



Planning Committee

10.00 a.m. Thursday 9th May 2013
The Chilterns Conservation Board office,
90 Station Road, Chinnor

Agenda

- | | |
|---------------------------------------|---------------|
| 1. Apologies | 10.00 – 10.01 |
| 2. Declarations of Interest | 10.01 – 10.02 |
| 3. Minutes of Previous Meeting | 10.02 – 10.05 |
| 4. Matters Arising | 10.05 – 10.10 |
| 5. Public Question Time | 10.10 – 10.12 |
| 6. High Speed 2 – update | 10.12 – 10.40 |
| 7. AONB Management Plan Review | 10.40 – 11.00 |
| 8. Forthcoming events | 11.00 – 11.20 |
| 9. Planning Policy Guidance | 11.20 – 11.35 |
| 10. Natural England Planning Protocol | 11.35 – 11.45 |
| 11. Development Plans responses | 11.45 – 12.05 |
| 12. Planning Applications – update | 12.05 – 12.20 |
| 13. Any urgent business | 12.20 – 12.25 |
| 14. Date of Next and Future Meetings | 12.25 – 12.30 |

Next meeting: **Thursday 5th September 2013** at The Chilterns Conservation Board office,
90 Station Road, Chinnor, OX39 4HA

Future meetings: **Wednesday 27th November 2013**

Item 3 **Minutes of Previous Meeting**

Author: Colin White Planning Officer

Lead Organisations: Chilterns Conservation Board

Resources: Budget of £520 per year for minute-taker plus staff time

Summary: Minutes of the previous meeting are attached (at Appendix 1) and require approval.

Purpose of report: To approve the Minutes of the previous meeting.

Background

1. The draft minutes from the meeting on 14th February 2013 have been previously circulated and are attached (at Appendix 1) for approval.

Recommendation

1. **That the Committee approves the minutes of its meeting which took place on 14th February 2013.**



**MINUTES OF THE MEETING OF THE CHILTERN CONSERVATION BOARD
PLANNING COMMITTEE HELD ON THURSDAY 14TH FEBRUARY 2013 AT THE
CHILTERN CONSERVATION BOARD OFFICE, STATION ROAD, CHINNOR,
COMMENCING AT 10.00 AM AND CONCLUDING AT 12.25 PM**

BOARD MEMBERS PRESENT

Member	Appointing Body
Cllr David Barnard	North Hertfordshire District Council
Cllr Roger Emmett	Wycombe District Council
Cllr Brian Norman	Three Rivers District Council
Cllr Chris Richards	Aylesbury Vale District Council
Cllr Bill Storey (observing)	Hertfordshire County Council
Cllr Alan Walters	South Buckinghamshire District Council

Appointed by the Secretary of State

Bettina Kirkham (Chairman)
John Willson

Elected by Parish Councils

Cllr Margaret Jarrett Hertfordshire Parish Councils,

OTHERS PRESENT

Officers

Colin White Chilterns Conservation Board

Others

Deirdre Hansen Minute taker

69. Apologies

Cllr Barbara Wallis (Buckinghamshire Parish Councils), Gill Gowing (Strategic Planning Adviser to The Chiltern Society), Mike Fox (Chairman of the Board) and Mike Stubbs (The National Trust).

70. Declarations of Interest

No declarations of interest in items on the agenda were made.

71. Minutes of the previous meeting

The minutes were approved and signed by the Chairman as a true record after the following amendments were made: item 64 at the end of the paragraph “was deleted” was added, and item 65 the word “commenting” was replaced by the word “detailing”.

72. Matters Arising from the minutes

There were no matters arising not on the agenda.

73. Public question time

There were no members of the public present.

74. High Speed 2 – update

The Planning Officer updated the Committee about the latest developments in connection with a possible high speed rail route through the Chilterns.

The Committee was particularly informed about the following:

- Community Forum meetings being dominated by presentations from HS2 Ltd and lack of information and detail being provided before meetings.
- The latest Buckinghamshire and Hertfordshire planning forum.
- The latest draft of the Code of Construction Practice. The consultation is being held over until the Environmental Statement is issued.
- The detail of the recently released phase 2 ‘Y’ route from Birmingham to Manchester and Leeds and the related activities.
- Another plan had been released which showed mapping inaccuracies in the Manchester and Leeds areas. This will lead to much confusion.
- The ‘Y’ route shows a sinuous alignment of the route. This would reduce line speed and increase travel time, limiting the benefits for the North.
- There is no news on the Judicial Reviews. A lot is riding on them, they may be appealed, which would put the timetable in jeopardy and could delay the hybrid bill.
- Tunnel issues remain on the agenda.
- The Board has held a meeting with HS2 Ltd to discuss mitigation. This was considered by HS2 Ltd as a bilateral meeting, no real progress was made as HS2 Ltd was not prepared to release any information about the design of any mitigation.

- The Buckinghamshire Mitigation and Compensation Panel and the wider Chilterns group continue to meet and provide an opportunity to discuss relevant issues.
- The cost of the project is getting lost in the detail and inflation has not been calculated into the whole.

1. The Committee NOTED the report.

75. AONB Management Plan Review

The Planning Officer reported to the members that the current AONB Management Plan runs from 2008-2013. A review of the plan has commenced, key issues, policies and actions have been identified. Discussions have taken place about a possible AONB boundary review. Work is starting on the SEA Scoping report and a timetable has been provided for information.

Some fundamental issues were raised at a recent AONB boundary workshop attended by members of the Board (including some members of the Planning Committee). Some of the issues raised included:

- As a starting point, is the landscape worth protecting?
- There is a need to demonstrate the benefits of designation.
- The evidence base needs to be worked up to show Natural England that there is a good case for review.
- In connection with the Management Plan Review it would be appropriate to include some simple wording on the principles for a boundary review.

The need to form a sub group to carry out the review was discussed and two members volunteered their services.

- 1. The Committee AGREED to continue to provide the Planning Officer with any suggested alterations to the Management Plan up to mid-March 2013.**
- 2. The Committee CONSIDERED their involvement in a Management Plan sub group.**
- 3. The Committee NOTED the position in connection with a possible AONB boundary review.**
- 4. The Committee NOTED the programme of production of the Management Plan 2014-19.**

76. Feedback from events

The Planning Officer provided feedback on the recent events held: the Planning Conference, the Annual Forum and the second Planning Forum for 2012.

The Planning Conference considered various issues related to the National Planning Policy Framework. There were no site visits and the conference

concluded with a late lunch. Approximately 75 people had attended of which about 60% were town and parish councillors. The conference generated an income of about £1,800 against costs of about £750. The feedback showed that most people were 'very satisfied' with the conference. Retention of the format and timings for next year was favoured and suggestions were made for issues that could be covered at a future conference. The only negative comments received were relating to the delivery of the various talks. It is proposed that the next conference should take place early October 2013.

The Board's Annual Forum took place on 16th November 2012 at Hastoe Village Hall. There were about 100 attendees. Various presentations were given. The State of the Chilterns Environment report was discussed. The AONB Management Plan review was also highlighted and delegates were asked to inform the Board of any key issues they felt should be addressed in the review. These have been collated and included in on-going work.

The second Planning Forum took place on 10th December 2012. The main item for discussion was the Management Plan Review. Any suggested additional changes will be incorporated in the on-going work on the review. It is proposed that the next planning forum takes place in mid-May 2013. The Forum will be informed about the Management Plan review and any update in connection with the possible AONB boundary review. It would also be an ideal time to discuss Local Plan progress at the Chilterns' local planning authorities in the year following the adoption of the National Planning Policy Framework. The committee was asked to suggest additional or alternative issues for discussion.

- 1. The Committee NOTED the feedback and other information arising from recent events.**
- 2. The Committee NOTED the arrangements made thus far and suggested additional issues for discussion at the next Planning Forum meeting.**

77. Strategic Growth Plans and Local Enterprise Partnerships

The Planning Officer informed the Committee about the likely implications for the Board of Local Enterprise Partnership Strategic Growth Plans and the proposed way forward.

1. The Chancellor's Autumn Statement 2012 announced that LEPs will be asked to draw up Strategic Growth Plans (SGPs).
2. An article in Planning magazine (14th December 2012) included details from the Autumn Statement and highlighted the concern from some planning consultants that the new SGPs could override local development plans, although they are unlikely to be statutory in nature. Local authorities plans are expected to comply with the growth strategies of the LEPs.
3. LEPs may well be comprised of local businesses and local authorities, and SGPs may be prepared without the planning expertise or peer review and public consultation that currently take place when local

authorities develop their plans. The lack of proper planning scrutiny is a major cause for concern.

4. Based on current knowledge the LEP SGPs may be relatively important documents influencing funding for growth in their areas.
5. The Autumn statement made it clear that LEP SGPs should be consistent with national priorities and should build on existing plans. It would be in the Board's interest to engage with LEPs as they put together their SGPs. The Chilterns AONB falls within 5 different LEP areas. Four of these overlap each other in the AONB.
6. More details are expected as part of the Government's response to the Heseltine Report, due in the spring.
7. Whilst waiting for the details, the best way of contacting and influencing the relevant LEPs which affect the AONB should be investigated.
8. Once more is known about emerging SGPs it is likely that the Board will need to try and engage with LEPs in order to influence the production of plans and respond as they are published. Future reports to the Committee will follow.

11.30 John Willson left the meeting

- 1. The Committee NOTED the likely emergence of Local Enterprise Partnership Strategic Growth Plans.**
- 2. The Committee INSTRUCTED the Planning Officer to undertake to investigate and engage in accordance with the actions as outlined in the report.**

78. Development Plans Responses

The Planning Officer informed the Committee about the responses that had been prepared under delegated powers and submitted in connection with the public consultation exercises on the following development plan documents: **Three Rivers DC** Proposed Submission Development Management Policies; **Aylesbury Vale DC** Vale of Aylesbury Plan Affordable Housing Consultation; **DCLG** New opportunities for sustainable development and growth through the re-use of existing buildings; **OFGEM** RIIO-T1: Initial Proposals for National Grid Electricity Transmission and National Grid Gas – Overview consultation; **Dacorum BC** Draft Hemel Hempstead Town Centre Masterplan; **Central Bedfordshire Council** 'Southern Bedfordshire Chiltern Arc Green Infrastructure and Access Vision Plan, August 2012'; **London Luton Airport Operations Limited** pre-application public consultation on revised master plan document; **Environment Agency, Forestry Commission and Natural England** Building a Better Environment; **Central Bedfordshire Council** proposed content of Gypsy and Traveller Local Plan; **Scottish and Southern Energy** consultation on future electricity distribution networks; **Wycombe DC** Local Plan to 2031 Issues; **Central Bedfordshire Council** Chiltern Local Area Transport Plan draft; **Buckinghamshire County Council** Local Flood Risk Management Strategy Consultation; **DCLG** technical consultation on 'Extending permitted development rights for homeowners and businesses';

DfT Major Infrastructure Reform – Amendments to the definitions for Highways and Rail NSIPS in the Planning Act 2008, and UK Power Networks Business Plan 2015-2023.

- 1. The Committee NOTED and APPROVED the responses already made on behalf of the Board in connection with the consultation exercises on the development plan documents as detailed above.**

79. Planning Applications Update

The Planning Officer informed the Committee about, and sought approval of, the responses that had been made under delegated powers in connection with various planning applications and noted the update on cases that have since been determined.

Since 1st April the Board has been consulted on 121 applications and has responded to all of these. Formal representations have been made on 21 applications (all objections).

