

## **WYCOMBE DISTRICT LOCAL PLAN EXAMINATION**

### **Hearing Session on 6 September 2018: Matter 9: Development Framework - Rural Areas**

#### **Question 1a) RUR1 – Land South of Finings Road, Lane End**

#### **Statement by Participant Reference 801 – Land & Partners Ltd**

### **1 Introduction**

- 1.1 Question 1a asks if allocation RUR1 (Land South of Finings Road, Lane End) is soundly-based and whether there is evidence that the development of the site is viable and deliverable.
- 1.2 This statement briefly outlines a response to the following participants at the Hearing session: Chilterns Conservation Board (618) and Jerry Gray (820). It also covers points raised by a few objectors who are not programmed to participate at the session. The aim of this Statement is to assist the Inspector with the consideration of the various matters raised.

### **2 Overview**

- 2.1 Neither the Chiltern Society (786), Historic England (804), Natural England (1286), Thames Water (907), the County Highway Authority nor the Parish Council have lodged objections to RUR1 in the Published Plan.
- 2.2 The Chilterns Conservation Board suggest non-landscape reasons as to why the allocation should be deleted. These are heritage assets (Lane End Conservation Area and Grade II listed Star Cottage) and ecological assets (Finning Wood ancient woodland and local wildlife site) on adjacent land. However, these have been fully taken account of by the Council in their site selection process and policy wording. The proposed policy refers to these features and explains how these can be mitigated with buffers and set-backs. No evidence is provided from the Chilterns Conservation Board as to why these assets cannot be protected in this way.

### **3 Heritage**

- 3.1 Historic England (Ref 804) commented on RUR1 in the Published Plan and said the policy should protect the special interest, character and appearance of the conservation area and significance of the listed building commensurate with the protection of the significance of designated heritage assets in the National Planning Policy Framework and as part of the positive and clear strategy for the conservation, enjoyment and enhancement of the historic environment required by paragraphs

126 and 157 of the then Framework. Historic England consequently welcomed and supported clause 1 of Policy RUR1.

#### **4 Ecology**

- 4.1 Natural England (1286) have not objected to the allocation and there is no technical objection at all on ecological grounds to the allocation. Some residents have mentioned wildlife, but our qualified ecologist has carried out the necessary surveys (Phase 1 Habitat Survey and species surveys). The buffer serving the ancient woodland (at least 15m) will also serve to protect the bats in the woodland and a full mitigation strategy will be accompany the planning application.

#### **5 Landscape**

##### *Visual containment of site*

- 5.1 The Chilterns Conservation Board fails to recognise that the site is very visually enclosed, with the site being set back from the Finings Road (B482) and can only be glimpsed through the trees from this route. The established woodland to the west (the approach to the village) totally obscures any view from this direction and there are strong, landscaped boundaries to the field.
- 5.2 The AONB Site Assessment Report (Technical Study Ref: AONB1) identified a MEDIUM/HIGH capacity for development on the northern section of the site. The workshop noted that this was a sensitive landscape but that it was visually contained. Existing housing development lies adjacent land to the east and stretches much further south than the housing allocation area proposed in the Local Plan. Recent development has been completed to the immediate east. Suitable landscaping on the southern edge of the development will be provided as part of the planning application package of proposals, as anticipated by the RUR1 policy. Most of the field remains undeveloped and will continue as it is now.
- 5.3 The Statement of Consultation - Appendix 21 Site Assessment Work arising from Regulation 19 Representations (Submission Document Ref: WDLP10.21) resulted in a further assessment of the site, in response to the potential enlargement of the site. This confirmed that the site selection process has been led by an assessment of landscape capacity and RUR1 was an acceptable site in visual and landscape terms based on this evidence.

