CIC or possibly separate to that community initiative. They too have no guidance on the strategic pattern or scale of development from this draft Local Plan.
- iv. Furthermore, there are several employment sites in Chesham that according to the table following paragraph 28.4 of CSB’s responses to Inspectors Initial Questions, are not “*strategic*” or “*key*” employment sites. However, some of

⁶ CSBLP53 Settlement Capacity Study updated January 2020

⁷ See <https://cheshammasterplan.org/masterplan/>

these appear to be struggling or are inappropriate locations particularly for uses requiring HGV access. Accordingly, the owners or developers of such sites may want to redevelop these areas for housing or mixed-use schemes. Although not “strategic” or “key” sites, they are still designated employment sites and as such, in the absence of any guidance within the Plan on the overall pattern or scale of development in the districts, it is difficult to see how such sites might be considered.

- v. For Chesham, the risk is that without some strategic or spatial guidance other than an allocation of 500 + homes on one Green Belt site, that either these aforementioned opportunities will become seen as irrelevant and not actively pursued and promoted by the Local Authority, which would be lamentable given the need for genuinely affordably homes in the area. Alternatively, there is risk that **all** these sites might be developed by energetic developers as well as the allocation site and that other schemes that may yet come forward too from aforementioned local initiatives, resulting in extraordinary and unplanned gross additional pressure on local resources and infrastructure (particularly roads and drainage) that would cause considerable additional harm to the town.
- vi. BNG feel that such a scenario could be replicated elsewhere within the wider administrative districts of CSB.
- vii. There are also some specific areas of uncertainty. For example, some sites being allocated on land currently designated as Green Belt, only require some of the land being removed from Green Belt designation to satisfy the current allocated development requirements. CSB have attempted to justify this on the basis of establishing “defensible boundaries” for the Green Belt but BNG considers this approach risks loss of the “surplus” land removed from Green Belt and that the “defensible boundary” argument is not sound to justify an exceptional circumstance for removing more land from the GB, where good landscaping can establish a defensible boundary (and/or other infrastructure such as highways)
- viii. BNG were concerned to read CSB’s responses to Inspectors Initial Questions in paragraph 18.2 that CSB now assert these areas of surplus former Green Belt land will be used to assist the districts in meeting future needs. It is unclear if these are needs within the current Plan period or for subsequent Plans but, regardless this does not seem to be justified.
- ix. Such a policy is not effective either; it raises further uncertainty particularly within the community. Once Green Belt status is lost it will be difficult to resist any subsequent application for further development on these areas particularly if

the Plan is lacking in terms of spatial strategy. CSB's response to Inspectors Initial Questions in paragraph 18.2, indicate that the Local Authority will be open to considering development of these areas yet the impacts, at least in terms of sustainability, have not been tested or explored in the preparation of this Plan.

3. CONCLUSION:

BNG submits the aforementioned comments for consideration at the forthcoming Local Plan Examination Hearings to highlight its concerns that the Plan is not sound by virtue of it failing to comply with legislation and regulations as explained herein and similarly that the strategies & policies proposed are not justified, effective or in accord with national guidance.