

CHAPTER 8 - THE COUNTRYSIDE AND THE RURAL ECONOMY

8.02: INTRODUCTION

The Objections

0379/43 *Sport England*

Summary of Objections

(a) Social issues should be given equal emphasis with environmental and economic concerns.

Inspector's Reasoning and conclusions

8.0.1 I consider that the objector's concern has been fully addressed by PIC 8/1 and I note that their objection has been conditionally withdrawn.

RECOMMENDATIONS

- C/0/1 Modify the Plan in accordance with PIC8/1

C1: PROTECTION OF THE BEST AGRICULTURAL LAND

The Objections

0831/13 Miss M B Messenger
1260/29 The Marlow Society
1319/12 *Ministry of Agriculture, Fisheries and Food*
1319/13 *Ministry of Agriculture, Fisheries and Food*

Summary of Objections

- (a) The 'best and most versatile' land should not include Grade 3a.
- (b) Amend C1 to prevent any development of the best agricultural land.
- (c) Alter C1 to reflect recent advice in PPG7 on development of land of Grades 1,2 and 3a.
- (d) The 'worst-first' principle is incorrectly applied in para 8.10 to all agricultural land. Amend paragraph accordingly.

Inspector's Reasoning and conclusions

8.1.1 I consider that the definition of the best and most versatile agricultural land should include land classified as 3a. PPG7 clearly includes 3a land within its definition of what constitutes the best and most versatile land. To exclude 3a land from this definition in Policy C1 would be contrary to PPG7 and would need to be justified by particular local circumstances to accord with national planning guidance on the preparation of development plans. Although high grade agricultural land between grades 1-3a is readily available in both the district and surrounding area, I do not consider that this circumstance provides sufficient justification to

relax the level of protection afforded to 3a land. There are many parts of the country where this situation occurs and I do not consider that the District's circumstances are in any way exceptional. Therefore I do not consider that there is any justification to amend this Policy in respect of this objection.

8.1.2 I do not consider that it would be reasonable for the Policy to prevent all development on the best and most fertile agricultural land. Recent amendments to PPG 7 lists circumstances where the development of the best and most versatile land would be acceptable, and how these circumstances relate to the protection of greenfield land and the government's objectives for sustainable development. I find that following PIC 8/2 and FPIC 8/15, the Policy correctly reflects PPG 7 in respect of these changes. Although this change removes Criterion i, I consider that the amended Policy remains sufficiently robust to provide the degree of protection for high quality agricultural land required by government policy.

8.1.3 As regards MAFFs two objections concerning the wording of the Policy in relation to advice in PPG 7, I consider that these have been addressed by PIC 8/2 and FPC 8/15. These changes amend the Policy so that it still broadly maintains the "worst first" principle, whilst taking government sustainability objectives into account. I note that these two objections have been conditionally withdrawn.

RECOMMENDATIONS

- C/1/1 Modify the Plan in accordance with PIC PIC 8 /2 and FPIC 8/15

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| C2: AGRICULTURAL PERMITTED DEVELOPMENT |
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The Objections

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| 0593/5 | <i>David L Davies</i> |
| 0874/16 | National Farmers Union |
| 1042/18 | <i>Mr J D Burnham</i> |
| 1260/30 | <i>The Marlow Society</i> |

Summary of Objections

- (a) Amend wording of C2 in respect of "surrounding holding(s)".
- (b) First paragraph of C2 should be deleted because there is no justification for it in Government guidance.
- (c) The four year period for limiting the proposed conversion of agricultural buildings is too short and should be amended to ten.
- (d) The policy is ambiguous as it appears to allow significant agricultural use as a reason to permit alteration of use. Reword C2 accordingly.

Inspector's Reasoning and conclusions

Inspector's Reasoning and conclusions

8.2.1 I consider that PIC 8/3 addresses Mr Davies' and the National Farmers Union's (NFU) concerns by removing the reference to the restriction of permitted development rights on surrounding holdings. I consider that this restriction would have been unreasonable and the Policy now reflects government advice concerning the use of conditions. I note that Mr Davies has conditionally withdrawn his objection.

8.2.2 I do not agree with the NFU that the first paragraph of the Policy should be amended. Whilst I accept that modern agricultural practices will often justify changes of use to buildings, I consider that the Policy is sufficiently flexible to take these changes of use into account. I consider that national policy guidance supports this Policy. The Council point to Paragraph 3.7 of PPG 7 as justification for why the first paragraph of the Policy should not be amended, but as Paragraph 3.7 refers primarily to the necessity to remove disused agricultural buildings that were erected under permitted development rights, I do not consider that this justification is wholly relevant. However given the importance of protecting open countryside from unnecessary development outlined in PPG7, it is reasonable that the Council guards against the abuse of permitted development rights, which is supported by Paragraph G2 of Annex G of PPG 7. I accept that PPG 7 makes no comment concerning this matter in relation to agricultural permissions, but given that permission for agricultural related development may occur in locations where other development would not be acceptable, I find that it is also reasonable for the Policy to also guard against the abuse of these permissions, in order to protect the countryside from unnecessary development.

8.2.3 I do not consider that the use of the term "significant period" in the Policy is necessary and I note that PIC 8/3 removes this term from the Policy. Although the length of time a building has been in use is important in investigating the possible abuse of permissions or permitted development rights, I consider that Paragraph 8.13 as amended by PIC 8/3 adequately sets out the sort of investigations that the Council would undertake to assess any possible abuse. Therefore, in the interests of clarity, I consider that this change should be made and I note that this objection has been conditionally withdrawn.

8.2.4 As regards Mr Burnham's objections concerning the extension of the four year time period, I consider that PIC 8/3 addresses the objector's concern by introducing a ten year period and I note that this objection has been conditionally withdrawn.

RECOMMENDATIONS

- C/2/1 Modify the Plan in accordance with PIC 8/3.

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| C3: COMMUNITY FACILITIES IN RURAL AREAS |
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The Objections

0158/51 High Wycombe and Marlow Green Party
0379/12 Sport England

Summary of Objections

- (a) Question how C3 can be enforced.
- (b) C3 makes no reference to recreational or sport facilities. Sport and recreation facilities should be regarded with at least the same importance as other facilities cited in paragraph 8.15, and the policy should be amended to include them.

Inspector's Reasoning and conclusions

8.3.1 I do not consider that the Policy is unenforceable. Although it is beyond the remit of planning legislation to stop a business use ceasing, in most cases explicit permission would be required for a change of use. Therefore it is reasonable that the Policy sets out criteria to assess the suitability of these changes. I do not consider that the Policy requires any amendment in respect to this objection.

8.3.2 As regards Sport England's concerns regarding the importance of sport and recreational facilities, I consider that these have been addressed by PIC 8/4. I note that this objection has been conditionally withdrawn.

RECOMMENDATIONS

- C/2/1 Modify the Plan in accordance with PIC 8/4.

C5: EXTENSIONS OF SITE BOUNDARIES IN THE COUNTRYSIDE

The Objections

0874/15 National Farmers Union
1024/15 Mr J D Burnham

Summary of Objections

- (a) It is unclear what is meant by 'detract from the rural amenities of the area'. As currently worded, the policy would be contrary to PPG7, as it would prevent the provision of sensitive, small-scale new development.
- (b) Extending neglected sites with well-designed landscaped areas can enhance the countryside. These opportunities should be encouraged not denied.

