Members of the Planning Committee of the Chilterns Conservation Board for the Chilterns Area of Outstanding Natural Beauty are hereby summoned to a meeting of

Planning Committee

on 10.00 a.m. Wednesday 18th July 2018

at The Chilterns Conservation Board office, 90 Station Road, Chinnor, OX39 4HA

Agenda

1. Election of Chair 10.00 – 10.05
2. Apologies 10.05 – 10.06
3. Declarations of Interest 10.06 – 10.07
4. Minutes of Previous Meeting 10.07 – 10.12
5. Matters Arising 10.12 – 10.20
6. Public Question Time 10.20 – 10.30
7. AONB Management Plan – Draft Development Chapter 10.30 – 11.20
8. Review of Cumulative Impacts Guide 11.20 – 11.30
9. Development Plans responses and updates 11.30 – 12.05
10. Planning Application responses and updates 12.05 – 12.20
11. Any urgent business 12.20 – 12.25
12. Date of Next and Future Meetings 12.25 – 12.30
Item 4  Minutes of Previous Meeting

Author:  Lucy Murfett  Planning Officer

Lead Organisations:  Chilterns Conservation Board

Resources:  Budget of £500 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 Wednesday 7th March 2018 are attached (at Appendix 1) for approval.

Recommendation

1.  That the Committee approves the minutes of its meeting which took place on 7th March 2018.
MINUTES OF THE MEETING OF THE PLANNING COMMITTEE HELD ON Wednesday 7 March 2018 at THE CHILTERNs CONSERVATION BOARD OFFICE, 90 STATION ROAD, CHINNOR, OX39 4HA COMMENCING AT 10.05 AM

BOARD MEMBERS PRESENT

<table>
<thead>
<tr>
<th>Member</th>
<th>Appointing Body</th>
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<tbody>
<tr>
<td><strong>Appointed by Local Authorities</strong></td>
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<tr>
<td>Cllr David Barnard</td>
<td>North Herts District Council</td>
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<tr>
<td>Cllr Heather Kenison</td>
<td>Three Rivers District Council</td>
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<tr>
<td>Cllr Lynn Lloyd</td>
<td>South Oxfordshire District Council</td>
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<td><strong>Appointed by the Secretary of State</strong></td>
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<tr>
<td>Colin Courtney</td>
<td>Secretary of State</td>
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<tr>
<td>Helen Tuffs</td>
<td>Secretary of State</td>
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<tr>
<td>Elizabeth Wilson</td>
<td>Secretary of State- Chair</td>
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<td><strong>Elected by Parish Councils</strong></td>
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<td>Cllr Alison Balfour-Lynn</td>
<td>Hertfordshire</td>
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<tr>
<td>Cllr Sue Biggs</td>
<td>Oxfordshire</td>
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<td><strong>Co-opted Members</strong></td>
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<td>Chris Hannington</td>
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<td><strong>Officers present</strong></td>
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<tr>
<td>Lucy Murfett</td>
<td>CCB Planning Officer</td>
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<tr>
<td>Mike Stubbs</td>
<td>CCB Planning Advisor</td>
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<tr>
<td><strong>And others</strong></td>
<td></td>
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<tr>
<td>Bradley Downes</td>
<td>Planning student assisting the Planning Officer.</td>
</tr>
<tr>
<td>Deirdre Hansen</td>
<td>Minute taker</td>
</tr>
<tr>
<td>John Nicholls</td>
<td>Board Member, observing</td>
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322. Apologies for absence
Apologies were received from Cllr Nick Rose, Chiltern District Council.
323. Declarations of Interest
No declarations of interest were made

324. Minutes of the previous meeting
The minutes of the meeting held 21st November 2017 were approved as a true record and signed by the Chair after the following amendment was made:
- Item 316. Recommendation 3; (2018) was added at the end of the sentence.

325. Matters Arising from the minutes

10.08 Cllr Sue Biggs arrived
- Re item 321. Lack of resources at Natural England. NE are not able to fulfil the role that is expected of them in the Chilterns AONB. This problem continues.

326. Public Question time
No members of the public were present.

The Planning Officer introduced Bradley Downes, an Oxford Brookes planning student assisting her 1 day a week.

327. Update on the Chilterns AONB debate in the House of Commons.
The Planning Officer informed the Committee that the CCB was encouraged by the response of the Minister for Housing, Communities and Local Government to the adjournment debate 9th January 2018 on the planning pressures in the Chilterns AONB. The response from the Prime Minister at PMQ’s 11th January 2018 provided additional reassurances on national policy protection and policy direction.

The Committee noted that the Government’s 25-year Environment Plan has been published.

The Committee discussed amendments to the National Planning Policy Framework which is currently out for consultation and made suggestions to assist the Planning Officer in the Board’s response, which is due by 10 May 2018.

1. The Committee NOTED the update and made suggestions to assist the Planning Officer.

328. Development Plan Responses
The Planning Officer informed the Committee that she had submitted responses on 11 development plan documents and 1 infrastructure consultation. She gave brief comments on the submissions made. In particular the substantial responses made on the Wycombe Local Plan and the South Oxfordshire Local Plan. She raised an issue which had arisen at the North Herts Local Plan Examination, where there was an inconsistency between Natural England’s Statement of Common Ground and the comments the CCB had made about the effect of housing allocations on the setting of the AONB. NE had apologised and written to the Inspector to clarify their position.
The Planning Officer had attended the hearing. The Chair thanked her for the work undertaken. The Chair had attended the Strategic Stakeholder Group meeting for the Ox-Cam Strategic Expressway on behalf of the CCB. It was noted that a meeting will take place 26/03/18 for consultation on the M1-M40 corridors. The AONB impacts need to be assessed. To be reported back at the next meeting.

1 The Committee APPROVED the responses that had been sent, NOTED the current consultations on development plans and provided comments to the Planning Officer as appropriate.

329. Planning Applications Update
The Planning Officer informed the Committee about and sought approval for, the 12 responses and 4 appeal representations that have been made by the Planning Advisor under delegated powers in connection with Planning Applications as detailed in the agenda. The responses were discussed and particular note was made of the number of refusals on AONB grounds.

The Planning Advisor was thanked for all his work on Planning Applications.

1. The Committee NOTED and APPROVED the responses made in connection with the applications as listed.

330. AONB Management Plan workshop on the planning section.
The Planning Officer gave a brief presentation on the information already gathered. The workshop is intended to gather ideas and feedback to be incorporated in the planning chapter of the new Management Plan. It is proposed that the chapter will incorporate development and transport.

The workshop looked at the following questions:
1. How can we make the Management Plan more effective in planning terms?
2. Horizon scanning - what new forms of development can be foreseen in the Chilterns?
3. What policies should be changed and why?

The Committee discussed the questions and put forward suggestions. The Planning Officer thanked them for their contributions. She will write the chapter's first draft and circulate.

1. The Committee PROVIDED feedback through the workshop for the revised Development and Transport section of the Chilterns AONB Management Plan.

331. Urgent Business
None.
Date of the next meeting Wednesday 18\textsuperscript{th} July 2018 at CCB offices at 10.00 am.
Future dates: Wednesday 21\textsuperscript{st} November 2018.

The Chair………………………………………… Date………..
Item 7  AONB Management Plan – Draft Development Chapter

Author: Lucy Murfett Planning Officer

Lead Organisations: Chilterns Conservation Board

Resources: Staff time, Planning Committee time

Summary: The first draft version of the statutory Chilterns AONB Management Plan was published for consultation on 10th July 2018, working towards publication of the final version in spring 2019. Views are welcome from Board members, stakeholders and the public.

Purpose of report: To update the Committee and seek feedback on Draft One

Background

Summary: A report to introduce the workshop on the AONB Management Plan review.

Purpose of report: To involve the Committee in the early stages of the AONB Management Plan review.

Background

1. All AONB Management Plans must be reviewed every five years (Countryside and Rights of Way Act 2000 section 89). The current Chilterns AONB Management Plan covers the period 2014-2019 and the process of reviewing this plan is now well underway. Initial events were held between November 2017 and March 2018 to gather evidence and views. For planning, this included:
   • a launch event for local authority senior officers, Natural England and DEFRA on 16th November 2017;
   • a Planning Forum workshop on 22nd February 2018 with planners and stakeholder from across the Chilterns AONB; and
   • a workshop at the last Chilterns Conservation Board Planning Committee meeting on 7th March 2018.

2. The first version, known as Draft One, has recently been published on CCB’s website for stakeholder feedback. The response deadline is 28th August 2018. The draft contains material on planning throughout the document, and most importantly in the chapter on Development (chapter 9). This is reproduced in Appendix 2. The opportunity has been taken to update the content and style of the chapter, and to reduce the number of policies from 18 in the current management to 14 in the draft. Members are encouraged to give their views on Draft One to help shape the next version.
Recommendation

1. That the Committee provides feedback through the workshop on the Development chapter of Draft One of the Chilterns AONB Management Plan.
Chilterns AONB
Management Plan
The statutory management plan for the Chilterns Area of Outstanding Natural Beauty
What you told us

1500 people responded to an online public survey about the future of the Chilterns. We captured the words that people gave us as word clouds¹.

When asked what they valued the most, people said -

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Ecology  Easy Access  Woods  Chalk Grassland  Hills  Chalk Streams
Green Space  Development  Woodland  Dramatic Views
Landscape  Local Countryside  Heritage
Beautiful  Environment  Walking  Land  Wildlife
Ivinghoe Beacon  Footpaths  Peace and Tranquility  Open Space
Wild Flowers  Peace and Quiet  Flora and Fauna
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and the one thing that most concerns people -

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Local Noise  Rural Future  Litter  New Roads  Losing  Chalk Streams
Traffic  Planning  HS2  Green Space  Housing  Urbanisation
Development  Environment  Loss  Distinctive Character
Wildlife  Expansion  Countryside  Population  Green Belt
Urban Sprawl  Villages  Overdevelopment
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83% of respondents to the survey believe that the Chilterns needs greater protection, 95% of respondents believe protecting the Chilterns from inappropriate development² is important, and protecting views and panoramas identified as important by 93%.

A series of themed stakeholder workshops was held early in 2018 at which participants were asked to consider the main issues facing the Chilterns over the next 30+ years – and what long term outcomes we should be aiming for. The box below summarises key points from those discussions in terms of what people will see, hear and do in the Chilterns if things go well over the next 30 years and if things go badly. There is an obvious need for the planning system to protect the AONB. Without planning controls, market demands would in a short time lead to the irreversible loss of natural beauty and the character of the Chilterns.

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¹ A word cloud is an image composed of words used in a particular text or subject, in which the size of each word indicates its frequency or importance.

² Town and Country Planning Act 1990 (Section 55) - “development,” means the carrying out of building, engineering, mining or other operations in, on, over or under land, or the making of any material change in the use of any buildings or other land.
| Respondents reflections on the state of the Chilterns if things go well, or if things go badly |
|---|---|
| **Utopia in 2050**  
What can you see, hear and do in the Chilterns? | **Dystopia in 2050**  
What can you see, hear and do in the Chilterns? |
| Bird song  
Clear flowing chalk streams  
More naturalised landscapes  
More flowers, more wildlife  
Joined up expanded habitat networks  
Special and distinctive  
More vernacular architecture  
Wildlife rich gardens  
History well looked after  
More people out and about enjoying it  
Environmentally sensitive farming and equestrian well-funded by stewardship  
Local food and wood products, jobs for people to be involved in the landscape  
Communities that are mixed in age and socio-economic group  
Tranquillity, dark skies, bright stars  
Electric cars bring quietness  
Power lines and HS2 undergrounded  
A sense of remoteness and wilderness  
A National Park….? | Suburbia  
Poor quality “anywhere” housing  
Gardens with hard landscaping - and plastic grass  
Litter and fly tipping  
Habitats fragmented  
Empty of wildlife  
Highly industrialised farming – acres of cow sheds and prairie arable fields.  
Woodland cut down  
Stunted and dying trees (due to pests and diseases)  
Footpaths overgrown  
Streams dry  
Scrubbed up chalk grassland  
Polluted watercourses  
No longer special, designations lost  
Background noise, sirens, engines  
Overrun with people  
No distinct boundary from one town to the next  
Just a London commuter dormitory  
Empty second homes  
Lighting and buildings everywhere  
Damaging roads and rail infrastructure  
HS3, HS4??  
Expanded airports, aircraft noise |
People who responded to the survey told us the three words they would use to describe the Chilterns, the most popular of which are shown here in this word cloud:

This Management Plan explains what is needed to ensure we can continue to describe the Chilterns in these ways.
9. Development

Context

Areas of Outstanding Natural Beauty are outstanding landscapes whose distinctive character and
natural beauty are so precious that it is in the nation’s interest to safeguard them. Normal planning
rules do not apply in the AONB. The planning system protects AONBs in order to conserve and
enhance the natural beauty of the area. Part of looking after the Chilterns for current and future
generations involves limiting development\(^3\) and making sure that anything that is built genuinely
enhances the AONB. This is very difficult to do. In this chapter, we set out our policies to achieve it.

Issues

The Chilterns is a highly desirable area in which to live. It is commutable to London and closely
surrounded by large settlements, many of which are planned to expand. For example, Aylesbury
has been designated a Garden Town and will grow by at least 16,000 extra homes. Luton, Princes
Risborough, High Wycombe, Hemel Hempstead and Marlow, to name but a few, desire parts of the
Chilterns for housing and development land. Recently, there has been a four-fold increase in the
number of new homes granted planning permission each year in the Chilterns AONB\(^4\). On top of
windfall development on sites not anticipated in advance, Councils are themselves proposing
significant housing allocations in the AONB in draft local plans and neighbourhood plans. There
could be over 500 new homes built a year in the Chilterns AONB post 2020. This could result in the
construction of 7,500 new homes in the nationally protected landscape of the Chilterns AONB by
the mid-2030s. This will have serious impacts on its beauty, character, ecological intactness and
tranquillity. We also have HS2 being built through the Chilterns AONB and airport expansion
proposed at Heathrow and Luton, which threaten more over-flying of the AONB.

Whilst nationally there is a need for development, there is also a need to protect the most special
places, the finest and most beautiful parts of the countryside. They must be kept special. This is
especially true for the Chilterns, an irreplaceable green lung for London and its commuter belt. The
planning system can encourage the Chilterns’ role as a haven for wildlife, a place to experience
history and enjoy outdoor recreation. Policies and decisions can recognise that many parts of the
AONB are not suitable locations for general housing and economic development that do not need to
be in the nationally protected landscape.

Even small scale, cumulative changes to land and buildings can materially harm the natural beauty
of the Chilterns AONB. Creeping suburbanisation is already diminishing the quality of the
landscape, for instance when householders or businesses install inappropriate fencing, gates,
external lighting and domestic paraphernalia. If habitats continue to become smaller with their links
severed by our transport corridors, noise barriers and security fencing, the AONB will be poorer.

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\(^3\) Town and Country Planning Act 1990 (Section 55) - “development,” means the carrying out of building, engineering, mining or
other operations in, on, over or under land, or the making of any material change in the use of any buildings or other land.

\(^4\) Independent Review of Housing in England’s AONBs (2017) shows number of homes permitted in the Chilterns AONB
rose from an average of 82 per year before 2012, to over 386 per year during 2015-17 (the 386 figure is an under-count
because the 2015-17 figures exclude smaller sites of less than 10 units).
More overflying aircraft, busier roads and light pollution at night will spoil the beauty and tranquillity of our area. The Chilterns will become less enjoyable to visit and less special.

Photo & caption: Walking the Ridgeway National Trail. In parts of the Chilterns, you can walk and not see a building for miles, this rare experience in the busy south-east is something to treasure and safeguard…..

The Chilterns is becoming increasingly exclusive as a place to live. Although many homes have been permitted in the AONB in recent years, very little of it has been affordable housing. There have been no Rural Exceptions Schemes in the Chilterns for several years. The stock of affordable homes has dwindled through the Right to Buy, and in some areas, by taking away restrictive covenants designed to prevent former council housing being re-sold later as holiday homes or second homes. Rural pubs, village shops and barns are being lost to residential conversion, while smaller homes and bungalows seem attractive propositions for redevelopment into luxury modern replacement dwellings. We need new approaches to make sure the right kind of housing is being built, available and affordable for local people. We need stronger mechanisms to protect rural pubs, village shops and community buildings for communities and visitors.

Cumulative impacts

It is important to assess the cumulative impact of development on the character of the AONB. A single planning proposal may affect only a small area of the AONB. However, a number of similar developments in the area, or a continuous activity over time, may have a significant impact on the environment, local community or economy. This can have a cumulative detrimental effect. The character of the AONB, its wildlife and people’s enjoyment could slowly diminish over time. We have further advice in a Position Statement on the Cumulative Impacts of Development on the Chilterns AONB.

Photo & caption: Keep dark skies and stars bright in the Chilterns: light pollution from inappropriate large glazed building design

Photo caption: Classic Chilterns vernacular architecture at Turville: small-scale cottages of local brick and flint with clay tile roofs

Photo & caption: Award winning new Chilterns building at the Winery at Hundred Hills Vineyard, South Oxfordshire

Photo & caption: Poor modern design: ‘Anywhere’ designs fail to keep the Chilterns special and distinctive (Chinnor).

Photo & caption: Grand new build projects can also be insensitive to the AONB. Stark, white, huge and angular this replacement dwelling near Ipsden, here viewed from the Chilterns cycleway, dominates the landscape in its siting and design.

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5 Rural Exceptions Schemes are small sites used for affordable housing in perpetuity where sites would not normally be allowed for housing. They seek to address the needs of the local community by accommodating households who are either current residents or have an existing family or employment connection.
A summary of planning arrangements in the AONB

Planning authorities are under a legal duty to have regard to conserving and enhancing the natural beauty of the AONB. They also have the permissive power to take all such action they need to in order to accomplish this. However, the national conversation about planning tends to put meeting housing numbers first. Sometimes the responsibility and power local authorities have towards the AONB is forgotten or sidelined.

The Chilterns Conservation Board has no planning powers and does not make decisions on planning applications. The Conservation Board has an advisory role. We comment on emerging plans and major planning applications and we prepare guidance. The AONB is split across thirteen local authorities, each with planning responsibilities. The Conservation Board brings together all those who make plans and determine planning applications in the Chilterns (see map below). We encourage cross-boundary thinking and co-operation. We would like a single consistent set of planning policies adopted across the AONB to ensure all planning decisions reflect its special qualities. This helps ensure that policies and decisions conserve and enhance the Chilterns for current and future generations.

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6 The duty is set out the *Countryside and Rights of Way Act 2000 section 85*. The duty of regard towards conserving and enhancing the AONB applies to local planning authorities, parish councils, infrastructure providers, government bodies and others.

7 and the permissive power in *section 84*

8 3 counties, 2 unitaries, 7 districts and 1 borough council. To find your local planning authority click [here](#).
When the CRoW Act 2000 Section 85 duty towards the AONB applies in planning:

<table>
<thead>
<tr>
<th>In plan-making – for example when</th>
<th>In the development management process – for example when</th>
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<tbody>
<tr>
<td>• Setting vision, aims and objectives</td>
<td>• Having pre-application discussions with applicants</td>
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<tr>
<td>• Preparing development management policies (not just those related to protected landscapes or the countryside)</td>
<td>• Validating planning applications (is there the right information from the applicant)</td>
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<tr>
<td>• Generating options for development</td>
<td>• Scoping what supporting information is relevant</td>
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<tr>
<td>• Developing reasonable alternatives</td>
<td>• Deciding whether a development is major development</td>
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<tr>
<td>• Choosing site allocations</td>
<td>• Deciding whether a development is EIA development</td>
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<tr>
<td>• Preparing site specific policies</td>
<td>• Deciding whether full or outline permission is appropriate and whether or not to reserve matters such as landscaping, appearance, scale and layout</td>
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<tr>
<td>• Deciding whether or not to prepare or adopt Supplementary Planning Documents</td>
<td>• Deciding whether to consult Natural England and the Chilterns Conservation Board and when taking their views into account</td>
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<tr>
<td>• When undertaking SEA</td>
<td>• Preparing a case officer’s report</td>
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<tr>
<td>• When engaging in Duty to Co-operate discussions with other authorities</td>
<td>• Making a decision, by the Planning Committee or delegated, and when recording that decision</td>
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<td>• Deciding on conditions and obligations</td>
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<td></td>
<td>• Deciding whether or not to grant prior approval for some PD rights</td>
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<td></td>
<td>• Deciding whether or not to issue a lawful development certificate</td>
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<tr>
<td></td>
<td>• Deciding whether or not to use planning enforcement functions, including to address authorised development and to secure delivery of conditions and obligations if they are not being adequately implemented.</td>
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The purpose of designating an area of countryside as AONB is to conserve and enhance its natural beauty. An AONB must be treated differently from the wider countryside; it has the highest status of protection for its landscape and scenic beauty, equal to National Parks. Government policy is that great weight\(^9\) should be given to conserving landscape and scenic beauty in AONBs. The conservation of wildlife and cultural heritage are important in AONBs. This requirement applies to all sizes of planning proposal, large and small. The National Planning Policy Framework confirms that the presence of AONBs can restrict development in order to help achieve sustainable development\(^10\). Government policy requires that planning applications for major developments in

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\(^9\) National Planning Policy Framework para 115

\(^10\) National Planning Policy Framework para 14
AONBs should be refused “except in exceptional circumstances and where it can be demonstrated that they are in the public interest”\textsuperscript{11}.

