

11 January 2022

Planning Department
Buckinghamshire Council
By email: planning.comments.csb@buckinghamshire.gov.uk

Dear ,

Planning Application Reference: PL/21/4632/OA

We are writing to object to the above referenced Outline Application for the demolition of all existing buildings and the erection of residential dwellings including affordable housing, custom build (Use Class C3), retirement homes and care home (Use Class C2), plus all associated infrastructure. The location is land between Lodge Lane and Burtons Lane in Little Chalfont, Buckinghamshire

The Buckinghamshire branch of CPRE - The Countryside Charity is a long standing charity and has a role to protect the countryside from developments that do not meet acceptable planning guidelines. We have over 40,000 members and supporters nationally and well over 400 members in Buckinghamshire alone. We would like to register CPRE Bucks' strong opposition to the above planning application for the reasons below.

The site is within the London Metropolitan Green Belt

The relevant adopted Green Belt policy is Policy GB2. The applicant notes that this is in broad conformity with the current NPPF, though this policy has been found, when used on its own, to be out of date at previous appeals. As such, the NPPF carries strong weight in the decision making process, and, to this end, the applicant acknowledges that the proposal constitutes inappropriate development.

Paragraph 147 of the NPPF states that "*Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances*". This is further expanded on in Paragraph 148, and Case Law, quoted by applicant, emphasises the "*seriousness of harm to the Green Belt*" arising from inappropriate development.

In this case, it is important to appreciate the fundamental aims and purposes of the Green Belt. As you are aware, the NPPF makes clear (in Section 13), that "*the*

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Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence”.

It continues by setting out the five purposes:

- a) to check the unrestricted sprawl of large built-up areas;*
- b) to prevent neighbouring towns merging into one another;*
- c) to assist in safeguarding the countryside from encroachment;*
- d) to preserve the setting and special character of historic towns; and*
- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.*

This application is open land and would fail to maintain the openness and permanence of this part of the Green Belt. The applicant acknowledges under Section 7.38 of the Planning Statement that the proposal would result in *“a permanent physical change in the character of the Green Belt in this location”*. This immediately highlights the failure to keep land permanently open as its essential characteristics, namely openness and permanence, would be lost.

Further, the proposal clearly breaches purposes a) and c) because it is extending the built-up area of Little Chalfont into the countryside, thereby failing to safeguard the importance of this land. The applicant acknowledges this additional harm in Section 7.38 stating that *“in a spatial sense there will be physical development on areas of the site which currently have an absence of built form”*, and also that there is visual harm, though the applicant considers this to be limited.

The proposal also works against prioritising derelict and urban land (purpose e). This is relevant because this site is not derelict or urban land - and there are many areas of brownfield that should be used first. This approach is supported by the new Buckinghamshire Council with its policy pledge **“Brown before Green”**. This pledge commits the Council to a very different approach to plan making than was in place when the Chiltern and South Bucks Local Plan failed to be adopted because of initial concerns raised by the appointed Inspector.

As such, the harm to the Green Belt arises not just from definitional harm, but also because of spatial and visual aspects that result in the proposal failing to maintain the objectives of the Green Belt and at least two of the Green Belt purposes.

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Very Exceptional Circumstances do not exist

In such cases, the applicant has to show that very special circumstances exist that clearly outweigh harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal. Case Law confirms that very special circumstances are a planning judgement for the decision maker. The applicant has set out a package of circumstances focused on housing supply/needs. This does not provide the very special circumstances required to clearly outweigh the harm to the Green Belt, and this has been supported at appeal and in Case Law. Short term economic gains are flagged up along with community benefits regarding open space and access to the Chilterns Area of Outstanding Beauty. Again, these do not amount to a convincing set of circumstances.

Housing is being directed by the Council to Previously Developed Land (PDL) within Buckinghamshire, and this is a policy pledge by the Council. Building on PDL will provide the similar type of economic boosts highlighted by the applicant. Community facilities and open space can also be improved/provided with such development through the Community Infrastructure Levy. Finally, although the proposal lies outside the Chilterns AONB, it does border a small section of it. However, the proposed development in this location will not increase access to the AONB, and no land within the AONB is shown to be improved or even altered for the benefit of residents as part of this application.

Overall, the case of very special circumstances put forward by the applicant is very weak, and does not come close to the harm being “*clearly outweighed by other considerations*”.

Use of Evidence from the failed Chiltern and South Bucks Local Plan

The applicant makes a great play about the evidence used by the Council to justify this land being identified in the failed emerging local plan for release from the Green Belt. The Planning Statement provides examples that the Council has used such evidence in the past to justify decisions. However, the evidence used by the applicant was to remove the land from the Green Belt. Not, as is the case here, to allow a large swath of housing within the Green Belt. These types of decisions are strategic ones, and the process is clearly detailed in the NPPF. Releasing Green Belt land does not involve the use of a planning application, but the adoption of a local plan. No local plan is emerging or has been adopted that shows the Council is considering this land for release from the Green Belt. Indeed, the opposite is likely, with the Council’s policy pledge for “**Brown before Green**”. Even though there is

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no emerging local plan, the proposals appears to be very much like a premature form of development. It would adversely affect and undermine the strategic approach adopted by the Council to meet its housing requirements whilst failing to safeguard the countryside.

In short, the strategic work and evidence of a failed local plan does not represent very special circumstances. The evidence has not even been through an Examination in Public. The evidence referred to by the applicant, therefore, does not change the above conclusion that there are no very special circumstances.

To conclude, the Buckinghamshire branch of the CPRE **strongly objects** to the above development as it constitutes inappropriate development in the Green Belt, which is by definition harmful to the openness of the Green Belt. Further, it results in visual and spatial harm and result in urban sprawl and the encroachment of development into the countryside. No very special circumstances exist that outweigh this harm and **the application should be refused planning permission.**

Yours sincerely

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