

**Chiltern and South Bucks
Local Plan Examination**

HEARING STATEMENT

by

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on behalf of

Brown Not Green Chesham Ltd

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Public Examination Stage 1

Topic Matter # 2

Issue 1

Brown Not Green Chesham Ltd

HEARING STATEMENT – Matter No 2

CHILTERN & SOUTH BUCKS LOCAL PLAN

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NOTE: The body of this statement has a total word count of 1,956 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

2. Issue # 1 – Housing Needs

- 2.1 **Question 1 – *Is a Main Modification required for effectiveness and consistency with paragraph 20 of the Framework?***
 - i. Yes. In response to the Inspector's Initial Questions, CSB have confirmed that 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 to plan adequately for necessary infrastructure, including water supply, drainage community facilities, green infrastructure and climate change mitigation.
 - ii. It is apparent from CSB's response to Initial Questions in paragraph 6.2 that the Local Authority recognise they have erred in not setting this out in Policy SP LP1.

- iii. If CSB are minded accepting a Major Modification might this requires further public consultation, as this impacts upon strategic policies and the SA.
- iv. BNG submit that in respect of housing, the combined districts of Chiltern and South Bucks cover a large geographical area with varying demographics. Whilst the districts are generally classified as “prosperous” there are marked differences between certain areas within the larger administrative area. For example, Chesham has some wards that experience high levels of deprivation that are in stark contrasts to other areas relatively nearby and certainly compared to more affluent areas such as Gerrards Cross or Beaconsfield. Accordingly, the strategic policy, should strive to reflect the different needs, character and historic management of different areas as well as to recognise obligations under PSED¹.
- v. There is a perception that some allocation sites are identified merely because of a perceived proximity to public transport or a railway station without considering local topography where the surrounding hills will self-evidently discourage walking or cycling to or from that station. The Settlement Capacity Study² now indicates little reliance on buses and as such may further breach obligations under PSED.
- vi. Similarly, identifying an allocation site largely because of proximity to existing transport infrastructure might ignore the fact that the prevailing infrastructure is already constrained or at capacity or aged. It is a point of concern previously expressed by BNG at the CIL Examination that the CIL has been agreed without waiting for the Plan to be approved first which then undermines the Plan³. Infrastructure upgrade must be planned as a consequence of making any allocation locally. This is especially true for highways as well as drainage infrastructure where consideration will need to be given as to whether it is practical to enhance such facilities cost effectively. For example, a town with narrow streets and little scope for road widening or highways improvements, may not be an appropriate place for allocating large scale development especially if more car ownership or usage is an inevitable consequence of development around that allocation area. However, CSB acknowledge there is a significant infrastructure spending gap and other funding for vital infrastructure is not readily available from alternative sources either. For example, in Chesham, the County Council

¹ See previous response to MIQs Matter # 1 Issue 7 - Public Sector Equality Duty (PSED)

² See CSB LP 58 – Settlement Capacity Study January 2020

³ See– <https://www.chiltern.gov.uk/planning/cil> Comments on Charging Levy - ID57 - CIL representation by BNG Aug 2019.

recently sought funding for Highways improvements under the “Pinch Point” scheme which we learnt in February has been rejected as the highways consultants (Jacobs) when considering this application did not feel there was sufficient scope to create any sufficient improvements to warrant the funding. Similarly, recent efforts to secure funding via the Environment Agency for flood alleviation and culvert improvements in Chesham is suggesting they have no budget for such works.

2.2 Question 2 – “...Has the LHN assessment been carried out correctly and conducted using the standard method...?”

- i. BNG does not have sufficient information on which to comment other than to express concern (as previously referenced in the earlier Hearing Statement for MIQ Matter #1), that “need” has not properly been assessed because of uncertainty regarding the Functional Housing Market Area.

2.3 Question 3 – How have Local Housing Need (LHN) Assessments been distributed across the plan area? How was this decided?

- i. There has been a preoccupation with numbers rather than on identifying the right type and number of homes for the right places. This is reflected in the Settlement Capacity Study that has only recently been published post Regulation 19 Consultation. The timing of this demonstrates it could not have informed the Plan strategy.
- ii. It is unclear how the LHN have been distributed across the Plan area and in the absence of such evidence it is not justified.

2.3 Question 4 – “...Should the Plan include a specific policy setting out the housing requirement for the whole Plan area?”

- i. Yes.

2.4 Question 5 – “...Should the housing requirement be expressed for the whole Plan area....?”

- i. Yes but consideration needs to be given to the Green Belt and AONB and other constraints in this Local Authority area.