Many permitted development rights\textsuperscript{12} do not apply in AONBs. For example, the following need planning permission: larger homes extensions, exterior cladding or pebble-dashing a home, loft conversions involving additions to roofs, larger outbuildings, swimming pools, barn conversions to dwellings. This enables local planning authorities to manage the impacts of development on key elements of landscape character; and manage the details involved in minor developments, conversions and changes of use. This helps ensure the conservation and enhancement of the special qualities of the AONB.

The setting of the AONB

A development outside the AONB boundary can cause harm to the AONB, even if it is some distance away. The local authority’s legal duty towards the AONB\textsuperscript{13} applies when a proposal affects land in the AONB, regardless of where that effect originates (inside or outside the AONB). We have produced special advice in a Position Statement on Development Affecting the Setting of the Chilterns AONB. We consider that the setting of the Chilterns AONB is the area within which development and land management proposals (by virtue of their nature, size, scale, siting, materials or design) may have an impact, either positive or negative, on the natural beauty and special qualities of the area.

Photo & caption: A View to a Hill. This greenfield land at Alscot outside the AONB is in the setting of the AONB, because there is a clear view to the AONB at Whiteleaf Cross, and panoramic views back from the public viewpoint on the top of Whiteleaf Hill. This field, and the view, will be lost to development under plans for a 2,500 home urban extension of Princes Risborough.

Applying planning policies in the AONB

The Conservation Board is not the planning authority for the Chilterns. However, it does have planning policies in this Management Plan, set out below. This AONB Management Plan is a material consideration in planning application decisions\textsuperscript{14}. It is taken into account when developing local plans and neighbourhood plans. The AONB Management Plan policies apply alongside government policy set out in the National Planning Policy Framework and policies in local authority development plans and community neighbourhood plans.

The effects of development on the Chilterns AONB are not just visual; it is not simply a landscape issue. Many people think that simply screening a development, or siting it on a plot to reduce visual harm, or building it with local materials, will satisfy their obligations to the AONB. The requirement is to conserve and enhance natural beauty, which means more than physical and visual aspects.

\textsuperscript{11} National Planning Policy Framework para 116  
\textsuperscript{12} These allow some types of development within certain thresholds without requiring planning permission, see GPDO as amended  
\textsuperscript{13} in Section 85 of the CRoW Act  
\textsuperscript{14} https://www.gov.uk/guidance/natural-environment see Paragraph: 004 Reference ID: 8-004-20140306
Conserving natural beauty includes conserving the flora, fauna and geological and physiographical features of the AONB\(^\text{15}\). Natural beauty covers everything that adds together to make the area distinctive. It includes landscape quality, scenic quality, relative wildness, relative tranquillity, wildlife and cultural heritage (see box in introduction ‘what is natural beauty’). Impacts can be direct (e.g. loss of habitat by building on it) or indirect (e.g. development generating more traffic and harming air quality or tranquillity in the AONB).

**Strategic Objectives**

<table>
<thead>
<tr>
<th>DO1</th>
<th>Ensure planning decisions put the conservation and enhancement of the AONB first.</th>
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<tr>
<td>DO2</td>
<td>Ensure that where development happens, it leaves the AONB better than it was before; richer in wildlife, quieter, darker at night, designed to have a low impact on the environment, and beautiful to look at and enjoy.</td>
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<td>DO3</td>
<td>Embrace opportunities to restore natural beauty on sites currently degraded by unsympathetic development, pylons, infrastructure or dereliction.</td>
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**Policies**

To achieve these objectives we must work together to:

**O1 Conservation and enhancement**

<table>
<thead>
<tr>
<th>DP1</th>
<th>Ensure everyone making a development decision in the AONB and its setting puts conservation and enhancement of the AONB first.</th>
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</table>
| DP2 | Refuse development in the AONB except:  
  - where it is a use appropriate to its location,  
  - where it is appropriate to local landscape character  
  - where it supports distinctiveness,  
  - where environmental impacts are acceptable,  
  - where there is no harm to tranquillity through the generation of noise and motion that spoil quiet enjoyment or disturb wildlife, and  
  - where there are no negative cumulative effects |
| DP3 | Refuse planning permission for major development in the AONB except in exceptional circumstances; and where there is a clear demonstration it is in the public interest. |
| DP4 | In the setting of the AONB, take full account of whether proposals harm the AONB. For example, avoid development of land visible in panoramic views from the Chilterns escarpment, which generate traffic in or travelling across the AONB, or which increases water abstraction from chalk streams. |
| DP5 | Require a Landscape and Visual Impact Assessment that meets the standards in the GLVIA latest edition for all major developments in the AONB or affecting its setting. |

\(^{15}\) Defined in section 92 of the Countryside and Rights of Way Act 2000 in a non-exhaustive list
**DP6**  Support sustainable farming and forestry, nature conservation and facilities for visitors as the most appropriate role for the rural areas.

**O2 A better AONB**

**DP7**  Make sure that all development that is permitted in the AONB or its setting makes a positive contribution to the Chilterns by

- on-site improvements for biodiversity, landscape and/or visitors, and/or
- financial contributions towards AONB enhancements that meet the aims of this AONB Management Plan.

**DP8**  Where appropriate, support well-designed affordable housing development in villages that is small in scale and for people who live and work within the Chilterns AONB.

**DP9**  Only support development that is of the highest standards of design which respects the natural beauty of the Chilterns, the traditional character of Chilterns vernacular buildings, and reinforces a sense of place and local distinctiveness. Require a Design and Access Statement to accompany every application, explaining how it complies with the Chilterns Buildings Design Guide.

**DP10**  Keep skies dark at night by only using light where and when needed. All new lighting should be the minimum required and meet best practice for intrinsically dark zones (downward pointing, shielded and with a ‘warm white’ colour temperature less than 3000-Kelvin maximum). Avoid architectural designs that spill light out of large areas of glazing.

**DP11**  Support proposals that enhance the Chilterns as a place to visit, watch wildlife, exercise, recreate and volunteer in. Protect existing visitor facilities, such as rural pubs, B&Bs, youth hostels and cafes. Support sensitively designed new visitor facilities.

**DP12**  Support opportunities for enhancing the AONB by removing derelict or detracting developments and infrastructure.

**DP13**  Avoid new or upgraded\(^\text{16}\) infrastructure (roads, railways, pylons, masts etc) where it harms landscapes, nature, air quality, tranquillity or the visitor experience.

**DP14**  Seek opportunities to remove or replace existing poor external lighting to restore dark skies at night.

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\(^\text{16}\) See Environmental Guidelines for the Management of Highways in the Chilterns

Key Partnership Actions

1) Work together to ensure all development plans covering the Chilterns conserve and enhance the AONB, for example by incorporating the Chilterns AONB model policy

2) Apply the Section 85 duty and refer to it when making decisions on planning proposals in or affecting the Chilterns AONB

3) Apply the advice in the Chilterns Buildings Design Guide to ensure high quality sympathetic development

4) Work together to develop AONB enhancement projects that can be funded by development eg CIL and offsetting the impacts of major infrastructure projects
Item 8  Review of Position Statement on Cumulative Impact of Development

Author: Lucy Murfett Planning Officer

Lead Organisations: Chilterns Conservation Board

Resources: Staff time, CCB funding for workshop, and Chiltern Society funds for the advice guide

Summary: The CCB Position Statement on the Cumulative Impacts Assessment of development was published in November 2017, this item is to review impact.

Purpose of report: To consider impact of the Cumulative Impacts Position Statement

Background

1. Last year the Board published a new Position statement on the Cumulative Impacts of Development on the Chilterns AONB. The Position Statement is available via this weblink http://www.chilternsaonb.org/conservation-board/planning-development/position-statements.html

2. It was the first Position Statement to be published since 2011, taking the total to 3 (AONB Setting - 2011, Renewable Energy - 2014, and Cumulative Impacts - 2017).

3. The Board approved the Position Statement at its meeting on 25th October 2017 and it was considered at Planning Committee on 22nd November 2017 (see item 6), with Planning Committee resolving the following:
   1. The Committee WELCOMES the update and Members AGREED to take opportunities to promote the Position Statement.
   2. The Committee AGREED that the Planning Officer circulate the Position Statement to LPAs and other stakeholders.
   3. The Committee AGREED to review the utility of the Position Statement next summer (2018).

Recommendation

1. The Committee reviews the utility of the new Position Statement, and the role of Position Statements in the context of the AONB Management Plan review.
Item 9 Development Plans Responses

Author: Lucy Murfett Planning Officer

Lead Organisations: Chilterns Conservation Board

Resources: Staff time

Summary: Since the papers for the last Planning Committee papers in March 2018 representations have been submitted on 6 development plan documents, 3 infrastructure consultations and one national policy consultation.

Purpose of report: To update the Committee about representations on development plan documents and other consultations.

Recommendation
1. That the Committee approves the responses sent in Appendix 3, notes the current consultations on development plans listed in Appendix 4 and provides comments to the Planning Officer as appropriate.
CGB Responses on Development Plan Consultations:

<table>
<thead>
<tr>
<th>Consultation document</th>
<th>Consulted by</th>
<th>Response – summary</th>
<th>CCB response date</th>
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<tbody>
<tr>
<td>Watlington Neighbourhood Plan hearing</td>
<td>SODC</td>
<td>Watlington NP Hearing. Attended to give evidence on impact of proposed allocations on AONB, as previously reported in March 2018 Planning Committee papers.</td>
<td>5.3.18</td>
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<td>Proposals for the creation of a Major Road Network</td>
<td>DfT</td>
<td>The consultation does not take into account whether the proposed major road network affects land in National Parks or Areas of Outstanding Natural Beauty. Section 85 of the Countryside and Rights of Way Act 2000 places a statutory duty on all relevant authorities requiring them to have regard to the statutory purpose of conserving and enhancing the natural beauty of AONBs when coming to decisions or carrying out their activities relating to, or affecting, land within these areas. The proposed indicative Major Road Network includes roads that pass through the Chilterns Area of Outstanding Natural Beauty (AONB). The Chilterns AONB is shown by the green shaded area on the map below from your website:</td>
<td>14.3.18</td>
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</table>

The map identifies the following SRN routes that pass through the Chilterns AONB:

- M40
- M25
- A404

And the map proposes for the indicative MRN:
AONBs are designated by the Government for the purpose of ensuring that the special qualities of the finest landscapes in England and Wales are conserved and enhanced. In policy terms they have the same planning status as National Parks. The Chilterns AONB was designated in 1965.

Upgrading and enhancing the roads through the Chilterns AONB is unlikely to be compatible with the designation objectives of conserving and enhancing natural beauty. Widening, dualling, straightening, lighting and increasing speeds could all affect the rural character of the roads and could attract additional vehicles and development, with negative implications for natural beauty, tranquillity and clean air in the nationally protected landscape.

The Chilterns Conservation Board in partnership with four County Councils produced guidance to help those planning or maintaining the highway network in the Chilterns AONB. The Environmental Guidelines for the Management of Highways in the Chilterns explains that part of the attraction of the Chilterns is the network of ancient lanes and holloways, especially those on steep valley sides and the escarpment. The informality and apparent ‘naturalness’ of these roads is fundamental to their appeal. Any sort of engineering feature, even white lines, detracts from their ‘fit’ into the landscape. Ensure that the road belongs in the landscape rather than imposes upon it.

There is advice in the statutory Chilterns AONB Management Plan about giving great weight to environmental impacts when assessing infrastructure proposals. It promotes reducing the detrimental impacts of the road network, including using low-noise surfacing, switching off street lights and removing road side clutter. In particular the M40 motorway needs quiet surfacing to address noise problems and harm to tranquillity in the Chilterns AONB, including where it runs through a national nature reserve between J5 Stokenchurch and J6 Lewknor. The needs and enjoyment of recreational users of the network should have enhanced consideration in AONBs and National Park; in the Chilterns we have a large number of leisure cyclists as well as walkers and horse riders.

### Heathrow Expansion and Airspace Principles Consultation January 2018

The proposals should minimise over-flying of the Chilterns Area of Outstanding Natural Beauty and keep it tranquil. This will allow local communities have a place of outstanding beauty and tranquillity to get away from airport effects. Peaceful leisure time should be recognised as important; the consideration is not only noise over where people live, but where they recreate. Over 10 million people live within an hour’s travel of the Chilterns AONB, and over 55 million leisure visits are made to and within the Chilterns AONB every year.

28.3.18
The opportunity should be taken to re-prioritise the AONB and re-organise airspace to reduce overflying. For example Luton airport flights are currently held down at lower altitudes over the Chilterns AONB to allow stacking for Heathrow and other overflights. Airspace change must address this and bring better protection the Chilterns AONB as a strategic greenspace resource and one of the nation’s finest landscapes. The DfT and CAA are subject to a statutory duty under section 85 of the Countryside and Rights of Way 2000 to have regard to conserving and enhancing the AONB when making decisions.

The Chilterns Conservation Board considers that future airspace proposals should in particular avoid overflying National Parks and Areas of Outstanding Natural Beauty. Great weight should be given to minimising over-flying of protected landscapes because of the impacts of noise on habitats and species, and protecting peace and tranquillity in nationally protected landscapes for current and future generations to enjoy. Urban areas that are already overflown and have high ambient noise would be impacted less from increased overflying than introducing noise in some of the finest areas of countryside in the UK, cherished for their peace and natural beauty. The proposals should take account of where people visit for leisure time and are more likely to be outdoors (like the Chilterns Area of Outstanding Natural Beauty) and not just where people live.

It would be helpful to map areas for existing ambient noise levels and ensure that quiet areas of protected countryside remain as quiet as possible, recognising their importance for quiet recreation, health and wellbeing. We note that CAP1616 guidance requires that specific attention is given to tranquillity of AONBs.

People will experience aircraft noise the most when they are outdoors, so keeping urban parks and open spaces peaceful is important.

If a direct flightpath is more harmful to local communities and the nationally protected landscapes of the Area of Outstanding Natural Beauty, then there should be flexibility to address that when designing flight paths.

For both day and night flights, avoid overflying the Chilterns Area of Outstanding Natural Beauty.

The proposals need to consider more than just noise. Design principles should include avoiding harm to nationally protected landscapes (National Parks, the Broads and Areas of Outstanding Natural Beauty) looking at all aspects of potential impact, including:
- air pollution, with its effects on AONB and habitats below.
- noise over the AONB
- loss of tranquillity in the AONB
- introduction of motion to the AONB
- light pollution over the AONB

It should take into account direct and indirect impacts, and also cumulative effects. The Chilterns AONB is facing changes on many fronts which are cumulatively eroding its ecological resilience and its ability to provide recreation, health and well-being. 10 million people live within an hour of the Chilterns, it is a major strategic
greenspace resource for London and South-East England. Its importance cannot be overstated. Overflying from Luton and Heathrow airports, and the presence of the Bovingdon stack over the AONB, are major sources of harm, along with the planned construction and operation of HS2, growth in traffic across the AONB, major housing development, unsustainable levels of water abstraction from rare chalk stream habitats and other proposed threats.

The Chilterns Hills AONB is a high chalk ridge, so taking account of actual ground levels is important. Visitors and residents on the top of the Chiltern Hills at 850ft above sea level will experience aircraft passing lower than those on the plains. It is much more important to keep tranquil rural areas in nationally protected landscapes quiet than it is to reduce noise in urban areas which already experience high levels of background noise from traffic, aircraft etc so that airspace changes are less noticeable.

The opportunity should be taken to re-prioritise the AONB and re-organise airspace to reduce overflying. For example Luton airport flights are currently held down at lower altitudes over the Chilterns AONB to allow stacking for Heathrow and other overflights. Airspace change must address this and bring better protection the Chilterns AONB as a strategic greenspace resource and one of the nation's finest landscapes.

Great weight should be given to avoiding airspace changes which would generate noise and harm the tranquillity of the country’s finest landscapes. The DfT and CAA are subject to a statutory duty under section 85 of the Countryside and Rights of Way 2000 to have regard to conserving and enhancing the AONB when making decisions:

“(1) In exercising or performing any functions in relation to, or so as to affect, land in an area of outstanding natural beauty, a relevant authority shall have regard to the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty.”

| Herts Waste Local Plan initial consultation | HCC | The vision should refer to the nationally protected landscape of the Chilterns Area of Outstanding Natural Beauty, as a hook for later objectives and policies that give greater protection to the AONB. | 27.3.18 |
| Herts Waste Local Plan initial consultation | HCC | Objective 2 should refer to the nationally designated landscape of the Chilterns AONB. |  |
| Herts Waste Local Plan initial consultation | HCC | The plan should allocate sites because this provides the opportunity for waste planning to be plan-led, with public consultation, sustainability appraisal and examination. Areas of Search would be an inferior process. All waste sites should continue to be safeguarded. The list of strategic policy headings should be added to, to cover protecting the natural and historic environment (AONBs, SACs, SSSI, Listed Buildings etc). Add a policy for conserving and enhancing the Chilterns AONB (examples given from Oxfordshire Minerals and Waste policy and CCB AONB model policy). It is important for waste facilities to be |  |
distributed and sited in a way that is compatible with the nationally protected landscape of the AONB. They must be sites to avoid detrimental impacts on the landscape of the AONB, including both direct and indirect eg landscape and visual impact, traffic generation, water and air pollution, noise, fragmentation of habitats, harm to public enjoyment of AONB etc)

There is a serious omission: a policy for the Chilterns Area of Outstanding Natural Beauty.
All development plans containing land in the AONB or its setting must have a policy about conserving and enhancing the AONB. This policy should be compatible with the purposes of AONB designation. The Chilterns Conservation Board has prepared a model policy on the AONB, available here http://www.chilternsaonb.org/conservation-board/planning-development/planning-training.html

Not including a policy would be contrary to:
- NPPF para 115 on giving great weight to the AONB
- NPPF para 113 on setting out criteria based policies for development in or affecting protected wildlife or geodiversity sites or landscape areas, which recognises the hierarchy of international, national and locally designated sites
- The Countryside and Rights of Way Act 2000 section 85 which places a statutory duty of regard to the AONB
- The Chilterns AONB Management Plan

| Ox-Cam Strategic Expressway Preferred Corridor question | Highways England Q1. What is your preferred Corridor and why? The Chilterns Conservation Board prefers Corridor C subject to our wider reservations as expressed on p.6 because it is geographically furthest from the Chilterns Area of Outstanding Natural Beauty (AONB) and appears at this stage likely to have the least impact upon the Chilterns AONB and the setting of the Chilterns AONB. Q2. Are there any Corridors you do not support, and why? The Chilterns Conservation Board does not support Corridor A. This is because it is closest to the Chilterns Area of Outstanding Natural Beauty (AONB) and, although Corridor A is outside the Chilterns AONB, it is within the setting of the Chilterns AONB. The setting of the AONB is the area within which development proposals, by virtue of their nature, size, scale, siting, materials or design could be considered to have an impact, either positive or negative, on the natural beauty and special qualities1 of the Chilterns AONB. It does not have a mapped geographical extent, because whether a proposal will have an effect depends on its nature and scale. A physically large proposal will have an impact even if many kilometres from the AONB. It is hard to think of a larger proposal than a strategic expressway and associated development corridor. There is no doubt that Corridor A would have a significant effect on the Chilterns AONB. Understanding the effects on the Chilterns AONB is important for shaping the corridor decision. The effects on the Chilterns AONB are not just visual, it is not simply a landscape issue. It is a common misunderstanding that development which is sited and designed to reduce visual harm in the AONB is all that is needed. Conserving natural beauty involves conserving the flora, fauna and geological | 6.4.18 |
and physiographical features of the AONB (defined in the Countryside and Rights of Way Act section 92). Impacts can be direct (e.g. loss of habitat by building on it) or indirect (e.g. traffic generation through the AONB, air pollution, water abstraction, recreation pressure, noise, effect on tranquillity, dark skies etc). Very careful consideration needs to be exercised with any new infrastructure or urban expansion below the scarp slope of the Chilterns. The panoramic views out of the AONB from key viewpoints e.g. from Watlington Hill, Chinnor Hill, Whiteleaf Cross, Coombe Hill, Ivinghoe Beacon, Dunstable Downs, Sharpenhoe Clappers and along the Ridgeway National Trail, are some of the most important views in the Chilterns, central to the public’s recreational enjoyment of the AONB. These are nationally important places on a National Trail, which should be protected for current and future generations to enjoy. Over 10 million people live within an hour’s travel of the Chilterns AONB, and over 55 million leisure visits are made to and within the Chilterns AONB every year. It is a major strategic greenspace resource for London and South-East England.

