

Wycombe District Local Plan Examination

Matter 5 – Natural, Built & Historic Environment

**Bourne End Residents Association & Hawks Hill Widmoor Residents Group
(representation nos 1011 & 1012)**

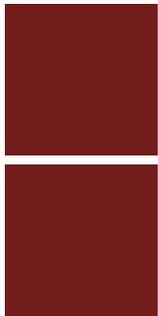
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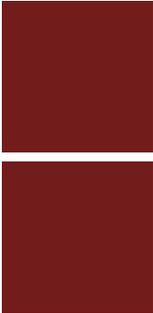


Matter 5 – Natural, Built & Historic Environment

1. In relation to matter 5 this written statement focuses on matter 5.1 g) which relates to policy DM32 on Landscape Character & Settlement patterns. The question is **‘Does the Plan provide a framework for the management of the Natural, Built and Historic Environment that is soundly based, justified and consistent with the requirements of national policy?’**
2. In relation to policy DM32 there is a serious omission from the policy so that it is not soundly based, justified or consistent with the requirements of national policy.
3. It will be argued that this is the case for three reasons:
4. Firstly, the policy is the closest that any of the new Local Plan policies come to replacing ‘saved’ Local Plan policy CP16 relating to Hawks Hill/Harvest Hill from the current Local Plan, but there is no guidance either in the policy or the accompanying text as to the landscape considerations that would apply in semi-rural areas such as the Hawks Hill/Harvest Hill area;
5. Secondly, the Council’s evidence base is inadequate but to the extent that it does exist it indicates that there are still adequate grounds for retaining the current designation;
6. Thirdly, the existing designation is consistent both with the NPPF and has been upheld in recent planning decisions both by Wycombe District Council and the Planning Inspectorate and should therefore be retained.
7. Each of these matters is considered in turn below:

Firstly, the policy would replace current ‘saved’ Local plan policy CP16 relating to Hawks Hill/Harvest Hill from the current Local Plan, but there is no guidance either in the policy or the accompanying text as to the landscape considerations that would apply in semi-rural areas such as the Hawks Hill/Harvest Hill area;

8. Appendix J to the submission Local Plan indicates those policies which are to be replaced by the new submission Local Plan. One of these is the ‘saved’ Local Plan 2011 policy C16 which relates to the Hawks Hill/Harvest Hill area. This policy currently enables Wycombe District Council to exercise a high degree of control over new development in this area.
9. The policy states that:
 - ‘(1) Development in the Hawks Hill/Harvest Hill area will not be permitted where it would:*
 - (a) introduce an urban character to the area through its design, density, layout or location;*

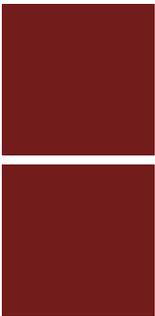


(b) Necessitate highway improvements which would damage or destroy features which contribute to the landscape characteristics of the area.

(2) Proposals should provide for individually designed buildings set in their own substantial grounds in an informal layout commensurate with the semi-rural character of the area. Landscaping details should reflect the semi-rural nature of the surroundings and should include indigenous species.

3) Infill or the sub-division of existing plots will not be permitted where this would result in urban forms out of character with the surrounding area.'