### *Scale of development*

- 5.4 The Chilterns Conservation Board have not argued that the RUR1 proposal constitutes major development in the AONB, as they have with other sites in the Plan. But some objectors to the Publication Plan have queried the amount of housing.
- 5.5 Paragraph 172 of the newly issued National Planning Policy Framework (July 2018) repeats the requirement in the previous version of the Framework (paragraph 116) that major development in the AONB requires exceptional circumstances. The Natural Environment chapter of the National Planning Practice Guidance says that whether a proposed development should be treated as a major development will be a matter for the relevant decision taker, taking into account the proposal in question and the local context (Paragraph: 005 Reference ID: 8-005-20140306).
- 5.6 When considering this question, Inspectors have usually identified three aspects to consider:
- scale of the proposed development in relation to existing size and character of the village
  - location within the settlement
  - location within the AONB
- 5.7 There are many examples of much higher numbers of dwellings than those proposed in Lane End being found to not be classed as major. For example, at Holt (population 3,810) in North Norfolk, the Report on the Examination into the Council's Site Allocations Plan found that approximately 100 dwellings on Land West of Woodfield Road, Holt, Norfolk was not major within the AONB. There are numerous other examples around the country.
- 5.8 Within the Wycombe Plan currently being examined, the Council is proposing a site (RUR8) at another Tier 3 Settlement (Stokenchurch) in the AONB for around 100 dwellings, which it does not classify as major. Lane End has a population of 2,578. Stokenchurch has a population of 4,056, which is around 50% more than Lane End, yet the RUR8 allocation is over 5 times larger than the RUR1 allocation. There is clearly no case for RUR1 to be considered major development in the AONB, according to an approach that the Council developed in partnership with Natural England, the Chilterns Conservation Board, and adjoining Districts.
- 5.9 In this context, around 19 dwellings proposed on RUR1 at Lane End is considered to be entirely appropriate in relation to the existing size of the village. The location within the settlement of three modest sites (RUR1, RUR2 and RUR3) on different sides of the village distributes the growth effectively, to minimise the impacts on the character of the village and its setting within the AONB. Spreading the allocations across a number of smaller sites offers a number of advantages, including helping smaller SME builders (in accordance with the new government policy wish for

smaller sites to be found) and allowing a different design approach across a number of sites and housing offer in the local market.

## **6 Access**

- 6.1 The Chiltern Conservation Board have claimed that adding a footway or crossing would urbanise the village edge and reference the Chilterns Environmental Guidelines for the Management of Highways in the Chilterns. Yet these Guidelines say that footways along rural roads are generally found in villages and approaches to built-up areas (paragraph 110) and seek the provision of new footway links in existing settlements and new developments outside of villages (paragraph 46). There is no suggestion in the Guidelines that footways are inappropriate in the AONB and indeed advice is provided on how to construct them.
- 6.2 There is very little additional footway needed to connect the site to the existing publicly adopted footway immediately opposite the site. A footpath will follow the access road to the junction with Finings Road (B482), where a vehicular track already runs, then pedestrians will cross the road to the existing footway.
- 6.3 The Chiltern Conservation Board have suggested that “transport engineering to improve visibility would be likely to affect rural character by creating alien and urbanising features” yet this is not the case. Required visibility splays can be provided with a normal junction. There is already an access track here and it is on the outside of a bend of a 30mph road.
- 6.4 As a benefit to access generally, the proposals will also include a new footpath link down the length of the whole site alongside the woodland to connect and add to the existing public footpath network.

## **7 Drainage**

- 7.1 The potential for drainage problems has been raised by some objectors. However, there are no technical objections, the site is in Flood Zone 1 (low probability of flooding) and there is plenty of land for sustainable drainage (SuDs). This drainage design will intercept any surface water that arises from the development and attenuate/store on site and release at no greater than the undeveloped greenfield run-off rate. Thames Water (907) state in relation to the site that they do not envisage infrastructure concerns regarding Water Supply or waste water infrastructure capability. They also advise that with regard to foul water sewerage infrastructure they would not have any concerns with this individual development site.

## **8 Conclusion**

- 8.1 Allocation RUR1 is soundly-based and there is no evidence that the development of the site is not viable or deliverable.

## **WYCOMBE DISTRICT LOCAL PLAN EXAMINATION**

### **Hearing Session on 6 September 2018: Matter 9: Development Framework - Rural Areas**

#### **Question 1f) RUR6 – Great and Little Kimble-cum-Marsh Parish**

##### **Statement by Participant Reference 801 – Land & Partners Ltd**

### **1 Introduction**

- 1.1 Question 1f asks if Policy RUR6 (Great and Little Kimble-cum-Marsh Parish) is soundly-based and whether there is evidence that the proposed housing allocations are viable and deliverable.
- 1.2 This statement briefly outlines a response to the following participants at the Hearing session: Chilterns Conservation Board (618), Chiltern Society (786) and Turley for IM Land (1165). The aim of this Statement is to assist the Inspector with the consideration of the impact of Policy RUR6 on the Chilterns Area of Outstanding Natural Beauty (AONB).