The Committee was asked to take note of the responses that have been submitted in connection with the planning application for the expansion of activities at Luton Airport. This follows on from previous responses in connection with the revised master plan document and responses to the emerging master plan previously reported in 2012. The Board has written to the national planning casework unit to request that the application be considered as an NSIP or at least called in. This is being considered at present.

The Committee noted the number of applications that the Board had objected to that have been approved. This year less than 40% of applications the Board has commented on have been decided in accordance with the Board's comments. In previous years decisions in accordance with the Board's views have ranged from 66 to 100%. This year's figure is most likely due to Councils taking much greater account of the NPPF and the need to encourage development that leads to economic activities or which would lead to the retention of jobs. Additionally in some cases Councils may be considering that it may not be prudent to refuse some applications that may lead to costly appeals, particularly if the outcome of such cases may not be certain. The situation will continue to be monitored and will be discussed at the next Planning Forum.

- 1. The Committee NOTED and APPROVED the responses made in connection with the applications detailed in the report.**
- 2. The Committee NOTED the situation in connection with those cases that have not been decided in line with the Board's comments.**

80. Any Urgent Business

This meeting would be Bill Storey's last one. The Chairman thanked Bill for his considerable contributions and all his support since the formation of the Planning Committee.

81. Date of the next meeting

Thursday 9th May 2013 at the office of the Chilterns Conservation Board, 90 Station Road, Chinnor commencing at 10.00 am.

Future meetings: Thursday 11th September and Wednesday 27th November 2013.

The meeting closed 12.25

The Chairman

Date

Item 6 High Speed 2 update

Author: Colin White Planning Officer

Lead Organisation: Chilterns Conservation Board

Resources: Staff time.

Summary: Various meetings have taken place, decisions have been issued on the Judicial Reviews and work is ongoing on the production of a document detailing the non-market effects of HS2.

Purpose of report: To update the Committee about the latest developments in connection with a possible high speed rail route through the Chilterns.

Background

1. HS2 Ltd suspended the Community Forums after the round of Forums in February. No dates have been given for future forums though they are not likely to recommence until the autumn. This has caused a lot of anger and frustration as no Community Forums are scheduled to take place during the consultation period for the Draft Environmental Statement (due to be published in 'the spring' for 6 weeks only and will be the focus of a great deal of effort on the part of the Board). At least one of the Forums meeting in the Chilterns has decided to go ahead with a Forum meeting in May, despite being invited HS2 Ltd is unlikely to take part in, or recognise, the Forum.
2. The lack of engagement by HS2 Ltd and the lack of positive results emanating from discussions at Community Forums has been clearly recorded in a survey undertaken for the Central Chilterns Community Forum (Shirley Judges led on this).
3. In early March the Board held an access forum to deal with rights of way issues. Though HS2 Ltd and their consultants were invited and pressed to attend they failed to turn up.
4. Various authorities organised another HS2 Summit which also took place in early March. This had been organised in order to discuss the results of the Judicial Reviews which had been expected no later than the end of February. However, at that time no decision had been made. Notwithstanding this the Summit was very useful and allowed various questions to be asked about the likely future legal proceedings leading up to the Hybrid Bill. The summit did promote the recently published 'Buckinghamshire's Blueprint for Mitigating HS2'.
5. Noise continues to be a contentious issue and Community Forums have been trying to get information from HS2 Ltd without any real success. Chiltern District Council led the organisation of a second noise forum, which was attended by representatives of the Board and many other local organisations.
6. The Wider Chilterns HS2 Group continues to meet, is still very well attended and provides an opportunity to discuss relevant issues. This has been supplemented by a smaller group that is working on producing a document that will try and deal with

the non-market effects of the construction of HS2. This is closely linked to ongoing work on a fully bored tunnel.

7. The results of the various Judicial Reviews were announced on 15th March 2013. The judge agreed that the consultation on compensation was flawed (one of HS2AA's cases) and as it was so unfair as to be unlawful the decision should no longer stand. This meant that the consultation would need to be done again. HS2AA had also submitted a case on environmental grounds and have been given leave to appeal on this case. Fund raising is ongoing to enable this to happen and it is understood that the case will be heard on 10th June 2013. The other elements of the cases brought were not successful at this stage.
8. Any change in the situation will be reported to the Committee in the future.

Recommendation

1. **That the Committee notes the report.**

Item 7 AONB Management Plan Review

Author: Colin White Planning Officer

Lead Organisation: Chilterns Conservation Board

Resources: Staff time.

Summary: Work has been undertaken to update the Management Plan's SEA Scoping Report, by the time of the Committee meeting this will have been published for comment, and a timetable for the Management Plan review is included for information.

Purpose of report: To inform the Committee about the latest developments in connection with the emerging 2014-2019 Management Plan and to encourage engagement and further feedback.

Background

1. As previously reported, the review of the current AONB Management Plan has commenced. This Committee has discussed and identified the key issues, policies and actions in relation to the Development chapter of the Plan. In addition, the Committee has discussed other broader elements of the Plan that are relevant.
2. Members of the Board (including some Planning Committee Members) were involved in a recent meeting which discussed the Draft SEA Scoping Report and Draft Project Plan for the production of the AONB Management Plan. The Scoping Report and Project Plan have been subsequently amended and will be issued for consultation on 7th May for a six week period of consultation.
3. Though this consultation will be public, due to the nature of the documents it is anticipated that the Board is unlikely to receive many comments from the general public. The Board's website will be updated with information about the consultation.
4. Committee Members are asked to read the documents prior to the Committee meeting in order to provide initial feedback and comments. In addition, other Board Members will be encouraged to feedback any comments.
5. The Committee is asked to note the current timetable for the production of the Management Plan as detailed below. This will involve the following key tasks:
 - Liaison with partners and updating of evidence base (ongoing).
 - Preparation of a draft Strategic Environmental Assessment (SEA) Scoping Report (January to April 2013).
 - The formal draft SEA Scoping Report will be issued for consultation (7th May to 18th June 2013 for 6 weeks). An update of the situation will be reported to the Board meeting in June and consultation feedback will be reported to the Board meeting in October 2013.

- Preparation of the draft Management Plan and draft Environmental Statement will be ongoing during this period with the continued involvement of the sub group of the Board and the drafting of the documents should be complete by August 2013.
 - Consultation on draft Management Plan and draft Environmental Statement (from 20th September to 13th December 2013 for 12 weeks).
 - A review of the consultation feedback will be considered in a report to the Board by the end of February 2014.
 - Final approval of the Plan will be considered by the Board in March 2014.
 - The reviewed Management Plan will be published in April 2014.
6. Progress with the review will be reported to subsequent meetings of the Planning Committee and Members are asked to input as and when required. The next few months will involve some intensive work in order that feedback can be given to influence the content of the SEA, Environmental Statement and the Management Plan itself.

Recommendations

1. **That the Committee provides feedback on the Draft SEA Scoping Report and Draft Project Plan.**
2. **That the Committee notes the programme for the production of the Management Plan 2014-19.**

Item 8 Forthcoming events**Author:** Colin White Planning Officer**Lead Organisation:** Chilterns Conservation Board**Resources:** Staff time and budget of £900 for Planning Conference.**Summary:** The AONB Planning Forum, Planning Committee Tour and Planning Conference will all take place in the coming months and various details require approval.**Purpose of report:** To consider and approve the proposed details for the next Planning Forum and the Planning Committee Tour and to confirm the date and initial details for the 2013 Planning Conference.**Background****AONB Planning Forum**

1. The next AONB Planning Forum will take place on the afternoon (2-4.30) of Tuesday 21st May 2013 and will be held at the Three Rivers District Council offices in Rickmansworth. At the time of writing 16 people are due to attend. They will discuss the first year of the NPPF and will focus on some of the policies that appear to be causing confusion – the presumption in favour of sustainable development (policy 14), isolated dwellings (55), design (56 to 68), development affecting (protected?) landscapes (113) and nationally protected landscapes (115 and 116).
2. It is proposed that the Forum also discusses housing development pressures in AONBs (arising from some questions asked initially by the Cotswolds Conservation Board and forwarded to contacts in the Chilterns) and the AONB Management Plan review (SEA Scoping Report and Project Plan).
3. Can any Members wishing to attend please inform the Planning Officer if they have not already done so.

Planning Committee Tour

4. The Committee is aware of initial work that has been done in connection with a possible AONB boundary review. Various larger areas are being visited in order to provide more evidence and background information.
5. It is proposed that this year's Planning Committee Tour should visit the area to the south of the A505 (east of Luton) in order to gain some familiarity with the wider area. The Planning Committee is asked to attend and an invitation will be extended to the Board as a whole once a date is fixed. Possible dates are as follows – 25th, 26th 27th June, 8th or 9th July – and the Committee is asked to agree a date. Other arrangements will be made subsequent to this.

AONB Planning Conference 2013

6. The Committee has previously agreed that the AONB Planning Conference should take place in early October this year.

7. It is proposed that the Conference takes place on Wednesday 9th October 2013. If the date is approved a suitable venue will be booked. It is proposed that the conference follows the format from last year – a long morning session of presentations concluding with lunch.
8. It is suggested that it would be appropriate to follow the main theme from the next Planning Forum – the NPPF one year on, and to try and delve more deeply into some of the misunderstandings and confusion. Emerging issues will be addressed and appropriate speakers will be sought (this issue will be raised as part of the Planning Forum).

Recommendations

1. **That the Committee notes the arrangements for the next AONB Planning Forum.**
2. **That Committee Members inform the Planning Officer if they wish to attend the Planning Forum.**
3. **That the Committee approves the date and location for the Planning Committee tour.**
4. **That the Committee approves the date and initial arrangements and ideas for subject matter for the AONB Planning Conference 2013.**

Item 9 **Planning Policy Guidance**

Author: Colin White Planning Officer

Lead Organisations: Chilterns Conservation Board

Resources: Staff time.

Summary: The Committee has previously discussed the production of a document detailing a series of planning policies. This has been held in abeyance for some time. It is proposed that a series of topic based statements should be prepared based on a prioritised list.

Purpose of report: To inform the Committee about the latest position in connection with the production of a series of planning policies.

Background

1. The Committee will be aware of the previous discussions that have taken place in connection with the production of a document detailing a series of planning policies. It has been difficult to progress this work as a complete document due to other commitments. It is proposed that the previous work that had been produced should be divided into a series of topic based statements similar to the position statement produced in connection with development affecting the setting of the AONB.
2. Where information has already been received from other organisations it is proposed that this be incorporated where appropriate. This might include information on renewable energy or other subjects and could involve investigation of similar work undertaken by other AONBs, National Parks or the National Trust for example.
3. It is proposed that the topic based statements should be in the form of bite sized chunks and that an order of priority should be prepared for the Committee to agree at this stage.
4. It is proposed that the following topics should be addressed (in the order shown):
 - Renewable energy including: wind turbines and wind farms; biomass; biofuel; solar photovoltaic and solar hot water; hydro-electric and ground source and air source heatpumps
 - Telecommunications
 - Housing (including affordable housing) developments
 - Employment, commercial and retail developments
 - Agricultural development (including polytunnels)
 - Tranquillity and lighting
 - Infrastructure (including transport, pipelines and wires)
 - Equestrian uses
 - Leisure, tourism and recreation (including Green Infrastructure)

- Minerals and waste
 - Institutional development (schools or health facilities for example)
 - Permitted development (including sale of plots on the internet) and small-scale cumulative impacts of domestic developments
 - Advertising
 - Other – cemeteries, flood alleviation, landscaping, lighting and layout for example, not otherwise covered in the Management Plan, Design Guide or Environmental Guidelines for the management of highways.
5. It is proposed that the first statement should be produced in draft for the next Planning Committee in September and that each subsequent Committee meeting should receive a single statement in draft. The subsequent Committees would receive a report on the previous draft statement that will have been subject to consultation (principally with the local planning authorities).
6. It is suggested that this programme should be reviewed if it proves to be too onerous.