2.5 Question 6 –“Have the Council’s considered whether the need for housing is higher in CSB having particular regards to issues around affordability. How have these considerations shaped the plan-making process?”

- i. The need is for homes in the centre or close to the centre of towns not for large expensive homes further out of town centres. This view is demonstrated by Regulation 19 submissions made by individual councillors

(including an Executive Cabinet Member of CSB⁴) and the Regulation 19 submission by Chesham Town Council⁵ and others including BNG.

- ii. It is difficult to identify if such issues have shaped the plan-making process as numerous responses to consultations have also made the aforementioned point but there has been no discernible modification of Plan proposals in the intervening years.

2.6 Question 7 – “What is the justification for including an additional 10% to account for non-delivery of homes from the VALP?”

- i. BNG would say there is no justification for this which is inflating the figure of CSB’s housing need unnecessarily.

2.7 Question 8 – Does the Plan set out a housing requirement for designated neighbourhood area which reflect the overall strategy for the pattern and scale of development and any relevant allocations, as required by paragraph 65 of the Framework?

- i. No. It is contrary to national guidance not to do so and accordingly is ineffective and poor planning.
- ii. Several local groups & residents in Chesham have periodically asked during the last 4 to 5 years that the Local Plan has been in development, “how many homes is Chesham expected to provide over the Plan period”, and has yet to receive a clear answer on this point from CSB.
- iii. This is unhelpful for several reasons;
 - o First there is a local Community Interest Company that is supported by many local businesses who have spent several years developing a “vision for Chesham” reflected in the emerging Chesham Masterplan⁶ 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 to improve access to public transport and to revitalise the High Street in the town. They have no

⁴ Cllr Fred Wilson - Hilltop & Townsend Ward (Representor ID 1211862) – Cabinet Member of CSB

⁵ See Chesham Town Council Reg 19 submission at <http://www.chesham.gov.uk/Article/Detail.aspx?ArticleUid=4F391DD2-7649-49B1-A006-1763A5FE84FF> – Page 2 sixth bullet point.

⁶ See <https://cheshammasterplan.org/masterplan/>

guidance from this Local Plan on what scale of development is deemed acceptable as currently drafted.

- 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 separately to that community initiative⁷. They too have no guidance on the strategic pattern or scale of development from this draft Local Plan however, the Town Council appear to be supportive of the Masterplan from comments they have made in their Reg 19 statement⁸.
 - Finally, 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 these appear to be struggling or are inappropriate locations particularly for uses requiring HGV access. Accordingly, the owners or developers of such sites may seek to redevelop these areas for housing or mixed-use schemes. Although not "strategic" or "key" sites, they are still designated employment sites and 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.
- iv. Without some strategic or spatial guidance other than an allocation of 500 + homes on one Green Belt site at Chesham, there is a risk these aforementioned opportunities will become seen as irrelevant and not actively pursued or promoted by the Local Authority, which would be lamentable given the need for genuinely affordably homes in the area.
- v. Alternatively, without adequate strategic and spatial guidance other than an allocation of 500 homes, there is a risk of very sizeable development overwhelming local infrastructure particularly relating to highways, flooding, sewage, air quality, and education services. This 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 and that without the Plan first being

⁷ See <http://www.chesham.gov.uk/NP.aspx>

⁸ See Chesham Town Council submission at <http://www.chesham.gov.uk/Article/Detail.aspx?ArticleUid=4F391DD2-7649-49B1-A006-1763A5FE84FF>

appropriately modified to set out a housing requirement for designated neighbourhood areas which reflects the overall strategy for the pattern and scale of development and any relevant allocations, the Plan should be considered “unsound” by virtue of being ineffective and contrary to national guidance.

- vii. The recently produced Settlement Capacity Study is a statement of the housing figure for each area made up of the potential land supply. This is not a strategy and as such the Plan as drafted is ineffective and needs modification.

2.7 Issue 3 - Employment Needs

- i. BNG does not consider the Councils have properly considered employment forecasts and would refer to BNG’s Regulation 19 Submission with evidence in Annex 1⁹ that the FEMA is a flawed basis for establishing employment needs particularly when assessed without adequate co-operation with neighbouring authorities.
- ii. We would also refer to our separate Hearing Statement and the Statement of Common Ground with other local organisations further illustrating this view.

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.

⁹ See Reg 19 Submission by BNG Annex 1 with local survey results illustrating retail, employment & recreational links with neighbouring Dacorum Council