Corridor A is likely to harm the Chilterns AONB and public enjoyment of the AONB by:

1. The visual intrusion caused by the introduction of new transport corridor.
2. The introduction of noise and motion into the landscape affecting tranquillity in a place where people go to for quiet recreation and stillness.
3. Column lighting at junctions, roundabouts and on overhead gantries would intrude into views and harm dark skies.
4. A major development corridor would be out of scale with existing rural settlements and permanently change the landscape character of the area. The high quality sensitive landscape in the setting of the AONB is unsuitable for large-scale growth.
5. An increase in traffic through the AONB, because of vehicles cutting through from the M25, M40 and M1 to use the new expressway, as well as communities in and on the southern side of the AONB (eg High Wycombe, Hemel Hempstead, St Albans, Maidenhead, Reading) cutting through the AONB to access the jobs, education and facilities in the Ox-Cam corridor.
6. An increase in air pollution in the AONB: research shows the effects of nitrogen deposition on the natural environment (Summarised in Plantlife report We Need to Talk About Nitrogen http://www.plantlife.org.uk/uk/our-work/policy/nitrogen). Nitrogen deposited from the air and in rain enriches the soil, favouring species like nettles and dock, to the detriment of rarer plants. The proximity of the Chilterns Beechwoods Special Area of Conservation to the road network makes this a particular issue. The Site Improvement Plan for the Chilterns Beechwoods (Chilterns Beechwood SAC SIP http://publications.naturalengland.org.uk/publication/6228755680854016) identifies that atmospheric nitrogen deposition exceeds the critical loads for ecosystem protection.
7. Development fragmenting green corridors and habitats.
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<td>8.</td>
<td>Loss of biodiversity, particularly rare habitats or species of importance in the AONB.</td>
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<td>9.</td>
<td>Water supply to serve the development corridor could increase pressure for abstraction from rare chalk streams, the Chalk aquifer and chalk headwaters along the chalk foothill below the escarpment eg catchment of the R. Thame.</td>
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<td>10.</td>
<td>Increase in recreational pressure in the Chilterns AONB, including on Special Areas of Conservation.</td>
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<td>11.</td>
<td>Cumulative impacts (a) - by being a linear feature running parallel to the Chilterns escarpment, Corridor A for the expressway would negatively affect the entire length of the Chilterns AONB and all the views from the key panoramic viewpoints along the escarpment top, including Watlington Hill, Chinnor Hill, Whiteleaf Cross, Coombe Hill, Ivinghoe Beacon, Dunstable Downs, Sharpenhoe Clappers and along the Ridgeway National Trail.</td>
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<td>12.</td>
<td>Cumulative impacts (b) - on top of other major proposals and changes. The Chilterns AONB is facing changes on many fronts which are cumulatively eroding its ecological resilience and its ability to provide recreation, health and well-being. Its importance cannot be overstated. These challenges include the planned construction and operation of HS2 cutting through the Chilterns; overflying from Luton and Heathrow airports, along with growth in traffic across the AONB; major housing development proposed in local plans; unsustainable levels of water abstraction from rare chalk stream habitats; unavoidable climate change, which threatens chalk streams and beechwoods, and other proposed threats. (The Chilterns Conservation Board has recently published a guide on Cumulative Impacts of Development on the Chilterns AONB4 to assist local authorities, developers and stakeholders more easily take account of cross-boundary proposals and identify cumulative effects, which is a legal requirement).</td>
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**Comments on the process and scope of this stakeholder consultation**

The Chilterns Conservation Board is concerned by:
- Lack of Strategic Environmental Assessment for this corridor consultation: we consider an SEA should be undertaken
- The absence of public consultation
- The narrow scope of the Ox-Cam expressway stakeholder process. It is wrong to assess the corridor for a road, and not the development that would be associated with it: potentially one million homes plus major economic and other development associated with the ‘brain belt’. The Ox-Cam corridor will change the strategic geography of the region, as pointed out in our comments on the NIC Oxford-Cambridge Corridor document. Full account must be taken of the proposals as a whole.

<table>
<thead>
<tr>
<th>Bucks Minerals and Waste Proposed</th>
<th>BCC</th>
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<tr>
<td>Strategic Objective SO5 should refer explicitly to conserving and enhancing the Chilterns Area of Outstanding Natural Beauty (AONB), not just recognise the importance of designated assets and treat them in an “appropriate manner”. The plan should lead by</td>
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<td>2.5.18</td>
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Submission Local Plan stating how designated assets will be treated. It is noticeable that SO5 uses the words ‘recognise’ and ‘seek’, which is weaker than the language of the other objectives which ‘support’ ‘deliver’ ‘enable’ etc.

The final sentence of SO5 should require positive improvements and a net gain for green infrastructure e.g. the landscape of the AONB. At the moment it only seeks positive improvements and a net gain for biodiversity. For example, the AONB could be enhanced through the removal of existing eyesores and features which detract from its natural beauty (commonly associated with minerals and waste developments), and sensitive restoration which provides for improved recreation and quiet enjoyment.

This would help meet the following Chilterns AONB Management Plan policies:
- **Policy D11** Enhancement of the landscape of the AONB should be sought by the removal or mitigation of intrusive developments, and
- **Policy D16** The environmental impacts on the Chilterns (including those arising from through traffic) of quarrying and the operation of landfill sites and other waste management facilities within and adjacent to the AONB should be minimised.

Delete “in an appropriate manner” from first sentence.

Amend to “seeking delivering positive improvements and a net gain in biodiversity and green infrastructure”

**Policy 14**
The plan fails to provide clear allocations for waste, showing when and where facilities will be delivered. This is unsatisfactory because the plan does not make allocations, but instead identifies very broadly the primary and secondary area of focus for waste management.

It identifies the whole of “High Wycombe” as one of the primary areas of focus, but does not (in Policy 14 or on the proposal map) provide clear site allocations showing location, type of facility and scale of facility. This is problematic, High Wycombe is tightly constrained by the Chilterns Area of Outstanding Natural Beauty (and Green Belt). This plan’s approach seems to sidestep proper, clear allocations which, where relevant, have been justified through meeting tests of exceptional circumstances.

Table 9 and Appendix 4 identify sites as primary and secondary areas of focus for waste. The Chilterns Conservation Board is concerned that several proposed sites directly affect the Chilterns AONB, either by being within the AONB or in its setting:

**Primary Area of Focus site in AONB:**
- High Heavens (Great Marlow) - this site is in the Chilterns AONB – a fact not acknowledged anywhere in the plan.
How will waste development achieve AONB conservation and enhancement?

High Heavens is not a suitable location for further waste development, being entirely within the Chilterns AONB, a use that is incompatible with conserving and enhancing natural beauty, and creating a significant amount of movement of waste within the county on roads rather than rail. Further waste developments are likely to involve further large, utilitarian buildings with a significant level of traffic generation which would neither conserve nor enhance the natural beauty of the AONB. Further development at High Heavens puts pressure for growth of High Wycombe into the AONB and its setting on the wrong side of the physical barrier of the M40 motorway. In this way it brings cumulative impacts of development (see Chilterns Conservation Board’s Position Statement on the Cumulative Impacts of Development on the Chilterns AONB).

Primary and Secondary Area of Focus site in AONB:
- Wycombe Air Park – surrounded by and in setting of Chilterns AONB
- Aylesbury South East North of A41 (Weston Turville/Aston Clinton) – in setting of AONB, visible from important public views on chalk escarpment, cumulative effect from other developments eg growth of Aylesbury Garden Town, HS2, and East-West Rail.
- Triangle Business Park (Stoke Mandeville) - in setting of AONB, visible from important public views on chalk escarpment (Coombe Hill), cumulative effect from other developments eg growth of Aylesbury Garden Town, HS2, and East-West Rail.
- Sands Industrial Estate – in setting of AONB

The Chilterns Conservation Board’s Position Statement on Development Affecting the Setting of the Chilterns AONB explains how development outside the AONB can affect the AONB. The legal duty on local authorities regarding conserving and enhancing the natural beauty of AONB does not just apply within the AONB; the only consideration is whether land in the AONB is affected, not where the effect originates. With regards to waste development in the setting of the AONB, there are many potential impacts on the AONB, for example: visual impacts, blocking or spoiling views to or from the AONB, breaking the skyline (chimneys, plumes), HGVs and traffic generation through the AONB, intrusive lighting, dust and air pollution, erosion of landscape character and diminished public enjoyment of the AONB.

The NPPW states that “Waste planning authorities should identify, in their Local Plans, sites and/or areas for new or enhanced waste management facilities in appropriate locations”. As a nationally designated landscape why has the AONB not been explicitly avoided? Great weight should be given to conserving and enhancing the AONB, this is a nationally protected landscape with the highest status of protection in relation to landscape and scenic beauty, equal to a national park (NPPF para 115).
Waste development at High Heavens is likely to be major development in the AONB and therefore the major development tests in para 116 of the NPPF apply. Bucks County Council needs to demonstrate whether there are any suitable alternative sites available outside of the AONB (and also apply the Green Belt tests), or whether the need could be met in some other way. The County Council must examine whether or not further waste management facilities at High Heavens could be justified as an exception to AONB and Green Belt policy. This process is not addressed. Policy 14 establishes a site in the AONB, not just as a last resort once tests of no possible alternatives are met, but instead makes it a primary area of focus, preferred to other sites not in the AONB (and Green Belt).

There is a legal duty of regard to the purposes of conserving and enhancing the natural beauty of the AONB which applies to all public bodies, enshrined in the Countryside and Rights of Way Act 2000 section 85.

- Delete High Heavens as a primary area of focus.
- Give great weight to the Chilterns AONB and its setting.

Policy 9
Chilterns Conservation Board supports the approach in the first part of Policy 9 of only supporting oil and gas exploration outside the Chilterns AONB and its setting, but the approach to sites under the AONB should be strengthened to also prohibit this, as harm to the chalk aquifer is likely. Please be aware of the importance of the chalk aquifer and of Chilterns chalk streams as an internationally rare habitat.

In the third paragraph we suggest some changes to match the NPPF para 116; as well as testing whether the need can be met in some other way, the policy should also refer to the scope for developing elsewhere (as the NPPF does). For comparison, Policy 24 of the saved Buckinghamshire Minerals & Waste Local Plan 2004 -2016 requires that development in the AONB and its setting needs to pass tests of being “in the national interest and no alternative sites or sources are available”, which is an approach with merit which could be replicated.

Suggest amending text to:
“The exploration and appraisal/commercial production from sites outside the Chilterns AONB of potential/proven oil and gas resources within the Chilterns AONB and its setting will be supported in exceptional circumstances, where (in addition to the before listed criteria) it can be demonstrated that the reasons for the designation are not compromised; the chalk aquifer is not impacted, the proposal is in the public interest; and there is a need for the development, including in terms of any national considerations, giving consideration to the impact of permitting it, or refusing it, upon the local economy. Consideration should also be given to the cost of, and scope for, meeting the need for it elsewhere or in some other way. In addition any proposal would need to identify any detrimental effects on the environment,
landscape and recreational opportunities, and the extent to which such effects could be moderated.”

Policy 23
The Chilterns Conservation Board welcomes a standalone policy on the Chilterns AONB, but offers some advice about the wording of the policy and supporting text to make sure that any development within the Chilterns AONB conserves and enhances natural beauty. We also welcome the inclusion of policy protection for the AONB setting, which helps meet the advice in the NPPF about needing a policy that addresses development on ‘or affecting’ (ie in setting) landscape areas such as the nationally designated landscape of the AONB: “Local planning authorities should set criteria based policies against which proposals for any development on or affecting protected wildlife or geodiversity sites or landscape areas will be judged.” (NPPF para 113).

However, we recommend some changes that are needed in order to:
- ensure Policy 23 is consistent with NPPF para 115 in giving the required “great weight” to the AONB
- address major development in the AONB (NPPF 116).
- make the policy flow better, which it doesn’t at the moment, it appears to be three paragraphs unhappily bolted together (AONB general, minerals in AONB, waste in AONB).
- make Policy 23 for the AONB at least as strong as saved MWLP 2004-2016 Policy 24 and Core Strategy Policy 21. Currently it is weaker. It is now positively worded “will be permitted where…” unlike NPPF 116 “planning permission should be refused in these designated areas except…”
- correct inaccuracies in the lower case text and footnotes about AONB legislation and policy

Re: the first paragraph of the policy, Chilterns Conservation Board disagrees with just identifying the special qualities of the Chilterns AONB as features to conserve and enhance. This is not according it ‘great weight’ (NPPF 115). The whole AONB should be accorded equal policy weight, regardless of presence of absence of special qualities on an individual site. Otherwise there is a danger of sites in the AONB being considered less important or worthy of conservation and enhancement because they do not contain features listed as special qualities in the AONB Management Plan.

The use of the words “seek to…” does not give confidence that the measures will be required, delete “seek to”.

Para 2 of the policy refers to ‘purpose(s)’ of AONB designation, but to be clear there is just one single purpose. The purpose of AONB designation is ‘to conserve and enhance the natural beauty of the area’ (‘Countryside and Rights of Way Act 2000: Section 82) so this is better expressed as “the purpose of AONB designation’.

Para 2 of the policy refers to brickworks in the Chilterns. The Chilterns Conservation Board supports the retention of the local brick-making industry because they provide high-quality traditional materials for the repair of historic buildings in the Chilterns, and new buildings in keeping with the AONB (see AONB Management Plan policy D4). Two of the three brickworks making Chilterns
bricks have closed in recent years; sadly with the recent closure of Bovingdon Brickworks, the number of Chilterns brickworks has now dwindled to one (HG Matthews) which is located outside the AONB, so the policy should more accurately refer to existing ‘or former’ brickworks, in the hope that closed brickworks could re-open. Existing brickworks sites should be safeguarded so they can re-open in future.

The policy does not explicitly distinguish between major and non-major development in the AONB, but refers in para 1 and the minerals part of the policy (para 2) to the public interest test and exceptional circumstances (which is in effect applying the major development test as set out in NPPF para 116). It seems to assume (probably rightly) that all minerals extraction development will be major. Policy 9 on energy minerals sets out in detail the major development test in the AONB test in the NPPF, so it is strange that Policy 23 on the Chilterns AONB does not refer to major development. As a comparable example Oxfordshire Minerals and Waste Core Strategy has a Policy C8 as follows:

Great weight will be given to conserving the landscape and scenic beauty of Areas of Outstanding Natural Beauty (AONB) and high priority will be given to the enhancement of their natural beauty. Proposals for minerals and waste development within an AONB or that would significantly affect an AONB shall demonstrate that they take this into account and that they have regard to the relevant AONB Management Plan. Major developments within AONBs will not be permitted except in exceptional circumstances and where it can be demonstrated they are in the public interest, in accordance with the ‘major developments test’ in the NPPF (paragraph 116). Development within AONBs shall normally only be small-scale, to meet local needs and should be sensitively located and designed.

As it stands the policy does not refer to traffic impacts from minerals and waste, which could usefully be addressed to help meet AONB Management Plan policy D16:

“D16 The environmental impacts on the Chilterns (including those arising from through traffic) of quarrying and the operation of landfill sites and other waste management facilities within and adjacent to the AONB should be minimised.”

Suggest amend Policy 23 as follows:

Policy 23: Chilterns Area of Outstanding Natural Beauty

The special qualities of Chilterns Area of Outstanding Natural Beauty (AONB) for which it was designated are to be conserved and enhanced. Proposals for minerals and waste development should seek to conserve and enhance the special qualities of the Chilterns AONB, comply with the prevailing AONB Management Plan and other relevant guidance, and demonstrate exceptional circumstances and that the development is in the public interest.

Proposals for mineral extraction within the Chilterns AONB and its setting will be permitted where it can be demonstrated that it does
not conflict with the purpose(s) of the designation of the Chilterns AONB. Small-scale proposals to extract brickclay for use at the existing or former small scale brickworks of the Chiltern Hills will be permitted within the Chilterns AONB where compliant with relevant MWLP policies.

Proposals for waste development within the Chilterns AONB and its setting will be permitted where it can be demonstrated that it: – does not result in harm to the special qualities for which the AONB was designated and does not conflict with the purpose(s) of the designation; and – contributes towards provision of waste management capacity for preparing for reuse and recycling; and – supports the economies and social well-being of local communities in the area; and – includes opportunities, where appropriate, to enhance the character, assets and appearance of the AONB and its setting, including ensuring a high standard of design for development and integration of the site within its landscape setting; and – is compliant with relevant MWLP policies.

Or better still apply a wholesale re-write in line with Chilterns Conservation Board’s model policy:

Permission for major minerals and waste developments in the Chilterns Area of Outstanding Natural Beauty will be refused unless exceptional circumstances prevail as defined by national planning policy.

Planning permission for minerals and waste proposals, large or small, within the AONB, or affecting the setting of the AONB, will only be granted when it:

a. conserves and enhances the Chilterns AONB’s special qualities, distinctive character, tranquillity and remoteness in accordance with national planning policy and the overall purpose of the AONB designation;

b. is appropriate to the economic, social and environmental wellbeing of the area or is desirable for its understanding and enjoyment;

c. meets the aims of the statutory Chilterns AONB Management Plan, making practical and financial contributions towards management plan delivery as appropriate;

d. complies with the Chilterns Building Design Guide and technical notes by being of high quality design which respects the natural beauty of the Chilterns, its traditional built character and reinforces the sense of place and local character; and

e. avoids adverse impacts from individual proposals (including their cumulative effects), unless these can be satisfactorily mitigated.

Small-scale proposals to extract brickclay for use at the existing or former small scale brickworks of the
Chiltern Hills will be permitted within the Chilterns AONB where compliant with relevant MWLP policies.

Para 7.56 needs correcting: “The Chilterns AONB was designated for its distinctive landscape, the natural beauty of its landscape and its natural and cultural heritage noted for their special qualities, recognised as being of national importance.”

Footnote 46 needs correcting:
“46 National policy identifies AONBs as having the highest status of protection in relation to landscape and scenic beauty. The protection of the AONB also applies to its setting, as consideration must be given to whether land in the AONB is affected by a proposal, not where the effect originates.”

Para 7.62 needs correcting, there is a no secondary objective of AONB designation in legislation (Countryside and Rights of Way Act 2000 section 82), this is mixing up with the duty of Conservation Boards (Countryside and Rights of Way Act section 87):
“Small-scale waste management proposals that support the economies and social well-being of communities within the AONB are likely to be consistent with the secondary objective of AONB designation, mentioned above. In particular, well located and designed local facilities for the preparation of waste for re-use and recycling of waste, that do not conflict with the primary aim of conserving and enhancing natural beauty, will be acceptable in principle.”

Policy 25
Add to Policy 25 provisions to enhance the environment of the AONB and elsewhere by removal of eyesores and detracting features in the landscape that are commonly associated with minerals and waste development, such as intrusive lighting, fencing, visible skips, works cabins etc.

This would help deliver Chilterns AONB Management Plan policy D11 “Enhancement of the landscape of the AONB should be sought by the removal or mitigation of intrusive developments.”

Amend text to:
“Proposals for new or extensions to existing minerals and waste development must incorporate measures, on-site and/or off-site, to enhance Buckinghamshire’s environmental assets and green infrastructure networks, including (where appropriate):
Add new bullet 3:
- The removal or improvement of any existing visual or environmental detractors on a site (fencing, floodlighting, portacabins etc) and conditions to prevent new detractors becoming established.”

Policy 26
The Chilterns Conservation Board supports the policy in providing for ecologically appropriate restoration and aftercare, and consideration to green infrastructure, access and recreation.
Consultation on the National Planning Policy Framework (NPPF)

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<th>MHCLG</th>
<th>Question 2: Do you agree with the changes to the sustainable development objectives and the presumption in favour of sustainable development?</th>
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<td>No, Chilterns Conservation Board does not agree with the proposed changes to the presumption in favour of sustainable development. In essence, we believe that the proposed changes weaken the level of protection given to Areas of Outstanding Natural Beauty (AONBs) and the other designations that were listed in footnote 9 of paragraph 14 of the 2012 NPPF and which are now listed in footnote 7 of paragraph 11 of the draft NPPF. Both paragraph 14 and the draft paragraph 11 have a presumption in favour of approving development unless certain, restrictive policies apply. This weighting in favour of approving development is known as the ‘tilted balance’. The wording of paragraph 14 of the 2012 NPPF has been interpreted in two different ways in case law, in relation to this ‘tilted balance’. This can be summarised as either: (a) the ‘tilted balance’ is disapplied where there is a potential harm which requires consideration under one of the restrictive policies (the policies covered by footnote 9 of the NPPF and footnote 7 of the draft NPPF); or (b) the ‘tilted balance’ is only disapplied if one of the restricted policies requires that the permission should be refused. We believe that (b) is a misinterpretation of the current policy. Whilst we encourage the re-wording of the NPPF to address this issue, we do not believe that the revised wording proposed in paragraph 11 provides a suitable solution. As mentioned above, we believe that the new wording actually weakens the level of protection given to AONBs and other designations. Paragraph 14 of the 2012 NPPF limits development where ‘specific policies in this framework indicate development should be restricted’. In contrast, paragraph 11 of the draft NPPF limits development where ‘the application of policies in this Framework that protect areas or assets of particular importance provides a strong [or clear] reason for’: • (i) restricting the overall scale, type or distribution of development in the plan area’ (in the case of ‘plan-making’); or • (ii) refusing the development proposed’ (in the case of ‘decision-taking’). So, for example, paragraph 115 of the 2012 NPPF (and the first half of paragraph 170 of the draft NPPF) provides a reason for restricting development (e.g. the need to give ‘great weight’ to conserving landscape and scenic beauty in AONBs and – in the case of the draft NPPF - the need for development in these areas to be limited). However, it does not necessarily provide an explicit reason for refusing development. As such, it could be interpreted that the draft NPPF is explicitly supporting the granting of planning permission for all non-major development proposals in AONBs, regardless of impact, in the circumstances outlined in section (d) of paragraph 11. The proposed wording of paragraph 11 would, therefore, be a perverse distortion of protected landscape policy. The extent to which development is permitted in AONBs should not be dependent on an up-to-date development plan being in place. Great weight should be given regardless of the status of the development plan.</td>
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The requirement for the policies relevant to footnote 7 to provide a ‘strong’ or ‘clear’ reason for restricting or refusing development should be removed as we consider this requirement to be unnecessarily onerous. We consider that all planning reasons have to be ‘strong’ and ‘clear’, so imposing this requirement specifically for footnote 7 policies is superfluous and capable of misinterpretation in relation to considerations which are often subjective rather than clear cut. The requirement, in paragraph 11b(i) for the footnote 7 policies to provide a strong reason for ‘restricting the overall scale, type, or distribution of a development in the plan area’ also overcomplicates the requirements of paragraph 11 and the meaning of the presumption in favour of sustainable development. As such, the proposed wording in paragraph 11 is likely to have multiple interpretations.