Inspector's Reasoning and conclusions

8.5.1 Whilst I accept that amenity is a commonly used planning term, in this context, I do not consider that rural amenity is a precise enough term to describe what the Council are trying to protect, as this term could refer to a broad range of irrelevant issues. The Policy's supporting text, in Paragraph 8.17, specifically refers to the protection of the rural character and appearance of the area, which accords with advice given in PPG 7. For clarity and precision I find that the Policy should refer to this and I have recommended the appropriate rewording below.

8.5.2 I do not consider that following this rewording the Policy would prevent sensitive small scale employment generating development, provided that these developments accord with the Policy's criteria. I consider that these criteria reasonably balance the need to protect the countryside with the need to support rural development and thus accord with the advice in PPG7.

8.5.3 As regards Mr Burnham's objections regarding the extension of neglected sites to allow suitable landscaping, I consider that the Policy as amended below would allow for this, as development that constituted an improvement to landscape would be acceptable, provided it was sensitive to the rural character and appearance of the area. Therefore I do not consider that any further amendment to this Policy is necessary with respect to this objection.

RECOMMENDATIONS

- C/5/1 Modify Policy C5 by deleting the phrase "WHERE THEY DETRACT FROM THE RURAL AMMENTIES OF THE AREA" and replacing it with '**WHERE THIS WOULD HAVE A DETRIMENTAL EFFECT ON THE CHARACTER AND APPEARANCE OF THE COUNTRYSIDE**', but otherwise make no further modifications to this Policy.

C6: AGRICULTURAL AND FORESTRY DWELLINGS

The Objections

0874/14 National Farmers Union
1042/19 Mr J D Burnham
1218/15 R J Newell

Summary of Objections

- (a) Objection to the proposed floorspace restriction of 150 square metres – no guideline figure should be quoted.
- (b) An even more stringent policy is needed to prevent abuse by exploitative speculators.
- (c) This policy does not reflect the effects of the loss of employment in the agriculture sector, and the consequent reduction in housing requirement for agriculture.
- (d) The requirement to show a need for a dwelling in the local agricultural community is superfluous and incapable of being proven.

Inspector's Reasoning and conclusions

8.6.1 I consider that the proposed restriction on floorspace is reasonable. As stated by the NFU, Annex I of PPG 7, relates the size of the dwelling to the requirements of the enterprise rather than the requirements of the occupiers or owners. However I find it hard to envisage circumstances where limiting the floorspace of a dwelling to 150 m² would have a significant effect on the operational requirements of an agricultural enterprise. It should be remembered that this figure is given as a guide in the supporting text to the Policy and if there are good reasons why a larger dwelling should be required, the Plan is sufficiently flexible to take these reasons into account at the development control stage.

8.6.2 I do not consider that the Policy should be any more stringent in restricting the building of agricultural workers dwellings. The Policy, following FPIC 8/16, sets out a series of rigorous tests that need to be met before permission is granted and to increase the rigour of these tests would exceed the advice set out in PPG7.

8.6.3 Whilst I recognise that there is currently a reduction in the level of agricultural employment, I do not consider that this would justify reducing the stringency of tests that should be applied when considering the removal of an agricultural occupancy condition. PPG 7 recognises that there is often intense pressure for development in the countryside and it is only reasonable that the Policy should ensure that where possible agricultural workers dwellings should remain available to the agricultural work force to prevent the additional construction of new dwellings in the countryside.

8.6.4 The requirement of the Policy to show a need in the local agricultural community is acceptable. PPG 7 is quite clear that agricultural workers dwellings should only be constructed where there is a clear need in the local agricultural community. It is not unreasonable to require satisfactory proof of this need and various methodologies exist to demonstrate that a need exists. I consider that to remove this requirement would unacceptably weaken the Policy so that it would not comply with PPG7.

RECOMMENDATIONS

- C/6/1 Modify the Plan in accordance with FPIC 8/16

C6: AGRICULTURAL AND FORESTRY DWELLINGS - GRANGE FARM, SAUNDERTON

The Objections

0356/7 Hearing Dogs for Deaf People

Summary of Objections

(e) This policy does not reflect the effects of the loss of employment in the agriculture sector, and the consequent reduction in housing requirement for agriculture.

Inspector's Reasoning and conclusions

8.6.5 The policy sets out the conditions under which agricultural occupancy conditions may be lifted, in accordance with the advice in Annex I of PPG7. One of these refers to the need or otherwise for such dwellings in the area as a whole, thus taking into account the wider economic position in the sector. An objection to the Local Plan is not the proper procedure under which the continued need for restrictions on individual dwellings should be assessed; this should be done by submitting a planning application to remove a condition in the usual way.

RECOMMENDATIONS

- C/6/2 No modification

C7: FARM DIVERSIFICATION

The Objections

0874/13 National Farmers Union
1042/17 Mr J D Burnham

Summary of Objections

- (a) Objection to the detailed wording of the policy. Amended wording suggested.
- (b) The policy should be strengthened to prevent agricultural vehicles consistently disrupting and delaying traffic.

Inspector's Reasoning and conclusions

8.7.1 As the NFU pointed out, there is some repetition between Criteria (ii) and (iv) in the Deposit Draft Policy. I consider that PIC 8/6 usefully clarifies the policy by separating wildlife and amenity issues from landscape issues. PIC 8/6 also addresses the NFU's concerns about the use of the term openness, which avoids confusion in a non-green belt context. However, I think the use of the term adversely in the Policy is acceptable in both criteria. This term does not in any way imply a more rigorous test than that set out in Paragraph 1.3 of PPG 7 and I do not support its amendment.

8.7.2 As regards Mr Burnham's concerns about reducing agricultural traffic, I consider that Criterion (iii) of the policy adequately addresses the highways and traffic implications of development; no amendment is necessary.

RECOMMENDATIONS

- C/7/1 Modify the Plan in accordance with PIC 8/6

C8: RE-USE AND ADAPTATION OF BUILDINGS IN THE COUNTRYSIDE

The Objections

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| 0158/52 | High Wycombe & Marlow Green Party |
| 0428/1 | Bible Lands |
| 0593/4 | David L Davies |
| 0874/10 | National Farmers Union |
| 0874/11 | National Farmers Union |
| 0874/12 | National Farmers Union |
| 1042/16 | Mr J D Burnham |
| 1193/31 | Environment Agency |
| 1218/13 | R J Newell |
| 1597/9 | The National Trust, Thames & Chiltern Region |

Summary of Objections

- (a) Criterion (iii) of policy C8 should be deleted because it does not allow for the re-use of derelict or damaged buildings in the countryside.
- (b) Paragraph 8.44 needs amending in order to be consistent with C8 (vii) with respect to the use of the word 'feasible'.
- (c) Unclear as to what is meant by 'an area of strategic restraint of employment generating activity'. According to what basis and what evidence is the need for significantly more jobs 'not considered to be pressing'? Paragraph should include more positive reference to re-use proposals, as per PPG7.
- (d) The meaning of 'fit in with its rural surroundings' is unclear. Policy needs to be more finely balanced and include specific reference to the guidance on rural business in PPG7.
- (e) Change last sentence of policy to read 'For this reason, in some cases the District Council will require evidence to accompany a planning application'.
- (f) The policy must be revised to take into account noise pollution and the nuisance of traffic generation.
- (g) Mention should be made of protected species that may be affected by the conversion of non-residential buildings to residential.
- (h) C8(iii) should allow for other overriding policy considerations which make such conversions appropriate.
- (i) C8(v) should be amended to accord with the advice set out in PPG7.

