

National Policy – NPPF paragraph 68

Under the heading of identifying land for homes Paragraph 68 of the 2019 version of the NPPF states that *“Small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly. To promote the development of a good mix of sites local planning authorities should:*

a) identify, through the development plan and brownfield registers, land to accommodate at least 10% of their housing requirement on sites no larger than one hectare; unless it can be shown, through the preparation of relevant plan policies, that there are strong reasons why this 10% target cannot be achieved;”

The Wycombe District Local Plan has identified an allowance of small and medium sized sites in order to comply with the NPPF. The allocation of 160 houses in the Parish of Great and Little Kimble cum Marsh are specifically required by the Plan to be located on small sites and form part of this allocation. All site allocations within the Parish are therefore required to be less than 1 hectare in size in order to comply with both local and national policy. The submitted Neighbourhood Plan has allocated two sites of approximately 3 hectares each (nos.14 and 17a). These two sites do not conform to this definition and are not therefore consistent with National policy as set out in NPPF paragraph 68.

National Policy – NPPF paragraph 171

Under the heading of Conserving and enhancing the natural environment Paragraph 171 of the 2019 version of the NPPF states that: *“Plans should: distinguish between the hierarchy of international, national and locally designated sites; allocate land with the least environmental or amenity value, where consistent with other policies in this Framework.”*

The submitted draft of the Neighbourhood plan has allocated sites for 120 new dwellings. All 120 are on ‘greenfield’ sites and 70% of these are located on two sites on Best and Most Versatile (BMV) agricultural land.

The call for sites produced a list of 35 sites to be considered several of which are classed as ‘brownfield’ or previously developed land. At a very early stage in the assessment process 75% of the sites that came forward were rejected including all of the brownfield options leaving only 9 sites to be evaluated. This process is contrary to the advice in the Government’s Planning Practice Guidance in the section on Housing and economic land availability which states that “An important part of the desktop review, however, is to identify sites and their constraints, rather than simply rule out sites outright which are known to have constraints.”

The draft Plan provides no evidence that the amenity value of the sites brought forward in the call for sites have been evaluated in respect of their amenity value as required by NPPF paragraph 171 and as a consequence the need to use BMV land in preference to lower grade alternatives has not been demonstrated.

The process of site selection was fundamentally flawed which has resulted in a Plan that fails to comply with the provisions of National Planning Policy as set out in paragraph 171 of the NPPF.

National Policy – NPPF paragraph 172

Under the heading of Conserving and enhancing the natural environment Paragraph 172 of the 2019 version of the NPPF states that: *“Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues.”*

Great and Little Kimble were not initially included in the draft Wycombe Local Plan as an area suitable for new housing due to the rural setting and lack of facilities within the villages. Due to the pressure to find more sites for housing the villages were included owing to their good transport links, but only after a Landscape Sensitivity & Capacity Study had confirmed that the new housing could be accommodated without adversely affecting views from the AONB.

The conclusion drawn from this study was that development would only be acceptable provided that it was on small sites and that whether sites are small or not would be assessed against how much they expand the village to which they are adjacent, and the extent to which they are compatible with the existing structure of the landscape.

The villages of Great and Little Kimble are for the most part made up of a number of small clusters of dwellings separated by gaps of varying sizes. A landscape that is typical of most rural English villages

In Great Kimble the landscape on the north side of the B4009 follows this traditional character with small linear clusters of dwellings fronting the highways separated by gaps of varying sizes. Travelling from west to east there are four dwellings by Holly Tree Farm then a gap to Horsetone Cottages, a row of 13 dwellings fronting Kimblewick Road then a gap to the row of 12 dwellings fronting Grove Lane before coming to Grove Farm and then the proposed site no.1 which proposes a cluster of 11 dwellings also fronting Grove Lane which will fit perfectly well into this traditional village layout. Into the middle of this landscape it is proposed to place site 14 which proposes 45 dwellings which do not front onto the highway in the traditional manner but are arranged in a suburban style along internal estate roads. Not only is this not a small site but it fails to respect the existing structure of the village and will create a prominent and urbanising feature in the landscape when viewed from vantage points in the AONB.

