

Transport • Economy • Environment

Rob Smith  
**Director Growth, Strategy & Highway**

**Buckinghamshire County Council**

County Hall, Walton Street  
Aylesbury, Buckinghamshire HP20 1UA

Planning Policy Team,  
Wycombe District Council,  
Council Offices  
Queen Victoria Road,  
Wycombe, Bucks,  
HP11 1BB

Mr Connor Sheffield  
[REDACTED]

Submitted by email:  
Neighbourhood.planning@wycombe.gov.uk

Telephone 01296 385000  
[www.buckscc.gov.uk](http://www.buckscc.gov.uk)

17<sup>th</sup> February 2020

Dear Planning Policy Team,

**Great and Little Kimble-cum-Marsh Neighbourhood Plan**

Thank you for consulting Buckinghamshire County Council (BCC). BCC welcomes the opportunity to comment on the formal consultation of Great & Little Kimble-cum-Marsh Neighbourhood Plan (NP).

The County Council has welcomed the pre-submission consultation and informal consultation and engagement on the development of the Neighbourhood Plan. It is noted that amendments and additions to the Neighbourhood Plan, from a Highway's perspective, have been made in order to improve the clarity of policy wording and to correct errors and omissions. However, we are disappointed that previous comments regarding important ecological consideration have not been incorporated into the Neighbourhood Plan.

Further to this our detailed formal comments are set out below in the appendix.

Yours Sincerely

[REDACTED]

Connor Sheffield  
Senior Strategic Planning Policy Officer



## **Appendix 1:**

### **General:**

#### *Paragraph 3.3 Strategic Planning Policy:*

The Buckinghamshire Minerals and Waste Local Plan 2016 – 2036 has now been formally adopted and this should be updated. More information on the adoption of the local plan can be found [here](#).

### **Transport Strategy:**

#### KIM2 Design Principles

- BCC approves the provision that developments should make improvements to walking and cycling.
- Regarding car parking, the Council are pleased there is mention of provision for electric charging points.
- We approve of ensuring that all properties include secure cycling storage; cycling storage should also be accessible and covered which should be clear in the policy.

Regarding S106 we approve the use of S106 to obtain monies towards improvements to public transport, walking and cycling.

Furthermore, we are pleased to notice that there is mention of the disruption that HS2 will cause when they close the rail link between Little Kimble and Aylesbury and the impact this will have on road traffic.

### **Highways Development Management**

As the County Highway Authority we consider that our concerns regarding the existing situation in the Parish to be suitably addressed by the proposed Neighbourhood Plan. The following comments primarily address the contents of policies KIM3 and KIM9.

Policies KIM4, KIM6, and KIM7 support education, employment, and community or leisure uses within the Parish respectively, and are therefore also considered to relate to highways matters. The location of suitable employment and amenities serving the Parish within the Parish is beneficial to the public highway in reducing trip distances to access employment and amenities. In addition short distance trips are more able to be made by sustainable and active forms of travel.

Both impacts reduce the necessity for travel by private vehicle, and therefore have the potential to reduce congestion and capacity issues upon the public highway.

#### **Great and Little Kimble Highway Sustainability**

In line with previous comments, the Highway Authority does not object to the site selection on the grounds of sustainability and safe and suitable access to sustainable forms of transport subject to suitable Section 106 Contributions towards highway safety measures, as recommended by the Neighbourhood Plan policy KIM9.

We have previously indicated which sites are currently considered to be unsustainable from the Highway Authority's perspective. It is considered that these sites should therefore contribute towards mitigation measures, by way of Section 106 Contributions as recommended in policies KIM 3 and KIM 9. In particular, policy KIM3 Housing Site Allocations sets out that the sites "must make appropriate financial contribution towards a

package of public transport service, footpath and highway improvements to be agreed with the Highway Authority.”

In future, significant alterations are planned to the layout of the local highway network in the form of the infrastructure project to realign the junction of the B4009 (Grove Lane) and the A4010 (Aylesbury Road) with associated alterations to the railway bridge. This item is included within the Wycombe District Local Plan and supplementary documents, adopted August 2019, affording a due certainty and weight in the consideration of the current Neighbourhood Plan.