Inspector's Reasoning and conclusions

8.8.1 For conciseness I will address issues (a),(e) and (h) together. As regards issue (a), I consider that Criterion (iii) of the Policy does not require amendment. Paragraph 3.14, sub section e) of PPG7 clearly states that buildings in the open countryside would be suitable for conversion only where this did not entail major or complete reconstruction. Clearly bringing a derelict building back into active use would require substantial renovation and the policy therefore correctly reflects government policy advice with respect to this objection. As regards issue (e), I consider that paragraph 8.41, requiring the submission of structural evidence before conversion should not be amended. It is reasonable that the Council investigate the precise nature of any intended renovations to satisfy themselves that the guidance at paragraph 3.14 of PPG7 is being met. Turning to issue (h), if there are overriding policy reasons why criterion iii should not be followed, I consider that these considerations could be adequately addressed as a matter of development control and for this reason the suggested amendment of the criterion

would be unnecessary. I note that the objector has conditionally withdrawn this objection.

8.8.2 I consider that Mr Davies' concerns about the consistency of wording between paragraph 8.44 and Criterion vii of Policy C8 have been adequately addressed by PIC 8/8. Similarly I consider that the NFU's concerns about the reference to an area of strategic constraint has been met following the deletion of the term by PIC 8/7. I note that both these objections have been conditionally withdrawn.

8.8.3 I do not consider that the phrase "fit in with its rural surroundings" in Paragraph 8.39 of the supporting text to the Policy is unclear given the context provided by Policy C8. The Policy provides a systematic assessment of how development should relate to rural surroundings. This qualifies the use of the phrase "fit in with its rural surroundings" in the supporting text. I do not consider a specific reference to Paragraphs 3.8 and 3.9 of PPG 7 would be necessary in this instance as the Policy's amended supporting text adequately reflects the broad aims of PPG 7 regarding rural business and such a cross reference would therefore be repetitive.

8.8.4 I consider that it would be unnecessary for the Policy to make specific reference to noise and traffic issues. The Plan contains adequate policies that protect against these potentially detrimental impacts. To introduce specific criteria to address these issues in the Policy, or to make an additional cross reference to other relevant Plan Policies would involve the Plan in an unnecessary level of detail.

8.8.5 I consider that the Environment Agency's concerns over the issue of disused buildings being utilised as wildlife habitats have been adequately addressed by Policy 10/12 in Chapter 10 of the Plan. I note that this objection has been conditionally withdrawn.

8.8.6 I do not consider that Criterion (v) should be amended. PPG 7 is clear that reasonable conditions may be imposed on a conversion to overcome adverse impacts. Where conditions are applied they must meet the tests of fairness and reasonableness set out in Circular 11/95. I consider that (v) complies both with the guidance in this Circular and PPG 7.

RECOMMENDATIONS

- C/8/1 Modify the Plan in accordance with PICs 8/7 and 8/8

C9: RE-USE AND ADAPTATION OF BUILDINGS IN THE COUNTRYSIDE

The Objections

0428/2 Bible Lands
0874/9 National Farmers Union
1218/16 R J Newell

PIC 8/9 Objections

0428/3 Bible Lands
0524/32 Thames Valley Chamber
1218/22 R J Newell
1319/17 Ministry of Agriculture, Fisheries and Food

Summary of Objections

- (a) First paragraph of C9 should either be deleted or amended – small additional buildings should be allowed.

(b) Objections to the inclusion of reference to the Green Belt in PIC8/9.

Inspector's Reasoning and conclusions

8.9.1 PPG 7 stresses the importance of protecting visual amenity in the countryside and the visual impact of additional buildings can have a highly detrimental effect on the suitability of conversion schemes. Policy restrictions on the construction of additional buildings associated with the re-use of buildings in the countryside accord with this guidance therefore. Although I recognise that there may be circumstances where there is an exceptional justification for allowing small additional buildings to facilitate the re-use of rural buildings, the Plan is sufficiently flexible to allow these circumstances to be considered as a matter for development control. Furthermore PIC 8/9 amends the Policy so that it allows for the use of additional buildings in circumstances appropriate to the countryside. However I consider that the new criterion (i) added by PIC 8/9 is unnecessary, as small extensions to facilitate the re-use of buildings in the green belt may be appropriate. This reference is deleted by FPIC 8/13, which addresses the objector's concerns.

RECOMMENDATIONS

- C/9/1 Modify the Plan in accordance with PIC 8/9 and FPIC 8/13

C9: RE-USE AND ADAPTATION OF BUILDINGS IN THE COUNTRYSIDE - GRANGE FARM, SAUNDERTON

The Objections

0356/10 *Hearing Dogs for Deaf People*

Summary of Objections

(a) Policy C9 is too stringent and inflexible. Building should only be permitted in exceptional circumstances, and extensions allowed only where necessary.

Inspector's Reasoning and conclusions

8.9.2 PPG 7 is explicit about the criteria that should be met before the re-use of a property is permitted and stresses the importance of protecting visual amenity. Whilst limited extensions may be necessary to allow a building to return to active use, inappropriate extensions to a property can be highly detrimental to visual amenity. I consider that the Policy strikes the correct balance between these considerations, and is sufficiently flexible, to accord with government policy. Therefore I do not consider that any further change should be made, other than the PICs already recommended for approval.

RECOMMENDATIONS

- C/9/1 Modify the Plan in accordance with PIC 8/9 and FPIC 8/13

C10: SETTLEMENTS BEYOND THE GREEN BELT

The Objections

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| 0408/22 | Ercol Furniture Ltd |
| 0831/16 | Miss M B Messenger |
| 1006/3 | Mr D J Giles |
| 1260/31 | The Marlow Society |
| 1798/15 | <i>Buckinghamshire County Council – Environmental Services Department</i> |
| 0841/8 | Lance Adlam |

PIC 8/10 Objections

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| 0408/32 | Ercol Furniture Ltd |
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Summary of Objections

- (a) C10 does not adequately cover proposals contained in other policies of the plan, particularly H2 and E1. Revised wording of C10 suggested.
- (b) Objection to the exclusion of any extension to the four communities listed.
- (c) The policy does not take proper account of the need for some continuing growth in some of the other settlements, including Stokenchurch.
- (d) Marlow should be added to the list.
- (e) E8 should be added to the exceptions H2 and E1 for clarity.
- (f) In relation to Princes Risborough, C10 will probably prove to be unsustainable in the longer term, and the developments noted in Policy H2 will expand beyond the present boundaries. The policy makes a mockery of the preservation of views into and out of the AONB, and policies C1, C4, C5, C11 and GB3.

Inspector's Reasoning and conclusions

8.10.1 In addressing these objections, the Council refer to the broad thrust of PPG7, which seeks to protect the countryside and direct new residential development to towns and villages where employment and other facilities can be closely grouped. Other guidance in PPG3 and PPG13 about creating sustainable communities, providing accessible services and reducing car travel is equally relevant. These policies are reflected in Structure Plan Policies OC1, E3 and particularly, H5, which deals with small scale housing development within rural settlements. In carrying forward a very similar policy from the adopted Local Plan, I consider the policy accurately reflects this national and strategic guidance.