In the same way, in Little Kimble the landscape on the north side of the B4010 is similarly characterised by small clusters of dwellings fronting the highways separated by gaps of varying sizes. Travelling from west to east from the junction with the B4009 there is a row of 16 dwellings then a gap before a further row of 7 dwellings another gap and another row of 8 dwellings before the end of the village. Into the

middle of this landscape it is proposed to place site 17a which proposes 40 dwellings which do not front onto the highway but are arranged in a suburban style along internal estate roads. Not only is this not a small site but it fails to respect the existing structure of the village and will create a prominent and urbanising feature in the landscape when viewed from vantage points in the AONB.

These two allocated sites do not respect the character of the villages and will introduce an alien form into the views of the vale from the Chiltern escarpment which will fail to conserve or enhance the scenic beauty of the AONB contrary to the requirements of NPPF paragraph 172

Local Plan Policy RUR6 (Small Sites)

Notwithstanding the NPPF requirement for provision of small and medium sized sites Policy RUR6 of the Local Plan requires ALL sites within the Parish of Great and Little Kimble cum Marsh to be provided on a range of small sites. It does not define small other than to state that whether sites are small or not will be assessed against how much they expand the village to which they are adjacent.

in giving evidence to the Inspector for the Wycombe District Local Plan Examination in relation to policy RUR6 the District Council stated that “most sites would accommodate less than 20 dwellings”. The District Plan was approved by the Inspector on the basis of this evidence.

The submitted neighbourhood plan proposes five sites, three of which accommodate 20 or more dwellings. These three sites (nos. 14, 15 and 17a) account for 80% of the housing allocation on 60% of the sites. This does not conform to the evidence that was submitted to and accepted by the Inspector.

The issue of small sites has been raised at the consultation stage and the response has been that the judgment as to whether a site is small or not is entirely at the discretion of the decision maker.

Whilst it is true that the judgment is to be made by the decision maker and it is well understood that some issues will contain an element of subjective judgement and interpretation such judgements cannot be made entirely at the whim of an individual without reference to any kind of yardstick and unsupported by any objective reasoning.

There are of course a number of objective definitions of small sites that can be used to justify the decision. In finding a suitable definition for what should be considered small in relation to the Villages of Great and Little Kimble the following definitions should provide some guidance:

- The Planning system defines the threshold between Major and Minor developments as being 10 dwellings. Whilst Large and Small are not exactly synonymous with Major and Minor there is a close correlation, and this gives a guide as to the order of what might be considered as large and small.

- The Government's Planning Practice Guidance in its statement on the exemption from Affordable Housing contributions for small sites, sets the threshold for what is considered to be a small site as 10 units.
- The Mayor of London in his initiative to encourage the development of small sites in the Capital has defined small sites in London as being no larger than 25 dwellings.
- Wycombe District Council in their pre-application advice system split different sizes of sites into 5 categories: single dwellings, between 2 and 9, between 10 and 25, between 26 and 99 and over 100. It can be surmised from this that small sites would be less than 10 or at the very most less than 25.
- Most significantly the term small sites in relation to Planning Policy has been defined in the NPPF. The 2018 draft required Councils to provide a proportion of their housing allocations on small sites which it defined as being less than 0.5 hectares. Paragraph 68 of the 2019 version has expanded the definition to be small and medium sized sites which are defined as being less than 1 hectare.
- Of particular relevance to this, given the requirement to define small in relation to the settlement to which they are adjacent, guidance is given in the footnote to the 2019 version of the NPPF paragraph 68 which states that "Entry-level exception sites should not be larger than one hectare in size or exceed 5% of the size of the existing settlement." It follows that a figure of 5% of an existing settlement should be regarded as being equivalent to a small to medium sized site.

None of these definitions come anywhere close to justifying sites of 40 and 45 as small. Whilst the decision maker is entitled to take a different view this view needs to be supported with adequate evidence. No evidence has been put forward to justify the inclusion of these large sites. If these two site allocations are to be included in the neighbourhood plan then a statement justifying this also needs to be included.