We believe that the requirements of paragraph 11 and the presumption in favour of sustainable development should be simplified and clarified in order to reduce ambiguity and misinterpretation. To achieve this, we recommend that paragraph 11 of the draft NPPF should be amended to make it clear that the ‘tilted balance’ (i.e. the scales being loaded in favour of approving development) should not apply for development affecting those designations listed in footnote 7 of the draft NPPF. This should also provide a more appropriate balance between the three overarching objectives of sustainable development, in line with paragraph 8 of the draft NPPF.

On this basis, we recommended that sections b(i) and d(i) of paragraph 11 should be changed to:

- policies in this Framework, that protect areas or assets of particular importance, apply.

We support the addition of the following sites / designations into footnote 7:

- irreplaceable habitat including ancient woodland; and
- aged or veteran trees.

However, we are concerned that footnote 7 currently omits a number of key designations, including Local Wildlife Sites. The 2012 NPPF included several references to Local Wildlife Sites (or their equivalent, such as ‘locally designated sites’), for example paragraphs 113 and 119 and in the Glossary. Unfortunately, these references have been removed in the draft NPPF. These references should be reinstated in relevant paragraphs of the draft NPPF, for example paragraph 173 and the Glossary, with Local Wildlife Sites being considered within the context of the hierarchy of nature conservation sites. This would then enable reference to Local Wildlife Sites in Footnote 7 of the draft NPPF. We support the more comprehensive responses of other consultees, such as Wildlife and Countryside Link, on this issue.

We recommend that Local Wildlife Sites should be added to the list of footnote 7 designations. Furthermore, we recommend that the designations listed in footnote 7 should remain as examples, as in footnote 9 of the 2012 NPPF, rather than as a definitive list, so as not to explicitly exclude other relevant designations.
CHAPTER 3. PLAN-MAKING
Question 6: Do you have any other comments on the text of Chapter 3?
Paragraph 24
As indicated in our response to Question 34, the Chilterns Conservation Board believes that development in AONBs should be based on specific evidence of a convincing local need arising from within the designated area. To align the over-arching principles of plan-making with this aspiration, we recommend that the following sentence should be added to the end of paragraph 24 of the draft NPPF:

• In National Parks, the Broads and Areas of Outstanding Natural Beauty strategic policies for the whole plan period and identification of the broad location of development should focus on achieving the purposes of designation and local economic and social needs specific to the protected area. Within the strategic planning and review process individual sites for development affecting these areas should be allocated according to demonstrable need.

Paragraph 27
AONBs are statutory designations that cover a large proportion of the land in England and Wales, particularly in high growth areas, such as the south-east of England. As outlined in response to Question 36, AONBs, particularly in these high growth areas, are facing increasing development pressures. These pressures risk eroding the character, special qualities and purposes of AONB designation.
On this basis, we recommend that Conservation Boards (like the Chilterns Conservation Board and Cotswolds Conservation Board) and AONB Partnerships should be included within the list of bodies in paragraph 27 of the draft NPPF, which strategic plan-making authorities should engage with when seeking to identify strategic matters which they need to address in their plans.

CHAPTER 5: DELIVERING A WIDE CHOICE OF HIGH QUALITY HOMES
Question 13: Do you agree with the new policy on exception sites for entry-level homes?
Although we don’t take a view on the development of entry level exception sites, in the context of the NPPF consultation, per se, the Chilterns Conservation Board welcomes the requirement, in paragraph 72, that such developments ‘should not compromise the protection given to areas or assets of particular importance in this Framework’ – including AONBs - as defined in footnote 27 and, by extension, in footnote 7. We recommend that this requirement should be extended to other relevant paragraphs of the NPPF, including paragraph 80 (rural housing), 85 (rural economy), 112 (high quality communications) and 117 (making effective use of land).

CHAPTER 15. CONSERVING AND ENHANCING THE NATURAL ENVIRONMENT
Question 34: Do you agree with the approach to clarifying and strengthening protection for areas of particular environmental importance in the context of the 25 Year Environment Plan and
national infrastructure requirements, including the level of protection for ancient woodland and aged or veteran trees?

**Paragraph 170 of the draft NPPF**

The Chilterns Conservation Board cautiously welcomes the new text in paragraph 170 of the draft NPPF, which clarifies that development within National Parks and Areas of Outstanding Natural Beauty should be limited.

However, we recommend that some amendments are made to this new text, as outlined below. We also have a number of concerns about the wider proposed changes in paragraph 170, with regards to their implications for AONBs. In addition, we would like to recommend some further amendments to enhance the level of protection given to AONBs and to bring NPPF policies relating to AONBs more in line with relevant legislation - such as the Countryside and Rights of Way (CRoW) Act 2000 - and relevant guidance from Government, Natural England and Defra.

**Paragraph 170, sentence 1**

Whilst we welcome the continued emphasis on giving ‘great weight’, the Chilterns Conservation Board objects to the removal of the following text:

‘… which have the highest status of protection in relation to landscape and scenic beauty.’

We believe that this text helps to clarify that, in planning terms, AONBs have equivalent status to National Parks. The Government’s Planning Practice Guidance (PPG) should explicitly state this. It also clarifies the high planning status of the collective family of protected landscapes. The removal of this text potentially risks undermining this planning status. This is a vitally important issue, particularly at a time when AONBs are facing unprecedented pressure from housing (and other) development. This development pressure risks eroding the character, special qualities and purposes of designation of AONB and other designated landscapes.

To ensure AONBs and other protected landscape retain the highest level of protection (including in comparison to other designations), we recommend that an amended version of this text should be re-incorporated into the first sentence of paragraph 170, as follows:

... with these designations having the highest status of protection.

The re-insertion of this text is our highest priority in our response to the NPPF consultation.

We do not recommend the re-insertion of ‘...in relation to landscape and scenic beauty’. This is because we believe that this highest status of protection should apply when comparing the level of protection given to these designated landscapes with that given to non-landscape designations, such as Green Belt. AONBs are included in footnote 7 to paragraph 11, with equivalent status to Green Belts and the other environmental assets listed. However, the submission Wycombe District Local Plan, for example, focusses on allocating sites away from the Green Belt wherever possible, but allocates sites in and affecting the Chilterns AONB e.g. allocating land for 100 homes plus major employment growth on greenfield sites in the Chilterns AONB at Stokenchurch, and allocating greenfield land in the setting of the Chilterns AONB for an urban expansion of over 2,500 homes, more than doubling the size of the market town of Princes Risborough and likely to harm panoramic views from the Ridgeway National Trail and open access land at...
the top of the Chilterns escarpment. Re-instating the wording in the way that we have suggested should help to ensure that AONBs are given at least equal weight to Green Belt. It should also help to ensure that AONBs are not seen as appropriate locations for accommodating major strategic development and that any development accords with the AONBs statutory purposes. The PPG should re-iterate these points.

The primary purpose of AONB designation, as defined in the Countryside and Rights of Way Act 2000 is to conserve and enhance the natural beauty of the AONB. As such, it would be sensible for paragraph 170 to use this terminology in its opening sentence. The term ‘natural beauty’ covers a wide range of issues, including landform and geology, plants and animals, landscape features and the rich history of human settlement over the ages (see “Areas of Outstanding Natural Beauty: A Guide for AONB Partnership members”, Countryside Commission 2001). Landscape and scenic beauty are, in effect, sub-sets of ‘natural beauty’ and, as such, do not merit a separate reference in wording of this NPPF policy, especially as they are not part of the statutory purpose of AONB designation.

Based on the points raised above, we recommend that the wording of the first sentence should be changed to:

• Great weight should be given to the conservation and enhancement of the natural beauty of National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection.

This revised wording should be supported by additional guidance – including the PPG - on the meaning of ‘natural beauty’. As indicated below, paragraph 170 should make direct reference to the designated area Management Plans, to ensure that they are given due recognition as an important material consideration. The PPG should direct decision-makers to these Plans for a definition of what constitutes natural beauty in each protected landscape.

**Paragraph 170, sentence 2**

Cultural heritage and wildlife are key components of AONB designation. As such, the conservation of wildlife and cultural heritage should be given great weight in AONBs, as well as in National Parks and the Broads. We recommend that the second sentence in paragraph 170 should therefore be changed to:

• The conservation of wildlife and cultural heritage are important considerations in all of these areas and should also be given great weight.

**Paragraph 170, sentence 3**

As indicated above, in our opening response to Question 34, the Chilterns Conservation Board cautiously welcomes the introduction of this new sentence, which states that ‘the scale and extent of development within these designated areas should be limited’.

However, we recommend that the sentence should be amended, as outlined below. 6

There has been a significant increase in the amount and scale of development permitted in AONBs in recent years, as evidenced in the 2017 CPRE/NAAONB research report: Independent Review of Housing in England’s AONBs (see https://www.cpre.org.uk/resources/countryside/landscapes/item/4707-beauty-betrayed).
The findings of the research, in summary are that there are:

1. A growing number of planning applications for housing within AONB designated areas as well as in the setting of AONBs between 2012-2017
2. Growing number of larger sites (>100 units)
3. Step change upwards in approval for housing units over the two years since 2015
4. Step change increases in private housing approvals in 2015/16 whilst in the same year social housing approvals hit a five year low
5. Housing pressure on AONBs is most keenly felt in South East and South West Regions with 8 AONBs accounting for 79% of all housing units approved within AONBs.

In the Chilterns AONB, there has been a four-fold increase in the number of new housing units permitted each year, from an average of 82 units a year before 2012, to over 386 a year during 2015-17 (the 386 figure is an under-count because it excludes smaller sites of less than 10 units). This is before the large-scale housing allocations in AONBs now being proposed by local authorities in draft Local Plans come on stream, so we are likely to reach at least 500 a year post 2020 (unless national policy changes). Cumulatively, over the local plan period to the mid 2030s, this is going to amount to many thousands of new homes in the nationally protected landscape of the Chilterns AONB, and have serious impacts on its beauty, character, ecological intactness and tranquillity. We also have HS2 being built through the Chilterns AONB and airport expansion proposed at Heathrow and Luton bringing more over-flying of the AONB. This is a nationally important landscape which should be protected for current and future generations to enjoy. Over 10 million people live within an hour’s travel of the Chilterns AONB, and over 55 million leisure visits are made to and within the Chilterns AONB every year. The Chilterns has 4 railway lines, 20 stations and even a tube stop of the London Underground, making it extremely easy to reach by public transport. It is a major strategic greenspace resource for London and South-East England, sandwiched between a growing population in London and the Oxford-Cambridge corridor where one million new homes are proposed. Whilst nationally there is a huge need for development, the deal with the people of this country should be that the most special places, the finest and most beautiful parts of the countryside, especially those highly accessible areas like the Chilterns on London’s doorstep, must be protected and kept special.

As the 2010 Circular on National Parks makes clear, National Parks are not suitable locations for unrestricted housing and housing should be focussed on meeting affordable housing requirements, supporting local employment opportunities and key services. Given that AONBs have the same planning status as National Parks, these principles should also apply to AONBs. The expectation that development in these designated areas should be primarily for local needs, with general strategic housing needs met outside these areas, should be clearly stated in the NPPF.

On this basis, we recommend that the wording of this sentence should be changed to:

- **The scale and extent of development within these designated areas should be limited and based on...**
specific evidence of a convincing local need arising from within the designated area.

The words ‘scale’, ‘extent’ and ‘limited’, as proposed in the new sentence, will inevitably be subject to a wide range of interpretations. The PPG should provide clarity on this issue. The PPG should also:

• explicitly state that the constraints that apply to development in National Parks should also apply to development in AONBs, given that they have the same planning status;
• state that any development in these areas should be of the highest design quality and reflect and enhance local landscape character.

Paragraph 170, sentence 4
The inclusion of a definition of major development in ‘Annex 2: Glossary’ of the draft NPPF has significant implications for AONBs and other protected landscapes. We comment on this issue in response to Question 43.

At present, the text on major development just relates to planning applications and the granting of planning permission. However, we believe that the major development text should apply at the plan-making stage, when the scale and location of development is being decided, as well as (i.e. not instead of) the planning application stage. In this way, the NPPF would ensure that a proportion of major development proposals in National Parks, AONBs and the Broads can be ruled out at the ‘plan-making’ stage. However, even if the major development text is applied at the plan-making stage, it is still important that it is applied at the planning application stage as well. This is because many of the factors affecting the potential impact of a development on a National Park, AONB of the Broads, such as design and layout, only emerge at the planning application stage. So, although applying the major development tests at the plan-making stage should rule out some (but not all) major development, planning applications for major development on allocated sites might still have unacceptable impacts that it wouldn’t have been possible to predict at the plan-making stage.

On this basis, we recommend that the wording of this sentence should be changed to:

• Planning permission should be refused – and allocations avoided - for major development, other than in exceptional circumstances and where it can be demonstrated that the development is in the public interest. Consideration of major development at the plan-making and decision-taking stages should include an assessment of …

The requirement for this policy to be applied at both the plan-making stage and at the planning application stage should also be addressed in supporting guidance, including the PPG. The supporting guidance should also clarify what is meant by ‘exceptional circumstances’ and ‘in the public interest’. For example, it should make clear that national and local (district-wide) demand for housing is the ‘norm’ and, as such, does not constitute ‘exceptional circumstances’.

To align with our recommendation that ‘development in AONBs should be based on specific evidence of a convincing local need arising from within the designated area’, we also recommend that criteria (a) is re-worded as follows:
(a) evidence of the need for the development at the time the decision is to be taken, including in terms of any national considerations …

Paragraph 170, suggested additional text relating to the setting of AONBs
An important consideration in conserving and enhancing the natural beauty of AONBs is the potential impact of developments that are outside an AONB boundary but still ‘within the setting’ of the AONB. Section 85 of the Countryside and Rights of Way Act 2000 states under “General duty of public bodies etc” that “(1) In exercising or performing any functions in relation to, or so as to affect, land in an area of outstanding natural beauty, a relevant authority shall have regard to the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty.” This legal duty does not just apply within the AONB; the only consideration is whether land in the AONB is affected, not where the effect originates.

The only (indirect) reference to setting in the current (2012) NPPF is paragraph 113, which requires local planning authorities to ‘set criteria based policies against which proposals for any development on or affecting protected … landscape areas will be judged’. In an AONB context, ‘affecting’ equates to ‘within the setting of’. However, with this paragraph now being removed in the draft NPPF, the NPPF provides no policies that address development within the setting of AONBs (other than a very tenuous link through the requirement to give ‘great weight … to conserving landscape and scenic beauty in [protected landscapes]’).

We recommend that paragraph 113 should be reinstated into the NPPF.
However, if this does not happen, we recommend the inclusion of an additional sentence in paragraph 170:

• Local planning authorities should set criteria-based policies against which proposals for any development in – and within the setting of – these protected landscapes will be judged, having regard to the relevant Management Plan.

On this basis, the criteria-based approach - and the requirement to have regard to the relevant Management Plan - would relate to both development in the AONB and development in the setting of the AONB.

The new text should be supported by additional guidance in the PPG, which explains the meaning of ‘within the setting of’. This should clarify that ‘within the setting of’ does not just relate to visual impact but also relates to issues such as biodiversity, water corridors, the impact of increased traffic, light pollution (including impacts on ‘dark skies’) and noise (including impacts on ‘tranquillity’). So, for example, large developments that are not visible from an AONB might still be considered to be ‘within the setting of’ the AONB if the increase in traffic resulting from the development is likely to have an adverse impact on the AONB.

Summary of revised wording for paragraph 170.
Based on the comments made above, we recommend that the wording of paragraph 170 should now be as follows. The significance of major development seems sufficiently great to warrant a separate paragraph, as in the 2012 NPPF. Re-instat
two paragraphs would also allow for an appropriate level of detail in each section.

- **Great weight should be given to the conservation and enhancement of natural beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection.** The conservation of wildlife and cultural heritage are important considerations in all of these areas and should also be given great weight. The scale and extent of development within these designated areas should be limited and based on specific evidence of a convincing local need arising from within the designated area. Local planning authorities should set criteria-based policies against which proposals for any development in – and within the setting of – these protected landscapes will be judged, having regard to the relevant Management Plan.

- **Planning permission should be refused – and allocations avoided - for major development, other than in exceptional circumstances and where it can be demonstrated that the development is in the public interest.** Consideration of major development at the plan-making and decision-taking stages should include an assessment of:

  a) evidence of the need for the development at the time the decision is to be taken, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;
  b) the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and
  c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.

**Question 35. Do you have any other comments on the text of Chapter 15?**

**Paragraph 178**
The Chilterns Conservation Board supports paragraph 178 of the draft NPPF, particularly the requirements relating to tranquil areas and intrinsically dark landscapes, as tranquillity and dark skies are key features of AONBs. In many areas, AONBs are the most significant locations for tranquil areas and dark skies. As such, protecting these features is particularly important in AONBs. Light pollution is a form of pollution that with good policy we can reverse.

**GLOSSARY**

**Question 43. Do you have any comments on the Glossary?**
We welcome the inclusion of a definition of ‘major development’, it has significant implications for AONBs, National Parks and the Broads. What is major development in an AONB has long been a matter of confusion and debate, which this glossary definition could happily resolve.

The definition of major development in the Glossary of the draft NPPF originates from the Town and Country Planning (Development Management Procedure) Order 2015, which is a consolidation of previous Orders. As such, this definition of major
development pre-dates the original NPPF, which came into force in 2012.

However, the definition of major development provided in the 2015 Order has not, to-date, been applied to major developments in AONBs, in the context of paragraph 116 of the current NPPF (paragraph 170 in the draft NPPF). In UK case law, the identification of major development proposals in AONBs has been deemed to be a ‘matter of planning judgement’, taking into account the potential impact that the development may have on the AONB by reason of its scale, character or nature.

We have experience of local authorities using much a higher threshold than 10 or more dwellings for major development in the AONB; for example 50 dwellings in one authority and 100 in another. Applying the proposed 10 or more definition in Annex 2 could be helpful in these circumstances, ensuring that these larger developments that can significantly impact on AONBs have to meet the public interest and exceptional circumstances test.

Goring Neighbourhood Plan Publication Stage  | SODC  
---|---
1. The Chilterns Conservation Board is grateful for the opportunity to comment on the publication stage Goring Neighbourhood Plan.

2. The Chilterns Conservation Board supports the landscape capacity approach taken by the Goring neighbourhood plan. We are aware that the South Oxfordshire Local Plan Oct 2017 Policy H4 proposes a higher requirement for Goring of 140 dwellings, but the Chilterns Conservation Board does not consider than any more than the 94 dwellings allocated can be accommodated without detriment. Indeed, the Board is concerned that development on the GNP3 and GNP6 sites does not conserve and enhance the natural beauty of the AONB, and could constitute major development in the AONB. The Board notes that the emerging South Oxfordshire Local Plan lower case text sets out that “the level of growth proposed should be evidenced within the Neighbourhood Development Plan with local communities helping to shape the development of their village”. The neighbourhood plan group has followed that instruction and allocated as much as it could given the geography of Goring falling entirely within the nationally protected landscape of the Chilterns AONB, in the setting of the North Wessex Downs AONB and as a River Thames riverside village in the flood zone.

3. The plan must give great weight to the AONB (NPPF para 115) and decision makers (both Goring Parish Council, SODC and the Chilterns Conservation Board) are under a legal duty under Section 85 of the Countryside and Rights of Way Act 20001 to have regard to conserving and enhancing the natural beauty of the AONB. This must shape decisions.

4. This means avoiding direct harm (e.g. greenfield sites in the AONB) and indirect harm (e.g. ensuring that development does not generating traffic though the AONB, and that tranquility and dark skies of the Chilterns are maintained). The harm should be assessed in the SA both individually (each site or policy proposal) and cumulatively (sites and proposals together).
Chilterns Conservation Board has published a new guide on Cumulative Impacts of Development on the AONB.

5. There is much to support in the Goring Neighbourhood Plan. The Chilterns Conservation Board:

Supports the allocations being landscape-capacity led and based on landscape evidence;

- Supports objective 02 on avoiding sprawl into AONB countryside;
- Supports the approach of allocating several smaller sites (single large sites would certainly fall into the major development category);
- Supports the care given to creating a new defensible edge to the village;
- Supports the detailed thinking that has gone into site-specific policy requirements, given the highly sensitive nature of the village, entirely washed over by the AONB;
- Supports the focus on smaller units (1, 2 and 3 bed) and aiming to support first time buyers and downsizers, given Goring’s ageing demographic and the large proportion of detached housing in the existing stock;
- Supports Policy 02 Affordable Housing using the lower threshold of 6 or more dwellings in the AONB (which the emerging South Oxfordshire Local Plan policy H6 also uses in the AONB); the Board agrees it is appropriate for that affordable housing to be delivered on-site in a larger village context; and
- Supports the approach in section 7 of identifying different landscape character types of the AONB in Goring Parish.