Recommendations

- 1. That the Committee approves the preparation of a series of topic based statements as detailed.**
- 2. That the Committee approves the prioritised list of topics as detailed.**
- 3. That the Committee agrees that the first statement should be produced for the Planning Committee in September and agrees that the programme be reviewed at later Committee meetings should this be necessary.**

Item 10 Natural England Planning Protocol**Author:** Colin White Planning Officer**Lead Organisation:** Chilterns Conservation Board**Resources:** Staff time.**Summary:** The current protocol with Natural England for planning matters in the AONB is out of date and needs to be refreshed following discussion with Natural England. Concerns have been expressed nationally about the wording of Natural England's standard letters for responses on planning applications and these need to be addressed.**Purpose of report:** To seek the Committee's approval for proposals to review the current planning protocol with Natural England and seek changes to Natural England's standard letters for responses on planning applications.**Background**

1. Since 2008 the Board has had an approved protocol with Natural England for development planning matters affecting the Chilterns AONB. The most recent protocol, from December 2009, is attached at Appendix 2. It is clear from an examination of this version of the protocol that updating and a refresh are required. These are mainly due to the passage of time and changes in personnel at Natural England, though there have also been changes in the planning system that need to be addressed.
2. In addition, Natural England now also has a charging regime in place (its Discretionary Advice Service) principally for the provision of pre-application advice on planning proposals for developers and consultants.
3. The Board would not want Natural England to comment on any major development proposals in the Chilterns AONB without first seeking the Board's views, particularly if Natural England is being paid for the advice. The Board needs to have the comfort of having at least been consulted and our views sought prior to Natural England notifying their client. It is therefore proposed that the Planning Officer discusses with the current Natural England contact updating the current protocol, taking account of the need for the Board to be consulted prior to Natural England notifying their client, and that an updated version of the protocol should be brought to the next Planning Committee for approval.
4. Another issue that has been raised nationally is that the standard wording that Natural England uses, in connection with responses on some planning applications, could potentially undermine a local AONB unit response. The standard wording at present reads as follows (the emphasis has been applied by the Planning Officer):
 - Qualified No Objection - This application falls within the boundaries or the setting of, INSERT NAME OF PROTECTED LANDSCAPE(S). **Natural England has not carried out a site based assessment to determine the potential impact of this development on the protected landscape(s). Our**

advice is therefore based on a desk based assessment of the scale of the development and its location. This indicates that the development is unlikely to impact on the purposes of designation of INSERT NAME OF PROTECTED LANDSCAPE(S) but this cannot be fully determined without the benefit of local knowledge and site based assessment. We therefore advise that where relevant (INSERT NAME):

- consults the AONB Partnership / AONB Conservation Board/ Heritage Coast partnership/ NPA landscape advisor (DELETE AS APPROPRIATE) prior to determining this planning application because their knowledge of the location and wider landscape setting of the development could help to confirm whether or not it would produce a significant landscape impact; and
 - ensures that the development accords with the aims and policies set out in the AONB/ NP (DELETE AS APPROPRIATE) management plan.
5. Though no particular problems have emerged within the Chilterns AONB, following discussion with other AONB Planning Officers and the NAAONB, concerns have been expressed about the text that has been highlighted as this could potentially cause problems locally. It has therefore been suggested that the highlighted text should be replaced with the following – Natural England has no comments to make on the proposal. The concern about the standard letter text will be discussed with the current Natural England contact and changes will be sought both locally and nationally.

Recommendations

1. **That the Committee agrees that the Planning Officer should liaise with Natural England over updating the current planning protocol with Natural England.**
2. **That the Committee agrees that the reviewed protocol should be reported to the next Planning Committee.**
3. **That the Planning Officer continues to press for changes in the current Natural England standard letter wording in connection responses on planning applications.**



Protocol between Natural England and The Chilterns Conservation Board for development planning matters affecting the Chilterns AONB

Dated 18th December 2009

Contents

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3. Ongoing Liaison and Review

Appendix 1 Developments potentially giving rise to significant effects on the AONB

Appendix 2 Natural England Government Team Contact Details

1. Purpose

- 1.1 This protocol, between The Chilterns Conservation Board (the CCB) and Natural England (NE), is intended to form a basis on which we can more effectively work, through the planning process, to fulfil our complementary roles in conserving and enhancing the natural beauty of the Chilterns AONB.
- 1.2 NE and CCB will work pro-actively with Local Planning Authorities (LPAs) outside their formal consultation process, including the development of planning guidance and best practice for LPAs and working within the Chilterns AONB Planning Forum. This aims to assist LPAs in their preparation of LDFs and in determining planning applications; it will also ultimately help us to increase our effectiveness and efficiency in responding to planning consultations.
- 1.3 The protocol provides a structure for liaison on Local Planning Authority (LPA) development management and LDF consultations, working within LPA deadlines where possible. Also, through operation of the protocol, we will aim to develop common understanding of how we will react to development proposals affecting the AONB and improve clarity on the circumstances in which each organisation will respond.
- 1.4 Whilst recognising the Chilterns AONB's existing fine quality landscape, which merits the highest level of protection, we will actively seek to identify opportunities for environmental gains consistent with the conservation of the AONB's natural beauty. This will include: increasing the understanding and enjoyment of the special qualities of the AONB; recreational and educational access; habitat restoration or creation; improvement of geological sites and addressing the impacts of climate change, all consistent with the needs of agriculture, forestry and other land uses compatible with the AONB's special landscape qualities.

2. Matters subject to the Protocol

2.1 Proactive work with Local Planning Authorities

- 2.1.1. The protocol recognises the importance of pro-actively working with LPAs outside the formal LPA consultation process. NE will work with the CCB in its development of any planning related guidance and collation / dissemination of good practice for LPAs and through working with the Chilterns AONB Planning Forum. This will provide guidance to LPAs in their preparation of LDFs and in determining planning applications. It will also ultimately help us to increase efficiencies in our processing of planning consultations.
- 2.1.2. It is proposed that the CCB will draft guidelines that should be used to influence the policies in emerging LDFs and decisions taken on planning applications. The CCB and NE will discuss and agree these in advance. This will supplement existing guidance (including the AONB Management Plan) where necessary and cover such policy issues as: housing, green infrastructure delivery, telecoms and overhead lines, use of renewable energy, employment, tranquillity, equestrian, infrastructure, permitted development, transport, minerals and waste, cultural heritage, and climate change adaptation. Natural England will ensure that all local advice is compliant with national NE policies.

- 2.1.3. NE and the CCB will provide guidance to LPAs on how landscape character assessment, or derived products, can be used to guide plans for new development and land use change.
- 2.1.4. The planning advice will also provide guidance to LPAs on where it would be appropriate for the LPA to refer consultations to the CCB and / or NE.

2.2 Development Plan Documents

- 2.2.1 NE will liaise with the CCB on core strategies, development control policy DPDs and other DPDs / SPDs affecting / relating to the AONB. This should also apply to related policies for which we have common objectives e.g. green infrastructure delivery, climate change adaptation, recreational access, renewable energy and conserving and enhancing wildlife habitats.
- 2.2.2. Working within LPA deadlines, NE and the CCB will liaise with each other as early as possible in the LPA's consultation window, normally within 15 days of receipt of a relevant DPD consultation.
- 2.2.3 This will be a telephone discussion or emailed summary relating to key landscape issues / common views or any potential divergence of opinion / our proposed respective positions relevant to the LPA consultation.
- 2.2.4 NE's response to the LPA will include reference to the AONB, where development is proposed within the designated area or could impact on its setting. Where NE is commenting and has no objection to the proposal, it will respond accordingly to the LPA and, where appropriate, refer the LPA to the CCB in order to seek its comments.
- 2.2.5 The CCB will notify NE normally within 15 days of receipt of a relevant DPD consultation where the intention is to comment on the DPD concerned, and it considers the implications of the DPD to be major in terms of impact, controversy or likelihood of setting a precedent.
- 2.2.6 The CCB will provide details of all relevant documents including LPA, document title and website address if available (along with relevant links where known), along with key points that will feature in its response.
- 2.2.7 Written responses between NE and the CCB on draft letters to LPAs will normally be made within 15 days.
- 2.2.8 The CCB will copy its submitted consultation responses to NE by e-mail and NE will copy its submitted responses to the CCB.

2.3. Development Management

- 2.3.1 NE and the CCB will liaise on relevant planning applications, within the AONB or its setting, which will be those potentially involving substantial adverse impacts (which may include interpretations of impacts such as : likely significant effects in EIAs; deemed unacceptable harm ; significant adverse landscape impact or where objectives of the designation would be undermined) or substantial opportunities for enhancement, in relation to the special qualities for which the AONB was designated.

- 2.3.2 The potential for adverse impacts will depend on the nature, scale or siting of development and the level of significance will involve judgement by the NE Government Team / AONB Planning Officer; however, the list of developments at Appendix 1 can be used as a reference for helping to decide which applications to cross-refer.
- 2.3.3. Aiming to work within LPA deadlines, NE and the CCB will liaise with each other as early as possible in the LPA's consultation window, normally within 10 days of either NE or the CCB receiving a relevant LPA consultation.
- 2.3.4 This will be a telephone discussion or emailed summary relating to key concerns / common views or any potential divergence of opinion / our proposed respective positions relevant to the LPA consultation.
- 2.3.5 Any written comments between the CCB and NE on their respective draft responses to LPAs will normally be made within 10 days, again working within LPA deadlines where possible.
- 2.3.6 The reasons for any unresolved differences of opinion will be explained as fully as possible in the consultation responses.
- 2.3.7 Copies of the final formal responses sent to the LPA should be exchanged.
- 2.3.8 Where NE is commenting and has no objection to the proposal, it will respond accordingly to the LPA and, where appropriate, refer the LPA to the CCB in order to seek its comments.

2.4 Planning Appeals

- 2.4.1 Working within appeal deadlines, NE and the CCB will liaise with each other at the earliest possible stage to establish what, if any, action each organisation intends to take in relation to the appeal and whether there are any areas of common ground or divergences of opinion between them (beyond those identified at the planning application stage).
- 2.4.2 Where we both intend to provide further representations or to appear at the appeal, we will ensure that any differences of opinion are fully understood by the Planning Inspector.

3. Ongoing liaison and review

- 3.1 The principal contacts shall undertake to hold regular liaison meetings at least twice a year to review the operation of this protocol and to discuss such matters as are appropriate at the time. Subject to NE policy or guidance change, this protocol will apply until 18th December 2011 , unless amended by agreement before this date.
- 3.2 The principal contact at the Chilterns Conservation Board shall be Colin White, Planning Officer, The Lodge, 90 Station Road, Chinnor, Oxfordshire, OX39 4HA, cwhite@chilternsaonb.org, 01844 355507 (T), 01844 355501 (F).
- 3.3 The principal contact at NE shall be Charlotte Frizzell, Lead Environmental Planning Advisor, Western Area Government Team, Natural England, Unit 11,

Fenlock Court, Blenheim Office Park, Long Hanborough, Oxfordshire, OX29 8LN,
charlotte.frizzell@naturalengland.org.uk 0300 060 1925.

Day to day planning liaison should be sent to Olivia Euesden on 0300 060 4924
or Olivia.euesden@naturalengland.org.uk. These contacts may be subject to
change within the protocol timescales. NE/AONB will inform each other of
personnel changes at the first opportunity.