8.10.2 Some development beyond the strategic limits of settlements beyond the green belt (which do not include Marlow) may be permitted if approved through the forward planning process, as the development of Park Mill Farm at Princes Risborough will be by this Plan. Smaller development Proposals can be considered under Policies C12 and H12 in specific circumstances that need no cross-reference to this policy. The Ercol development at the Princes Estate is underway and accords with Structure Plan policy; however I see no reason why this large developed site should not be considered as part of the town, especially when the planned direct link to the station is achieved; while not the subject of formal recommendation, I think the Council should consider re-drawing the settlement boundary to include the whole of the estate, which will rapidly acquire an urban character.

8.10.3 Somewhat different considerations apply to the Park Mill site, which is discussed at in

detail in section 3.2.2 of my report, and where issues such as the impact on views from the AONB are addressed. I am confident that the allocation would not be enlarged beyond its boundaries during the life of this Plan. In this instance I consider the settlement boundary should be amended after this major development has commenced, towards the end of the Plan period.

RECOMMENDATIONS

- C/10/1 Modify the Plan in accordance with PIC 8/10

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| C10: SETTLEMENTS BEYOND THE GREEN BELT - FININGS FARM, LANE END |
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The Objections

1036/1 I & M Mebbourne

Summary of Objections

- (a) Request that site be included within the Lane End Settlement Boundary to facilitate its development.

Inspector's Reasoning and conclusions

8.10.4 I have dealt with a related objection concerning residential development of the site in section 3.2.7, where I concluded that any development here would conflict with national and strategic policies for the protection of the green belt and AONB. It follows that I can find no justification to amend the settlement boundary in the absence of any very special circumstances.

RECOMMENDATIONS

- C/10/2 No modification

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| C10: SETTLEMENTS BEYOND THE GREEN BELT - LAND & PREMISES OFF MILL ROAD, STOKENCHURCH |
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The Objections

1006/9 Mr D J Giles

Summary of Objections

- (a) Site should be included within the Stokenchurch Settlement Boundary.

Inspector's Reasoning and conclusions

8.10.5 The site comprises about 1.2 ha of land sited to the rear of residential and commercial properties in Mill Road. It is a yard used for the storage, preparation and sale of second hand building materials. A large open barn stands in the middle of the site and a single storey office building is located near the north-east boundary. The site lies outside the settlement boundary

for Stokenchurch, within the AONB which washes over the settlement and the surrounding countryside.

8.10.6 The objector argues for a realistic approach to the definition of settlement boundaries to allow for the redevelopment of 'brownfield' land at their edges, thus reducing pressure for housing growth on greenfield sites. However, the broad thrust of the development strategy of the Plan is to direct growth to the larger urban areas, such as High Wycombe. I support the Council's policy to prevent development on sites where loosely knit groups of buildings could be consolidated. The site is some distance from the village centre and the occupiers or residents of any new development would undoubtedly be heavily reliant on travel by private car. To allow the expansion of this site, which is typical of other partly developed fringe sites, could lead to pressure for other extensions contrary to local and national policies to restrain growth in rural areas.

8.10.7 In terms of visual impact, the type of urban development normally allowed within settlements would involve substantially more buildings, hard surfaces and other enclosures than currently found on the site. At present the land sticks out into a field and is readily visible from the footbridge over the M40, whence the intrusion of development into the field surrounding the site on 3 sides would be prominent in the AONB landscape. It would also be seen from other rights of way to the east. I consider that despite the current use the site has a relatively low-key impact on the landscape; materials are not stored to any great height and boundary enclosures are quite low and/or open. The potentially much more substantial development that might take place would be likely to have a more adverse effect on views of the site if the settlement boundary were extended and would outweigh any possible benefit from removal of the single barn on the site.

8.10.8 I note that the site was included within the settlement boundary for Stokenchurch on an informal plan published in 1971. This was superseded by subsequent plans that were subject to full public scrutiny, including the Adopted Plan.

RECOMMENDATIONS

- C/10/3 No modification

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| C10: SETTLEMENTS BEYOND THE GREEN BELT – LONGWICK (AS109) |
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The Objections

0378/12 George Wimpey Plc

Summary of Objections

(a) The site should be included within the Longwick Settlement Boundary.

Inspector's Reasoning and conclusions

8.10.9 I have dealt with an objection concerning a proposed housing allocation at Williams Way in detail in section 3.2.5 above. In summary, I found that there was no housing need for an allocation at this site, which performed poorly in relation to the sequential test in terms of accessibility in particular.

8.10.10 This objection seeks the inclusion of a playing field and sports pavilion immediately to the north of the proposed housing site within the Longwick village boundary. However, I share the Council's view that the boundary should be drawn to show those areas

where it would be acceptable to allow normal urban development. I consider the tightly drawn boundary is appropriate to a relatively small village, where one would not expect any significant growth to take place. The existing boundary is well defined on the ground, following the clear line of existing development. The proposed change would break this pattern by extending the settlement onto a large area of predominantly open land.

8.10.11 Although parts of the proposed area are functionally part of the village, the physical character of the land is quite different. The circumstances where an area of open space at the much larger settlement of Princes Risborough was included within the town boundary were also different, since that space falls within the strong physical barrier of the railway line.

RECOMMENDATIONS

- C/10/4 No modification

C10: SETTLEMENTS BEYOND THE GREEN BELT - LONGWICK ROAD, PRINCES RISBOROUGH (AS110)

The Objections

1141/37 Beazer Strategic Land

Summary of Objections

(a) Policy C10 should be amended so as not to apply to this site.

Inspector's Reasoning and conclusions

8.10.12 I have dealt with an objection concerning a proposed housing allocation at this site in detail in section 3.2.5 above. In summary, I found that there was no housing need for an allocation at this site, which performed worse than the Council's proposed allocation at Park Mill Farm. In these circumstances there is no justification for amending the settlement boundary here.

RECOMMENDATIONS

- C/10/5 No modification

C10: SETTLEMENTS BEYOND THE GREEN BELT - PRINCES RISBOROUGH SCHOOL (AS122)

The Objections

0350/4 Princes Risborough School

Summary of Objections

- (a) The school buildings come within the Settlement Boundary, but the school grounds north-west of the Upper Icknield Way fall within the Green Belt. Any additional sports/recreational facilities would therefore have to be located in the Green Belt.

Inspector's Reasoning and conclusions

8.10.13 I have dealt with what is in essence the same objection requesting the school grounds to fall under Policy L3, as open space in section 10.3. I consider that this would provide adequate protection for open space in the school grounds and recommended in favour of this minor boundary change to the green belt, for the reasons explained in section 10.3. Although L3 sites can be located in rural areas, I think it would be logical and consistent with this recommendation to include the whole of the school site within the settlement boundary.

RECOMMENDATIONS

- C/10/6 Modify the Plan by amending the settlement boundary of Princes Risborough to include the whole of the school site

C10: SETTLEMENTS BEYOND THE GREEN BELT - WYCOMBE ROAD, PRINCES RISBOROUGH (AS94)

The Objections

0808/3 Linden Homes South East Ltd

Summary of Objections

- (a) The site should be included within the Princes Risborough Settlement Boundary as an H2 housing site.