CCB Objections:

Allocated Site GNP3 Manor Road

6. The Chilterns Conservation Board considers that the allocation of GNP3 Manor Road would not conserve and enhance the Chilterns AONB. This is a sensitive site in good condition, beyond the built-up area of Goring, with a special arcadian quality and visible from the public rights of way network connecting to the Thames Path National Trail. It is a valued landscape. The Bramwell report identifies a “high adverse” impact on landscape character:

“Impact will result in the loss of this greenfield site and could easily have an effect on the mature trees along the boundaries, particularly the trees along Manor Road (including their root protection areas). Any development within the root protection zones of the trees, whether within the development site itself or along Manor Road, for example, engineering works to improve access, is likely to result in damage to their health, threaten their longevity, and ultimately result in their loss, with a consequential loss of character. The proposals are very damaging to the landscape in that they create a landscape whose character:
<p>| | |</p>
<table>
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</thead>
</table>
|  | Is at considerable variance with the layout, mix, scale and appearance of the landscape.  
|  | Will introduce elements considered to be substantially uncharacteristic of the attributes of the receiving landscape.  
|  | Will be substantially damaging to a high quality or highly vulnerable landscape, causing it to change and be considerably diminished in quality.  
|  | Destroys existing sense of place.  
|  | Cannot be adequately mitigated.”  

The landscape effect, both before/without mitigation and after mitigation, is ranked in the Bramwell report as ‘major’. It is unclear therefore why the site is allocated.

7. The proposal to raise up the ground level under the dwellings could exacerbate their visibility and give them an unnatural appearance in the landscape. Further details are needed on this point. Also a site layout plan showing the development area and areas where no development should take place could assist.

8. The Chilterns Conservation Board objected to the application ref P15/S3483/O in 2015 and the appeal was dismissed in 2017, with the Inspector finding this to be major development in the AONB. The policy’s approach of allocating the site for a ‘minimum’ of 20 new homes means that a scheme like the appeal scheme for 35 could come forward, which we know from the Inspector is major development in the AONB which that should be refused. The Inspector stated “I conclude that the proposed development would result in material harm to the rural character, landscape setting of the village and therefore the natural beauty of the Chilterns Area of Outstanding Natural Beauty, including the effect on trees. Paragraph 14 of the Framework advises planning permission should be granted unless specific policies indicate development should be restricted. The proposal would conflict with specific policies in the Framework which indicate that development should be restricted, in particular those related to AONBs, and hence permission should not be granted.” What has changed?

**Allocated Site GNP6 Springhill Farm**

9. GNP6 Springhill Farm is another greenfield site in the AONB and is also likely to constitute major development in the AONB, because of its size and topography. National policy in NPPF para 116 would apply, namely that such a development should be assessed against the tests for major development in the AONB and that planning permission should be refused if it fails to meet them.

10. Visible in longer distance AONB views (including from higher land in the North Wessex Downs AONB), this is an area of the Central Vale Fringes Landscape Character Area with an “open rolling downs” landscape type. There is a real danger that taking a bite out of this field and opening up an access will lead to pressure for further northwards expansion of Goring towards
South Stoke. Development should not breach the ridge and spill over onto the main sweep of open rolling downland, this would be seriously harmful to both AONBs.

11. The earlier draft of the policy referred to keeping development within the 65m AOD contour, this should be reinstated (but should read ‘keep rooflines below the 65m contour’ instead of ‘dwellings must not be built above the 65m contour’). It is important to emphasise that creating a defensible barrier to further northward sprawl is essential.

12. The Chilterns Conservation Board recommends no housing development in the triangle area as this area is visually prominent, there is no reason to add to the ribbon development along Wallingford Road, and the gain of 4 houses would not justify harm to the view.

13. A new road junction on the Wallingford Road is likely to be visually intrusive and harmful to the open rolling downs landscape character. A junction is likely to trigger the need for street lighting (e.g., tall column lighting) which would harm dark skies and the natural beauty of the AONB. There would be a cumulative effect with the already seriously harmful rail gantries associated with the recent electrification of the Great Western mainline. These gantries are highly visible when travelling along the Wallingford Road towards Goring, followed by a cluster of roads signs and a road calming chicane, roadside electricity poles and wires, and a pole mounted transformer. A new road junction, signage and lighting would urbanise the landscape and further detract from natural beauty.

**Other comments and recommended changes**

14. Use paragraph numbers so that your plan can be referred to easily and accurately when it becomes part of the development plan.

15. In section 3.1 correct “Their legal framework is provided by statute (National Planning Policy Framework, NPPF10)” to read “Their legal framework is provided by statute (Countryside and Rights of Way Act 2000)”. A consequential change would be to correct footnote 10 to “Countryside and Rights of Way Act 2000 https://www.legislation.gov.uk/ukpga/2000/37/section/85”

16. In section 3.2 strategic issues, introduce and discuss the issue of major development in the AONB, addressing the question of whether the allocated sites constitute major development in the AONB and whether the sites pass the tests for major development in para 116 of the NPPF. The plan currently does not adequately refer to the issue of major development in the AONB and does not assess the allocated sites against whether they would constitute major development.

17. Objective 04 on protecting the landscape should delete “maintain and where possible enhance” and instead refer to “conserve and enhance”. Enhancement should not be optional. “Where possible” is inappropriate wording given statute in the Countryside and Rights of Way Act 2000.
18. A replacement dwellings and conversions policy might also be usefully added after the infill policy. The Board agrees with the statement in 9.1 that there are some areas of Goring (and Cleeve) where the architecture is not as meritorious as the more historic parts, and where some replacement and redevelopment could enhance the area. Sometimes a net gain in housing could be achieved by replacing a single dwelling on a large plot with a number of small homes. However, designs of either single (‘grand designs’) or multiple homes that are oversized or out of keeping could be harmful. A policy could steer on locally appropriate design that would complement the parish. In the parts of the parish outside the settlement (remember that policies apply to the whole Goring neighbourhood area unless you specify otherwise), particular care is needed with replacements and conversions in order to protect the AONB.

19. On site selection, the Chilterns Conservation Board supports the rejection of sites like those between Goring and Gatehampton in the Chilterns escarpment landscape character area, the most visually sensitive character area in the parish. Development on these sites would seriously harm the AONB, the enjoyment of key walks and important views to and from higher land on the chalk escarpment. The iconic Goring Gap must be preserved by keeping development on the lower land to maintain the setting of Goring as a riverside village in the valley, surrounded by magnificent undeveloped chalk hills. This allows viewers to read the geology and appreciate the very significant geological event caused by the melting icesheet which cut the Goring Gap, and means the River Thames now flows southeast and our capital city London is where it is today.

20. Allocated Site GNP2 Icknield Road has a short stretch of open boundary at the north east to the dry valley beyond. This would need careful planting to screening the development and provide a defensible boundary from future development pressure into open countryside, so we support the requirement in criterion 5 of the policy for “providing enhanced mature screening with new trees and hedges on the north-eastern perimeter to protect views from the Chiltern Way”.

21. GNP10 the Board supports the allocation of this site, with care over the building design this could enhance the conservation area and AONB. The building heights should be carefully controlled so that new buildings are in keeping with the attractive surrounding of the High Street, and should not replicate the height of the existing large building. We suggest setting a maximum ridge height or number of storeys in the policy. You could also consider making use of the village centre location by having a mixed-use development with commercial/retail/community use of the ground floor and residential above.

22. GNP2, GNP3 and GNP6 should require Landscape and Visual Impact Assessments to accompany the planning applications.

23. The Board supports Policy 10 which has been developed in liaison with us using wording from the Chilterns Conservation Board’s model policy on the Chilterns AONB (see Appendix 3).
As it is an AONB policy, this could be retitled “Conserving and enhancing Goring’s AONB landscape” or “Conserving and enhancing Goring’s nationally protected landscape” rather than “Conserving and enhancing Goring’s landscape”.

24. We welcome the approach in section 7 of differentiating between different landscapes character areas of the AONB in Goring parish. It is both spatial and landscape-led. The AONB landscape Policy 10 could usefully refer to the landscape areas to tie this into approach into policy as well as Objective 04 which already refers to distinctive landscape characteristics.

25. Policy 11 we support the net gain for biodiversity approach which conforms to NPPF para 109, and the Government’s recent 25 Year Environment Plan ambition for ‘net environmental gain’ from all development.

Comment on Habitat Regulations Assessment

26. The HRA Screening Report (LUC, April 2018) takes the approach of including potential mitigating when deciding whether there are likely to be significant effects. A recent Court of Justice of the European Union ruling indicates that this is no longer possible, see [http://www.tep.uk.com/mitigation-measures-cannot-be-used-in-habitats-regulation-screening-tep-comment/](http://www.tep.uk.com/mitigation-measures-cannot-be-used-in-habitats-regulation-screening-tep-comment/).

<table>
<thead>
<tr>
<th>Crowmarsh Neighbourhood Plan SEA Scoping Report</th>
<th>27.6.18</th>
</tr>
</thead>
<tbody>
<tr>
<td>The CCB is glad to see that the Chilterns AONB is referred to throughout the document and you have made reference to the Chilterns AONB Management Plan. CCB has no objection but makes the following suggestions:</td>
<td></td>
</tr>
<tr>
<td>1. Refer to the South Oxfordshire Landscape Assessment, using it to identify and describe the landscape areas within Crowmarsh Parish (LCA 4 River Thames Corridor and LCA 6 Central Vale Fringes)</td>
<td></td>
</tr>
<tr>
<td>2. Add mapping to show AONB boundary and other designations in the Parish.</td>
<td></td>
</tr>
<tr>
<td>3. Add more emphasis on the Ridgeway National Trail and Grim’s Ditch as nationally important recreation opportunities and historic environment assets.</td>
<td></td>
</tr>
<tr>
<td>4. Refer at para 2.21 to the setting of the AONB, those parts of the Parish not in the AONB are likely to be in the setting of the AONB. More guidance on AONB Setting in our Position Statement available at <a href="https://www.chilternsaonb.org/conervation-board/planning-development/position-statements.html">https://www.chilternsaonb.org/conervation-board/planning-development/position-statements.html</a></td>
<td></td>
</tr>
<tr>
<td>5. In Table 20 Assessment Framework expand the landscape objective to refer to AONB as a nationally protected landscape. It is not just a vital lung for the parish and its neighbours as it currently states.</td>
<td></td>
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<tr>
<td>6. Note paragraph numbering needs correcting from 3.1… to 4.1… in section 4.</td>
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</tbody>
</table>
| 7. Policy CRP6 beware of policy wording supporting new single dwellings “at” North Stoke and Mongewell, this could cause outwards settlement creep. Add “within the existing
settlements of North Stoke and Mongewell, housing development for infill, single dwellings…”

8. The SEA will need to assess the cumulative effects of other planned developments eg at Wallingford and Cholsey. The Chilterns Conservation Board has produced a new guide on Cumulative Impacts of Development on the Chilterns AONB which may be of assistance, available at https://www.chilternsaonb.org/conservation-board/planning-development/position-statements.html.

9. We note that well over half of the neighbourhood area falls within the Chilterns Area of Outstanding Natural Beauty (AONB), and the area that is not designated AONB forms part of the setting of the Chilterns AONB. The views from and to the higher land, and in particular from the Ridgeway National Trail and the river, need special consideration. The area is rich in history and biodiversity and these assets should be mapped and appropriate protective policies prepared. Please remember that the policies will apply to the whole neighbourhood area, unless you specify otherwise. So if a policy is meant for development within the village of Crowmarsh Gifford but would not be appropriate for open countryside, say where the policy applies.

<table>
<thead>
<tr>
<th>Wycombe Local Plan</th>
<th>WDC Wycombe Local Plan Examination Statement Matter 2 and Matter 5, full response available online. Similar to representations at publication stage but with addition of points re: the draft revised NPPF:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wycombe Local Plan</td>
<td>The Government’s recent consultation on National Planning Policy Framework - Draft text for consultation contains a definition of major development in the glossary, which would establish for the first time a definition of major development in the AONB. The glossary definition is as follows:</td>
</tr>
<tr>
<td></td>
<td>“Major development: For housing, development where 10 or more homes will be provided, or the site has an area of 0.5 hectares or more. For non-residential development it means additional floorspace of 1,000m2 or more, or a site of 1 hectare or more, or as otherwise provided in the Town and Country Planning (Development Management Procedure) (England) Order 2015.”</td>
</tr>
<tr>
<td>Wycombe Local Plan</td>
<td>Wycombe Local Plan Policy CP2 of “not allocating sites that constitute ‘major development’ in the AONB” is not met by the plan. Using either the draft NPPF definition or a bespoke analysis, the Chilterns Conservation Board considers that the plan fails to give great weight and allocates major development in the AONB including:</td>
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<tr>
<td></td>
<td>• housing and employment sites at Stokenchurch,</td>
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<td></td>
<td>• Glynswood site, High Wycombe,</td>
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<td></td>
<td>• housing sites at Lane End,</td>
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<td>• a major new road south west of Princes Risborough, and</td>
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<td></td>
<td>• the plan commits the Kimble neighbourhood plan to a level of housing that is likely to harm the AONB and its setting</td>
</tr>
</tbody>
</table>
### APPENDIX 4

**Current Development Plan Consultations:**

<table>
<thead>
<tr>
<th>Consultation document</th>
<th>Consulted by</th>
<th>Stage</th>
<th>Deadline for CCB responses</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cholsey Neighbourhood Plan</td>
<td>SODC</td>
<td>Publication Neighbourhood Plan</td>
<td>12.7.18</td>
</tr>
<tr>
<td>Ivinghoe Neighbourhood Plan</td>
<td>AVDC</td>
<td>Publication Neighbourhood Plan</td>
<td>10.8.18</td>
</tr>
<tr>
<td>Daws Hill Neighbourhood Plan</td>
<td>Dawes Hill</td>
<td>Draft Neighbourhood Plan</td>
<td>10.8.18</td>
</tr>
<tr>
<td>Wycombe Local Plan</td>
<td>WDC</td>
<td>Examination Statements for Sept sessions</td>
<td>17.8.18</td>
</tr>
<tr>
<td>Luton Airport Expansion</td>
<td>LLA</td>
<td><a href="https://futureluton.llal.org.uk/">https://futureluton.llal.org.uk/</a></td>
<td>31.8.18</td>
</tr>
<tr>
<td>Great and Little Kimble Neighbourhood Plan</td>
<td>GLKNP</td>
<td>Great and Little Kimble Neighbourhood Plan</td>
<td>6.8.18</td>
</tr>
</tbody>
</table>
Item 8  Planning Applications Update

Author: Mike Stubbs Planning Advisor

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. News on the outcome of previous planning applications on which the Board has made representations is summarised in Appendix 5.

2. Since the last Planning Committee papers for the March 2018 meeting, the Board has made 26 formal representations on planning applications and 2 appeal representations, of which 15 were objections, 10 were comments and 1 was a support. The formal representations are summarised in Appendix 6.

3. Current live casework is listed in Appendix 7.

Recommendations

1. That the Committee notes and approves the responses made in connection with the applications listed in Appendix 6.
## APPENDIX 5

### Update on Status of Planning Applications CCB previously commented upon

<table>
<thead>
<tr>
<th>Location</th>
<th>LPA</th>
<th>Ref. No.</th>
<th>Proposal</th>
<th>Status</th>
<th>CCB response</th>
<th>Date CCB responded</th>
</tr>
</thead>
<tbody>
<tr>
<td>Land West of Cockernhoe / Land East of Copthorne, Cockernhoe</td>
<td>NHDC</td>
<td>16/02014/1</td>
<td>Erection of 660 dwellings</td>
<td>Pending</td>
<td>CCB Comments as previously reported</td>
<td>05.03.16</td>
</tr>
<tr>
<td>Land south and north-west of Cockernhoe and east of Wigmore (Stubbocks Walk), Brick Kiln Lane, Cockernhoe</td>
<td>NHDC</td>
<td>17/00830/1</td>
<td>Mixed use application for demolition of existing buildings and construction of up to 1,400 new dwellings (C3 use) together with retail, educational and community facilities (A1-A5, D1 and D2 uses) and associated roads, open space, green infrastructure and ancillary infrastructure - outline planning application with all matters reserved</td>
<td>Pending</td>
<td>CCB Objection as previously reported</td>
<td>3.8.17</td>
</tr>
<tr>
<td>The Orchard, Bedford Road, Houghton Regis,</td>
<td>CBC</td>
<td>CB/17/0050 1/OUT</td>
<td>Outline: Demolition of existing buildings/structures and redevelopment of site to provide 21 dwellings, an estate road, landscaping and associated works</td>
<td>Pending</td>
<td>CCB Comments as previously reported</td>
<td>14.7.17</td>
</tr>
<tr>
<td>New Barn Farm, Cholsey</td>
<td>OCC</td>
<td>MW 0094.16</td>
<td>Extraction of sand and gravel with associated processing plant, conveyors, office and weighbridge, parking areas</td>
<td>Pending</td>
<td>CCB Objection</td>
<td>9.2.17</td>
</tr>
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The adopted Waste and Minerals Local Plan Policy PE2 establishes that planning permissions will not be given for development within land outside those identified in that plan, unless the apportioned supply cannot be met from areas identified.
<table>
<thead>
<tr>
<th>Location</th>
<th>Authority</th>
<th>Reference Number</th>
<th>Application Type</th>
<th>Status</th>
<th>Decision</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Land to the south of Newnham Manor, Crowmarsh Gifford Planning Application</td>
<td>SODC</td>
<td>P16/S3852/ FUL</td>
<td>Hybrid planning application for the erection of 100 new residential dwellings</td>
<td>Pending</td>
<td>CCB Qualified Objection as previously reported</td>
<td>23.6.18</td>
</tr>
<tr>
<td>Land to the south east of Doveleat, Chinnor.</td>
<td>SODC</td>
<td>P17/S2324/ O</td>
<td>Outline Planning Application with all matters reserved (apart from access) for the erection of up to 51 dwellings &amp; associated infrastructure</td>
<td>Refused 21.11.17</td>
<td>CCB Objection as previously reported.</td>
<td>16.08.17</td>
</tr>
<tr>
<td>Peppard Road and Kiln Road and associated ancillary works. All matters reserved with the exception of the main vehicular access. Land off Peppard Road Emmer Green SODC Reference</td>
<td>SODC</td>
<td>P16/S3630/ 0</td>
<td>Residential development of up to 245 residential dwellings (including up to 40% affordable housing), structural planning and landscaping, informal public open space and children's play areas, vehicular access</td>
<td>Refused 14th September 2017 and appeal lodged. Reason for refusal includes Objection as significant encroachment into the open countryside.</td>
<td>Part comment (existing AONB boundary) and part objection (prejudicial to future boundary review). Appeal held in April and CCB representations were submitted in December 2017.</td>
<td>31.8.17</td>
</tr>
<tr>
<td>Land off Crowell Road, Chinnor. Amended plans and additional documentation submitted 30th August 2017.</td>
<td>SODC</td>
<td>P17/S1867/FUL</td>
<td>Full planning application for residential development comprising 58 dwellings, new vehicular and pedestrian access, internal roads and footpaths, car parking, public open space, landscaping, drainage and other associated infrastructure</td>
<td>Appeal against non-determinati on submitted 7.11.17</td>
<td>CCB Comments previously reported.</td>
<td>12.09.17</td>
</tr>
<tr>
<td>Land at Britwell Road, Watlington</td>
<td>SODC</td>
<td>P17/S3231/ O</td>
<td>(1) Full planning permission for the demolition of the existing pig farm and its associated buildings; the erection of 183 dwellings (2) Outline permission for up to</td>
<td>Pending</td>
<td>Part CCB Comment on LVIA / Part Objection to raised numbers above SODC Capacity Study</td>
<td>25.10.17</td>
</tr>
</tbody>
</table>
| OS Parcel 8784 & OS Parcel 0006 Mill Lane Monks Risborough And De Graven Meadows Askett Bucks | WDC | 17/07666/OUT | Outline application (Including details of access) for the erection of up to 300 dwellings | Pending | CCB Comments Previously reported  
30.10.17  
Further consultation 4.4.18  
(amended details)  
CCB previously raised an objection to this application (30th October 2017). The details in the applicant's Environmental Statement (ES) do not change our stance. Fundamentally we cannot agree that the implications for the setting of the AONB are 'negligible' as the applicant's consultant asserts at the ES paragraph 8.5.22. Whilst the ES reports the Board's Position Statement on the setting of the AONB (ES 8.4.23), the conclusions on cumulative impact in the non-technical summary of 'minor adverse' or the finding of no permanent 'significant adverse effects' overall (ES non-technical 4.4.4) cannot be correct. CCB would only add here that greater weight needs to be given to the Board's Position Statement (lighting – cumulative impact – views) as well as landscape character / settlement patterns, in the assessment of impacts. This would require an assessment of the relationship to the emerging Local Plan. CCB has produced its own Position Statement on cumulative impact of development on the Chilterns. This includes constituent parts of a cumulative assessment and these include 'Land take, urbanisation, harm to scenic beauty' and 'lighting'. We deem both of these pertinent here and do not share the assessment of the ES with respect of such matters. |
<table>
<thead>
<tr>
<th>Location</th>
<th>Planning Authority</th>
<th>Reference</th>
<th>Description</th>
<th>Status</th>
<th>CCB Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Land Off Arrewig Lane Chartridge Chesham Buckinghamshire HP5 2UA</td>
<td>BCC</td>
<td>CM/71/17</td>
<td>Proposed extraction of approximately 24,000 cubic metres (40,000 tonnes) of clay loam with progressive low level restoration to agriculture</td>
<td>Granted 25.5.18</td>
<td>CCB Comments as previously submitted</td>
</tr>
<tr>
<td>Land at Wood Lane Woodcote</td>
<td>SODC</td>
<td>P17/S3701/O</td>
<td>Outline planning application for the erection of 23 residential dwellings (use class C3), vehicular access from Wood Lane, associated parking, landscaping, open space and drainage works</td>
<td>Pending</td>
<td>CCB Objection</td>
</tr>
<tr>
<td>Land Adjacent To Nash Lee Lane Wendover</td>
<td>AVDC reference</td>
<td>17/04394/APP</td>
<td>Change of use from snail breeding to outdoor childcare &amp; education.</td>
<td>Granted 27.11.17</td>
<td>CCB Comments Previously reported</td>
</tr>
<tr>
<td>At Great Kimble Church Of England School Church Lane Great Kimble Bucks</td>
<td>BCC</td>
<td>CC/0121/17</td>
<td>New, single storey Hall and 2 classroom teaching block.</td>
<td>Granted 28.2.18</td>
<td>CCB Comment Previously submitted</td>
</tr>
</tbody>
</table>