10. The supporting text justifies the protection provided by this policy by stating that *'The Hawks Hill/Harvest Hill area has a semi-rural nature, surrounded and dominated by open countryside which is in the Green Belt and Area of Attractive Landscape (AAL). The existing level of development and the nature of the roads in the area are more characteristic of a rural than an urban environment. The District Council wishes to maintain the characteristics of the area and to that end will exercise control over development with the aims of ensuring that the area's present low density, well-landscaped and semi-rural nature is maintained. Areas of green space make a special contribution to the semi-rural character and amenity value of the Hawks Hill/Harvest Hill area, in both the local and broader setting, and it is important that they are retained as undeveloped areas.'* (para 8.65).
11. Highway improvements are identified as being a particular potential threat to the character of the area with paragraph 8.67 stating that: *'Development necessitating highway improvements which would have an adverse impact on the landscape by introducing urban characteristics or causing the undue loss of trees, hedgerows or banks will not be permitted,'* (para 8.67).
12. The nearest equivalent policy in the new Local Plan is policy DM32 which relates to Landscape Character and Settlement Patterns. This policy does require a landscape character approach in relation to new developments. It has, however, two shortcomings in relation to the semi-rural area covered by policy C16. These are that the supporting text makes reference to protecting rural areas from urbanising effects in paragraph 6.123, but does not make it clear whether these comments also apply to the semi-rural area delineated at Hawks Hill/Harvest Hill.
13. Without this being made explicit developers will inevitably argue that these comments do not apply to this area as it is not characterised by agricultural land but by low density residential development, rural lanes and areas of open space, and therefore they will argue that it constitutes a settlement. Policy DM32 also does not make reference to the detrimental effect that highway improvements can have on rural character. Policy C16 states that *'development in the Hawks Hill/Harvest Hill area will not be permitted where it would ...necessitate highway improvements which would damage or destroy features which contribute to the landscape character of the area.'* The importance of this issue has subsequently been reinforced in appeal decisions in the area and in the Land Use

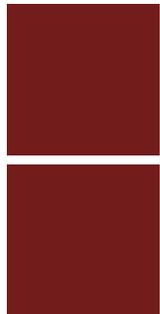


Consultants Wycombe District Landscape Character Assessment (2011) as discussed below.

14. There would be a very significant reduction in the level of protection. An example of the type of development that would be accommodated is provided by the Masterplan Delivery Document (p 15) which Catesby Estates Plc (representation nos 1168) has produced and submitted with their Regulation 19 representations for the Hollands Farm site (Policy BE2). This shows an access for the new development at Hollands Farm onto Heaven's Lea which will have to be wide enough to take emergency vehicles, as it is needed in case the main access from Hedsor Road cannot be used due to flooding. Figure 7 in the Masterplan Delivery Document shows this access onto Heaven's Lea being 10.5 metres wide including footways, with further bell mouth widening, where it joins the existing highway. As Heaven's Lea is a minor narrow road with no footways; adjoining hedgerows and rural character, significant highway improvements would be required, fundamentally destroying the rural character of this road.
15. The semi-rural character of the Hawks Hill/Harvest Hill area is vulnerable to change and could easily be lost due to inappropriate development and this would seem to be the inevitable consequence of the replacement of policy CP16 by policy DM32 which is likely to result in the Hawks Hill/Harvest Hill area being treated like an urban area with infill development that does not reflect its rural character and highway improvements eroding the characteristics that have led to its designation under policy C16. The omission of a replacement for policy C16 from the new Local Plan is therefore a significant omission which is likely to have serious environmental consequences.

Secondly, the Council's evidence base is inadequate but to the extent that it does exist it indicates that there are still adequate grounds for retaining the current designation;

16. The NPPF states that '*each local planning authority should ensure that the Local Plan is based on adequate, up-to-date and relevant evidence about the economic, social and environmental characteristics and prospects of the area,*' (para 158). As the protection for the character of the Hawks Hill/Harvest Hill area provided by 'saved' Local Plan policy C16 has been long standing in Wycombe District Council, having been originally included in the High Wycombe Area Local Plan policy EN5 which was adopted in April 1989, it would be expected that before proposing to remove the designation that currently applies to this area, the evidence base would include a study of the area, assessing whether the features that Local Plan policy C16 has sought to protect are still characteristic of the area and still justify protection; reviewing how effective the policy has been and how successful the Council has been at defending decisions based on this policy at Appeal. None of this evidence has been prepared.
17. However, the Wycombe District Landscape Character Assessment (2011) carried out by Land Use Consultants forms part of the evidence base for the new Local Plan. It divides



the Hawks Hill and Harvest Hill area into Local Character Area 19.1 (LCA 19.1) High Wycombe Settled River Valley and Local Character Area 24.1 (LCA 24.1) Burnham Beeches Wooded Terrace. With regard to LCA 19.1 it states on page 132 that *'The valley floor is dominated by settlement but the undeveloped slopes in the south and east retain a rural character with farmland, woodland and parkland. These remaining undeveloped slopes are important in containing the valley and providing a setting to the town of High Wycombe.'* The Landscape Guidelines include:

- Conserve the remaining undeveloped valley sides in the south and east which contain and form a setting to the developed valley floor. Restrict incremental development which would alter the character of the valley.
- Conserve views from each side of the Wye Valley, across the valley to wooded and farmed slopes.
- Maintain the rural character of roads, avoiding road improvements and widening which would alter their character.

18. The upper part of the area covered by policy C16 at Hedsor is within LCA 24.1. It is stated that in this area *'Settlement is sparse and highly dispersed, mainly comprised of individual properties, or small hamlets. Settlement is well integrated with the landscape, often nestled within woodland.'* (p161) It states that: *'A number of small winding tracks and rural lanes, some of which are sunken lanes cross the landscape.'* (p161) and that: *'The landscape retains a high level of rural naturalness and a strong sense of tranquillity. Woodland and tree cover creates a strong vertical element, as well as a variety of texture and colour,'* (p162).

19. The evaluation section states that: *'The strength of character and intactness of Burnham Beeches Wooded Terrace is **strong**. Key characteristics are distinctive, and the physical and visual intactness is strong, despite the prevalence of paddocks in the area.'* The sensitivities include:

- The strong sense of tranquillity and intimacy, associated with low settlement and quiet roads.
- Low level of dispersed settlement, vulnerable to infill.

20. The Landscape Guidelines include:

- Maintain the essentially undeveloped character, with limited settlement development and quiet rural lanes.
- Seek to reduce road traffic pressures which could alter the tranquil, rural character of the landscape.
- Ensure that new buildings and development is sensitively integrated into the landscape through careful siting



21. This updated evidence base which underpins the new Local Plan therefore indicates that the characteristics of the area which underpinned the formulation of the policy in the 1980s and were strongly endorsed in the next Local Plan by the inspector in 2002 with regard to the current C16 policy, still apply.
22. Another document that forms an important part of the evidence base for the Local Plan is the Draft Hedsor Road and Riversdale Conservation Area Appraisal on which the Council consulted in September/October 2017 just prior to the Regulation 19 Local Plan consultation. This document states in the section on the areas Special Interest on page 4 that:
- ‘Upper Bourne End (Area A) largely conserves its rural setting as it comprises a ribbon of development along the eastern part of (Upper) Hedsor Road.’***¹
23. An important part of that setting is the C16 area, which is only separated from the Hedsor Road and Riversdale Conservation Area, by 40 metres at the closest point. If intensification of development takes place in the C16 area together with the development of the Hollands Farm site proposed for 467 dwellings under proposed policy BE2, the rural setting of the Hedsor Road and Riversdale Conservation Area would be entirely destroyed and there will be coalescence between Hawks’ Hill/Harvest Hill and both Bourne End and Cores End, potentially creating a substantial area of urban sprawl in what is currently an attractive semi-rural area.
24. The decision to remove the protection provided by C16 is not therefore based on evidence but because the Council is aware that its policies for development at Hollands Farm will fundamentally change the character of this area and result in the destruction of those features it has formerly sought to protect.

Thirdly, the existing designation is consistent both with the National Planning Policy Framework (NPPF) and recent planning decisions both by Wycombe District Council and the Planning Inspectorate and should therefore be retained.