- 3.4 Details of all relevant NE Govt Team contacts are shown in Appendix 2.
- 3.5 We will devise indicators to monitor the success of the protocol
- 3.6 We will aim to organise annual joint training meetings to promote and develop
our joint understanding of the special qualities for which the AONB was
designated, the development pressures that could affect them and/or any ways
in which environmental gains or enhancements could be achieved.

I agree to the terms of the Protocol outlined above:



Signature:

Name: Colin White

Signed on behalf of The Chilterns Conservation Board

Position: Planning Officer

Date: 18th December 2009

I agree to the terms of the Protocol outlined above:



Signature:

Name: Alan Law

Signed on behalf of Natural England

Position: Director, South East Region

Date: 20th December 2009

Appendix 1

Types of proposal on which we may potentially engage

Please note that the following is **only an indicative list** of where there could be substantial adverse impacts on the AONB landscape and will be used by NE / the CCB in helping to determine the need for cross-referral. The list is not intended to be exhaustive, nor does inclusion on the list mean that the CCB or NE would be involved in all such applications, as involvement in each individual case will be based on examination of the likely impacts and each application will be treated on its own merits.

NE liaison will be commensurate with its internal guidance on processing of reactive casework and available resources. The establishment of precedents may reduce the need for further liaison where there is a recurrence of similar planning applications. Also, whilst scale of development has been referred to in some cases below, it should be recognised that small scale but inappropriately sited development may also have substantial adverse impacts (see f below).

- (a) Residential: 10 or more dwellings outside existing settlements or outside LDF land allocations that lie within the AONB. Outside the AONB, only very large developments which would significantly affect the setting of the AONB will be cross-referred by NE.
- (b) Recreational and outdoor sporting facilities: sports stadia; lakes; commercial equestrian development; sites for motorised vehicle events; golf course / caravan and camping sites (>1ha) and other significant areas of holiday accommodation
- (c) Other major development: non-residential development, commercial or institutional, involving over 1000 square metres of floor space (e.g. offices, warehouses, farm buildings, schools, healthcare and training establishments)
- (d) Mineral workings and waste disposal operational areas
- (e) Utilities and other infrastructure: new roads, rail links, aircraft routes, major overhead electricity lines, cross-country pipelines, significant reservoirs or sewage treatment facilities, wind turbine developments (non domestic) and other significant renewable energy developments, telecommunications masts / towers.
- (f) Other development proposals: any proposals which by virtue of their particular characteristics (e.g. prominent site, location or design) are likely to have an effect on the landscape or special character of the AONB and / or set a precedent / have potential cumulative significance
- (g) Development in or adjacent to sensitive areas or sensitive sites e.g. nationally or internationally important sites for nature conservation.

Appendix 2**NE Government Team contact details:**

Council	Staff Member	Contact Details
Aylesbury Vale District Council	Olivia Breffit	olivia.euesden@naturalengland.org.uk Tel: 0300 060 4924 Mob: 07884 235140
Central Bedfordshire Council	Antony Mould	antony.mould@naturalengland.org.uk Tel: 0300 060 4942
Chiltern District Council	Stewart Coles	Olivia.euesden@naturalengland.org.uk Tel: 0300 060 4924 Mob: 07884 235140
Dacorum Borough Council	Andrew Robinson	andrew.robinson@naturalengland.org.uk Tel: 0300 060 1964 Mob: 07821 253554
North Hertfordshire District Council	Andrew Robinson	andrew.robinson@naturalengland.org.uk Tel: 0300 060 1964 Mob: 07821 253554
Luton Borough Council	Andrew Robinson	andrew.robinson@naturalengland.org.uk Tel: 0300 060 1964 Mob: 07821 253554
South Buckinghamshire District Council	Stewart Coles	Olivia.euesden@naturalengland.org.uk Tel: 0300 060 4924 Mob: 07884 235140
South Oxfordshire District Council	Olivia Breffit	olivia.euesden@naturalengland.org.uk Tel: 0300 060 4924 Mob: 07884 235140
Three Rivers District Council	Andrew Robinson	andrew.robinson@naturalengland.org.uk Tel: 0300 060 1964 Mob: 07821 253554
Wycombe District Council	Stewart Coles	Olivia.euesden@naturalengland.org.uk Tel: 0300 060 4924 Mob: 07884 235140
Buckinghamshire County Council	Marc Turner	Charlotte.frizzell@naturalengland.org.uk Tel: 0300 060 4925 Mob: 07824 597885
Hertfordshire County Council	Andrew Robinson	andrew.robinson@naturalengland.org.uk Tel: 0300 060 4922 Mob: 07821 253554
Oxfordshire County Council	Charlotte Frizzell	charlotte.frizzell@naturalengland.org.uk Tel: 0300 060 1925 Mob: 07824 597885

Last Updated – 18th December 2009.

Item 11 Development Plans Responses**Author:** Colin White Planning Officer**Lead Organisations:** Chilterns Conservation Board**Resources:** Staff time.

Summary: Responses have been sent in connection with the public consultation exercises on the following development plan documents: **Central Bedfordshire Council** Renewable Energy Guidance Note 1 Wind Energy; **DCLG** Review of Planning Practice Guidance; **Central Bedfordshire Council** Gypsy and Traveller Plan long list of sites; **Central Bedfordshire Council** Development Strategy pre-submission document; **Wycombe Air Park** draft Noise Action Plan; **North Hertfordshire DC** Housing Options – growth levels and directions; **Scottish and Southern Energy** ‘Innovating for a greener, more efficient future’ (RIIO-ED1 second report); **Department for Transport** Night Flying Restrictions at Heathrow, Gatwick and Stansted, Stage 1 Consultation, and **Chiltern DC** Draft Residential Extensions and Householder Development SPD.

Purpose of report: To inform the Committee about, and seek approval of, the responses that have been made under delegated powers in connection with the development plan documents as listed.

Background

The following paragraphs detail the responses that have already been drafted and sent in connection with the public consultation exercises on the development plan documents as listed.

Central Bedfordshire Council Renewable Energy Guidance Note 1 Wind Energy

1. The Chilterns Conservation Board is grateful for the opportunity to submit comments in connection with the Central Bedfordshire Council ‘Renewable Energy Guidance Note 1 Wind Energy’ document.
2. The Board notes the content of the document and welcomes the prominence given to the sensitivity (both landscape character and visual) and general lack of capacity for wind energy development both within and in the setting of the nationally designated Chilterns AONB. The Board supports the document as currently drafted. However, should the Council make changes to the document the Board requests that it is consulted to ensure that the implications of any changes can be fully assessed.

DCLG consultation on Review of Planning Practice Guidance

3. The Chilterns Conservation Board considers that nationally designated landscapes such as the Chilterns AONB are of such fundamental importance that it is essential

that DCLG has the right planning practice guidance in place in order to support the effective implementation of the National Planning Policy Framework (NPPF). The NPPF states, in connection with designated landscapes, that: 'Great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty'. Clear guidance would help local planning authorities and developers implement the Government's stated policies and duties with respect to nationally and internationally designated landscape areas.

4. Q1. Do you agree with the recommendations of the Review Group overall? The Board agrees with the recommendations that Government Planning Practice Guidance is essential to support the National Planning Policy Framework and that such guidance should be fit for purpose and in a form that is clear, concise, relevant, accessible, pro-actively managed and therefore up to date. The Board agrees that 'best practice' type guidance would be better provided by practitioner bodies, though any such guidance should be clearly signposted from the proposed single gateway site. The Board would welcome being able to contribute to the preparation of such guidance where resources allow.
5. Q2. Do you agree with the proposed recommendations for a much reduced set of essential practice guidance in the format recommended? The Board agrees that it would be helpful to have a reduced set of essential planning practice guidance and considers that, because this will be essential for planning practitioners, this should be a readily accessible and easily updatable web-based resource.
6. Q3. Do you agree that standards for future Government Planning Practice Guidance should be implemented by the Chief Planner in DCLG, but with decisions on what to include within guidance still taken by Ministers? The Board agrees that it is important that consistent standards should be introduced and maintained and that the approach proposed appears to be appropriate.
7. Q4. While access to all planning guidance online will be free of charge, do you think it would be appropriate to offer planning professionals an additional service involving immediate notification of every revision to the guidance, and to make a small charge for this service? The Board agrees that unrestricted access to the online guidance will be essential in order for it to function as the single source of Government Planning Guidance. However, the Board considers that it is appropriate for all planning practitioners to have access to any updates or revised guidance and the Board is therefore not in favour of charging for an enhanced service for those that are more able to pay.
8. Q5. Do you agree that the new web based resource should be clearly identified as the unique source of Government Planning Practice Guidance? The Board agrees with this and supports the proposal for a single Government guidance 'gateway'. The Board considers that planning related guidance produced by other Government Departments and agencies should also be incorporated into, or clearly signposted from, the new Planning Guidance web site.
9. Q6. Do you agree with the recommended timescales for cancellation of guidance and new/revised guidance being put in place? The Board agrees that it is important to have an updated suite of guidance in place as soon as possible and that existing essential guidance should not be cancelled until new guidance is in place. However,

the timescales proposed seem very ambitious and it is vitally important that a prioritised programme for the preparation of new guidance is clearly set out and adhered to wherever possible.

10. Q7. Do you agree with the recommendations for cancellation of existing guidance documents? Are there specific, essential elements of current guidance material that should in your view be retained and considered for inclusion in the revised guidance set? The Board generally agrees with the recommendations for cancellation of existing guidance documents. However, the Board considers that there are some essential sustainable development principles and rural and natural environment elements that occur as part of current guidance which should be retained and included as part of the revised guidance. These include the following: Annex E of PPG7 on agricultural permitted development; relevant elements of the good practice guide to planning for tourism which replaced PPG21; the renewable energy companion guide to PPS22; the majority of Circular 6/2005 on statutory provisions for biodiversity and geodiversity; elements of the PPS9 Practice Guide; the SEA practical guide and Circular 2/99 on EIA. The Board is pleased to note that many of these are included in either Annex B or Annex C to the report submitted by Lord Taylor with the recommendation that relevant material should be incorporated into revised guidance or that the documents should be retained until replaced by revised guidance. However, the Board considers that the Government should very carefully consider the recommended deletion of those that are not included in Annexes B or C.
11. Q8. Do you agree with the recommended priority list for new/revised guidance? The Board particularly welcomes the recommendation, through Annex D, that guidance should be prepared in connection with: the Local Green Space designation; environmental quality; neighbourhood planning and water supply and would hope that it can contribute to the production of such guidance. The Board has no specific comments to make about the other items that are included in the list at Annex D. However, the Board is concerned about the fact that there is no recommendation that new guidance should be prepared for some areas as follows. The Board recommends that, as sustainable landscape management is not currently addressed in planning guidance, the priority list for new guidance should include the preparation of guidance which sets out key landscape legislation and the responsibilities that flow from the CRoW Act 2000 Section 85 duty to have regard to AONB purposes. Landscape is one of a number of complex topic areas with little existing guidance included in the NPPF. Clear guidance would help local planning authorities and developers implement the Government's stated policies and duties with respect to nationally and internationally designated landscape areas. The Board also recommends that the priority list for new guidance should include reference to the European Landscape Convention and the key principles for the protection, enhancement and management of landscapes as an exemplification of the implementation of Article 5 of the Convention (which requires signatories to establish and implement landscape policies aimed at landscape protection, management and planning through the adoption of specific measures). The Board also recommends that the priority list for new guidance should include the preparation of guidance on assessing the impacts that developments within the settings of protected landscapes would have upon them (this is included in the National Policy Statements which remain), as well as the management of ecosystem services and soil resource protection.