The proposal appears similar in its planning merits to the South of Bridle Path application for 65 homes, also at Woodcote, which was refused under reference P16/S3306/O on 5th January 2017 and with reason one stating that the application site lies beyond the edge of the settlement of Woodcote and is not a site allocated for housing within the Woodcote Neighbourhood Plan. The principle of the development is therefore unacceptable. Furthermore, the proposal would constitute a major development within the AONB and there are no exceptional circumstances that are in the public interest that would justify this major development within the AONB, contrary to policy.
<table>
<thead>
<tr>
<th>Location</th>
<th>Planning Authority</th>
<th>Reference</th>
<th>Application Details</th>
<th>Decision Date</th>
<th>Comments</th>
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<tbody>
<tr>
<td>Lilas Wood, Hastoe near Tring</td>
<td>DBC</td>
<td>4/00224/17/FUL APP/A1910/C/17/3182 746</td>
<td>Retention of existing structures and material change of use of land to allow for use as a wedding venue (15 per year)</td>
<td>Appeal dismissed 12.4.18</td>
<td>Written representations on behalf of the Chilterns Conservation Board. The Inspector in dismissing the appeal on Green Belt grounds concluded on AONB matters 'I am satisfied that the development has not caused harm to the character and appearance of the wider area or to the scenic beauty of the AONB. In that respect, it accords with the aims of policy CS24 of the CS which requires that the special qualities of the AONB will be preserved and paragraph 115 of the NPPF which states that great weight should be given to conserving the landscape and scenic beauty in AONB’s.'</td>
</tr>
<tr>
<td>Chiltern Farm Barn Main Road North Dagnall Bucks</td>
<td>AVDC</td>
<td>AVDC application reference: 16/04099/APP Planning Inspectorate appeals reference: APP/J0405/W/3187964</td>
<td>Conversion and alterations of existing barn to create 5 dwellings with access, parking and gardens.</td>
<td>Appeal dismissed 13.3.18</td>
<td>Written Representations on behalf of the Chilterns Conservation Board. The Inspector in dismissing the appeal concluded that 'I consider that the development causes significant harm to the Green Belt by way of its inappropriateness and substantial weight should be given to this harm. Furthermore, the development would fail to conserve the landscape of the AONB and would fail to provide acceptable access to amenities and facilities for its future occupiers. Balanced against that are the other considerations identified above. Its lack of harm to highway safety carries neutral weight.'</td>
</tr>
<tr>
<td>Peppard Road and Kiln Road Sonning Common</td>
<td>SODC</td>
<td>SODC reference - P16/S3630/O Planning Inspectorate appeals reference: APP/Q3115</td>
<td>Planning appeal against refusal of planning permission for residential development of up to 245 residential dwellings</td>
<td>Appeal in progress Inquiry for 1st May 2018</td>
<td>Representations on behalf of the Chilterns Conservation Board. Inquiry now held and CCB made additional representations in December 2017.</td>
</tr>
<tr>
<td>Location</td>
<td>Authority</td>
<td>Reference</td>
<td>Description</td>
<td>Status</td>
<td>Comments</td>
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<tr>
<td>Land at Kennylands Road Sonning Common</td>
<td>SODC</td>
<td>P16/S3142/O</td>
<td>Planning appeal against refusal of planning permission for the erection of up to 95 dwellings</td>
<td>Appeal in progress</td>
<td>Representations on behalf of the Chilterns Conservation Board. Inquiry now held and CCB made additional representations in December 2017.</td>
</tr>
<tr>
<td>Shirburn Road Watlington</td>
<td>SODC</td>
<td>P18/S0002/O</td>
<td>Outline application for up to 37 Assisted Living Units, and provision of a Care Home (All C2 Use), 4 staff accommodation units and site access (all other matters reserved for future consideration)</td>
<td>Pending</td>
<td>CCB Comments. The applicant's LVIA, rightly assumes that setting is material. The relationship between the wider open countryside and the escarpment is evident here from views from the road and lay-bys along the B4009. The immediate landscape to the south-east of open rolling downlands forms the setting to the escarpment. CCB recommended various design amendments to improve the setting relationship.</td>
</tr>
<tr>
<td>Rumbolds Pit, Eyres Lane, Ewelme, Wallingford, OX10 6HF</td>
<td>OCC</td>
<td>MW.0098/17</td>
<td>Change of use for the storage of recycled material on land to the south of the primary working area. In addition to storage of recycled materials it is proposed to store empty waste skips in the ancillary area</td>
<td>Granted 10.5.18</td>
<td>CCB Objection CCB would ask that great weight is given to policy protection and to the sites location within South Oxfordshire Character Area 5: Eastern Vale Fringes which states (page 39 of the report) that 'Quarries and landfill sites are examples of land uses which have disrupted the natural pattern and character of the rural landscape. Here, intervention to reconstruct a more sympathetic character and to mitigate adverse landscape impacts would be desirable'. No attempt is made in this application to assess visual impact against the</td>
</tr>
<tr>
<td>Location</td>
<td>Authority</td>
<td>Reference</td>
<td>Application Details</td>
<td>Decision</td>
<td>Comments</td>
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<tr>
<td>Markyate JMI School, Cavendish Road, Markyate Herts.</td>
<td>HCC</td>
<td>PL/0888/17</td>
<td>Proposed application for the installation of a 4 - bay modular building</td>
<td>Granted</td>
<td>CCB Comments Previously reported</td>
</tr>
<tr>
<td>Land at Woodview Nurseries Wiggington Herts</td>
<td>DBC</td>
<td>4/03275/17/FUL</td>
<td>Change of use from nursery to residential redevelopment to provide four new dwellings.</td>
<td>Pending</td>
<td>CCB Holding Objection Previously reported – CCB not consulted on amendments to date.</td>
</tr>
<tr>
<td>Century Park Luton</td>
<td>LBC</td>
<td>17/02300/EIA</td>
<td>Outline Consent for a business park comprising office space (Class B1), warehouse and industrial space and Full application for the construction of a 2km Century Park Access Road</td>
<td>Pending</td>
<td>CCB Holding Objection / Part comment</td>
</tr>
</tbody>
</table>

Highly sensitive landscape character of the AONB and in accordance with the Guidelines for Landscape and Visual Impact Assessment produced by the Landscape Institute.

CCB Comments

Previously reported

The Design and Access Statement (at its page 16) deals with the principal driver of 'unlocking the site' by creating a new access that seeks to avoid access to the airport and provides a new direct access to the business park. It states that (paragraph 6.1) that traffic is directed away from Eaton Green Road but that there will be a new road from the eastern end of the Century Park Access Road (CPAR) which links to Eaton Green Road. We have noted that a great deal of attention is placed on avoiding any burden on Eaton Green Road and promoting access routes to the east. Paragraph 4.43 of the supporting planning statement accepts that the CPAR links to Eaton Green Road.

Should the NHDC housing allocations progress then their principal route into Luton will be via Eaton Green Road, travelling to and from a place of work. With up to 3724 full time job equivalents proposed at Century Park, then this routing direction will become even more popular than it currently is. Luton Local Plan
| Policy LLP 6 (viii) sets out modal shift targets and promotes sustainable transport modes and Policy LLP 31 (B) (i) to minimise the need to travel.  
CCB would ask that weight is given to these objectives as the unresolved nature of the NHDC allocations to the east are of material importance. In effect if they progress to implementation these allocations impact considerably on the Council’s ability to deliver these policies. From our standpoint this means that should these allocations not proceed and the candidate status of the land to the east of Luton does progress in the future to an extended AONB boundary, then the need to avoid any increased use of Eaton Green Road will impact upon the use of roads via Cockenhoe and in the Lilley Valley area, which is deeply rural and tranquil. |
<table>
<thead>
<tr>
<th>Heatherlands Naphill Common Naphill</th>
<th>WDC</th>
<th>17/05586/FUL</th>
<th>Demolition of existing dwelling and erection of 3 x 4 bed detached dwellings with double detached garages and creation of new access</th>
<th>Refused 8.5.18</th>
<th>CCB Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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<td>We could find no impact assessment by a suitably qualified practitioner within the papers and the submitted ecology wildlife checklist is incorrect where it answers 'no' in respect of proximity to the SPA and SSSI. The application lacks, within either the submitted design and access statement or in a separate document, a suitable landscape and visual impact assessment to assess the visual impact on the AONB beyond the urban edge. The AONB washes over all of Naphill, including both Naphill Common and the adjoining urban area. Reason for refusal based on lack of evidence to demonstrate no harmful impacts on the SSSI and Chiltern Beechwoods SAC</td>
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<td>2.1.18</td>
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</table>
## New CCB Responses on Planning Applications since Last Planning Committee

<table>
<thead>
<tr>
<th>Location</th>
<th>LPA</th>
<th>Ref. No.</th>
<th>Development</th>
<th>Status</th>
<th>Summary of the Board’s Response (please contact the Board for more detailed information if this is required)</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>New Relief Road, Beaconsfield, Bucks, HP9 2ES</td>
<td>BCC</td>
<td>CC/0012/18</td>
<td>New relief road variation of CC/65/16 conditions 2 approved plans and 23 landscape mitigation</td>
<td>Pending</td>
<td><strong>CCB Comments</strong>&lt;br&gt;The Board notes that this is an application to vary the previous approval under CC/65/15. The Board has no further comments to offer on this application (previous comments dealt with cumulative impacts from road improvements outside the AONB).</td>
<td>23.2.18</td>
</tr>
<tr>
<td>Chiltern View Nurseries, Wendover Road, Stoke Mandeville</td>
<td>BCC</td>
<td>CM/0006/18</td>
<td>Operational development for introduction of concrete perimeter walls</td>
<td>Pending</td>
<td><strong>CCB Comments</strong>&lt;br&gt;In this case the application is outside the AONB but sits within the wider landscape view within the Vale of Aylesbury and has potential to impact on the view from Coombe Hill which provides open access recreation and considerable public benefit. CCB recommends that the lighting design here takes full account of best practice to keep it screened and at ground level within the site as promoted by the Institute of Lighting Professional. The illumination plan is helpful in that it demonstrates the extent of the floodlighting from light mountings on the buildings. We would recommend that the decision-maker takes advice on this because the use of column mounted and ground lighting can offer the same security and safety aspects without the top-lit effect, which has greater potential for light spill into the landscape.</td>
<td>2.3.18</td>
</tr>
<tr>
<td>Location</td>
<td>Planning Authority</td>
<td>Reference</td>
<td>Description</td>
<td>Status</td>
<td>Notes</td>
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<td>Abbey View Primary Academy including a car park for 55 cars and 3 motorcycles, external play areas, a multi-use-games-area (MUGA) and a single storey eco classroom building</td>
<td>BCC</td>
<td>CC/0017/18</td>
<td>Development of a new two storey 2FTE (420 place) primary school and 52 place pre-school, to be constructed in two phases, with associated external works,</td>
<td>Pending</td>
<td>CCB Comments</td>
<td></td>
</tr>
<tr>
<td>Land at White Cross Farm, Reading Road, Cholsey, Oxfordshire</td>
<td>OCC</td>
<td>0033/18</td>
<td>Planning Application to allow the development of an offline River Thames marina basin with fixed and floating pontoon moorings for approximately 280 boats, slipway, secure and public car parking, refuelling and pump-out dock, refuse and recycling area, marina office and café, toilet and shower block and laundry facilities, boat hire building, picnic and barbeque area, open water area, circular footpath,</td>
<td>Pending</td>
<td>CCB Objection</td>
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</table>

CCB would recommend that the County Council examine the relationship to wider views and in particular the current Abbey Barns Reserve site viewpoint 6 (view from public footpath LMA 11/4 looking north). The assessment of this can be found in the respective LVIA appendix F ‘schedule of visual effects’. The landscape area, known as ‘The Ride’ is commendably to become a public space and to be incorporated into the Abbey Barns reserve site. This will engender a dark sky relationship when viewed from the south and its proximity also lends weight to an assessment of lighting, because of the juxtaposition between this historic landscape corridor and the current site which will require sports pitches and hard / soft play areas.

The assessment of this application in the LVIA fails to give appropriate weight to the setting of the AONB. The Chilterns Conservation Board wishes to raise an objection to this application, which is harmful to the AONB and which significantly falls short of the policy and the legislative duties that attribute great weight and importance to the conservation of landscape and scenic beauty within and affecting an AONB.

The special qualities of the AONB are manifest in the landscape character setting and boundary configuration of the River Thames and the relationship between the Thames and Central Vale character areas.

The development proposed here is major and of
<table>
<thead>
<tr>
<th>Ref.</th>
<th>Applicant</th>
<th>Date</th>
<th>Description</th>
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<tbody>
<tr>
<td>18/05414/OUT</td>
<td>WDC</td>
<td>22 &amp; 24 Chapel Road &amp; Land To The Rear Of 26 &amp; 16 Chapel Road Flackwell Heath</td>
<td>Outline application (all matters reserved accept for access) for the redevelopment of site comprising erection of 950m² of B1 office space and the erection of up to 22 affordable housing units and associated works including demolition/clearance of existing commercial uses on site</td>
</tr>
<tr>
<td>CM/0001/18</td>
<td>BCC</td>
<td>High Heavens Household Waste Site Clay Lane Booker Bucks</td>
<td>The erection of a single storey Waste Transfer Station (WTS) containing three designated waste halls to</td>
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<tr>
<td>Grundon Waste Management Ewelme</td>
<td>OCC</td>
<td>MW.0026/18</td>
<td>Pending</td>
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<tr>
<td>Erection of a welfare cabin for the site operatives</td>
<td>(Retrospective application)</td>
<td>CCB Comments</td>
<td>24.4.18</td>
</tr>
</tbody>
</table>

Policy D11 of the AONB Management Plan states that ‘Enhancement of the landscape of the AONB should be sought by the removal or mitigation of intrusive developments’. This supports the screening of intrusive or unsightly development and CCB would support any landscaping that softens and conceals the development, as is appropriate. The Swan’s Way
<table>
<thead>
<tr>
<th>Land at South Stoke Road Woodcote</th>
<th>SODC</th>
<th>P18/S1371/O</th>
<th>The erection of either up-to 80 dwellings (Class C3) or up-to 66 dwellings (Class C3) with assisted living accommodation</th>
<th>Pending</th>
<th>CCB Objection</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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<td>This application falls outside the Development Plan process for site allocations. It is not a site within the Neighbourhood Plan and is not one promoted in the Neighbourhood Plan review, as is currently reported. It represents a large site on the edge of the village and the current iteration of the Neighbourhood Plan review gives preference to smaller sites within the frame of the settlement pattern. This approach benefits the wider AONB, its appreciation and views out to the wider landscape and delivers the objectives of the Neighbourhood Plan. The applicant’s landscape and visual impact assessment (LVIA) at its paragraph 10.19 accepts the resulting harm to</td>
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<thead>
<tr>
<th>King George’s Recreation Ground Coombe Lane Hughenden Valley Buckinghamshire</th>
<th>WDC</th>
<th>18/05905/FUL</th>
<th>Erection of community all-weather sport facility and adjacent playwall, removal of 3x floodlights to be replaced with 6x retractable floodlights, installation of fencing, alterations to existing ground levels, creation of path and 12 parking spaces at</th>
<th>Pending</th>
<th>CCB Comments</th>
</tr>
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<td>CCB would want to be reassured that the current proposal is a material improvement and not a diminution of light pollution within the AONB. If the LPA are minded to approve this application then we are able to supply a number of conditions on specification and hours (as set out below) We qualify this point in that we found the submitted File E ‘Floodlights with light Survey’ difficult to follow. We would recommend a more detailed and enforceable plan and some commentary drawn from best practice documents such as The Institution of Lighting Engineers – Guidance Notes for the Reduction of Obtrusive Light and the Institute of Lighting Engineers for Environmental Zone E1 (Area of Outstanding Natural Beauty).</td>
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18.5.18
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<tr>
<th>Site LA5, Icknield Way Tring</th>
<th>DBC</th>
<th>4/00958/18/MFA</th>
<th>Pending</th>
<th>CCB Objection</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hybrid planning application for 240 dwellings, cemetery car park with toilet block and public open space (details submitted in full) and 0.75 hectares of employment space (B1 a, b and c) and a cemetery extension of 1.7 hectares</td>
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<td>22.5.18</td>
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</tbody>
</table>

resident’s views by developing the site in this way.

The planning statement acknowledges that the site is outside the defined settlement boundary but concludes that any harm would be localised and limited and the site is visually contained within the AONB. CCB do not agree with this assessment.

CCB asks that:
(1) The layout is redesigned to achieve 180-200 dwellings. The supporting planning statement makes that point at its 5.22 and 5.23 and 5.61 that the site allocation development plan document should not be seen as a maximum figure. Given the sensitivity of the AONB, the Chilterns Conservation Board does not agree with this. Going above the 200 dwellings increases the volume of development, results in a higher density (notwithstanding the use of 2.5 storeys on corner plots) and displaces the NEAP into the AONB. It does not provide an appropriate development in the setting of the AONB, including views across the site to the escarpment foothills, or a successful soft edge and transition to the AONB.
(2) In testing the higher number through the planning application process (as 6.9 of the Master-Plan requires) we have concluded that the opportunity is lost to create the necessary transition along the western boundary. A number of design amendments are proposed by CCB.
(a) That the number of dwellings along the boundary is reduced.
(b) That part rendered buildings are deleted and replaced by brick (white render is particularly visually...
The Chilterns Conservation Board wishes to raise an objection in principle to this application, which is positively harmful to the AONB. The status requires that the application results in the conservation and stark and harmful to AONB views together with deletion of white facing dormer details – facing west, as well as deletion of any white soffit or barge board detailing).

(c) A condition on materials ensures that brick and tiles used reflect the CCB Chilterns Brick Supplementary Technical Note, with clay roof tiles and a careful palette for the facing bricks.

(d) Use of Chilterns brick on the brick walling within the western boundary to the AONB.

(3) That more trees are accommodated within the development to soften it visually, enhance its biodiversity and provide a more spacious layout appropriate the setting adjacent to the AONB.

(4) The NEAP is removed from the AONB and accommodated within the developed area.

(5) Ideally the cemetery extension is moved eastwards by one field to be a proper extension to the cemetery.

(6) That the section 106 secures the western fields in the AONB as undeveloped informal open space in perpetuity with their management (as proposed in the LVIA landscape mitigation and landscape strategy plans).

(7) External lighting is controlled by a condition to protect dark skies in the AONB. The Master-Plan at its 6.28 requires that views of any lighting is avoided, as viewed from within the AONB.

Old Rifle Range Farm, Risborough Road, Great Kimble, Bucks

WDC 18/05926/FUL Demolition of commercial buildings and erection of 10 x market dwellings (6 x 3 bed and 4 x 4 bed) and 5 x 2 bed affordable dwellings with

Pending CCB Objection

The Chilterns Conservation Board wishes to raise an objection in principle to this application, which is positively harmful to the AONB. That status requires that the application results in the conservation and
bin and cycle stores at enhancement of the special qualities and scenic beauty of the AONB. In respect of policy, Wycombe Consolidated Local Plan policy L1 applies (special attention will be paid to the conservation of its scenic beauty and to any wildlife interest) as well as national policy in paragraphs 115 of the Framework (great weight should be given to conserving landscape and scenic beauty) and 116 (to refuse major development except where exceptional circumstances exist). Further, the AONB Management Plan can be given weight as a material planning consideration. In particular we draw attention to policy D1 (The natural beauty of the Chilterns AONB should be conserved and enhanced by encouraging the highest design standards, reinforcing local distinctiveness and respecting the landscape, settlement character and special qualities of the AONB).