### **2 The soundness of proposing 160 dwellings on land beyond the AONB**

- 2.1 The Chilterns Conservation Board claims that planning 160 homes at Kimble is ‘likely to harm’ the setting of the AONB. However, there is no clear evidence of harm provided in their representation.
- 2.2 All of the 160 dwellings of policy RUR6 are proposed outside the AONB, where there is no requirement in the National Planning Policy Framework that exceptional circumstances are required for major development.
- 2.3 The Chiltern Conservation Board suggest that 160 dwellings is strategic-scale growth, when the policy itself makes clear that this is to be distributed onto a range of small sites to ensure development sits comfortably within the landscape and the setting of the AONB.
- 2.4 The Chilterns Conservation Board’s 2011 Position Statement on Development affecting the setting of the Chilterns AONB states that many issues in relation to new development within the setting of the Chilterns AONB can be resolved through careful design, appropriate materials, location and layout and mitigation measures (including landscaping and lighting). Measure include the grouping of new structures and buildings close to existing structures and buildings to avoid new expanses of development and comprehensive mitigation measures such as landscaping and open space.
- 2.5 Policy RUR6 was informed by the Council’s Landscape Sensitivity & Capacity Study for the Kimble area of September 2017 (Document Ref: LAN2). The purpose of

this appraisal is to identify if there are any areas of land around the existing Little Kimble settlement, but outside of the AONB and the Green Belt, that could be brought forward for residential development as part of the new Local Plan. This found eight sites with development potential. It took account of adjacent development as well as uses/activities and whether new development would be seen against the backdrop of the existing settlement in views from the AONB. Also it considered whether incorporating landscape/open space and using lower development densities in certain parts would mitigate impacts to an acceptable degree.

- 2.6 Of the 160 dwellings required by RUR6 only 137 need to be on new sites in the Neighbourhood Plan, taking account of homes consented/built since 2013. There are now new potential sites coming through the Neighbourhood Plan process in addition to those identified in LAN2. The Parish Council held a public consultation process in which 10 sites were consulted on with total capacity for 204 dwellings. The majority of these sites are less than a hectare in area and most will accommodate less than 20 dwellings. The Parish Council is now in the process of assessing the sites, having regard to the public comments on them, with the aim of selecting sites to reach the target of 137. The assessment of each of these sites will consider the capacity of the landscape to accommodate development without having a major impact on the setting of the AONB as required by Policy RUR6.
- 2.7 This Neighbourhood Plan process shows that RUR6 policy is working in practice and site-specific issues are being thoroughly examined through effective localism. The Parish is working with the level of growth proposed in the emerging Local Plan and is taking responsibility for ensuring the planning impacts will be acceptable. Thus, on the evidence provided, it is credible that 160 homes can be delivered within the national policy objectives for AONB.

### **3 Conclusion**

- 3.1 RUR6 has been drafted to ensure that developments are sympathetic to local character and landscape setting. It requires the development to be provided outside the AONB on a range of small sites within or adjacent to named settlements.
- 3.2 The 160 dwellings proposed by Policy RUR6 has had full regard to specially commissioned piece of landscape evidence (LAN2) that considered the impacts on the setting of the AONB and any key views. This found capacity for development across eight sites.
- 3.3 The Neighbourhood Plan process is moving forward and the Call for Sites has been successful, resulting in the submission of most of the sites identified by the LAN2 Study, plus many additional sites. These have been shortlisted to ten sites on the edge of settlements, all outside the AONB.

- 3.4 Many issues in relation to new development within the setting of the AONB can be resolved through careful design, appropriate materials, location and layout and mitigation measures (including landscaping and lighting) as set out in the Chiltern Conservation Board's own 2011 Position Statement on Development affecting the setting of the Chilterns AONB.
- 3.5 Policy RUR6 is consequently soundly-based and there is no evidence that the policy is not viable or deliverable.