12. The following text was submitted after the closing date at the suggestion of the Chairman of the Planning Committee: It has been suggested that DCLG should also have the right planning practice guidance in place in order to support the effective implementation of the National Planning Policy Framework (NPPF) in connection with other landscapes which are not nationally designated. This should be based on a character or landscape sensitivity approach and would help to achieve better forms of development on the edges of AONBs and within their immediate settings. The NPPF states, in connection with this issue, that the 'planning system should contribute to and enhance the natural and local environment' and the provision of such clear guidance would help local planning authorities and developers implement the Government's stated policies and duties with respect to other landscapes.

Central Bedfordshire Council Gypsy and Traveller Plan long list of sites

13. I understand that a series of possible Gypsy and Traveller sites will be discussed at the Council's Sustainable Communities Overview and Scrutiny Committee meeting to be held on 28th February 2013. The Board has become aware of plans and other information and I am writing to offer some initial thoughts on a couple of sites prior to the publication of the associated Local Plan.
14. **Site 15** at Barton-le-Clay is located immediately adjacent to the Chilterns AONB (its south western boundary appears to follow the AONB boundary) and its development as a Gypsy and Traveller site would almost certainly have detrimental impacts on the setting of the AONB and the appreciation of the special qualities of the AONB. The Board is concerned that no account has been taken of where the site is and what it is located next to – the plan that was previously circulated does not show the AONB despite the fact that it forms a considerable part of the plan. Prior to its potential allocation the Board considers that a thorough landscape and visual impact assessment should be undertaken (to include viewpoints within the AONB) with the results of this being used to determine if the site is capable of implementation without significant detrimental impacts on the setting of the AONB.
15. **Site 92** at Watling Street, south of Dunstable is located wholly within the Chilterns AONB. The Board is surprised that this site has managed to get through the sieving exercise that previously took place, which we understand would immediately have led to the site being excluded because of its location within the AONB. Once again, the plan that was previously circulated does not show the AONB despite the fact that it covers the whole of the plan. The Agenda papers for the meeting on 28th February explain that the site has been included because this would be an extension to a permitted site – the Board considers that this is neither an exceptional circumstance nor adequate reason to override the previous sieving process because the site numbers quoted (12 in addition to the 6 permitted) would be more than likely to lead to a trebling of the original permitted site area. Prior to its potential allocation the Board considers that a thorough landscape and visual impact assessment should be undertaken (which should include viewpoints from the various public rights of way within the vicinity of the site) with the results of this being used to determine if the site is capable of implementation without significant detrimental impacts on the Chilterns AONB.
16. The Board trusts that these comments will be passed to Members of the Council's Sustainable Communities Overview and Scrutiny Committee. The Board also trusts

that it will be consulted on the emerging Local Plan and will no doubt make further comments at that time should these sites be included within the plan.

Central Bedfordshire Council Development Strategy pre-submission document

17. The Board welcomes the prominence now given to the need to protect the Chilterns AONB as part of the environmental issues and challenges on page 12 (paragraph 2.17).
18. The Vision for Central Bedfordshire (page 13, paragraph 3.3) is generally welcomed, though the Board would have preferred to see a specific mention of the need to ensure conservation and enhancement of the natural beauty of the Chilterns AONB as the AONB is a nationally protected landscape.
19. The Board considers that the Strategy would be more sound if there was a strategic objective specifically related to the need to conserve and enhance the natural beauty of the Chilterns AONB. This could be addressed by a suitable revision to Strategic Objective 4 in Table 3.1. The Board suggests the following revisions: deletion of 'respecting' and replacing it with 'conserving' in line 2 and addition of 'including the nationally designated Chilterns AONB' after 'landscape designations' in line 4.
20. The Strategy for Growth details various issues and considers the countryside and rural settlements without any reference to the nationally protected Chilterns AONB. The Board considers that the Strategy would be more sound if reference was made to the need to ensure the conservation and enhancement of the natural beauty of the Chilterns AONB by way of a revision to paragraph 5.10 as follows. Add 'whilst ensuring the conservation and enhancement of the Chilterns AONB and its setting' after 'landscape' in line 6.
21. Policy 10 deals with rural economy and tourism. The Board welcomes the reference to the need to consider proposals against the need to protect valuable landscapes. However, the Board considers that this policy would be more sound if it specifically referred to the Chilterns AONB and the need to conserve and enhance the natural beauty of the area by way of a revision to the penultimate paragraph as follows. Add '(including the Chilterns AONB where developments should conserve and enhance the natural beauty of the area)' after 'valuable landscapes' in line 3 of the penultimate paragraph.
22. Policy 13 deals with retail in the rural area. The Board welcomes and supports the policy as drafted, particularly the protection afforded to shops and pubs in villages.
23. Policy 22 is concerned with leisure and open space provision. This policy is welcomed and supported because the Board presumes that it requires that important off-site needs, which must include links to the wider countryside, will be met as part of the planning of new development.
24. Policy 23 is concerned with public rights of way. This policy is welcomed and supported as drafted.
25. Policy 43 and Paragraphs 11.22 to 11.39 deal with high quality development. The Board welcomes the policy and supporting paragraph 11.36, and particularly supports the reference to the need for development proposals in the AONB to follow the guidance in the Chilterns Buildings Design Guide. However, this principle is not addressed in Policy 43 as drafted and the Board considers that the Strategy would

be more sound if this could be amended accordingly. It is suggested that the following text is added at the end of the policy to read: 'Within the Chilterns Area of Outstanding Natural Beauty new development proposals will be required to follow the guidance set out in the Chilterns Buildings Design Guide.'

26. Policy 45 deals with the historic environment and is supported as drafted.
27. Policy 46 and Paragraphs 11.65 to 11.77 deal with renewable and low carbon energy development. The Board welcomes and supports the requirement, as part of the policy, that such developments should have no unacceptable adverse impact on the landscape and of the Chilterns AONB.
28. Policy 47 and Paragraphs 11.78 to 11.96 deal with resource efficiency. Policy 47 is supported as drafted. The text at Paragraphs 11.92 to 11.95 deal with water issues (including water efficiency) and are welcomed and supported as drafted.
29. Policy 49 is concerned with mitigating flood risk and is supported as drafted.
30. Policy 56 is concerned with Green Infrastructure and is supported as drafted.
31. Policy 57 is concerned with biodiversity and geodiversity and is supported as drafted.
32. Policy 58 and Paragraph 12.55 are concerned with landscape and the Chilterns AONB and are supported as drafted.
33. Policy 59 deals with woodlands, trees and hedgerows and is welcomed and supported as drafted.
34. Policy 61 and Paragraphs 13.32 to 13.47 deal with the north of Luton strategic allocation. The Board has struggled to interpret Paragraph 13.37 alongside the plan which depicts Policy 61 and Inset 64 as the plans do not appear to conform with the text. The text of Paragraph 13.37 currently reads as follows: 'The urban area will form the southern boundary to the SA with the A6 and the M1 forming the boundaries to the east and west respectively. To the north of the site, there will be a limited incursion on the AONB. However, the revised Green Belt boundary will follow the boundary of the AONB itself. The area of land between the Green Belt boundary and the site boundary will mainly be utilised for open space provision. Any development that takes place in this area will be in accordance with Green Belt and AONB policies. The extent of the site, and the revised Green Belt boundary, is shown on the Policies Map.'
35. The Board considers that, in order to make the strategy consistent with itself and also to be more sound, the text should be amended as detailed below: 'The urban area will form the southern boundary to the SA with the A6 and the M1 forming the boundaries to the east and west respectively. To the north of the site, there will be a limited incursion on the AONB **by part of the M1-A6 link road**. However, the revised Green Belt boundary will follow the **AONB** boundary of the ~~AONB itself~~. The area of land between the Green Belt boundary and the site boundary will ~~mainly~~ be utilised for **agriculture and** open space provision **in order to enable a proper transition between the urban area and the wider countryside**. Any development that takes place in this area will be **strictly** in accordance with Green Belt and AONB policies. The extent of the site, and the revised Green Belt boundary, ~~are~~ **are** shown on the Policies Map **(Inset 64)**.'
36. Paragraph 13.38 mentions the preparation of a Master Plan. The Board considers that the Strategy would be more sound if the following changes were made to the

final part of this paragraph to read: 'preparation of a ~~the~~ Master Plan, **which will be subject to full public consultation at a later stage.**'

37. Paragraph 13.42 is concerned with the M1-A6 link road. Previous text mentions cutting into the AONB and in order to ensure that the Chilterns AONB is adequately protected the Board suggests, in order to make the Strategy more sound, that the following text is added to the end of paragraph 13.42 to read: '**However, as part of the road will cut into the Chilterns AONB, it must be very carefully designed to take full account of its context and address any likely impacts on the AONB and its setting.**'
38. Paragraph 13.45 deals with some elements of design. However, the inference is that only those parts that are immediately adjoining the access points to the M1, A6 and the M1-A6 link road should be of high design quality. The Board suggests that all of the development should be of high design quality with particular emphasis being placed on the need to ensure that the outer edges are of the very highest design quality. In order to make the Strategy more sound the Board suggests the following: Delete the second sentence of Paragraph 13.45 and replace with the following: '**All development should be of high design quality, and in those areas adjoining the access points to the M1, the A6 and, in the longer term, the M1-A6 link, as well as the AONB will be of the very highest design quality to take full account of the context of the development and to provide a good impression for people entering the main conurbation.**'
39. The Board considers that Criterion 6 of Policy 61, which deals with the link between the M1 and A6, is not explicit enough and suggests the following addition to make the strategy more sound: Delete 'a' and replace this with the following 'an appropriately designed' before 'link'. In addition, the Board considers that the penultimate sentence would benefit from a minor change as follows: delete 'extent' and replace with 'boundary' before 'of the AONB'.
40. Paragraph 13.46 provides some more detail about the Master Plan. The Board welcomes the fact that a Master Plan will be prepared and trusts that it will be involved in its preparation. The Board considers that in order to provide reassurance that the details of the Master Plan will be fully scrutinised the text of the Strategy should be explicit about this issue and to this end suggests the following: add '**and subject to full public consultation at a later stage**' after 'developers' in line 3 of Paragraph 13.46.
41. The Board considers that the Strategy ought to list all the studies that will need to be done to inform the Master Plan and that such a list could be included as part of Paragraph 13.47. The Board understands that this approach is taken by other planning authorities, such as West Berkshire who have done this for their Sandford site which is a sensitive site.
42. The table detailing key milestones in the delivery of the North of Luton SA states that a Framework Plan (is this the Master Plan?) will be completed early in 2014, at which time a planning application is likely to be submitted. Such an application is, according to the milestones, likely to be determined in 2015. The submission and determination of such an application are milestones that are likely to pre-date the adoption of the Development Strategy and should perhaps be revisited to make the strategy more sound.