Inspector's Reasoning and conclusions

8.10.14 I have dealt with an objection concerning a proposed housing allocation at this site in detail in section 3.2.5 above. In summary, PPG2 states that green belt boundaries should be changed only as a result of Structure Plan alterations or in exceptional circumstances, neither of which apply in this case. The green belt is not drawn tightly around Princes Risborough, which could expand to the north-west, and the sustainability considerations of paragraph 68 of PPG3 do not strictly apply. In any event, I found the site was not proven to be the most sustainable of all options for housing growth, and in these circumstances there is no justification for amending the settlement boundary here.

RECOMMENDATIONS

- C/10/7 No modification

C11: DEVELOPMENT IN THE COUNTRYSIDE BEYOND THE GREEN BELT

The Objections

0955/1 R G Avery
1006/4 Mr D J Giles
1319/11 *Ministry of Agriculture, Fisheries and Food*
1435/1 Mr J P Avery

Summary of Objections

- (a) In light of the development strategy set out in C10, Policy C11 is too rigid.
- (b) The word 'essential' should be dropped from the policy and replaced with wording along the lines of 'reasonably necessary for the purposes of agriculture'.
- (c) Development in the countryside should be considered on Summerleys Road, Princes Risborough. This could be achieved by either making the whole of Summerleys Road an Established Residential Zone or amending C11(v) to read 'infilling and limited development adjoining villages, hamlets or identifiable ribbons of development where there are no adverse effects on the character of the area'.

Inspector's Reasoning and conclusions

8.11.1 In response to the first two objections, I consider that Policy C11 sets reasonable criteria for judging development proposals in the countryside outside the green belt. They reflect the broad thrust of government policy in PPG7 to balance the need to allow some limited categories of development that are appropriate to help sustain the economy of rural areas with the maintenance or enhancement of the rural environment. I endorse the revised policy suggested by PIC 3/32 to meet the objection regarding agricultural development, which has been conditionally withdrawn.

8.11.2 The objectors propose residential development on land adjoining 117 Summerleys Road, which is shown on the Proposals Map as land outside the residential limits of Princes Risborough. I deal with the housing merits of this suggestion in section 3.2.5 of my report above. In summary, I consider the proposal would result in an unsightly extension to the existing ribbon of development along the road, which would detract from the largely rural character of the area. The dwellings would be at least 1.5km from the railway station and considerably further on foot from the facilities of the town centre. To amend Policy C11 in a way which would accommodate such extensions to groups of dwellings in the countryside would not therefore accord with government policy in PPGs 3 and 7 and RPG9 to direct new housing to sustainable urban locations and to protect the character and appearance of the countryside.

RECOMMENDATIONS

- C/11/1 Modify the Plan in accordance with PIC 3/32

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| C12: THE RURAL ECONOMY |
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The Objections

1006/5 Mr D J Giles

Summary of Objections

- (a) In light of the development strategy set out in C10, Policy C12 is too rigid.

Inspector's Reasoning and conclusions

8.12.1 I deal with the thrust of this objection in section 8.10 above. The policy allows for some small scale employment generating development adjoining rural settlements. I consider the criteria included in the policy reflect national guidance in PPG7 regarding the balance to be struck between promoting the rural economy and protecting the environment. These criteria form a suitable test for any proposals that the objector may bring forward for the site at Mill Road, Stokenchurch.

RECOMMENDATIONS

- C/12/1 No modification

C13: MAJOR DEVELOPED SITES IN THE COUNTRYSIDE

The Objections

0158/55 High Wycombe and Marlow Green Party
0366/7 Royal Borough of Windsor & Maidenhead – Planning Policy Unit

Summary of Objections

- (a) The policy requires that a rural employment site remains so. How will it be enforced?
- (b) Concern that Policy C13 and its supporting text does not adequately stress the importance of protecting the AONB.

Inspector's Reasoning and conclusions

8.13.1 I consider that the Policy ensures that as far as is reasonable the employment use of a site will be protected. This requirement can be adequately enforced. Although it is beyond the remit of planning legislation to stop a business use ceasing, changes of use from an employment use to other uses would in most instances require planning permission. Where a site was last used for employment, the Policy clearly restricts future uses to new employment uses. Therefore this requirement of the Policy is clearly enforceable.

8.13.2 I consider that there is no need for the Policy to be amended to take special account of the development of major developed sites in the AONB. It should be remembered that the Plan should be read as a whole and I consider that Policy L1, as amended, provides adequate protection for the AONB. I note that AONB Policies are cross-referenced to in paragraph 8.03 of this chapter. Therefore to add a further cross reference in the Policy to Policies L1 and L2 would involve the Plan in an unnecessary level of detail. I consider that the Policy's wording clearly reflects Structure Plan policy OC3, which is referred to in the Policy's supporting text following FPIC 8/14. Furthermore I cannot see what useful purpose would be served by having the supporting text state that there was not a presumption against development in the AONB, as there is nothing in the Policy or its supporting text to suggest that there is such a presumption. Similarly I do not think that the objector's suggested rewording of Criterion i. of the policy could be considered helpful as it would exceed both government and structure plan guidance on the redevelopment of major sites in the countryside.

RECOMMENDATIONS

- C/13/1 Modify the Plan in accordance with FPIC 8/14.

C13: MAJOR DEVELOPED SITES IN THE COUNTRYSIDE - BOCM SITE, STOKE MANDEVILLE (AS7)

The Objections

0042/1 Rudin MacLeod Asset Management

Summary of Objections

- (a) The site should be added to the list of major developed sites, and either C13 applied to the re-use/redevelopment of the site, or a separate policy for the site included in the plan. As the site straddles the Wycombe District/Aylesbury Vale District boundary, the site should be considered as a whole, not just in two parts.

Inspector's Reasoning and conclusions

8.13.3 The objection site is split between two Buckinghamshire Districts, Wycombe and Aylesbury Vale. The adopted County Structure Plan refers to the question of the re-use of existing buildings in the countryside in Policy OC1(c) and to major existing developed sites in the open countryside in Policy OC3(a-g). These Policies equate to Policies C8 and C13 of the Local Plan and there would appear to be no significant discrepancy between them or between the latter and the advice contained in PPG 7(1997). In my view, there is no particular point or purpose in putting in a cross-reference to the Structure Plan Policies in the supporting text (as rectified by PIC8/14) or the wording of the Local Plan Policies. The Structure Plan is silent on the subject of retaining existing employment uses in either of its Policies. However, I note that the Local Plan (at paragraph 8.38) refers to a general need for strategic restraint in employment activity. This requirement appears to me quite consistent with a Policy C13(2) indication that existing or previous employment uses should be retained on the redevelopment of major developed sites.