Due to the extensive alterations to the local highway network, it is not possible at this stage to determine detailed mitigation measures for sites requiring safer and more suitable access to sustainable forms of transport. The Section 106 contributions will therefore have to be secured in such a manner as to enable the Highway Authority to provide mitigation measures which can be provided on an altered local highway network, regardless of layout.

The purpose of the contributions will be to mitigate the impact of the developments by implementing suitable highway safety and accessibility measures between each application site and sustainable forms of transport. The Highway Authority will require contributions sufficient to provide mitigation independent of any planned junction realignment works. Securing mitigation in this manner will, in the view of the Highway Authority, allow sites to come forward prior to the junction realignment works being carried out.

Whilst I note that there will be a delay between the implementation of the developments and the implementation of the mitigation measures, it is not considered necessary to phase development as adequate mitigation will have been secured. It is the view of the Highway Authority that it would not be a good or sensible use of resources to implement mitigation measures that would likely be removed or rendered redundant by the junction realignment works that form a part of the Local Plan. Whilst a delay prior to the implementation of mitigation measures is not ideal, providing improvements to a layout that will be retained in future is considered to significantly outweigh the inconvenience of any delay.

As previously noted in the comments of the Highway Authority upon the pre-submission plan, four sites are restricted in their access to sustainable transport links despite relatively close proximity. The Highway Authority previously recommended that the sites numbered 1, 10, 14 and 15 would need to demonstrate sufficient betterment in their access to sustainable forms of transport by demonstrating safe access between the sites and the sustainable forms of transport. However, I note that this can be sufficiently secured by way of the Section 106 contributions in the manner detailed above.

Given that site 17A currently benefits from pedestrian access to both regular bus services and train services, I would consider contributions to upgrade the existing pedestrian footway between the site, the bus stops, and the train station where required. This is likely to be required to mitigate the increase in pedestrian traffic due to the current condition and width of the highway footway. Such proposals could be secured by way of a Section 278 (Highways Act 1980) combined with access works.

The Highway Authority notes the proposal for a village shop to be proposed within one of the sites. This would be considered to benefit the sustainability of the locality in providing an additional amenity within the parish. Mindful that the sites numbered 1, 14, and 17A of those proposed for allocation have proposed such a facility, sites 1 and 14 are, in the view of the Highway Authority, situated in more central locations within the parish given the existing and proposed residential areas.

We can therefore confirm that the Highway Authority is satisfied that the site selection and Neighbourhood Plan Policies have addressed the concerns of the Highway Authority as identified at the Site Assessment Consultation. The current Neighbourhood Plan draft is

considered to include measures to ensure that highway safety, and sustainability from a highways perspective, are not detrimentally impacted.

### Local Infrastructure Improvements

The Parish Council has identified local infrastructure issues of local concern, with three identified infrastructure issues relating to the public highway listed. These include: two traffic calming schemes on Bridge Street / Church Lane and Marsh Lane; pedestrian, cycle and equestrian access provision between the villages of the parish, including under the railway line at the B4009 and A4010 junction; and the provision of an improved pedestrian crossing on the B4009 within the vicinity of The Swan public house, as close as possible to the public house.

The Highway Authority considers that each would be of benefit to the local community through increased permeability of the village for non-motorised transport, therefore promoting the use of sustainable and active forms of transport such as walking and cycling.

With regards to the specific issue of the lack of safe pedestrian and cycling access to the A4010 from significant sections of the Parish, the Highway Authority would seek Section 106 contributions from the sites numbered 1, 10, 14, and 15. As identified above, highway footway improvements can be secured at site 17A by way of Section 278 highway works (Highways Act 1980) to ensure that mitigation for the development is secured.

### Allocation Sites

For reference please find below the previous Highway Authority comments of the individual sites currently proposed for allocation:

#### Site 1 – Land At Grove Lane

This site access is approximately 350m from the nearest bus stop on the A4010 and 600m to the station. Both class as an acceptable walkable distance but are restricted by the lack of footway under the railway bridge.