43. Inset 64 – the boundary of the revised Green Belt and AONB do not coincide as described in Paragraph 13.37 and an amendment is required to correct this.
44. Master Plan and key development principles – the Board considers that the Master Plan should deal with some key development principles and must contain sufficient detail about the proposed development in connection with siting, massing, layout, design and materials for example, with very careful attention being paid to the nationally designated landscape of the Chilterns AONB. The Board expects to be involved in the preparation of such a master plan at a very early stage.
45. The Board considers that the following comments, which will relate to the production of any Master Plan, are also relevant and should be considered as part of its response on the Strategy.
46. The alignment of any road must take great care to avoid the two small areas of woodland which are just to the east of the overhead powerlines (the removal of these could also be sought). This would help to protect the integrity of the woodlands, which would be put under a lot of pressure if included directly within any development. A more southerly and, particularly, sinuous alignment would help to alleviate the view of the road from Galley Hill which is due east of the eastern end of the road (as currently proposed on the urban extension plan) with a potential view down much of the road's length. The road should be allowed to follow the contours as much as possible, rather than be on embankments or viaducts. Within cutting or under green bridges would not be a particular problem. The width of the road will need to be treated with great care and if dualled is likely to have significant impacts on the wider landscape when associated with lighting and signage (which should be at the absolute minimum). The Board would be very wary about the inclusion of any extra land to allow for possible dualling in the future. Access to the housing/employment area should also be taken from the existing urban area.
47. The Strategy does not provide any detail about what might happen to the north of any road and what might be proposed. Whatever is proposed should blend seamlessly into the wider, normal and farmed countryside and provide a much softer urban edge than is currently the case around the north and east of Luton.
48. Any development within the development area should not turn its back on the countryside and it should all be outside the AONB. It would be sensible for the northern extent of the urban extension to be located sufficiently far south of the AONB to allow the setting of the AONB to be properly considered. The two boundaries should not be contiguous.
49. Existing rights of way should remain and be improved with better signage and maintenance (where required). The provision of Green Infrastructure will be vital to ensure that better access to the wider countryside is available – there is currently a lack of routes that run north/south and there are various field margins that could be used and improved for access and wildlife. Use of S106/CIL monies should enable this to happen.
50. Tree planting should take place within field boundaries – there are some remnant trees that will once have been on field edges, these should be protected and linked. The development should follow the contours to lessen landform changes that might be proposed – this will help to keep much of the development away from the skyline when viewed from within the AONB.

51. Design/materials will be of paramount importance, particularly on the northern edge, but also within the development which will be looked down upon from Galley Hill – care will be needed with the layout so as not to lead to a huge area of roofs being visible. This could be broken up by sensible building orientation and tree planting (with sufficient space to allow trees to grow to maturity without impeding on living conditions) and reference to the Board's Chilterns Buildings Design Guide and Supplementary Technical Notes on building materials.
52. It is considered likely that much of the employment development would take place at the western end of the site and opposite the employment site west of Sundon Park. The small settlement to the west of Lodge Farm on Sundon Road would be swamped by the Rail Freight Interchange, development area and changes to the highway network. Care will be needed with the design and layout of this part of the site as it potentially extends to within about 500 metres of the AONB at Lower Sundon. The setting of the AONB should be carefully considered. The impact of lighting will need very careful consideration.
53. The Strategy also identifies the eastern end of the urban extension as a possible area for employment development. This area abuts the AONB and account must therefore be taken of the setting of the AONB and any proposal would need to be very carefully designed and be of the highest standard. The impact of lighting will also need very careful consideration here.
54. Policy 64 identifies land at Sundon Quarry for a rail freight interchange and employment development. The Board considers that the need for such a facility is questionable based on the existence of an existing site for the same use at Daventry and the fact that another site may be approved shortly at Radlett near Watford. Such a large development is likely to have a detrimental impact on the landscape in the setting of the Chilterns AONB and it is also likely to affect the quiet enjoyment of the AONB in the area around the Sundon Hills Country Park. Furthermore, the Board considers that the development of the site would lead to very limited employment provision. Based on the proximity of the site to the Chilterns AONB, the Board considers that very careful thought will need to be given to the form, design and use of the site because these are likely to have some degree of impact on the setting of the AONB. Large, bulky buildings with a significant amount of lighting and 24 hour a day use will have impacts over a wide area. The Board considers that unless subject to very careful design and mitigation, which should be clearly expressed as part of the development of any Master Plan, such a development would neither conserve nor enhance the natural beauty of the AONB and its setting and would therefore not comply with the National Parks and Access to the Countryside Act 1949, the Countryside and Rights of Way Act 2000 and the NPPF.
55. Paragraphs 13.90 to 13.93 provide some more detail about the Master Plan. The Board welcomes the fact that a Master Plan will be prepared and trusts that it will be involved in its preparation. The Board considers that in order to provide reassurance that the details of the Master Plan will be fully scrutinised the text of the Strategy should be explicit about this issue and to this end suggests the following: add '**and will be subject to full public consultation at a later stage**' after 'developers' in line 4 of Paragraph 13.90.
56. The table detailing key milestones in the delivery of the Sundon Rail Freight Interchange states that a Master Plan will be completed in 2013, at which time a

planning application is likely to be submitted. Such an application is, according to the milestones, likely to be determined in 2014. The submission and determination of such an application are milestones that are likely to pre-date the adoption of the Development Strategy and should perhaps be revisited to make the strategy more sound.

Wycombe Air Park draft Noise Action Plan

57. The Chilterns Conservation Board welcomes the production of the Noise Action Plan and is grateful for the opportunity to engage at this early stage. We would be grateful if we could be consulted directly on any future iterations of the Plan.
58. The Board is aware that most of the flying undertaken from the Air Park takes place over the Chilterns AONB. The Air Park is clearly very aware of the disturbance caused to the residents in the local villages and on the edge of High Wycombe. However, the Board considers that it is important to note that the relative tranquillity of the AONB and its public rights of way are also valued by the wider local community as well as the many visitors to the area and care therefore needs to be taken in considering any new routes or increased overflying. The Board considers that the Air Park also has a duty to comply both with the National Planning Policy Framework as well as Section 85 of the CRoW Act as detailed above.
59. Line 2 of the first paragraph in Section 2.0 refers to the site being bounded by an 'Are of Outstanding Natural Beauty', this should be changed to read 'Area of Outstanding Natural Beauty'.
60. The Board notes the changes that have been made to noise management procedures as detailed in paragraph 4.1, and particularly welcomes the reconstitution of the Joint Consultative Committee as detailed on page 11.
61. The Board welcomes the proposal to develop a programme to phase out the older and noisier Cessna 152 aircraft, and the aim to complete fleet renewal over a period of 12 months as detailed in the first paragraph of Section 6.1.
62. The Board welcomes the move by the Air Park to fit a silencer to one Piper PA28 aircraft in order to work out the true effect of such technology on aircraft operating from the Air Park. The Board also welcomes the fact that, if the trial proves to have a demonstrably positive effect, the Air Park will accept a stakeholder offer to fund silencers across the remaining four-seat training fleet as detailed in the second paragraph of Section 6.1.
63. The Board welcomes the fact that the Air Park is actively investigating methods by which the noise impacts on affected communities may be reduced by alternating circuit directions to the north and south as detailed in the third paragraph of Section 6.1. The Board would welcome the opportunity to comment on any proposed revisions.
64. The Board welcomes the fact that the Air Park will encourage the use of GPS tracking and will act positively on information obtained from GPS tracking devices as detailed in the first paragraph of Section 6.2.
65. The Board welcomes the proposed changes to the current complaint handling system as detailed in the second paragraph of Section 6.2.

66. The Board also welcomes the changes that have been made to the Joint Consultative Committee as detailed in Section 6.3.
67. The Board notes the terms of reference of, constitution for and representation on the Joint Consultative Committee as detailed in Appendix C. Though the local authority and various Parish Councils and other local interest groups are represented the Chilterns Conservation Board is not. Being a statutory body with the purpose of the conserving and enhancing the natural beauty of the Chilterns AONB it is felt that it would be appropriate for the Board to be represented on the JCC. We would welcome the thoughts of the JCC on this matter and would be happy to provide further evidence in support of this request should it be required.

North Hertfordshire DC Housing Options – growth levels and directions

68. Thank you for the opportunity to comment on this consultation. The Chilterns Conservation Board does not have any specific comments about the levels of growth but would like to comment on some of the detail that has been included about specific sites.
69. The Board is concerned that for the possible strategic site to the west and south west of Hitchin no real account has been taken thus far of the likely implications for the Chilterns AONB and its setting. The site area occupies all of the land between Hitchin and the Chilterns AONB with no break at all. The Board considers that the area to the east of the AONB should either be excluded from the strategic site or specifically excluded from the developable area due to both the site's proximity to the AONB and the sensitivity of the landscape. Furthermore, any bypass route should be located wholly outside the AONB and should start at a point to the east of the AONB boundary where it meets the A505. The text mentions an alignment that might follow the pylons that run to the south of Gosmore. Following this route would bring any road much closer to the AONB and would be likely to impact on a sensitive area of countryside to the south of the A505. A full landscape character and visual impact assessment should be undertaken to feed into the preparation of any future document. It is understood that the Council has instigated the undertaking of some landscape character work in this area and this should clearly feed into the consideration of this site and any bypass. The area to the south of the A505 is high quality, sensitive landscape that may well be worthy of designation as part of the Chilterns AONB should a review of the AONB boundary ever take place in the future.
70. The possible strategic site to the east of Luton is outside the Chilterns AONB. However, full account should be taken of the likely effects of development in this area on the AONB and its setting. Furthermore, full account should be taken of the likely implications on the Mimram Valley to the east. The larger extent of the site takes the developable area to the edge of the valley and this may have wider landscape impacts on the valley as a result. A full landscape character and visual impact assessment should be undertaken prior to any allocation taking place. The area to the immediate east of this site is high quality landscape that may well be worthy of designation as part of the Chilterns AONB should a review of the AONB boundary ever take place in the future.
71. The possible strategic sites at Rush Green and west of Stevenage are outside the Chilterns AONB. However, the Board considers that full account should be taken of the likely implications on the landscape to the west. The western part of the sites

takes the developable area to the edge of a sensitive piece of countryside and this may have wider landscape impacts as a result. A full landscape character and visual impact assessment should be undertaken prior to any allocation taking place.

72. The possible non-strategic sites at King's Walden (Breachwood Green), Offley, Pirton (immediately adjacent to the Chilterns AONB) and Whitwell would all need to be subject to full landscape character and visual impact assessments prior to any allocations taking place because they are all set within high quality landscape, much of which is sensitive to change.

SSE - 'Innovating for a greener, more efficient future' (RIIO-ED1 second report)

73. Thank you for the opportunity to comment on this consultation. The Chilterns Conservation Board is grateful for the work that SSE is doing to lessen the impacts of its electricity distribution network by seeking to underground overhead powerlines in protected landscapes. Incidentally, in England protected landscapes include both AONBs and National Parks and this is not always reflected in the documentation that is being commented on.
74. Question 9 in the current consultation document asks – Do you support our stakeholder-led approach to address concerns around visual amenity? The Board has examined the supporting documentation and considers that its involvement in bringing suggested undergrounding schemes to the attention of SSE fulfils the principles of SSE's approach to visual amenity. As a result the Board considers that SSE's stakeholder-led approach to addressing concerns around visual amenity is proportionate and appropriate and trusts that it will continue into further review periods in the future, and that the Board will continue to be involved.