8.13.4 The BOCM site at Stoke Mandeville is within the open countryside in the sense used by Chapter 8 of the Local Plan. It is about 2 km north of the nearest recognisable settlement in Wycombe District, Ellesborough, which is adjoined by intermittent frontage development along the A4010 road which links Stoke Mandeville (in Aylesbury Vale District) with Princes Risborough via Butler's Cross and Ellesborough. The site has a very long frontage of some 600 m along this road with a rather shorter frontage along a converging minor road which intersects it just south of the site itself. The surrounding countryside is attractive but undistinguished and lies just outside the Green Belt and Chilterns AONB although the site is prominent in the wider rural prospect obtained from the summit of Coombe Hill, some 3 km to the SSE. As noted in the report of a planning appeal inquiry in November 1989 (DoE ref: A/89/113767), the extent of buildings and access roadways amounts to no more than some 5% of the site's overall area of about 14.9 ha. On my inspection, the above percentage figure adopted by the Inspector, in reporting to the Secretary of State, looked to be inherently plausible, assuming no significant change since 1989. A MAFF survey carried out in 1998 concluded that 58% of the land was in agricultural grade 3a and 11% in grade 3b.

8.13.5 The first issue that must be resolved is whether or not the BOCM site should have been added to the list of Policy C13 sites set out at paragraph 8.57(i-iv) of the supporting text. My conclusion, following an inspection of each of these sites, is that it bears no comparison with any of them. The distinctive and distinguishing feature of the identified sites is that they are all occupied by permanent and substantial buildings whose form, bulk and general design are in keeping with their rural surroundings, as advised by paragraph 3.14(a) and (c) of PPG 7. In the case of the BOCM site, the buildings appear either makeshift or dilapidated, as is fully consistent with their post-war erection and nearly 40-year use as an agricultural research establishment. They are not particularly sightly but neither are they especially prominent in the

local or the wider scene. This is attributable to the buildings' very limited footprint, their low aspect and the extent of the site's tree cover, recently the subject of tree preservation orders.

8.13.6 The second issue is whether the terms of Policy C13 ought to be varied in order to make it more favourable to the prospect of the future redevelopment of the BOCM site. In particular, Policy C13(2) is considered unduly restrictive since it is considered that an appropriate form of redevelopment would be for both housing and 'campus-style' employment. This request is somewhat academic; it would only apply if the BOCM site were identified as a Policy C13 site. My view is that it should not, both for the reasons advanced by the LPA and having regard to Structure Plan Policy OC3(a) and the advice of PPG7. A course open to any intending developer of the land would be to invoke the provisions of Policy C8. Here there is a preference for continued or increased rural employment uses but there is provision for residential re-use and adaptation in appropriate circumstances. It is also noted that the LPA has quite recently given outline planning permission for 8 dwellings here (on about 2 ha within Wycombe District). This suggests an appropriate intensity of redevelopment consistent with the possible planning advantage implicit in the partial clearance of existing unsightly buildings.

8.13.7 The remaining issue is whether a site-specific policy ought to be included in the Local Plan by way of modification. This does not seem at all appropriate. The site does not qualify as a developed site in the countryside, far less as a *major* developed site, for the reasons just given. The certification of lawfulness for an existing use in September 1995 merely refers to a sui generis use for agricultural and veterinary research and development. There is no evidence of any extensive residential or intensive employment uses. Accordingly the site cannot be regarded as even rural brownfield in character and I accept the LPA's argument that PPG3 sequential testing would probably render it quite inappropriate for any significant housing development. Given the probably low level of employment activity over the past 56 years, its specific allocation would be contrary to strategic guidance in both RPG9 and the adopted Bucks Structure Plan Policies H5 and E5. The location of the site is unsustainable relative to scheduled and accessible public transport. The overall conclusion must be that a site-specific Policy would be contrary to the Development Strategy set out in Chapter 2 of the Local Plan.

RECOMMENDATIONS

- C/13/2 No modification

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| C13: MAJOR DEVELOPED SITES IN THE COUNTRYSIDE - FINNAMORE WOOD (AS28) |
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The Objections

0738/4 H M Prison Service

Summary of Objections

- (a) The site should be identified as a Major Developed Site under C13, or alternatively, policy C8 should set out the Planning Authority's approach to re-use of buildings on large sites such as this. Amendments suggested.

Inspector's Reasoning and conclusions

8.13.8 The objection relates to an extensive area located on the Class III road linking Lane End and Marlow, some 4 km to the NW of the latter. The site was in use as a Young Offenders Institution (YOI) (ie a Borstal) from 1960 to 1984 and had been originally established as a summer camp for children, later used for housing urban evacuees and refugees during the

Second World War and again used as a holiday camp during the 1950s. Its use as a Borstal did not require planning permission but an agreement was concluded in 1960 between Bucks CC and the Prison Commissioners to restrict the site's use to uses of an institutional character and to limit the extension of the buildings on the land. The present position is that the secure and communal accommodation for prisoners is entirely vacant and derelict but roughly half of the developed site is occupied by 21 single-storey residential buildings, formerly prison officers' housing, which have mostly been sold to private owners.

8.13.9 The objection site is quite extensive, being some 25 ha in area, but only a relatively small proportion (3.9 ha) has ever been developed. The available survey evidence is that about 16% of the site is devoted to the prison establishment, some 16% to ancillary open playing fields and the remaining 68% to mixed woodland. The site is located within the Chilterns AONB but the vacant prison buildings and the residential staff accommodation are not especially prominent, being largely tree-screened. The only discordant landscape feature is the somewhat crudely levelled and terraced playing field that measures about 200 x 100 m and is plainly visible, because of its absence of tree cover, from a variety of viewpoints within the surrounding area. The former prison barracks huts are empty and present a very poor appearance, being of utilitarian construction and crammed uncomfortably close to each other. By contrast, the former prison officers' housing has been visibly upgraded and is clearly very well maintained.

8.13.10 The first issue raised by the objection is the site's non-allocation under Policy C13. By contrast with all the other non-Green Belt sites identified by the LPA, Fynamore Wood YOI appears to me to fail some of the PPG7 criteria (set out in paragraph 3.14) for such selection. In particular, although the site and most of the buildings within it are 'of permanent and substantial construction', having mainly survived 63 years of varied and robust use, the barracks blocks are certainly not 'in keeping with their surroundings'. Moreover, the latter especially are not, in my view, 'capable of conversion without major or complete conversion'. These are critical considerations given that the Policy C13 presumption is in favour of some form of continued employment activity and bearing in mind the site's location within the AONB. The barracks accommodation would appear unsuitable for conversion by reason of its poor internal layout, inadequacy of access and tight block spacing, for all but the most rudimentary of future industrial or storage uses.

8.13.11 It was argued at the inquiry that PPG2 (Green Belt) criteria should apply to replacement building on the site. This PPG sets out detailed criteria for the *redevelopment* (as distinct from the *re-use* and *adaptation*) of major developed sites in its Annex C4(a-d). By analogy, it was held that very similar criteria ought to apply to Fynamore Wood, notwithstanding its location outside the Green Belt as defined in Wycombe District. However, the PPG advice is specifically directed towards developed sites *within* Green Belts and gives no indication whatsoever of its applicability outside them. It is true that the PPG7 (Countryside) advice does not make explicit provision for the redevelopment of land or buildings. However, the Local Plan does address the question of re-use in its Policy C8 and the question of new building (ie redevelopment) in its Policy C13. The apparent gap in PPG policy coverage may be explained by the fact that 'very special circumstances' or specific policy guidance are needed to authorise inappropriate development within defined Green Belts but that rural development may be treated in a more pragmatic way and subject to locally-adopted development plan policies.