Each situation must of course be judged on its own merits however it is equally important that there is consistency in the Planning system. In the nearby village of Longwick their recently approved Neighbourhood Plan required 300 new homes to be added to the existing village of 430 houses. The plan allocated them on 3 sites that were defined as being large and 4 as being small sites. The large sites were for 160, 65 and 43 dwellings respectively. If 43 is considered to be large in a village of 430 houses (10%) then 40 in the village of Little Kimble with 128 houses (31%) and 45 in the village of Great Kimble with 171 houses (26%) must also be described as large.

When allocating sites for 10,000 sites in the District it may be justifiable For the Local Planning Authority to categorise small scale development as less than 40. Within the context of this neighbourhood when allocating sites for 160 homes such a

classification cannot be justified. The inclusion of 2 sites of 40 dwellings or more does not comply with Local Plan Policy RUR6.

Local Plan Policy RUR6 (Settlement boundaries)

Policy RUR6 requires the Neighbourhood's housing allocation to be accommodated "On a range of small sites within or adjacent to the existing villages of Great Kimble (including Smokey Row), Little Kimble and through including a small allowance for windfall sites in the hamlets of Marsh and Kimblewick."

The Wycombe District Plan does not define the settlement boundaries of Great Kimble, Little Kimble Marsh or Kimblewick. The draft Neighbourhood Plan has sought to define the settlement boundaries for Great and Little Kimble, but not Marsh or Kimblewick.

It is stated that the proposed settlement boundaries have been drawn in accordance with the normal conventions (as used by the District Council elsewhere) following the existing observable edge of the villages.

The normal conventions however are designed for urban areas and larger villages where such a boundary will encompass the majority of services and facilities so that any new housing will be close to these facilities.

Such a settlement boundary is inappropriate in this case as it excludes, both of the village Schools, all three of the Churches, the Village Hall, The Railway Station as well as the Village Green, play area, sports field, allotments and cricket club. Of all the village facilities only the Swan Public House falls within a village boundary.

The NPPF is very clear that rural areas should not be treated in the same way as urban areas. This is not an appropriate definition of "the village". But an urban solution imposed upon a rural situation.

The reason that the Villages of Great and Little Kimble were included in the Wycombe District Housing supply figures was because of good transport links. The important factor in choosing sites for new housing therefore is not the proximity to the greatest concentration of dwellings but the ability to access the public transport network.

In August of 2019 Wycombe District Council approved a planning application for 5 new houses on the Askeff Nursery site (Site no.11 in the call for sites). This was one of the brownfield sites that came forward in the call for sites but was not considered by the working group.

The planning approval, reference 19/06137/FUL was granted subsequent to the formal adoption of the new Local Plan and must therefore be in compliance with the provisions of policy RUR6 which states that in the absence of a Neighbourhood Plan, development will be required to meet the principles set out in that policy.

Since the site is clearly not in the hamlets of either Marsh or Kimblewick it must be that it is considered to be within or adjacent to the existing villages of Great and Little

Kimble. This site is almost 1 mile away from the nearest part of the proposed settlement boundary to Great Kimble. Either the District Council considers the definition of adjacent to be far greater than generally accepted or the settlement boundaries proposed by the Neighbourhood Plan are not in accordance with Policy RUR6.

Conclusion

The submitted Neighbourhood Plan does not comply with National Planning Policy as set out in NPPF paragraph 68 in that it does not meet the requirement to provide a proportion of small to medium sized sites.

The submitted Neighbourhood Plan does not comply with National Planning Policy as set out in NPPF paragraph 171 in that it does not meet the requirement to site new housing on land with the lowest amenity value.

The submitted Neighbourhood Plan does not comply with National Planning Policy as set out in NPPF paragraph 171 in that it does not meet the requirement to safeguard views from the AONB.

The submitted Neighbourhood Plan does not comply with Local Plan Policy as set out in Policy RUR6 in that it does not meet the requirement to accommodate all housing in the Parish on small sites.

The submitted Neighbourhood Plan does not comply with Local Plan Policy as set out in Policy RUR6 in that it does not draw the settlement boundaries in a manner consistent with the Policy.

For these reasons the Neighbourhood Plan should not be approved.