Department for Transport Night Flying Restrictions at Heathrow, Gatwick and Stansted, Stage 1 Consultation

75. The Chilterns Conservation Board is pleased to note that Government recognises and supports a framework for the aviation industry which only allows growth where a balance is maintained between benefits and costs, including that of noise on communities. The Board strongly believes that growth is not an option until properly regulated environmental measures are satisfactorily put in place to mitigate impacts. This is particularly applicable for night flights and where airports and operators seek expansion.
76. The Board questions the Government's assumption that aviation growth is necessary, or indeed, desirable. The Board considers that much greater account should be taken of the multiple and increasingly sophisticated ways of virtual meeting and communicating, which are less expensive, less time-consuming and have a far lower carbon footprint. The Board considers that the priority should be to make the UK's airports better, not bigger, for all, and not just for users of the airports themselves.
77. The Board recognises that this consultation is primarily concerned with the impact of night flights operating at Heathrow, Gatwick and Stansted airports. The Board is aware that night operation restrictions apply to London City airport. The Board therefore finds a serious anomaly in the Department for Transport's (DfT) present approach, in that Luton Airport, which is currently seeking to double passenger

numbers, and is identified as a London airport by the DfT, the Civil Aviation Authority (CAA) and the National Air Traffic Service (NATS) and is marketed as such by the airport itself, is still not regulated for night time operations. The Board considers that this is a serious omission and evidence of a less than comprehensive and equitable approach by the DfT to the challenges and benefits of night time operations in the South East. The Board thinks that this should be rectified immediately by commencement of the process which will give Luton's night time operations the same regulatory parameters as all other London airports.

78. The Board considers that the DfT takes too narrow a view of the extent of noise impact from aviation, which regularly occurs many miles from the operating airport. Most people would not regard those communities affected as 'local', yet the noise impact is considerable. This is often revealed in the annual complaints reports held by different airports.
79. The Board is particularly concerned that the DfT has taken no account of the cumulative impact of overflying from a number of different airports (Luton, Heathrow and Northolt in particular) on the communities and visitors to places like the Chilterns AONB. DfT should clearly add the likely noise impacts from other major infrastructure proposals such as HS2 into this equation in order to properly and adequately demonstrate that it has had due regard to the purpose of the AONB (i.e. the need to conserve and enhance the natural beauty of the area of the AONB).
80. The Board considers that a better and more equitable policy would be for all airports, regardless of their size, to be required to operate to the same environmental standards. It is wrong to assume that because the airport is smaller, the noise and air quality pollution generated is less damaging to the quality of life of overflown communities and to sensitive landscapes.
81. The Board considers that in addition to consultation on night noise for the 3 designated London airports, that a public consultation should also be conducted for all airports in the South East, and in particular for those which currently remain undesignated. Indeed, recognising the serious detrimental impact which night flights cause overflown communities, a full public national consultation on the issue would be welcome.
82. The Board considers that, for the second stage consultation, noise pollution reduction should be a key element of Government and aviation's environmental targets. This should include a reduction in the number of night flights operating at all UK airports, and particularly, those sited near large conurbations and/or over sensitive landscapes, such as Areas of Outstanding Natural Beauty (AONB). Additionally, London Luton Airport should be included in the second stage consultation on night flights operating at London airports.

Chiltern DC Draft Residential Extensions and Householder Development SPD

83. The Board welcomes the production of the SPD and supports the document as drafted, particularly in connection with the prominence given to the need to adhere to the advice in the Chilterns Buildings Design Guide and the Supplementary Technical Notes on Flint, Brick and Roofing Materials.

Recommendation

- 1. That the Committee notes and approves the responses already made on behalf of the Board in connection with the consultation exercises on the development plan documents detailed above.**

Item 12 Planning Applications Update**Author:** Colin White Planning Officer**Lead Organisations:** Chilterns Conservation Board**Resources:** Staff time.**Summary:** Representations have been made regarding a number of planning applications and a number of previous cases have been determined.**Purpose of report:** To inform the Committee about, and seek approval of, the responses that have been made under delegated powers in connection with the planning applications as listed and to update the Committee on any outcomes.**Background**

1. Since the 1st April this year the Board has been consulted on 4 applications and has responded to all of these. There have been no formal representations so far this year.
2. In the 2012/13 year the Board was consulted on 139 applications and has responded to all of these. There were 26 formal representations (25 objections and 1 support).
3. The applications that have resulted in formal representations in 2012/13 included:

Objection

- Major development east of Aylesbury (not yet decided, Officers recommended refusal to Committee 10th April 2013, appeal for non-determination in progress)
- Redevelopment of sheltered housing site at Goring (approved)
- Stables, barn and hardstanding at Ibstone (refused)
- Redevelopment of CABI site at Wallingford (approved, not called in)
- 8 floodlights on 6 columns at a school at Great Kingshill (approved)
- Gates, piers and walls, Heath End near Berkhamsted, (approved)
- Coachway, new sports and leisure centre, offices, hotel, food store, amenities building, landscaping and open space at Handy Cross, High Wycombe (approved subject to obligation)
- Redevelopment of Carmel College, Wallingford (not yet decided)
- Change of use from agriculture to campsite, near Princes Risborough (approved)
- Creation of new access and stationing of mobile home, Spurlands End Road, Great Kingshill (access refused, mobile home approved)
- Winery building, Little Marlow (approved)
- Wind turbine, Ford (refused)
- Importation of inert waste, Loudwater (refused)
- Athletics track and associated development, plus amended information, Little Marlow (approved subject to obligation)
- Wind turbine, Henton (refused)

- Replacement dwelling and new equestrian centre, Skirmett (dwelling not yet decided, equestrian centre refused)
- Alterations to Luton Airport (not yet decided)
- Permanent agricultural workers' dwelling, Sarratt (two applications, one withdrawn and other not yet decided)
- Use of redundant barn for B2 use, Naphill (not yet decided)
- Change of use of buildings to industrial and storage, Watlington (not yet decided)
- Detached dwelling, Wigginton (not yet decided)

Support

- Replacement of various buildings at Wendover Woods (approved)
4. The outstanding formal representations are detailed in Appendix 3, and where decisions have been made by the local planning authorities these are detailed.
 5. The Committee noted previously that in the 2012/13 year the number of applications being decided in line with the Board's comments had been less than 40%. Since the last Committee this figure has changed to 47% with 7 applications still to be determined. However, this still represents a significant departure from previous results (average about 80%). This situation will continue to be monitored and will be discussed at the next AONB Planning Forum. It is proposed, following discussion, that a student could be asked to collate information in connection with those applications that have not been determined in line with the Board's comments in order to assess whether there are any patterns with the decisions. This will be reported to a later Committee.

Recommendations

1. **That the Committee notes and approves the responses made in connection with the applications listed in Appendix 3.**
2. **That the Committee notes the situation in connection with those cases that have not been decided in line with the Board's comments.**
3. **That the Committee agrees that the Planning Officer should contact local Universities to seek a student to undertake research on applications that have not been determined in line with the Board's comments.**

APPENDIX 3

Location	LPA	Development	Ref. No.	Status	AONB Planning Officer's Response	Date
Caversham Quarry, Sonning Eye	Oxon CC	Quarry extension	MW.0158 /11	Pending	Object – although outside the AONB the site is within its setting and is clearly visible from the Thames valley sides. The development would involve mineral extraction and site restoration with inert waste over a considerable period of time. There would be lorry movements on roads that lead into the AONB. The LVIA has not taken proper account of the need to consider the setting of the AONB.	26.01.12
Hampden Fields, between Wendover Road and Aston Clinton Road, Weston Turville	AVDC	Mixed use development including 3,200 dwellings, 120 bed care home, park and ride site, 10ha of employment land, local centre, Green Infrastructure and open space (amongst other things)	12/00605 /AOP	Officer recommend refusal 10.04.13 non determination appeal is outstanding	Object – lack of building designs means a full assessment of the proposal is difficult, particularly as some elements may be up to 15m high (or higher), the development would lead to the loss of a strategic green gap between Aylesbury and Weston Turville, the proposal is likely to lead to detrimental impacts on the setting of the AONB due to the effects on views of the Vale of Aylesbury from within the AONB and effects on views of the AONB from within and beyond the application site, the proposed development is on previously undeveloped land and is unallocated for development, whilst recognising that the proposal would have significant effects on views from the AONB these are dismissed, views of the AONB are not considered in any detail, no illustrative material is provided to show how the proposed development would appear, the proposal is not in accordance with the Development Plan and the Chilterns AONB Management Plan, the applicant should be requested to provide sufficient detail to show the visual impact of the development once	30.04.12

					completed and should permission be granted then conditions should be imposed requiring landscaping to mitigate the adverse impacts and details of building materials to be provided. Maintain objection – revisions to EIA submitted which following examination fail to address the Board's previously stated objections.	20.12.12
Wendover Woods	AVDC	Various elements of new and changes of use	13/00344 /APP	Approved – 18.04.13	Support – the development comprises the following: enlargement of café, new walkway, new visitor centre, new cycle hire building, conversion of toilet block to office, new wood fuel building and alterations to parking – the Board supports the planning application because if undertaken as detailed the venture is likely to bring about increased use of the site and opportunities for many people to appreciate and understand the special qualities of the Chilterns AONB.	27.02.13
Valley View, Hemel Hempstead Road, Dagnall	CBC	Proposed gypsy site (5 caravans)	CB/11/03 807/FUL L	Withdrawn – 22.04.13	Object – very limited amounts of detail in the application, no information about scale and appearance of buildings on the site, development would have materially greater impact on the AONB than any currently approved development, current and proposed hedge includes species not appropriate in the AONB, application is very similar to a recently refused and dismissed on appeal application that would have involved less development on the site and the development would neither conserve nor enhance the natural beauty of the AONB.	29.11.11
Newland Park, Gorelands Lane, Chalfont St Giles	CDC	Redevelopment of site to provide 326 dwellings, fitness and sports facilities and	CH/2010/0976/FA	Pending	Object – (see copied information sent out for full details) the Board does not object to the principle of the proposal and a redevelopment of parts of the site would bring about enhancement of the AONB if undertaken in the most sensitive manner,	03.11.10

		energy / recycling centre			<p>using the best designs and most appropriate materials. There are elements of detail the Board objects to including: the design and materials for various buildings (both parkland dwellings and apartment blocks), the lack of provision of solar pv and solar hot water, provision of extra lighting (particularly in association with the playing pitches), the lack of provision of affordable housing, lack of facilities such as shops and employment and lack of public transport provision thus leading to significant amounts of car traffic on minor local roads and the likely impacts of large numbers of lorries on the same roads during construction (to bring materials in and take spoil away).</p> <p>Revisions to design – object – the revisions do not address the Board’s concerns, in fact despite the changes to the appearance the buildings are all taller and more bulky, also object to inclusion of basements in some buildings (spoil issue) and other objections remain from previous response.</p>	24.01.12
Geary’s Hill, Wigginton Bottom, Wigginton	DBC	Detached dwelling and annex	4/00490/ FUL	Pending	<p>Object – the proposed dwelling is not isolated and is located on a site of about 0.9 hectare, it is considered that the proposal fails to meet the tests of the NPPF for isolated dwellings in the English country house tradition. The apparent size of the site is further reduced when account is taken of the two rights of way that are within the site (one if The Chiltern Way). No detail is show about any proposed changes to the access – this is likely to be affected by new surfacing and widening to allow for spoil to be taken away and deliveries made. The proposal will neither conserve nor enhance the natural beauty of the AONB, it is considered to be contrary to the development plan and AONB</p>	09.04.13