It is noted that the demonstrated visibility splays are in excess of those required for an area of highway subject to a 30mph speed restriction. It should be ensured that the visibility splays contain no obstruction between 0.6 and 2 metres in height.

#### Site 10 – Land At The Laurels

This site is approximately 280m from the nearest bus stop on the A4010 and 500m from the station. Both class as an acceptable walkable distance but are restricted by the lack of a footway under the railway bridge.

It is noted that the site proposes to use an existing site access which will be improved, there is sufficient land within the control of the landowner and the Highway Authority to provide the requisite visibility splays for vehicle speeds of 30mph.

It is noted that a pedestrian footway appears to have been proposed across the site frontage along Marsh Road providing a link to the pedestrian footway along Grove Lane. In the view of the Highway Authority this would benefit the sustainability of the site and the locality further along Marsh Road.

#### Site 14 – Land East of Kimblewick Road

The closest pedestrian site access is approximately 750m from the nearest bus stop on the A4010 and 1km from the station. Both of which would be considered a walkable distance but are restricted by the lack of footway under the railway bridge.

It is noted that the site proposes to use two new and one existing vehicular site accesses and multiple frontage accesses for individual properties onto Kimblewick Road. Having assessed the current preliminary plan there appears to be sufficient land within the control of the landowner and the Highway Authority to provide the requisite visibility splays for vehicle speeds of 30mph at the proposed junctions. Providing these visibility splays may require amendment of the plans at application stage.

#### Site 15 – Land At Grove Lane

This site access is approximately 350m from the nearest bus stop on the A4010 and 600m from the station. Both of which would be considered a walkable distance but are restricted by the lack of footway under the railway bridge.

It is noted that access is proposed off of an existing private access road. Where the private road accesses the publically maintained highway the requisite visibility splays for vehicle speeds of 30mph are required.

#### Site 17 A – Doe Hill Farm – Lower Plot

This site access is approximately 120m from the nearest bus stop on the A4010 and 600m from the station. Both of which are considered to be a walkable distance as the site gains access onto the A4010 and is not restricted by the lack of footway links outlined in the initial sustainability section above due to the location of the site adjacent to the A4010 being served by existing pedestrian footways. It is noted that the footways serving this site are in poor condition within the vicinity; applications at this site should survey the local highway footway network and propose repair or upgrade of footways to provide for an attractive pedestrian area in order to promote sustainable travel to mitigate for the proposed development.

It is noted that the site proposes to use an existing site access which will be improved, there is sufficient land within the control of the landowner and the Highway Authority to provide the requisite visibility splays for vehicle speeds of 30mph.

Buckinghamshire County Council has recently adopted the Highways Development Management Guidance policy document to help developers create great places and thriving communities and to set out many of the principles and standards that The Highway Authority applies when assessing new developments. We would advise that any site reaching application stage reviews and takes into account these standards when designing the sites.

The document is available at <https://www.buckscc.gov.uk/services/transport-and-roads/transport-plans-and-policies/highways-development-management-guidance/>

### **Buckinghamshire Ecology Service**

Whilst it is recognised that the Neighbourhood Plan refers to the adopted Wycombe Local Plan, the relevant policies in the adopted Delivery and Site Allocations Plan, and includes policy KIM8 'Protecting International Habitats', it is a great disappointment that our previous comments on the Neighbourhood Plan have not been incorporated in to the submitted version.

The County Council's comments are reiterated below and we advise that the Plan is revised accordingly in view of the omission of important ecological consideration.