This site is sensitively located within a highly valued and nationally protected landscape and the site sits close to a local wildlife site and an international nature conservation site (Special Area of Conservation) and national sites comprising SSSIs and ancient woodlands and Chilterns box woodlands.

| Land at Crowell Road, Chinnor, | PINS APP/Q3115/W/17/3188694 | PINS APP/Q3115/W/17/3188694 SODC P17/S1867/FUL | Full planning application for residential development comprising 54 no. dwellings, new vehicular and pedestrian access, internal roads and footpaths, car parking, public open space, landscaping, drainage and | Inquiry begins 26.6.18 | CCB Comments (Amended plans and additional details 30 August 2017). The additional papers as now submitted deal with concerns expressed at the application consultation stage regarding views towards the AONB from northern vantage points and the impact of 2 and a half storey development. An updated LVIA is submitted. | 29.5.18 |

|  |  |  |  |  |  |  |
The need to prevent any urbanising effect on views towards the escarpment and from public rights of way within the escarpment constitute matters of importance for the Board. We note that the revised LVIA at its paragraph 3.17 addresses policies within the AONB position statement on setting. The sequential views assist in establishing the wider context in respect of the AONB setting. The professional commentary notes the close relationship between these views and the landscaping proposed and we comment on that. We note the building heights have been reduced so that all the development is two-storey except for a very small section.

CCB notes the importance of the vegetation buffer along the south-western boundary of the site (noted at 6.4 of the updated LVIA) to achieve a strong landscape edge and to limit views across the site from north-east to south-west. The sequential views verify this and are, to some extent, dependent on the screening which is put at ‘forest scale’ trees of a substantial amount in the landscape strategy. The views of greatest significance for a vantage point towards the escarpment are contained within sequential views S5 to S10 and from PROW 180/3/40. The assessment of impact and supplementary commentary regarding views from north of this PROW is useful. It confirms to us and with particular reference to our interests here, that the vegetation buffer is of considerable importance in respect of its depth and the nature of screening provided in mitigation of any views.

**Final brief comments**
Views from the south west across the site and towards the escarpment are material and germane to the applicant’s / appellant’s desire to incorporate a ‘forest scale’ landscape buffer along the south-western boundary. We would invite the Inspector to walk these footpaths in his accompanied site visit, to assist in the assessment of this relationship. If an effective buffer cannot be achieved then the impact would be similar in magnitude to the impact arising from the former Chinnor garden centre site (as shown in our photograph). In such circumstances the result would be detrimental to the appreciation of the escarpment and indeed harmful and contrary to CSEN 1 and L1 of the Management Plan.

Land Lower Icknield Way Chinnor. Development of 79a - 83

SODC P18/S1004/O 60 dwellings, with associated open space, landscaping, vehicular access and footpath links. Pending

CCB Comment

CCB were consulted on the 2017 application for the same proposal under reference P17/S1587/O, which we understand was refused in October 2017. We could not find a planning statement to explain the rationale behind the current application and as the application is also in outline we have assumed that no material changes are proposed.

CCB in their previous comments dealt with the relationship to the escarpment and views from within the escarpment, as affected by visibility and layout and lighting. We expressed this following a general concern that that development within Chinnor has or has potential to affect the setting of the escarpment when viewed from within the Clay Vale as well as from within the AONB. The current Landscape and Visual

20.4.18
Impact Assessment (LVIA) accepts that a relationship exists here and at its paragraph 9.10 makes the point that receptors from within the AONB would experience the proposals as a part of the existing settlement area within their long range views from within the escarpment. Views from within the Vale back to the escarpment are also within the setting of the AONB and these are not dealt with. CCB, as previously expressed, seeks detailed controls on screening, on the layout as relevant to that screening and on impacts such as lighting. These are points of detail and looking to the first reason for refusal the principle of development is not accepted by the Local Planning Authority in any event.

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<thead>
<tr>
<th>Location</th>
<th>Authority</th>
<th>Reference</th>
<th>Description</th>
<th>Date</th>
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<tbody>
<tr>
<td>Land to the north of Wyfold Lane Rotherfield Peppard</td>
<td>SODC</td>
<td>P 8/S1021/ FUL</td>
<td>Removal of existing stables and erection of a two-storey 4-bedroom detached house.</td>
<td>Withdrawn 29.5.18</td>
</tr>
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</table>

We would maintain the same objection as previously expressed against application P17/S3940/FUL on 7th December 2017 (this application being subsequently withdrawn). CCB would also attach considerable weight to the planning appeal decision that applies to this land under reference APP/Q3115/W/17/3180206 and dated 9th February 2018. In that decision the Inspector dismissed the appeal for 7 dwellings and made the point at her paragraph 6 that 'The location of the appeal site along with its largely undeveloped appearance gives it a tranquil and unspoilt rural character. These are key characteristics associated with the AONB which would be radically diminished by a residential development of seven dwellings. Furthermore, the site’s connection to
surrounding fields, countryside and AONB means it has value in terms of its contribution to the overall landscape and scenic beauty of the area which would be eroded as a result of the development’

<table>
<thead>
<tr>
<th>White House Farm Cryers Hill Lane Cryers Hill Bucks</th>
<th>WDC</th>
<th>17/08051/FUL</th>
<th>Demolition of existing dwellinghouse and construction of replacement detached dwellinghouse</th>
<th>Pending</th>
<th>CCB Comments</th>
</tr>
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<tbody>
<tr>
<td></td>
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<td>On examination of the papers, we would consider that a review of heritage considerations in this case has merit. The Historic England Conservation Principles (as issued by English Heritage in 2008) deals with heritage values and these include <em>Evidential value</em> (derives from the potential of a place to yield evidence about past human activity), <em>historical value</em> (derives from the ways in which past people, events and aspects of life can be connected through a place to the present. It tends to be illustrative or associative), <em>Aesthetic value</em> (derives from the ways in which people draw sensory and intellectual stimulation from a place) and <em>Communal value</em> (derives from the meanings of a place for the people who relate to it, or for whom it figures in their collective experience or memory. The existing dwelling is of non-designated heritage value and should be retained.</td>
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<thead>
<tr>
<th>The Bull Field</th>
<th>BCC</th>
<th>CM/0015/18</th>
<th>Proposed extraction of approximately 6000 cubic metres of brick earth, with restoration to grassland and wetland/woodland dell.</th>
<th>Granted 16.5.18 conditions on restoration</th>
<th>CCB Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chesham Road</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>The AONB Management Plan is a material consideration in planning matters. Restoration details are set out at paragraph 5.9 of the supporting planning statement and the landscape assessment at its 7.4 deals with the restoration to wetland and woodland hollow. We noted that the Bucks CC archaeological recommendations for a suitable archaeological condition addresses the co-axial field pattern across the site.</td>
</tr>
<tr>
<td>Bellingdon Chesham</td>
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<td></td>
<td>21.3.18</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Abbey Barn Lane- Abbey Barn South Reserve Site Abbey Barn Lane High Wycombe Buckinghamshire</th>
<th>WDC</th>
<th>18/05363/FUL</th>
<th>A hybrid planning application seeking outline consent for up to 550 residential dwellings (with a minimum of 520 dwellings); up to an 120 apartment Extra Care and medical</th>
<th>Pending</th>
<th>CCB Comments</th>
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</thead>
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<td>(1) Landscape impacts – The applicant’s LVIA ‘Schedule of Likely Landscape Effects’ is useful here. This assessment rightly attributes a high landscape value to the AONB receiving landscape. Following the landscape assessment as reported in the Buckinghamshire Landscape Character Assessment by LUC, LCA 18.1 is acknowledged to contain high levels of tranquillity, notwithstanding the proximity to the motorway. The AONB landscape here is crossed by footpaths and a vantage point to the north reveals a rolling agricultural and rural landscape consistent with the wider National Character Area If the LPA are minded to grant this application prior to the outcome of the examination, that attention is given to a condition/reserved matter that requires layout and mitigation planting to be verified against a LVIA methodology.</td>
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<td>(2) AONB Management Plan Policy. In light of this proximity CCB recommends that the decision-maker takes into account the Chilterns AONB Management Plan (<a href="http://www.chilternsaonb.org/">http://www.chilternsaonb.org/</a></td>
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<td>27.3.18</td>
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conservation-board/management-plan.html). This Management Plan includes at paragraph 11 guidance that 'The need to consider the potential impact of developments within the setting of the AONB on the natural beauty and special qualities of the AONB itself are explicitly referred to in a number of adopted development plans in relation to the Chilterns AONB.

(3) Construction Impacts. At any construction stage a development of this scale will impact widely and pages 24 and 25 of the LVIA deal with minimising lighting glare impacts into the wider landscape. These matters would need to be controlled by a planning condition requiring a schedule of details and technical controls to be enforced during the construction period.

<table>
<thead>
<tr>
<th>Land at Beechwood Lane Wendover Bucks</th>
<th>AVDC</th>
<th>18/01506/APP</th>
<th>Erection of one dwelling</th>
<th>Pending</th>
<th>CCB Objection</th>
</tr>
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<td>30.5.18</td>
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This site is within the Chilterns AONB and is sensitively located towards its boundary with the surrounding land, some of which is of sufficient landscape quality to constitute a valued landscape in the setting of the AONB. The AONB boundary was extended in 1990 by a designation order granted by the Secretary of State. This site is within the Chilterns AONB. This application would erode the special qualities of the Chilterns AONB.

<table>
<thead>
<tr>
<th>Land at Butterfield Technology Park, Great Marlings, Luton.</th>
<th>LBC</th>
<th>17/02069/FUL</th>
<th>Redevelopment to commercial units within flexible use B1c B2 and B8 at land at</th>
<th>Granted 5.6.18</th>
<th>CCB Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>Condition 10 deals with external lighting</td>
<td></td>
<td>5.4.18</td>
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</table>

Looking at the submitted layout plans we note that the land edged red falls within the wider business park boundary. Accepting the locational context here it remains important that any evaluation of impacts includes an assessment of the following:
<table>
<thead>
<tr>
<th>Rumbolds Pit, Eyres Lane, Ewelme, Wallingford.</th>
<th>OCC</th>
<th>MW.0099/17</th>
<th>Change of use of a small part of the application site to allow motor vehicles to park on land to the north of the primary working area</th>
<th>Granted 12.4.18</th>
<th>CCB Objection</th>
</tr>
</thead>
</table>

CCB notes that the Local Planning Authority has raised concerns over the ‘additional pressure on this land and would resist the incremental creeping of the transfer station to the north without a comprehensive plan to address highways and landscaping, as well as other more fundamental concerns about the principle of development here’. This is a well-founded concern and the proposed operational development materially extends the site to the northern land parcel. This application falls to be determined against the Development Plan, AONB Management Plan and other material considerations, including the Oxfordshire Landscape Character Assessment (by Atlantic Consultants 2003) in which the application is located.
### Chilterns Conservation Board Planning Committee

**Wednesday 18th July 2018**

<table>
<thead>
<tr>
<th>Location</th>
<th>Authority</th>
<th>Reference</th>
<th>Description</th>
<th>Status</th>
<th>Notes</th>
</tr>
</thead>
</table>
| **Land to the east of Benson Lane Crowmarsh** | SODC | P18/S0827/O | Outline planning application for up to 150 | Pending | **CCB Comment**
| | | | | | CCB previously commented in December 2016 regarding application P16/S3608/O. The applicant’s covering letter of 7th March 2018 explains that this is a re-submission of that earlier application, itself refused and the subject of an exchange of inquiry evidence. (Update – now granted on appeal). That evidence (a statement of common ground) has resulted in the previous reasons being withdrawn, subject to completion of a section 106 Agreement. For ease of reference CCB sets out previous representation and, amongst other matters, refers to ‘The land to the east of footpath 181/3 secured as undeveloped land in perpetuity. This could be continued agricultural use, or planted as new woodland, or put as informal (unequipped) open space, or green infrastructure’. If a section 106 Agreement is being pursued ahead of the determination of this re-submission, CCB recommends that this matter is the subject of detailed controls as would be included within such an agreement. |
| **Bishopswood, Middle Field and Memorial Hall Sonning Common** | SODC | P15/S4119/FUL | 50 homes + open space and landscaping strategy-amendments | Approved 3.5.18 | **CCB Objection**
| | | | | | The amendments to the plans remove the road spur pointing towards the SON1 site and Bishopwood Farm that we
raised in the Board’s objections to this application (please see letter of 2nd February 2016).

However, it still remains a poorly designed scheme which falls short of the quality required by the Chilterns Buildings Design Guide SPG, e.g. its use of standard house types, inappropriate features such as the inset doorways on HT 305 V2 Elevations, and the grey roofing materials which speak little of the Chilterns vernacular. It does not comply with SCNDP Policy H1 “Ensure that the proposed dwellings are designed to minimise the visual impact of the development on the AONB. Particular consideration should be given to the ridge heights of the proposed dwellings and to the colour of building materials.”

We note that now the plan now shows sports and recreation facilities. Land levelling and potential lighting could impact negatively on the character and dark skies of the AONB. We recommend a condition is applied prohibiting any external lighting (suggested wording supplied).

CCB has not been consulted on 17/03203/FUL which is firmly within the setting of the Chilterns AONB. Please see our Position Statement on Development Affecting the Setting of the Chilterns AONB. CCB considers that the application proposal is not appropriate in this location.

1) It would harm views from the Chilterns AONB, including from the Thames Path National Trail and views from Hartslock Nature Reserve which is open access land and a Special Area of Conservation (Photos 22.3.18).
2) It would affect the setting of the Gatehampton Viaduct. This is an iconic structure designed by Brunel, built between 1839-40 and extended with a second bridge in 1890-93. An elegant elliptical-arched red brick viaduct it is one of the jewels of the Chilterns AONB, as is the dramatic landscape of the Goring Gap. The Viaduct is Grade II Listed.

3) The application lacks sufficient landscape and visual impact assessment. It does not show awareness of landscape character. It does not consider impact on long views from higher ground. It does not refer to the two Nationally Protected AONB it would affect.

<table>
<thead>
<tr>
<th>OS Parcel</th>
<th>WDC</th>
<th>17/07666/OU TEA</th>
<th>Outline application for up to 300 dwellings</th>
<th>Pending</th>
<th>CCB Objection</th>
</tr>
</thead>
<tbody>
<tr>
<td>8784 and 0006 Mill Lane Monks Risborough and De Graven Meadows Askett Village Lane Askett Buckinghamshire</td>
<td>WDC</td>
<td>17/07666/OU TEA</td>
<td>Outline application for up to 300 dwellings</td>
<td>Pending</td>
<td>CCB Objection</td>
</tr>
</tbody>
</table>

Thank you for consulting the Chilterns Conservation Board (CCB) on the Environmental Statement details submitted (Feb 2018 documentation) for this application. CCB previously raised an objection to this application (30th October 2017). The details in the applicant's Environmental Statement (ES) do not change our stance. Fundamentally we cannot agree that the implications for the setting of the AONB are 'negligible' as the applicant's consultant asserts at the ES paragraph 8.5.22. Whilst the ES reports the Board's Position Statement on the setting of the AONB (ES 8.4.23), the conclusions on cumulative impact in the non-technical summary of 'minor adverse' or the finding of no permanent 'significant adverse effects' overall (ES non-technical 4.4.4) cannot be correct. The CCB would only add here that...
greater weight needs to be given to some of the consistent parts of the Board's Position Statement (lighting - cumulative impact - views) as well as landscape character / settlement patterns, in the assessment of impacts. On the cumulative point, The Town and Country Planning (Environmental Impact Assessment) Regulations 2017: 571, Schedule 4 (5e) requires consideration of 'the cumulation of effects with other existing and/or approved projects, taking into account any existing environmental problems relating to areas of particular environmental importance likely to be affected or the use of natural resources'. This would require an assessment of the relationship to the emerging Local Plan.

CCB has produced its own Position Statement on cumulative impact of development on the Chilterns. This is available at http://www.chilternsaonb.org/conservation-board/planning-development/position-statements.html. This includes constituent parts of a cumulative assessment and these include 'Land take, urbanisation, harm to scenic beauty' and 'lighting'. We deem both of these pertinent here and do not share the assessment of the ES with respect of such matters.

CCB agrees with the content, in analysis of the issues and the assessment of planning merits, in the WDC email to Wardell Armstrong of 15th Sep 2017, notably that the setting of the AONB is a major consideration and that lighting impact is a material issue.

For ease of reference CCB sets out our earlier consultation response.

30th October 2017

The Chilterns Conservation Board raises objection to this
application on the principal ground that the site area is significantly larger than that dismissed on appeal in 2016 (APP/K0425/W/15/3011900) and as a consequence the current proposal encloses the AONB to a degree that detra...ct and harms the special character of the AONB, namely views out from the escarpment and views towards the escarpment from the Vale.

1.0. Special Qualities of the AONB. 1.1. These special qualities include, as listed in the Management Plan (but not exclusively confined to) the steep chalk escarpment with areas of flower rich downland, woodlands, commons, tranquil valleys, the network of ancient routes, villages with their brick and flint houses, chalk streams and a rich historic environment of hillforts and chalk figures, registered common land (around 2.4% of the total area), chalk rivers and streams, fed by groundwater from the chalk aquifer, the distinctive feature of the River Thames (the southern boundary of the AONB), ancient man-made features scattered through the countryside and a legacy of grand houses and designed landscapes from the 17th and 18th centuries. It is also noted that the Chilterns AONB is possibly the most heavily visited landscape in the UK with 55 million leisure visits a year and within which visitors come to enjoy over 2,000 km of public rights of way.

2.0. Policy Considerations 2.1. The Board recommends that the decision-maker takes into account the following: 2.1.1. The Chilterns AONB Management Plan (http://www.chilternsaonb.org/conservation-board/management-plan.html), which deals with
2.1.2. The Chilterns AONB Position Statement on the setting of the AONB at its paragraph 6 states that 'Views out of the AONB and into its surrounding areas can be very significant. Development proposals that affect views into and out of the AONB need to be carefully assessed, particularly in line with the National Planning Policy Framework and National Planning Practice Guidance, to ensure that they conserve and enhance the natural beauty and landscape character of the AONB' and at paragraph 15. 'Examples of adverse impacts will include: Blocking or interference of views out of the AONB particularly from public viewpoints or rights of way; Blocking or interference of views of the AONB from public viewpoints or rights of way outside the AONB'.

2.1.3. Policy L1 of the adopted Wycombe Local Plan at (4) deals with setting and states that development will not be permitted which, although not itself located within the AONB, would have a demonstrably detrimental effect on its special character or appearance.

3.0 Assessment of Impact on the AONB

3.1. The starting point for an assessment of impact upon this nationally protected landscape will be the effect upon the special qualities of that area. The applicant accepts that the site falls within the setting of the AONB in their Landscape and Visual Assessment (LVIA) paragraph 3.36. 3.2. The Inspector when considering the 2016 scheme
and the proposed 170 dwellings determined at her paragraph 62 that 'Framework paragraph 115 indicates that great weight should be given to conserving landscape and scenic beauty in AONBs. However, the appeal site lies outside of the AONB. There is, however, strong intervisibility with the Chiltern escarpment (AONB). Nonetheless in views from both within and outside of the AONB the development of the appeal site would be seen in the context of the existing established urban development of the town, and Kingsmead, as well as the railway line. Whilst the proposed development would change views in both directions, particularly that of the Vale as the setting for the AONB escarpment, the extension of the town in this way would not have a demonstrably detrimental effect on its special character and appearance'. 3.3. The Inspector when applying the planning balance concluded (at her paragraph 113), 'Conflict with the development plan has been identified. This, along with the identified harms, and all other considerations set out above, including the contribution of the proposal to addressing the shortfall in housing supply, on balance, I conclude that the adverse impacts of the appeal proposal would significantly and demonstrably outweigh the benefits of granting planning permission. Therefore, the proposed development cannot be regarded as sustainable development and the appeal fails'. 3.4. The increase of the application site area from 8.2 hectares to 17.39 hectares together with the increase from 170 to 300 dwellings requires a recalibration of that balance. In this case CCB
argues that the impact upon the view from Whiteleaf would have a detrimental effect on its special character as well as the views back towards the escarpment from footpaths running across the site and to Askett Village. A linear spread of ribbon development would result. Weight must be attributed to the AONB Management Plan and Position Statement on Setting and the Bucks Landscape Character Assessment area 10.6 Risborough Chalk Foothills within Landscape Character Type (LCT) 10 Chalk Foothills. One of the key characteristics of this landscape character type is as 'Settlement is prominent within the landscape, nestled at the foot of the escarpment, with a historic character, and modern infilling. Smaller linear settlements occur along roads'. The settlements at the foothills of the scarp are scattered along the spring line, which historically has diffused the development pattern. The Natural England National Character Area 110 itself denotes the special qualities of the Chilterns as including important views stretching out across Aylesbury Vale to the North West and East towards the Chilterns escarpment, including important landmarks of Whiteleaf Cross and Coombe Hill. The applicant's LVIA reports this at their paragraph 4.6. In similar fashion the Bucks Landscape Character Assessment area 11.3 Coombe Hill and Whiteleaf Chalk escarpment, sets out the key characteristics as 'Steep, north west facing chalk escarpment' and 'A visible feature over long distances from lower lying areas in Aylesbury Vale' and 'Extensive long views are achieved across the Vale of Aylesbury and south over the
settled plateau from higher ground. However, dense woodland cover often restricts these views'. 3.5. The current proposal represents a block of development that would be incongruous with that settlement pattern. We attach a 'Gigapan' image which shows the view from Whiteleaf (open access land). 3.6. The application is made in outline with all matters reserved. The applicant makes the point that some 7.43 hectares or 43% of site area would be undeveloped as open space / green infrastructure. Looking at the number of dwellings involved and the extended size layout within the illustrative master-plan, development would have to extend North - Westwards towards Askett and this would effectively wrap around the panoramic view from Whiteleaf Cross, resulting in a harmful relationship. The applicant's planning statement (in its executive summary) at point (xi) is very selective in its reporting of the appeal decision, stating 'An appeal for up to 170 dwellings on the southern portion of the site was heard in March 2016 with a subsequent refusal being issued on the 13th June 2016. The reason for the refusal was in part due to concerns over the impact of the development on surface water flooding. This scheme will provide a material betterment to the current conditions'. CCB concludes that the whole planning balance must now be recalibrated and that the LVIA's assertion that this development is seen as merely a part of the wider panorama view is incorrect (LVIA conclusions at 7.14). The LVIA (7.14) makes the point that the visual effects upon PROW and nature reserves within the AONB will
<table>
<thead>
<tr>
<th>Gaddesden Home Farm</th>
<th>DBC</th>
<th>4/00870/18/MA</th>
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<th>CCB Objection</th>
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<tr>
<td></td>
<td></td>
<td>Change of use to mass participation event</td>
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<td>- holding for details on impact upon Ancient Woodlands</td>
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<td>11.5.18</td>
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<tr>
<th>Land South West Of Asheridge Road (adjacent To Darvell Drive) Chesham Buckinghamshire</th>
<th>CDC</th>
<th>CH/2018/0659/OA</th>
<th>Pending</th>
<th>CCB Objection</th>
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</thead>
<tbody>
<tr>
<td>Outline application for the development of site to provide up to 99 dwellings</td>
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<td>5.6.18</td>
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be moderate - minor adverse in impact and minor adverse after 15 years. We disagree with this assessment and consider it to be moderate - major adverse. 4.0.