					Management Plan and the proposal will not increase the understanding or enjoyment of the special qualities of the AONB.	
Luton Airport, Airport Way, Luton	LBC	Proposed alterations and extensions to terminal buildings, car parks and new taxiway	12/01400 /FUL	Pending	Object - the proposal is for development that would allow an expansion of passenger numbers from about 9 million passengers per annum (mppa) to 18 mppa by about 2028 (with, strangely, no increase in numbers from then until 2031). The upper limit appears to be contrived in order to limit the likely expansion to less than 10mppa and thus negate the need for the application to be considered as a Nationally Significant Infrastructure Project (NSIP). The Board is concerned about this and believes that the application should be considered as an NSIP or, at the very least, called in for determination. The Board is concerned about the future use of London Luton Airport (LLA), particularly arising from the overflying of aircraft over the Chilterns Area of Outstanding Natural Beauty (AONB), and its setting, both during the day and at night. The Board considers that the application is premature because the proposed form of development and the likely implications have not been incorporated into an adopted national aviation strategy (this has yet to be published). If the aircraft type were to remain as at present, the number of aircraft movements would roughly double with a rough doubling in the numbers of passengers. We understand that the size of aircraft is generally increasing, and even so this would still mean that such an increase in passenger numbers would be likely to lead to a significant increase (about 60%) in the number of flights, with consequent detrimental impacts on the Chilterns AONB and its	05.02.13

					<p>enjoyment. Larger aircraft are noisier so the detrimental impacts that are likely to arise are more than likely to be at least the same if not worse. A significant increase in the number of flights by larger aircraft would mean that there would be a significant increase in the frequency of flights leading to a significant decrease in the intervening quiet periods. As a result average noise levels are likely to rise. The Board is not convinced that the expansion would be taken forward in an environmentally sensitive and sustainable way. The Board previously made comments on the EIA Scoping Report and requested that the statutory Chilterns AONB Management Plan should clearly be referred to alongside the Board's Position Statement on Development Affecting the Setting of the AONB. There is no EIA, neither of these documents appears to have been referred to in the Environmental Statement and no account is taken of the impacts of the operational phase on the Chilterns AONB and its setting – the impacts on the AONB are summarily dismissed because the changes to the buildings and new development would not be clearly visible from the AONB. The Board is extremely concerned about the likely impacts of overflying aircraft, especially at night, on the tranquillity and enjoyment of the Chilterns AONB, and this should clearly have been fully assessed as part of the Scoping and EIA process prior to the planning application being made. In addition, the EIA should also have addressed landscape and visual effects arising from the use of the airport and the proposed extended taxiways especially because there will be a huge number of</p>	
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					<p>aircraft that, when they are not on the ground, would be clearly visible from many miles around. Even when on the ground aircraft are visible from many areas including the Chilterns AONB. The likely effects on the Chilterns AONB should have been fully considered because the AONB is clearly a sensitive receptor. For potential noise impacts the Chilterns AONB should have been subject to specific detailed consideration outside the normal confines of L_{Aeq} assessments. In addition, the impacts of night noise should also have been fully considered and should have included assessments from within the AONB and its setting. This does not appear to have taken place. The Board is also concerned about the likely noise impacts arising from the increase in the number of taxiing aircraft. The Board is concerned about the likely impacts on traffic flows on roads within the AONB arising from the traffic associated with additional passengers.</p> <p>The Board is concerned about the likely development pressures for new housing for example to cater for the projected large increase in the number of employees. Despite the recent adoption of the Airport Noise Action Plan (2010 to 2015) the Board considers that there is no clear commitment from London Luton Airport Operations Limited (LLAOL) towards effective noise and environmental controls and the Board considers that restrictions should be put in place to significantly reduce the number and frequency of night time flights. In connection with this issue the Board understands that Heathrow, Gatwick and Stansted all have strict night noise controls with Government setting limits on noise emissions and</p>	
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					<p>aircraft movement numbers. We understand that London City has a night and weekend curfew. The Board is aware that there are no such limits placed upon LLA and we therefore consider that stringent limits on the number of night flights should be introduced to protect the local environment and to provide people with certainty. In addition, we consider that these should reflect the limits imposed by Government at the other three major south east airports. The current planning application should have been treated by the applicant as an opportunity to seek significant improvements and mitigation to the noise impacts on the environment which are created by the airport. This does not appear to have happened. The Board had hoped that the planning application would contain a comprehensive analysis of the future noise implications of the growth proposals and for it to be proactive in coming forward with positive proposals for improvements and mitigation. The proposals should have included the imposition of night flight limitations consistent with those at Heathrow, Gatwick and Stansted. The Board would expect such limitations to be imposed through a Government body, which would be independent of the airport owner or operator, in order to ensure that environmental concerns are not biased by, and/or offset, commercial gains. The Board would be grateful if it could be involved in the discussions or consultation about any revisions to the existing Night Noise Policy. The Board considers that any expansion plans must be developed in the light of existing operational constraints. These include the proximity of Heathrow airspace and the Bovingdon stack, as</p>	
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					<p>well as possible route changes affecting Luton Airport. In addition, the future mix of aircraft and type of flight (for example passenger, corporate or cargo) also need to be taken account of.</p> <p>In addition, the Board understand that NATS has plans to substantially review the structure of the airspace in the south east of England. This may involve changes to the Bovingdon stack which, with other things, may result in changes to departure and arrival routes at Luton Airport. It is not clear to what extent the proposed growth has taken such factors into account. The Board considers that LLAOL is failing in its statutory duty of regard to the purpose of the AONB (to conserve and enhance the natural beauty of the area of outstanding natural beauty, in accordance with Section 85 of the Countryside and Rights of Way Act 2000). The Board would welcome the opportunity to discuss its representation and would like to ensure that it is closely involved in the implementation of the Noise Action Plan's key action to 'assess the impact of London Luton Airport traffic on the Chilterns AONB and explore potential for operational improvements'.</p>	
Betts Farm, Old Reading Road, Crowmarsh Gifford	SOD C	Variation of condition 2 (soft and hard landscaping of P11/W0190)	P11/W19 65	Pending	Object – the proposal would lead to a huge decrease in both the number of trees and the number of shrubs provided as part of the approved development which in turn would mean that the development would be much more prominent in the landscape to the detriment of the natural beauty of the AONB. The original condition was imposed presumably following discussion and was not appealed against. It should therefore be implemented.	20.01.12
Carmel	SOD	Redevelopment	P11/W23	Pending	Object – proper account is not taken of the NPPF,	02.08.12

College, Mongewell Park, Mongewell	C	to provide 166 dwellings, refurbishment of listed buildings and provision of restaurant, café and swimming pool	57		there is confusion between the many documents that accompany the application (particularly in connection with lost and gained footprint), the application does not include a full design and access statement (what is submitted fails to meet expectations), the design of many of the buildings is inappropriate in the AONB and fails to enhance the natural beauty of the area, the scale and mass of many of the buildings would be greater than the buildings they replace, only previously developed parts of the site should be considered for new buildings (which should only be on the footprint of existing buildings), the transport assessment does not take account of the NPPF and fails to deliver a modal shift away from the private car, public transport provision is inadequate, 'upgrading' of rights of way are likely to lead to detrimental impacts on users and their enjoyment, closure of the Ridgeway National Trail (even temporarily) is objected to, the lighting plan is confusing and likely to lead to an increase in light emissions from the site, there will be significant numbers of HGV movements to the detriment of the character of the narrow local roads (spoil generation being one cause), renewable energy generation is not adequately addressed, the proposal does not conform to the Local Plan or emerging Core Strategy and as such should be refused.	
Lys Mill, Watlington	SOD C	Change of use of buildings to rationalise mix of industrial and storage	P13/S05 61/FUL	Pending	Object – though B1 and B2 uses have decreased in floor space, a significant amount of traffic will be generated, there has been a significant increase in the B8 floor space which will also generate a significant amount of traffic (much of it HGV) which will impact on users of the Ridgeway National Trail and local rights of way as well as local roads and	09.04.13

					in Watlington. National Trails office should be contacted. Full traffic survey should be undertaken and submitted to address all users at the site. The site is not in a sustainable location for the uses proposed. The proposal will neither conserve nor enhance the natural beauty of the AONB, it is considered to be contrary to the development plan and AONB Management Plan and the proposal will not increase the understanding or enjoyment of the special qualities of the AONB.	
The Mulberry Bush, Dawes Lane, Sarratt	TRDC	Permanent agricultural workers' dwelling	12/2377/ FUL	Withdrawn – 13.03.13	Object – should an agricultural workers' dwelling be considered appropriate then careful thought should be given to the siting and design. Previous advice has been given about this but has not been taken on board. The Board objects to: the scale of the dwelling which would be prominent (it should be reduced in height to no more than 5m); the design and materials (pantiled roof and use of flint do not comply with the Design Guide and Flint technical note); excavation and land raising are proposed but insufficient detail is provided to enable the implications to be assessed.	05.02.13
The Mulberry Bush, Dawes Lane, Sarratt	TRDC	Permanent agricultural workers' dwelling	13/0544/ FUL	Pending	Object – should an agricultural workers' dwelling be considered appropriate then careful thought should be given to the siting and design. Previous advice has been given about this but has not been taken on board. The Board objects to: the scale of the dwelling which would be prominent (it should be reduced in height to no more than 5m); the height of the building could be reduced by using slate and lowering the roof height; there is confusion in the application documents as the use of flint is referred to in a letter but not detailed in plans or in the design statement (any flintwork should dominate the façade that it is part of and	10.04.13

					the flintwork should adhere to the Board's technical note on flint); excavation and land raising are proposed but insufficient detail is provided to enable the implications to be assessed.	
Valentine Farm, Shogmoor Lane, Skirmett	WDC	Demolition of existing dwelling and erection of 3 bed dwelling with basement and loft and change of agricultural occupancy condition to incorporate equestrian use	12/07129 /FUL	Pending	Object - The design of the replacement dwelling generally appears to accord with the principles outlined in the Chilterns Buildings Design Guide and the supplementary technical notes on Brick and Roofing Materials. However, there are three key elements where the design fails to take account of those principles. The first relates to the use of a balcony at first floor level. This would appear totally out of keeping with the rest of the design and the Board considers that this element should be removed to make the design more acceptable. The second element is the proposal to include a basement. Though the basement would clearly not have a landscape impact, the excavation required to bring it about would, because it would lead to a significant amount of spoil that would have to be dealt with. This is likely to lead to a significant number of extra HGV movements on the local road network to the detriment of users of the AONB and their appreciation of the special qualities of the protected landscape. The third element where the design fails to take account of the principles in the Chilterns Buildings Design Guide and associated supplementary technical notes is the proposal to include a second floor, which, when combined with the other floors, would make the building a four storey one which would be much more bulky than the current dwelling on the site. The Board considers that the second floor, which has all the appearances of two more bedrooms, should be	24.10.12

					removed from the design. This would enable the roofline to be lowered and the resultant building to take on a bulk and form that is more in keeping with the existing dwelling. The Board also objects to the changes proposed to the agricultural occupancy condition. This was presumably placed on the original dwelling for a good reason and unless this has changed in the intervening period it should remain in place.	
Hunts Hill Farm, Hill Lane, Naphill	WDC	Use of redundant barn for B2 use and external storage	13/05088 /FUL	Pending	Object – the use neither conserves nor enhances the natural beauty of the AONB and has detrimental impacts on the enjoyment of the special qualities of the area, the use is inappropriate for the redundant barn due to the noise emissions and the introduction of noise attenuation features is likely to have an additional negative impact whilst the noise would be pushed somewhere else, the use may well have impacts on a neighbouring equestrian facility and could lead to loss of jobs when horses are removed from livery, more appropriate premises are almost certainly available in more easily accessible locations like High Wycombe and should be thoroughly assessed and reported on, traffic generation is likely to have significant detrimental impacts on the lane which is a pleasant, narrow and winding country lane at present and there may be calls for HGV access in the future which would be wholly inappropriate, the proposed outside storage will have landscape impacts and detrimental impacts on the residents of a neighbouring property and the Board has significant concerns about likely pollution emissions.	15.02.13