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By email only to Andrew Ashcroft, c/o planning.policy@southandvale.gov.uk

My Ref.: F:\Planning\Responses\Plans\South Oxon\Henley and Harpsden NP

Dear Mr Ashcroft

Additional Notes following Examination Hearing into Joint Henley & Harpsden Neighbourhood Development Plan, Monday 1 August 2022

Thank you for inviting the Chilterns Conservation Board to attend the above examination hearing, and for additionally inviting us to submit further comments on the potential impacts of the apparent increase of the capacity of the site from 110 to 130 homes. I am also taking this opportunity to provide, as requested, information on the 'Glynswood' proposal in Buckinghamshire (former Wycombe District), referred to in our aural evidence.

Headline capacity of the Highlands Northern Field site (Policy DS7 / Site M1)

I note that the issue at hand is whether the site was intended to be proposed as providing 110 homes *including* a number of community land trust (CLT) homes, or as providing 110 homes *plus* the CLT homes. The discussion in the hearing provided a compelling case that the correct interpretation of the actual wording of policy DS7 as drafted is the latter (i.e. 110 homes plus the CLT homes), although it remains ambiguous. The cause for the misunderstanding is twofold: (a) a poorly-worded policy, and (b) that many if not all of the other references to the site state that it will provide 110 homes. This is the clear expectation, for example, of policy DS1 on p.76 of the plan itself, and the site has only been assessed against a capacity of *exactly* 110 homes in the SEA Environmental Report.

The CCB's view is that the change/clarification of the number of homes to be provided on the site makes no difference to our in-principle objection to its allocation. Regardless of how the quantum of development on site was intended to be interpreted, it is clearly the intention of both the Town/Parish Councils and Crest Nicholson to pursue construction across the whole of the site, give or take some small areas of open space that will be suburban in character. In our view this represents an irreversible loss of the contribution the site makes to the character and special qualities of the AONB, regardless of the numbers of units involved. It is also likely that the developer will pursue a larger scheme going forwards, as they have done on the neighbouring site (notwithstanding our positive opinion expressed in the hearing of the care with which the design of that site has been implemented).

For clarity, the 'Sketch Layout' on p.6 of the Crest Nicholson/Omega Architects 'Vision Document, March 2022 does indeed show the CLT units (at the NE corner of the site – apparently 20 flats in a 2-storey block) separately from the indicative layout of the main housing (which appears to comprise 114 units, i.e. "around 110", as noted above). That document is not part of the Neighbourhood Plan or its background documents, but simply a representation on the Plan, as submitted by Barton Willmore in their representation dated 16th March 2022.

All of the above said, if you were minded to recommend inclusion of this site as an allocation in the Plan, we do consider that the larger number of units would increase the harmful impacts of the development, and have an impact on the ability of the development's design to mitigate its recognised harmful impacts on the special qualities of the AONB. Of greatest concern is that the SEA Environmental Report has clearly based its entire assessment on a capacity of exactly 110 residential units, not "around" or "at least" 110 units, nor with any explicit recognition of the existence of the 20 CLT units (the number of which is not specified in the Plan itself). Please see SEA Environmental Report, scenario assessment (p.13), which confirms the site as 110 dwellings. In addition, respondents to consultations on both the SEA and the Plan may have been swayed by how the quantum of development on the site has been misrepresented, especially in the Environmental Report. There is, arguably, a case for re-opening both the SEA and the public engagement processes to reconsider the proposal's impacts.

In any event, if the site is to be included in the Plan, the Town/Parish Councils' actual intentions for its development need to be made more explicit to avoid future misunderstandings, noting especially that there is no guarantee that the site will necessarily be developed by the same team that worked so constructively on the neighbouring consented site, and may even be passed on to another developer if that suits the current owner's business model.

'Glynswood' development, High Wycombe

We raised the Glynswood development in the AONB adjacent to High Wycombe as an example of how detailed proposals for a development plan site allocation could lead to the whole scheme being considered in a different light from that considered at the plan's examination.