8.13.12 The fact is that the Fynamore Wood site is neither in the Green Belt nor does it, in my opinion, fully meet the criteria for major developed sites clearly laid down in paragraph 3.14 of PPG7 (ignoring its Annex G which merely offers supplementary guidance). The development or redevelopment of the site thus falls to be considered, as argued by the LPA, under Policies C8 or C9 of the Local Plan. However, the objectors wish Policy C8 to be revised so as to include specific criteria for the limited redevelopment of rural sites that are already built upon. This could only be done by the insertion of the word 'redevelopment' after the words 're-use and adaptation' in the first paragraph of Policy C8. Not only would this run counter to the

comparable wording used in PPG7 (and hence conflict with its advice) but it would amount to the modification of a district-wide policy in the interests of a single site. The legal maxim: 'hard cases make bad law' is of clear application in this instance.

8.13.13 In the LPA evidence, reference was made to a current planning application (ref: 00/06884/FUL) in respect of 4 substantial dwellings following the demolition of the derelict prison accommodation. This application was jointly made by HM Prison Service, the objectors in the present case. At the close of the inquiry, the LPA (on being questioned as to the latest position) indicated that the application had been referred to the Secretary of State under s77 of the TCPA 1990. Such an application would presumably have been made outside the scope of the 1960 agreement with the former LPA (ie within the context of normal land use planning control). This form of limited redevelopment may well offer some scope for avoiding what the objectors referred to, at the inquiry, as the 'Scylla and Charybdis' dilemma that Policies C8 and C13 represent (in their eyes at least). In other words, such very restricted development might secure planning advantages by way of removing unsightly dereliction in the AONB whilst not seriously conflicting with the generality of Chapter 8 Policies.

8.13.14 This is a planning judgement which I am not in a position (or required) to make, on the basis of the present evidence at least. The fact remains that the site and its developmental history are such as to defy its easy categorisation. Even were I inclined to recommend that it be given Policy C13 status, problems would still be posed by its resumed (and presumably preferred) employment use. These problems would arise in view of its lack of sustainability in relation to local services and public transport provision. There would also be the inherent conflict between incoming economic activity and the amenity and wellbeing of what is clearly a small but established residential community. It may accordingly be that some form of incremental housing development would be best in relation to local service provision and land use compatibility. However, that is for the LPA (or in the present case, the Secretary of State) to determine, possibly in the general context of Policy C11(1-2) of the emergent Local Plan.

RECOMMENDATIONS

- C/13/3 No modification

C13: MAJOR DEVELOPED SITES IN THE COUNTRYSIDE - HARLEYFORD ESTATE, MARLOW (AS38)

The Objections

1584/52 The Marlow Group
2038/1 Harleyford Estate Ltd

Summary of Objections

- (a) The site should be included in the list of Major Developed Sites in the Countryside.

Inspector's Reasoning and conclusions

8.13.15 The site is a large riverside estate associated with Harleyford Manor, a grade 1 listed building. A substantial part of the site lies within the Chilterns AONB, much of the rest is an AAL, the eastern end is within the green belt and much of the land around the manor is designated as a Conservation Area and Park and Garden of Historic Interest. The southern

part lies within the Thames floodplain.

8.13.16 Structure Plan Policy OC3 requires that any designation as a Major Developed Site (MDS) in the countryside should be allocated in a Local Plan, and sets a number of criteria for such designation. In this case the very extensive area of land alongside the Thames is used for a variety of leisure uses, including golf course, marina, and holiday lodges. However, the site does not have a developed appearance; rather it is generally open with scattered parcels of buildings at including those associated with the marina, the lodges, which are at low density in landscaped grounds, the house itself and a limited number of seasonal caravans. The site is not subject to a specific policy, and needs no other context, given its commercially successful operation so far.

8.13.17 I acknowledge that the site makes a major contribution to leisure provision and the local economy, providing useful employment. However, a designation as an MDS would encourage considerable employment growth in what is currently a large tract of countryside, much of which is subject to special environmental protection. Furthermore, the site is not especially accessible by public transport, falling within zone 5 of the Council's index. In these circumstances I consider a change to the planning policy context that might encourage a substantial expansion of activity on the site should be resisted.

RECOMMENDATIONS

- C/13/4 No modification

C15: DEVELOPMENT WITHIN RESIDENTIAL CURTILAGES IN THE COUNTRYSIDE

The Objections

0173/18 W J Whitehead

Summary of Objections

- (a) Policy does not go far enough. Add a new Criterion '(iv) that need can be shown'. The Policy should address traffic generation and the creation of additional dwellings by conversion such as granny flats.

Inspector's Reasoning and conclusions

8.15.1 . In most circumstances, there is no requirement under government policy to show need for an extension to a property. Where extensions would lead to the unacceptable creation of additional traffic, these issues would be adequately addressed by the Plan's transport policies. Furthermore I find that Criterion (i) of the Policy addresses the issue of the creation of effectively self contained extensions such as granny flats. I consider therefore that the policy should not be amended.

RECOMMENDATIONS

- C/15/1 No modification

C16: HAWKS HILL/HARVEST HILL - LAND AT HAWKS HILL, BOURNE END (AS69)

The Objections

0838/2 Mr R Overall

Summary of Objections

(a) The policy, and its supporting text, is excessively restrictive and seeks to prevent development on all green spaces, not just those designated under L3. There is no reason to further strengthen the policies relating to the site, and the wording of Adopted Policy RC4 should be retained.

Inspector's Reasoning and conclusions

8.16.1 This objection to the wording of Policy C16 is inextricably linked to another objection to the designation of the site under Policy L3; I deal with both in this section. I have noted the long and complex planning history of the area as a whole, including the past decision not to include this part of Cores End within the green belt. The policy carries forward a similar policy from the adopted plan, RC4; its essence is to ensure that any development in this special policy area retains its rural character. I saw that the rustic character of the area is such that housing development of the type normally found in urban areas at anything like the minimum density recommended in PPG3 would be inappropriate. The random pattern of development and building styles, high level of tree cover, narrow country lanes all contribute to a rural ambience, even though the main residential area of Cores End abuts the site.

8.16.2 Neither party disputed the validity of the objective to retain this character. Criterion (ii) is intended to replace the thrust of another Policy, RC1 of the adopted Plan, which sought to retain gardens incidental green spaces and gaps between buildings where these constitute important elements of the character of the area. In line with current practice, the word normally has been omitted from the wording of this Plan. However, I consider the revisions impart a rather more restrictive regime to new development than the previous version; a strict interpretation of the new criterion could prevent development where the broad intentions is to permit limited infilling. By designation as being worthy of L3 protection, by definition the site it must be considered to contribute to character, where development would not be permitted.

8.16.3 The green space notation protected under Policy L3 is normally found in the urban areas of the District. I think there is some inconsistency of the application of this notation to an area where some limited rural infilling may be allowed. I consider there are parallels with the nearby Miller Humphreys site where the L3 designation was recommended for removal by the previous Local Plan inspector, as it was on this site. In that instance legal cases eventually led to the effective removal of the L3 designation.