The primary concern remains to be the lack of a policy specifically relating to wider guise of biodiversity. It is recommended that a biodiversity policy is added to the Plan for the following reasons:

1. The Parish of Kimble encompasses several statutory sites of nature conservation importance, including Chiltern Beechwoods Special Area of Conservation (SAC), and significant sections of Grangelands and Pulpit Hill Site of Special Scientific Interest (SSSI) and Ellesborough and Kimble Warrens SSSI. The Parish also encompasses and borders numerous non-statutory sites of nature conservation importance. It is recommended that a map of existing biodiversity assets within and adjacent to the Parish is incorporated into the Neighbourhood Plan using records from BMERC (Buckinghamshire and Milton Keynes Environmental Records Centre). A proposed biodiversity policy should clarify that development on or adjacent to statutory and non-statutory sites must be avoided, and any development application within the Parish should include an assessment of potential impacts on statutory and non-statutory sites of nature conservation interest.
2. There are areas of Priority Habitat within the Parish (NERC Act 2016) including ancient woodland and fen, both of which are considered 'irreplaceable'. Priority Habitats are a material consideration in the planning process and development on or adjacent to them must be avoided. The biodiversity policy should ensure the protection of biodiversity assets from development proposals. BMERC should be contacted for a detailed list of Priority Habitats within the Parish.
3. BMERC also holds a number of records of legally protected and notable species within and adjacent to the Parish, including great crested newt, bats, badger, protected and notable birds, notable invertebrates and plants. Again, the biodiversity policy should clarify that protected and notable species are material considerations in planning applications, and potential impacts on features of biodiversity interest should be fully assessed and mitigated for as part of any development application.
4. It is recommended that text from the NPPF is incorporated into the proposed biodiversity policy, specifically (Paragraph 170) "Planning policies and decisions should contribute to and enhance the natural and local environment by...d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures..." and that a mandatory requirement is included for demonstrating long-term and measurable biodiversity net gain as part of any development application.
5. The southern part of the Parish is located within the Chiltern Escarpment Biodiversity Opportunity Area (BOA). BOAs are the most important areas for biodiversity in the county and represent the regional priority areas of opportunity for restoration and creation of Priority Habitats. This information should be included within the Neighbourhood Plan.

The following comments are in regards to the policies in the proposed Neighbourhood Plan:

Original comment on pre-submission Plan:	Comment on submitted Plan:
<i>Section 2.2 of the Plan should state that there is a site of European importance within the Parish (Chiltern Beechwoods SAC) and two SSSIs, in addition to numerous Local Wildlife Sites.</i>	This has not been included in the Plan as recommended.
<i>KIM2 (page 18) should include the following text, or similar, below the first bullet; "New development must protect and enhance existing biodiversity assets, and demonstrate a long-term and measurable net gain in biodiversity".</i>	This section has been updated, which is welcomed, however the use of the words "wherever practical" is not appropriate as it is not in keeping with the language used in the NPPF, which states that (para 174, part b) <i>To protect and enhance biodiversity and geodiversity, plans should...b) promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity.</i>

	The wording 'where practical' is also used in to KIM8 and should be removed.
<i>KIM2 should also state that "public open space and landscaping buffers should contribute to the local green infrastructure network".</i>	This has not been incorporated.
<i>KIM8 should require the protection of sites of National as well and International importance and the two SSSIs within the Parish should be included in this policy.</i>	KIM8 has not been updated to reflect this. Local planning authorities (LPAs) have a duty to consult Natural England before granting planning permission on any development that is in or likely to affect a SSSI.
<i>The role that biodiversity and green space plays in promoting human health and well-being should be promoted within the Plan.</i>	This is not well promoted within the Plan.
<i>The NERC Act (2006) states that with regard to Section 40 "Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity. Conserving biodiversity includes restoring and enhancing species populations and habitats as well as protecting them." This responsibility extends to town and parish councils.</i>	Reiterated.

We do not currently have the in house expertise to provide formal comment on the Habitat Regulations Assessment of the Plan, but would emphasise the need for the 'competent authority' to consider the responsibilities under the Conservation of Habitat and Species Regulations 2017. Furthermore, a 'competent authority' must consult Natural England for the purposes of the assessment and must have regard to any representations that Natural England may wish to make within a reasonable time (as specified by the competent authority). We therefore assume that Wycombe District Council will have consulted with Natural England.