With regard to that site, at the examination into the Wycombe Local Plan (subsequently adopted in 2019), a key issue of debate was whether the proposal would constitute 'major development' in the AONB. The CCB's contention that it would was over-ruled by the Inspector, and consequently the site was allocated in the Plan (policy HW9, p.110¹) with an indicative capacity of 50 dwellings (in supporting text only). As you will see, that policy requires "a landscape-led positive approach to design and layout to limit its impact upon the Area of Outstanding Natural Beauty".

¹ <https://www.wycombe.gov.uk/uploads/public/documents/Planning/Adopted-Wycombe-local-plan/Wycombe-District-Local-Plan-Adopted-August-2019.pdf>

The planning application submitted in April 2020 (reference 20/05980/FUL) proposed 50 units in line with the policy, but in recommending approval of the application, the planning officer correctly reasoned at para 4.19 of a report date 18 March 2021² that:

“It is possible that while an envisaged 50 dwelling development is not considered to be major development that an actual proposal given its layout, scale and form could be considered major. Therefore the question of whether the development is major development is a relevant material consideration.”

The officer went on to argue that the proposal was not major development, and recommended approval. The Committee subsequently overturned his recommendation and refused the application on the grounds of its failure to deliver the required landscape-led approach and hence limit its impact on the AONB (i.e. in terms of policy HW9 and other Plan policies); they did not, however, question the matter of whether the site was ‘major’ or not.


A subsequent appeal was withdrawn and a new application submitted (21/07911/FUL) for the same quantum of development, but with a less impactful design. This has yet to be determined.

The above is presented by way of factual information as requested in support of the statements made in the hearing of 1 August 2022. We will not expand upon the above in line with the examination rules on submitting additional unsolicited evidence.

I trust that the above is in order.

Please let me know if the CCB can be of any further assistance in your consideration of the merits of the Joint Henley and Harpsden Neighbourhood Plan.

Yours sincerely,



Dr Matt Thomson MRTPI AoU
Planner, Chilterns Conservation Board

cc.

² Available here (no direct link to document): <https://publicaccess.wycombe.gov.uk/idoxpa-web/>



The Chilterns Area of Outstanding Natural Beauty

The Chilterns AONB was designated in 1965 for the natural beauty of its landscape and its natural and cultural heritage. In particular, it was designated to protect its special qualities which include 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.

Chilterns Conservation Board

The Chilterns Conservation Board is a statutory independent corporate body set up by Parliamentary Order in 2004 under the provisions of Section 86 of the Countryside and Rights of Way (CRoW) Act 2000.

The Board has two statutory purposes under section 87 of the CRoW Act:

- a) To conserve and enhance the natural beauty of the AONB; and
- b) To increase the understanding and enjoyment by the public of the special qualities of the AONB.

In fulfilling these roles, if it appears that there is a conflict between those purposes, Conservation Boards are to attach greater weight to (a). The Board also has a duty to seek to foster the economic and social well-being of local communities within the AONB.

Like all public bodies, including ministers of the Crown, local authorities and parish councils, the Chilterns Conservation Board is subject to Section 85 of the CRoW Act which states under "General duty of public bodies etc"

“(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.”

List of Organisations providing Nominees to the Chilterns AONB Conservation Board

The Chilterns Conservation Board has 27 board members, all drawn from local communities; these are elected by:

- Hertfordshire and Oxfordshire County Councils
- Buckinghamshire, Central Bedfordshire and Luton Borough Councils (unitary authorities)
- Dacorum Borough and North Hertfordshire, South Oxfordshire and Three Rivers District Councils
- The Central Bedfordshire, Buckinghamshire, Hertfordshire and Oxfordshire Parish Councils (6 elected in total), and
- The Secretary of State for the Environment, Food and Rural Affairs (8 in total).