



# Chilterns National Landscape

## Planning Committee

**5 pm, Thursday 25<sup>th</sup> July 2024**

**At the offices of the Chilterns Conservation Board, The Lodge, 90 Station Road, Chinnor, OX39 4HA commencing at 5pm in the meeting room.**

Members of the Planning Committee of the Chilterns Conservation Board are hereby summoned to attend meeting at the above date, time and venue. Access to the meeting from 4.45pm. Voting (Board) members are encouraged to attend in person to ensure the meeting is quorate; voting is not permitted for remote attendees. Remote access will be available for non-voting members.

## Agenda

1. Introductions
2. Election of Chair and Deputy Chair
3. Apologies
4. Declarations of interest
5. Minutes of the meeting 25<sup>th</sup> April 2024
6. Matters arising
7. Public question time
8. Lighting Position Statement
9. Neighbourhood Planning Toolkit
10. Development Management Casework update
11. Policy Casework update
12. Planning Committee work programme
13. Urgent Business
14. Dates of next and future meetings

**Thursday 17<sup>th</sup> October 2024 @2pm**

Dr E. King, CEO

**Item 2                   Election of Chairman and Deputy Chairman**

**Author:** Matt Thomson, head of strategy & planning, deputy monitoring officer

**Purpose and Summary:** To elect a Chairman and Deputy Chair for the Planning Committee. It is recommended that Sue Rowland is re-elected as Chair.

**Background**

1. Paragraph 21 of our Code of Governance provides that each committee shall elect a chair and deputy chair from among its membership.
2. Cllr Sue Rowland (representing Oxfordshire Parish Councils on the Board) was the chair of Planning Committee in 2023/24 and has indicated that she would be happy to carry on in that position. While volunteers to take over as chair would of course be welcome, it is your officers' recommendation that Cllr Rowland is re-elected as chair for 2024/25.
3. Unfortunately, Cllr Adrian Watney (representing Hertfordshire Parish Councils on the Board), who was the committee's deputy chair last year, has had to step back from additional duties, including sitting on Planning Committee. Adrian has been a positive force on Planning Committee for a number of years, and a supportive deputy to Sue. We are enormously grateful to Adrian for his contributions.
4. Volunteers are sought to take on the role of deputy chair. If more than one volunteer or proposal is received, the Committee shall vote for their preferred candidate.
5. The main role of deputy chair of the Committee is, naturally, to stand in for the chair in their absence, and to support the chair in other aspects of their role both during and outside of committee meetings, e.g. advising officers on agenda items and (rarely) on urgent matters that cannot wait until the next scheduled committee meeting.
6. Currently there is no additional "special responsibility" allowance for deputy chair of Planning Committee, but the allowance scheme is under review.
7. Your officers are of the view that it should become general practice, with regard to the Board and its committees, that more consideration should be given to planning the succession of Board and committee chairs, and that, in particular, there should be a general presumption that deputy chairs will normally be expected to succeed as chair – not necessarily after a single year.
8. Note that our Constitution is currently unclear as to whether co-opted members may serve as chair or deputy chair of a committee, only that co-opted members cannot vote and are not counted towards quorum.

**Recommendations:**

1. **That the Committee ELECTS Cllr Sue Rowland as chair for 2024/25.**
2. **That the Committee ELECTS a deputy chair for 2024/25 from volunteers proposed at the meeting.**
3. **That the Committee RESOLVES to thank Cllr Adrian Watney for his service as deputy chair and to the Committee in general, and sends him their best wishes.**



# Chilterns National Landscape

**MINUTES OF THE MEETING OF THE PLANNING COMMITTEE OF  
THE CHILTERN CONSERVATION BOARD**  
**held on Thursday 25<sup>th</sup> April 2024 at CCB offices, The Lodge, 90 Station Road, Chinnor  
OX39 4HA commencing at 10.00 AM**

Present:

Cllr Charles Hussey	Board Member	Parish Councils
Cllr Sue Rowland	Board Member – Chair	Parish Councils
Simon Mortimer	Board Member	Secretary of State
Cllr Sally Symington	Board Member	Local Authorities

In attendance:

Lorna Coldwell	Clerk to the Board & minute taker	Officer
Mike Stubbs	Planning Advisor	Officer
Elaine King	Chief Executive Officer	Officer
Matt Thomson	Head of Strategy & Planning	Officer
Cllr Paula Hiscocks	Board Member attended remotely	Local Authorities
Paul Hayes	Co-optee attended remotely	Co-opted
Chris Hannington	Co-optee attended remotely	Co-opted

No public present.

**24/25.1. Apologies for absence**

Apologies were received and accepted from Board member:  
John Nicholls.

**24/25.2. Declarations of Interest**

None.

**24/25.3. Minutes of the meeting 25<sup>th</sup> January 2024**

The minutes of the meeting held 25<sup>th</sup> January 2024 were approved as a true record and signed by the Chair.

**24/25.4. Matters Arising**

Capacity within the Planning Team, there has been feedback given that the short fixed term nature of the Planning Officer role is off putting to those considering applying for the role, it is being negotiated as to whether there is scope for a longer term contract to be offered. It was commented that Planning Officers who contract can command a high daily rate. The Head of Strategy & Planning continues to pursue various avenues.

There is no update regarding the real time planning system since the previous meeting. The Head of Strategy & Planning is unable to provide the necessary IT support, and no input has been received from committee members other than the Chair.

**24/25.5. Public Questions**

No public present.

**24/25.6. Lighting Position Statement**

The Head of Strategy & Planning, Matt Thomson, provided a draft statement for consideration by the Committee. He gave thanks to Charles Hussey, Chris Hannington and Paul Hayes for their participation in the working group that started the draft statement. It was agreed that whilst a good and extensive document, some changes were needed to avoid ambiguity in wording.