Conclusion. The CCB considers that with respect of setting this application is demonstrably harmful and should be refused planning permission. The proposal is discordant with the scattered settlement pattern that predominates around the scarp hinterland and the spring line villages. This will be harmful to the views to and from the escarpment and therefore the special qualities of the AONB in this location.

Looking first at the three tests for exceptional circumstances:
(i) the Chilterns Conservation Board does not consider that meeting housing numbers constitutes need in the context of national considerations and there is no local economy argument in favour of this site for housing above others;
(ii) there is scope to meet the need elsewhere outside the AONB and the setting of the AONB in the wider housing
market area (see emerging local plan); (iii) the proposal would be positively harmful to the environment and the landscape, it would not conserve and enhance the AONB and there is no reasonable case that the detrimental effects could be moderated.

Next, looking at whether the development is in the public interest, this is a greenfield site in the AONB where the primary objective is to conserve and enhance the natural beauty of the landscape, and the application does not involve proposals for local community infrastructure, job creation etc to balance in favour of the scheme. The Chilterns Conservation Board’s view is that this is not a reasonable site for development. The application is submitted in advance of the Chiltern and South Bucks Local Plan and is not a site proposed for allocation in that emerging plan.

The Chilterns AONB Management Plan is a statutory document prepared under the Countryside and Rights of Way Act 2000. The application proposal fails to meet the following policies: Policy L5 Developments which detract from the Chilterns’ special character should be resisted. Policy L8 Landscapes close to existing and new areas of development should be maintained and enhanced to conserve, enhance and extend: natural capital; green infrastructure; character and amenity; biodiversity; and opportunities for recreation. Policy D6 Where new housing development is proposed this should only be permitted if its scale, massing and density
reflect the local context and have regard to the special qualities of the AONB.

Landscape and visual impact
The LVIA explains that Lockhart Garratt (LG) were commissioned to ‘undertake a Landscape and Visual Impact Assessment of these proposals’. However the Chilterns Conservation Board considers their assessment focusses far more on the visual impact than on the landscape assessment part of that commission.

The site sits in open countryside within the AONB and Green Belt (GB) to the north west of Chesham. Both designations would make most landscape architects assume the default position that the landscape should remain free from major development. Open countryside has intrinsic character and beauty which is recognised in the NPPF and should be recognised by proposals. Although LG appear to make a tentative argument for de-facto de-designation of this part of the AONB and GB, the boundary of the AONB is a matter for the Secretary of State through Natural England, and Green Belt review is for the local plan process. A planning application is not the correct arena for considering either suggestion.

In the Chiltern Landscape Character Assessment the site falls within Landscape Character Area 17.2 BELLINGDON DIPSLOPE WITH DRY VALLEYS with a defining characteristic of “A rolling and undulating topography, with steep slopes contrasting with flatter valley ridges. A smooth and sweeping landform.” The strategy/ vision for this landscape is “Conserve and
manage Bellingdon Dipslope with Dry Valleys as a peaceful landscape of mixed farmland and woodland areas. Maintain the quiet and rural character, the visual unity of the landscape and the open panoramic views." The proposed housing development is contrary to this strategy/vision.

The Chilterns Conservation Board agrees with LG that ‘the application site is in a highly sensitive location on account of its inclusion within the Chilterns AONB’ and that ‘the application site shares a strong relationship with the facing valley slopes’ (Summary para 2).

We do not agree with LG that the site ‘shares a strong relationship with …the adjacent settlement of Chesham, but a limited relationship with the rural landscape to the north-west’. Further we do not agree that the ‘presence of an area of light industry to the east’ exerts an influence that is particularly strong. The argument that housing adjacent to the site is not well screened from the site nor the AONB could, if the application were approved, easily be applied to land surrounding the Chess Vale bowling club to the north-east. Approval would not only be contrary to the NPPF but would set a dangerous precedent.

Whilst the proposed new perimeter path could ensure ‘ownership’ of the woodland by local residents, the new relationship of the woodland to the development and to the new footpath would also ensure more intense management and a pressing need to remove trees that area dangerous. The relationship between the proposed new housing is in places very tight and will
almost certainly result in removal of trees to accommodate this density of development. The NW boundary of Chesham at this point is slightly more abrupt than is to be hoped, a failure of development and planning of the past. However this could be easily and simply addressed by changes in management on the farmland which is currently the land use of the site. Grants for woodland planting, for example would address this issue and there is no need for a major application to address this. Even a hedgerow or narrow belt of trees or perhaps enhancements to the boundary treatments on rear gardens would improve the situation. There is no need for a development of 99 dwellings to address this problem. The improvements could be made cheaply and simply through tree and hedgerow planting at limited cost. There is no public benefit to this ‘highest status’ landscape from these proposals, and no very special circumstances. Large housing development brings far wider impacts than just the visual, for example more water abstraction from chalk streams, traffic generation through the AONB, habitat fragmentation, increased recreation pressures, noise, air and light pollution. It is about far more than whether a development would be seen.

Conclusion
1. The AONB is a location where development should be restricted and the presumption in favour of sustainable development does not apply (NPPF para 14 footnote 9).
2. Great weight should be given to conserving and enhancing the natural beauty
of the AONB (NPPF para 115).
3. This is major development in the AONB and does not pass the major development tests. There are no exceptional circumstances and it is not in the public interest (NPPF para 116).
4. The proposal is contrary to adopted policy on the Chilterns AONB in Chiltern Local Plan Policy LSQ1 and Core Strategy policy CS22, and the emerging Chiltern and South Bucks Local Plan and it was not a site proposed in the Green Belt preferred options consultation.
5. The proposal does not comply with policies in statutory Chilterns AONB Management Plan.
6. There is a statutory of duty of regard to the purpose of conserving and enhancing the natural beauty of the AONB in Section 85 of the Countryside and Rights of Way Act 2000, and the local planning authority should refer to this in making and recording a decision.

| The Hoo, Ledgemore Lane, Great Gaddesden, Hemel Hempstead | PINS & DBC | APP/A1910/C17/3192327 and 4/03329/17/ENA | Roadway and earth bund | Pending | CCB made representations on this enforcement appeal by written reps, dealing with AONB duties but deemed out of time. | 2.7.18 |
| Blenheim Farm, Ewelme, OX10 6QE | SODC | P18/S1619/FUL | Replacement dwelling | Granted 6.7.18 (with condition on minimising light spill from glazing) | CCB Objection | The contemporary design with its blocky form, flat roof and large expanses of glazing on the south elevation is not in sympathy with the location in the Chilterns Area of Outstanding Natural Beauty. The south elevation is almost entirely glass and could cause glint and glare in the daytime, and spill out light at night. Light pollution on a dark hillside would show as rectangular boxes of yellow white light, harmful to the character and remoteness of this part of the AONB and to its ecology. This is a |
| | | | | | | 6.6.18 |
particularly rural part of the AONB where dark skies and bright stars are important. The design should be revisited to address the light spill problem, and reflect the advice in the Chilterns Buildings Design Guide, which is adopted by SODC as supplementary planning guidance. Following the design cues of the existing timber outbuilding, with its dark stained weatherboarding and pitched clay tiled roof, would produce a building more in sympathy both with the buildings on the plot and the locality. The design should respect the local context and wider landscape. No landscape and visual impact assessment has been submitted to consider the impacts of the proposed building. There is insufficient information submitted on this point. The site is in the Chilterns Escarpment Landscape Character Area (LCA8) which the LCA identifies as the most visually significant and distinctive landform unit within the district of South Oxfordshire, and where the unspoilt character and ecological make it particularly unsuitable for development, and where most new forms of development will potentially have an adverse impact on the AONB.

The area has a strong network of public rights of way, including path 316/6 which passes through the site, and 316/29 which runs along the track behind the site and from which the access would be taken. Known as the Chiltern Way, 316/29 which is a 134 mile circular walk and one of the AONBs strategic promoted routes. Great weight should be given to conserving and enhancing the natural beauty of the AONB (NPPF para 115) and priority should be given to
<table>
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<tr>
<th>Location</th>
<th>Authority</th>
<th>Reference Number</th>
<th>Type</th>
<th>Status</th>
<th>Notes</th>
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<tbody>
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<td>APP/Q3115/ W/18/3201940</td>
<td>Outline 51 dwellings</td>
<td>Pending</td>
<td>CCB Objection as previously reported. CCB would respectfully ask that weight is given to the wider views from the escarpment with consideration of the cumulative impacts. These cumulative impacts must give weight to the fact that the application site is directly in the view from Chinnor Hill together with the current implementation of the 120 dwelling scheme (Cemex) and 89 dwelling scheme (Gladman). The land east of Crowell Road (60 dwellings) and the land to the rear of 79a-83 Lower Icknield Way (58 dwellings), whilst pending decisions, will need to be factored into any cumulative assessment. Looking at the cumulative impacts now materialising CCB would say, on balance, that this application is harmful to the setting of the AONB.</td>
</tr>
</tbody>
</table>
| Chinnor Hill Kennels              | SODC      | P18/S1674/O       | Redevelopment for 5 dwellings | Pending  | CCB Comments Summary: (1) CCB considers this application an improvement on the withdrawn scheme. CCB is very supportive of provision of a new public view of the lake here and the location chosen. (2) Design details in the Chilterns Buildings Design Guide and AONB Management Plan have been incorporated, but we give these only limited weight since this is an outline scheme and design is not fixed through this application. All parties to this application agree that design is absolutely fundamental to the planning principle. The
all applicants in their LVIA and planning statement deal comprehensively with such matters. The LPA will have to consider how best to give weight to this matter because a reserved matters application would have to adhere very closely indeed to the design ethos that has evolved since the pre-application discussions. This point is a procedural matter and does not obviate consideration of our other point as to plots 4 and 5.

These design details must be assessed against landscape impacts as opposed to a volumetric approach, however it would be useful to have this information to assist the assessment. The planning supporting statement accepts that the volume of what is proposed would be materially more than what exists (para 18) but we could find no detailed calculation beyond the point that the existing buildings are 4092 cubic metres in volume. The layout replaces single storey kennels structures with much higher large format luxury homes (with very large floorspaces).

(3) We have previously held the view that one house sits more comfortably than two within the escarpment (at plots 4 and 5). The green roof treatment to plot 5 reduces its impact but that may not always be the case in summer weather (when the sedum may tone to yellow) and in any event the forward location of plot 5 maintains its prominence in the wider view. Introducing non-local cultivated sedum varieties in a green roof could spread sedum to other areas of the bare chalk nearby. A grass roof utilising local calcareous grassland flora would be a more sensitive approach, or a sedum roof utilising strictly

(4) CCB considers the layout and design of plots 1, 2 and 3 to be consistent with the design principles of the Chilterns Buildings Design Guide, as discussed. Details as to materials glazing/fenestration and the use of an appropriately dark palette of materials on the upper storey has been clarified. The Chilterns Buildings Design Guide at sections 3.9 (to be in harmony with the landscape when considered from views and use of site contours without major earthworks), 3.23 (on garages), 3.25 (checklist – dealing with avoiding excessive earthworks) and 3.66 (window detailing to be recessed).

(5) The extent to which this increase in site volume, combined with the accepted benefits of removing the ugly buildings, conserves and enhances the special qualities of the escarpment are highly material to the determination. To deliver conservation, even enhancement, requires further details as to how the geotextile bunding and hedge, together with additional planting, will overlay to the massing and context elevational drawings. We are grateful to see this additional detailing so that an enforceable and detailed condition can be added.

(6) CCB supports the proposed ecological benefits, re-wilding elements and creation of a public benefit in the viewpoint as created.

<table>
<thead>
<tr>
<th>Gurdons Farm</th>
<th>WDC</th>
<th>18/06124/FUL</th>
<th>Manege and separate lunging ring with</th>
<th>Pending</th>
<th>CCB Comment</th>
<th>2.7.18</th>
</tr>
</thead>
</table>
Buckinghamshire HP14 3YN

surrounding post and rail fence & gate

CCB did not comment on the previous application under reference WDC 09/07153/FUL for repairs / refurbishment of buildings and construction of a horse walker (granted in 2010).

The application site is within the AONB and thus the legislative duty in the Countryside and Rights of Way Act 2000 attributes great weight and importance to the conservation of landscape and scenic beauty within an AONB. These duties are given a particularly enhanced status in the determination of planning applications. That status requires that the application results in the conservation and enhancement of the special qualities and scenic beauty of the AONB. In respect of policy Wycombe consolidated Local plan policy L1 applies (special attention will be paid to the conservation of its scenic beauty and to any wildlife interest) as well as national policy in paragraphs 115 of the Framework (great weight should be given to conserving landscape and scenic beauty).

Further, the AONB Management Plan can be given weight as a material planning consideration. In particular we draw attention to policy D1 (The natural beauty of the Chilterns AONB should be conserved and enhanced by encouraging the highest design standards, reinforcing local distinctiveness and respecting the landscape, settlement character and special qualities of the AONB) and to the design details in the Chilterns Buildings Design Guide (as applies to farm buildings and ancillary structures).

The site falls within the Bucks Landscape Character Assessment LCA 16.1 Stokenchurch Settled Plateau,
in which the identified landscape character includes ‘a simple and legible landscape, with a tranquil character away from settlement areas and transport corridors’, and ‘a mosaic of arable fields, rough grazing, paddock and pasture are defined by hedgerows and wooden fencing, and interlocked with areas of woodland which create a landscape of both openness and enclosure. Smaller fields of paddock are often closely associated with settlement edge’.

We could not find any landscape appraisal or commentary in the papers nor any design and access statement. CCB would ask that the LPA is satisfied that the manage location is as close as possible to the existing cluster of buildings as improved under the 2010 permission and themselves near to the access track also created under that permission. Mitigation of any impact would require that the location has the least impact upon the wider landscape and this would be an important starting point. Also that a condition is imposed (similar to that attached to the consent under 09/07153/FUL) that there will be no floodlighting permitted here due to the sensitivity of the landscape and the proximity of the nearby public right of way. The design treatment would need to look as inoffensive and indeed as natural as is possible.
<table>
<thead>
<tr>
<th>Hudnall Park, Little Gaddesden, Hertfordshire, HP4 1QN</th>
<th>HCC</th>
<th>PL/0920/18</th>
<th>Camping area in association with YC Hertfordshire</th>
<th>Pending</th>
<th><strong>CCB Comment</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>CCB Review</strong></td>
<td><strong>Location and Details</strong></td>
<td><strong>Pending</strong></td>
<td><strong>CCB Objection</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Part of OS Field 5828 Amersham Road, Coleshill</strong></td>
<td>CDC</td>
<td>CH/2018/0573/FA</td>
<td>Erection of temp agricultural workers dwelling and agricultural building</td>
<td>Pending</td>
<td><strong>CCB Objection</strong></td>
</tr>
<tr>
<td><strong>This is a greenfield site in the Chilterns AONB, a nationally protected landscape.</strong></td>
<td><strong>The application shows no consideration to its location in the AONB, and there is inadequate environmental information on which to determine this application re:</strong></td>
<td><strong>4.7.18</strong></td>
<td><strong>2.7.18</strong></td>
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</table>
landscape character, landscape and visual impact, ecology (especially nearby ancient woodland at Hodgemoor Wood SSSI, and the adjacent Traditional Orchard priority habitat at Bower’s Farm).

The design makes no concession to the sensitivities of the location. The very basic design of the residential timber cabin with its blocky rectangular form and shallow pitched roof is of standard design and not in sympathy with the location in the Chilterns Area of Outstanding Natural Beauty. The larger agricultural building has the same issues but magnified.

The design does not reflect the advice in the Chilterns Buildings Design Guide. The formation of a new access would harm the character of Magpie Lane, and involve removal of a stretch of mature hedgerow. It is not clear how the waste from the rabbit enterprise would be disposed of and whether there would be a risk of odour, air and water pollution to the environment.

A new rabbit breeding enterprise plus dwelling is not likely to conserve and enhance the AONB. Over time the use of agricultural PD rights could further erode the open landscape character eg predator fencing, rabbit hutches and pens, as indicated by the photos of pages 3 and 4 of the Agricultural Appraisal. The field and associated buildings and structures are likely to be visible from Magpie Lane because of the rising topography of the site, and also potentially from higher land east of the A355 and from Public Rights of Way, although the applicant provides no information on views (eg from paths COL/1/2, COL/1A/1 and COL/2/4 see...
Rabbit breeding is not an agricultural use which is in harmony with the site or its history. The proposal is not in line with policies in statutory Chilterns AONB Management Plan or Chiltern Core Strategy Policy CS22 or Local Plan Policy LSQ1. There is nothing locally distinctive about the proposal or buildings, and the enterprise does not respond to or enhance landscape character. Great weight should be given to the conserving and enhancing the natural beauty of the AONB (NPPF para 115).

There is a statutory of duty of regard to the purpose of conserving and enhancing the natural beauty of the AONB in Section 85 of the Countryside and Rights of Way Act 2000, and the local planning authority should refer to this in making and recording a decision.

<table>
<thead>
<tr>
<th>White Lion Public House, St Leonards</th>
<th>CDC</th>
<th>CH/2018/0810/FA</th>
<th>Pub extension</th>
<th>Pending</th>
<th>CCB Support</th>
<th>4.7.18</th>
</tr>
</thead>
</table>

The site is in the AONB and at a useful strategic location for both locals and visitors, being at the crossroads of the Chilterns Cycleway and the Chiltern Way. Reopening the pub and improving its facilities is in line with many of the objectives and policies of the Chilterns Area of Outstanding Natural Beauty Management Plan (2014-2019) including:

- The cultural heritage of the Chilterns should be celebrated and promoted to attract visitors and support the tourism economy (HE9)
- The historic environment could be used to support sustainable economic and social activity (HE11)
<table>
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<tr>
<th></th>
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<th></th>
<th>• Ensure the distinctive character of the built and natural environment of the Chilterns is improved.</th>
<th></th>
</tr>
</thead>
</table>
### Current Live CCB Planning Application Casework

<table>
<thead>
<tr>
<th>Location</th>
<th>LPA</th>
<th>Ref number</th>
<th>Development</th>
<th>Deadline</th>
</tr>
</thead>
<tbody>
<tr>
<td>Greendene Farm near Chazey Heath RG4 7UG</td>
<td>SODC</td>
<td>P18/S0650/FUL</td>
<td>65-bedroom elderly care home</td>
<td>31.3.18 extension granted to consider amendments and AONB enhancement proposals</td>
</tr>
<tr>
<td>OS Parcel 2814 opp Tiles Farm Asheridge Rd nr Chesham</td>
<td>CDC &amp; PINS</td>
<td>CH/2017/1648/FA</td>
<td>Traveller site</td>
<td>16.7.18</td>
</tr>
<tr>
<td>The Pavilion, Thames Road, Goring RG8 9AH</td>
<td>SODC</td>
<td>P18/S1983/FUL</td>
<td>Replacement dwelling and boathouse</td>
<td>12.7.18</td>
</tr>
<tr>
<td>Land off Pyrton Lane Watlington</td>
<td>SODC</td>
<td>P16/S2576/O</td>
<td>Outline application for the erection of up to 100 residential dwellings including vehicular access, public open space, car parking, landscaping and drainage - Amendments</td>
<td>2.7.18 extension granted</td>
</tr>
<tr>
<td>Land at Eyres Close Ewelme OX10 6LA</td>
<td>SODC</td>
<td>P18/S1514/FU</td>
<td>Erection of 3 dwellings</td>
<td>13.7.18</td>
</tr>
<tr>
<td>Shirburn Road Watlington</td>
<td>SODC</td>
<td>18/S0002/O</td>
<td>Amended plans - Outline 37 assisted living units care home, provision of a CareHome (All C2 Use), 4 staff accommodation units and site access</td>
<td>18.7.18</td>
</tr>
<tr>
<td>Kitcheneres Field, Castle Hill, Berkhamsted, HP4 1HE</td>
<td>DBC</td>
<td>4/01663/18/FUL</td>
<td>Light external drive and parking area</td>
<td>26.7.18</td>
</tr>
</tbody>
</table>