I) NPPF

25. When policy CP16 was adopted the NPPF had not been published. It is, however, clear that it fully accords with the principles of this document. This is especially true of Section 7 on Requiring Good Design, which emphasises that Local Plans *‘should develop robust and comprehensive policies that set out the quality of development that will be expected for the area.’* Planning policies are *‘to ensure that developments:*

- *Will function well and add to the overall quality of the area...;*

¹ There is a similar form of wording on page 6 of the final Riversdale & Hedsor Conservation Area Appraisal (February 2018)

- *Establish a strong sense of place..;*
- *Respond to local character and history, and reflect the identity of local surroundings and materials....*
- *Are visually attractive as a result of good architecture and appropriate landscaping.'* (para 58)

26. Paragraph 60 states that it is *'proper to seek to promote or reinforce local distinctiveness.'*

27. These principles are reinforced in the section on 'Core planning principles,' where it is stated that planning should:

- *Take account of the different roles and characters of different areas, promoting the vitality of our main urban areas, protecting the Green Belts around them, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it,'* (para 17)

28. Paragraph 113 states that *'Local planning authorities should set criteria based policies against which proposals for any development on or affecting protected wildlife or geodiversity sites or landscape areas will be judged,'* and makes specific reference to *'locally designated sites,'* and so it is entirely appropriate for a local planning authority to designate local landscape areas, provided this is based on an adequate evidence base.

29. That it is entirely appropriate to have policies that seek to protect the character of the local area is shown by paragraph 53 which states that *'Local planning authorities should consider the case for setting out policies to resist inappropriate development of residential gardens, for example, where development would cause harm to the local area.'* Clearly, a policy such as the current C16 which seeks to prevent development that would cause harm to the local area, including inappropriate development of residential gardens and other works such as inappropriate highway improvements, accords both with the spirit and letter of the NPPF.

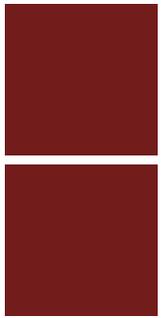
30. The section on 'Plan-making' paragraph 157 states that: *'Crucially, Local Plans should..*

- *Contain a clear strategy for enhancing the natural, built and historic environment,...'*

31. Which is just what is required in relation to the C16 area. Without a policy protecting the area, the character of the Hawks Hill/Harvest Hill area is likely to deteriorate rather than be enhanced. The environmental component of sustainable development would not therefore be achieved.

ii) Recent Planning Decision

32. It is also noteworthy that there has been a recent outline application for development on land adjacent to Summerhill, Heaven's Lea for the construction of four dwellings on a



designated greenspace that is contiguous with the Green Belt at Holland's Farm (Application nos: 16/06782/OUT). The decision notice, issued on the 5 September 2016 states that *'it has not been satisfactorily demonstrated that this quantum of development can be accommodated on site without creating a layout which is at odds with the character of the area, failing to enhance the distinctive qualities of this semi-rural area.'*

33. One of the policies that the application is stated to conflict with is 'saved' Local Plan policy C16, which is the policy seeking to protect the semi-rural character of the Hawks Hill/Harvest Hill area. It is therefore clear from this recent decision that the Council continues to consider the Hawks Hill/Harvest Hill area as a semi-rural area surrounded by open countryside and that areas of green space in the broader setting, including the Hollands Farm site make an important contribution to the character of this area.
34. This recent decision, which has been upheld at appeal, (May 2017, APP/K0425/W/16/3160690) is therefore very inconsistent with the proposal to remove the current Local Plan policy C16 from the Local Plan. This continues a history of cases, going back to the policies inception, where planning inspectors have attached importance to the C16 designation and refused permission for developments that would adversely affect the character of the area covered by the designation.

Conclusion

35. As the particular protection for the semi-rural character of the Hawks Hill/Harvest Hill area would be lost by the failure of the new Local Plan to provide equivalent protection to that provided by current policy C16; the Council's evidence base indicates that the area still has a semi-rural character that merits protection; and that protection would accord with the advice in the NPPF and a recent appeal decision, a replacement is required for policy C16 to make the Local Plan justified and to accord with national policy.