8.16.4 In testing the site against the criteria for designation, it is greater than minimum size, but is not accessible to the general public. The Council claimed that it had some accessibility through visibility. Only the trees along the northern edge can be seen from Kiln Lane, which is in cutting. Although some views can be obtained from the footpath along the wooded eastern boundary, in general the site is a private, enclosed area. A key area of dispute between the Council and the objector concerned the structural role of the site. I consider the most important elements of the site in the intimate landscape of the Hawks Hill area are the tree belts around the boundaries, which create the impression of woodland within. However, some development within central open area of rough grassland and scrub, which is not particularly attractive, would not affect this role. There was little evidence of any special ecological value, but the land would clearly be part of a number of linking areas. I see no reason why this resource for wildlife could not be retained, provided any development was set in plenty of open space, as could be achieved by reworded policy.

8.16.5 However, I agree with the objectors that the policy is overly restrictive, and the strict

application of the wording in the deposit plan could frustrate any development here. I consider that the previous policy contains sufficient environmental safeguards concerning character, access materials etc to retain the character of the area, as it appears to have done successfully since it was introduced in the late 1980s. The wording of the old policy would be perfectly adequate to protect the character of area.

RECOMMENDATIONS

- C/16/1 Modify the Plan by deleting clause (ii) of Policy C16 and deleting the L3 designation from the site.

C16: HAWKS HILL/HARVEST HILL - LAND AT HARVEST HILL, BOURNE END (AS68)

The Objections

0958/1 The Miller & Humphreys Families

Summary of Objections

- (a) The policy, and its supporting text, is excessively restrictive and seeks to prevent development on all green spaces, not just those designated under L3. The Hawks Hill/Harvest Hill policy should not be in the countryside chapter of the plan, but in the Housing chapter. There is no reason to further strengthen the policies relating to the site, and the wording of Adopted Policy RC4 should be retained.

Inspector's Reasoning and conclusions

8.16.6 I have noted the long and complex planning history of the area as a whole, including the past decisions on this site, which now has permission for 4 houses on the upper part of the site. As I have said above, I appreciate the need for some guidance on the type of development that would be allowed in an area close to Bourne End/Cores End, outside the green belt but with a special character. However, subject to the deletion of clause (ii), for the reasons set out above, I consider that the policy strikes the right balance between allowing for some limited rural infill housing while protecting the character of the area based on a dispersed random pattern of development. I consider that the wording of the previous policy, which appears to have been successful at safeguarding the character of the area successfully since it was introduced in the late 1980s, should be carried forward into this Plan. Although this recommendation meets the broad thrust of the objection, I consider that in the area remains more rural than urban in character and the policy is included appropriately in the countryside chapter.

RECOMMENDATIONS

- C/16/1 Modify the Plan by deleting clause (ii) of the Policy

C16: HAWKS HILL/HARVEST HILL (AS39)

The Objections

1595/7 Berkeley Homes (Chiltern) Ltd

Summary of Objections

- (a) Policy is too prescriptive and should allow for more flexibility in its interpretation. Site is entirely appropriate for residential development. Alternative wording for policy suggested.

Inspector's Reasoning and conclusions

8.16.7 In essence the objectors seek to frame the policy in a more positive way by rewording it to allow development except where it will cause harm by the three criteria listed in the policy. As I have said above, I appreciate the need for some guidance on the type of development that would be allowed in an area close to Bourne End/Cores End, outside the green belt but with a special character. I accept that the rustic character of the area is such that housing development of the type normally found in urban areas at anything like the minimum density recommended in PPG3 would be inappropriate. However, subject to the deletion of clause (ii), for the reasons set out above, I consider that the policy strikes the right balance between allowing for some limited rural infill housing while protecting the character of the area based on a dispersed random pattern of development. I consider that the wording of the previous policy, which appears to have been successful at safeguarding the character of the area successfully since it was introduced in the late 1980s, should be carried forward into this Plan

RECOMMENDATIONS

- C/16/1 Modify the Plan by deleting clause (ii) of the Policy

C16: HAWKS HILL/HARVEST HILL - FOLEY LODGE (AS30)

The Objections

1230/2 Mr Alan L Warnes

Summary of Objections

- (a) Site should be removed from the Green Belt and included in the Hawks Hill/Harvest Hill Residential Character Zone.

Inspector's Reasoning and conclusions

8.16.8 The site comprises a detached house and garden on the west side of Hawks Hill, within the greenbelt and opposite the Hawks Hill/Harvest Hill Policy area. PPG2 states that green belt boundaries should not be changed unless alterations to the Structure Plan have been approved, or other exceptional circumstances exist. Neither of these criteria have been met in this case. The boundaries of the adjoining policy area have been tightly defined, following objections at an earlier Local Plan inquiry. For the most part they follow distinct physical features on the ground, in this case the road itself. The property on the west side of the road has a slightly different character to the defined policy area, particularly with regard to the definition of a clear edge. The site forms part of a less densely developed or open area separating the Hawks Hill area from the main settlement of Bourne End. Its designation as green belt helps to prevent the encroachment of new building into the countryside and also meets the policy objective of assisting urban regeneration. To allow the change to this green belt boundary would undermine the effectiveness of the policy by creating pressure for further

releases that would be hard to resist. No exceptional circumstances have been put forward by the objector to support such a change.

RECOMMENDATIONS

- C/16/2 No modification

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| C16: HAWKS HILL/HARVEST HILL - HEAVENS LEA, BOURNE END (AS40) |
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The Objections

0360/3 Mr P Laws

Summary of Objections

- (a) When read in conjunction with L3 and L2, C16 effectively confers Green Belt status on the site. Delete policy C16, as C10-C15 give adequate policy guidance on countryside beyond the Green Belt.

Inspector's Reasoning and conclusions

8.16.9 The site comprises a small field located at the south-western end of the Hawks Hill/Harvest Hill Policy Area. The history of this policy area is complex, but the Adopted Plan confirmed the boundaries and Policy RC4 set out the criteria under which limited infill development would be allowed in this semi-rural area of special character. The Adopted Plan also confirmed the designation of the site as a green space, to which Policy L3 applied.

8.16.10 These policies have been carried forward into this plan as C16, which protects the low density, well landscaped and semi-rural nature of the area, and L3, which protects important areas of open space within settlements. I deal with other objectors to the wording of Policy C16 in this section above. I consider that this site is rightly designated as an L3 space: it is large enough, it is an attractive open area within the wider AAL and forms an important structural role at the edge of the C16 policy area and appears to have some ecological value.

8.16.11 The C16 policy, while not as restrictive as green belt policies, provides an appropriate level of control in the Hawks Hill/Harvest Hill Policy Area. Policies C10-15 apply slightly different criteria that are not directly applicable to this special area. I accept that in the L3 policy also confers another test that has to be passed before development can be allowed, but it is not as onerous as the very strict criteria for control of new building in the green belt and does allow for exceptions to be made. In these circumstances I see no need to make a different recommendation about this specific site than that of the previous Local Plan inspector.

RECOMMENDATIONS

- C/16/3 No modification

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| POLICY OMISSION |
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The Objections

0508/20 Sir Francis Dashwood, Mr E Dashwood and The Dashwood Wycombe Trust

Summary of Objections

(a) There is no reference to new dwellings in the countryside. A policy should be incorporated relating to infill development.

Inspector's Reasoning and conclusions

8.17.1 PPG7 states that new residential development in the countryside should be strictly controlled. Policy C11 of the Plan reflects this policy accurately; the provision of PPG7 for sensitive infilling of small groups of houses or minor extensions to groups is included as criterion (v) of the policy.

RECOMMENDATIONS

□ C/POM/1 No modification