**Action:** MT to circulate to the Planning Committee the draft statement for amendments. The Working Group to resolve these and make a final version to take to the September Board meeting after discussion at the July Planning Committee meeting.

**24/25.7. New Positions: SANGs and Woodlotting**

Cllr Sally Symington declared an interest in this item, as she is involved in SANGs with Dacorum Borough Council, and one potentially may be created close to her home.

The Head of Strategy & Planning discussed the powers that the Board may have to assist with the creation of SANGs and the general impact of them within the Chilterns AONB. Whilst the current Management Plan does not use the term SANG specifically, the policies embedded throughout are positive about the principle and reducing pressure on “honeypot” sites by providing other areas to visit in and around the National Landscape. It is important that when SANGs come forward within the National Landscape, they sit well with the existing landscape character, and any associated building such as cafes, lighting, car parks and toilets must be sympathetic. Chris Hannington volunteered to join a working group working towards producing a position statement, which is wider than only SANGs to futureproof any changes. This links in to the Nature Recovery Scheme, and findings from the recent Chalkscapes project, *Co-creating Spaces for Supporting Diverse Communities to use Greenspaces and the Countryside*.

**Action:** MT to circulate the Natural England guidelines for the creation of SANGs to Planning Committee members.

**The Committee CONSIDERED the merits of a Policy Statement on SANG provisions within the National Landscape and its setting and AGREED that officers should convene a working group to produce such a Statement for recommendation for approval to the Board.**

Woodlotting is the practice of dividing an area of woodland up into “lots” for sale to the public on the expectation (however unjustified) that the land could be used for a variety of purposes. Anecdotal evidence suggests that even the most benign examples of woodlotting can result in significant harm to the woodland habitat and to its visual appearance. There are limited powers for Local Authorities and National Landscape teams to address the issue, Defra need to be made aware, and to involve the Forestry Commission if they wish to be more proactive on the issue, and to lobby Government for a change in the law.

**The Committee REQUESTED that officers undertook further research into the issue of woodlotting with a view to identifying appropriate actions, which may include a Position Statement on for recommendation for approval to the Board.**

**24/25.8. Development Management Casework Update**

The Planning Advisor, Mike Stubbs, advised the Committee of 11 new comments/objections/responses that had been made. Since January Committee meeting, 1 application was granted to which the CCB made supportive comments and 0 granted to which

## Chilterns Conservation Board

Planning Committee meeting 25<sup>th</sup> April 2024

an objection was raised. 2 appeals were determined, with both dismissed (refused) The CCB had raised objections to both these appeals and gave evidence.

Particular note was made of the following Appeals/Planning Applications:

- PL/21/1309/FA 44 London Road West Amersham demolition of existing buildings and erection of a food store a holding objection has been placed as there is a missed opportunity to re-naturalise the River Misbourne that runs through it.
- PL/24/0065/FA Calf Barn Fullers Hill Farm Fullers Hill Hyde Heath demolition of existing equestrian buildings erection of 7 detached dwellings an objection was submitted as there is very clear harm to the AONB with inappropriate erosion of the landscape.
- Watlington relief road a holding objection has been placed regarding the proposed lighting at proposed junction 3 which will be visible from higher ground to the south including the panorama from Watlington Hill.
- Land south of Horse and Jockey Watling Street near Markyate application for a solar farm and associated electric and hydrogen vehicle charging service station and battery storage which is a major development in the AONB and would want to see plans with greater detail.
- The application to expand Luton Airport will be determined by 10<sup>th</sup> August 2024. Further representations were made in January.

**The Committee NOTED the updates and ENDORSED responses made.**

The Planning Advisor, Mike Stubbs gave an additional update about Land East of Tring ('Marshcroft') which was refused by the Secretary of State in March 2024, despite the Inspectors recommendation to approve. It was decided that the setting would be harmful looking into the AONB, and that the "tilted balance" argument that housing shortages outweigh other planning matters do not apply in the AONB.

#### **24/25.9. Policy Casework update**

Since the January Planning Committee meeting, the Chilterns National Landscape team had responded to one policy document, the Halton Supplementary Planning Document. Support was given, the document recognises the position in the AONB and its importance.

The changes to the Permitted Development Rights (PDR) for Householder Development consultation was also commented on. There was a new proposal for wheelie bin and bike storage in front gardens to come under permitted development, however comments were to the National Landscapes Association for this to continue to face the normal restrictions in sensitive areas such as the AONB and remain a planning matter.

**The committee ENDORSED the policy consultations made by the Officers**

#### **24/25.10. Planning Committee work programme**

The Head of Strategy and Planning will continue to update the Committee on work around the Management Plan review, the future long term vision work, and the governance review which will all have a knock on effect of to the Planning Committee and its role. Following the "light touch review" the current Management Plan has been extended to the end of March 2025. The previously agreed delegation principles for the Planning Committee and Offices will be in the new Constitution, and amendments will be made as it continues to be reviewed.

**Action: MT to keep all updated including co-opted Members of the Planning Committee; standing item on the Planning Committee agenda**

National Highways A404 Junction Improvements

## Chilterns Conservation Board

Planning Committee meeting 25<sup>th</sup> April 2024

National Highways (NH) approached Officers regarding potential improvements on the A404 at Handy Cross, High Wycombe, and the roundabout at Bisham Abbey, Marlow. Both junction improvements have now been deferred to the next round of national road investment so this will now be after 2030. A good working relationship has been established with NH which can be built upon and used for discussions around Chilterns branded signage on the relevant highways.

River Chess Planning Guidance

The River Chess Smarter Water Catchment partnership programme approached the Chilterns National Landscape team about a legacy project that would prepare guidelines for local planning authorities when considering development proposals in proximity to the River Chess, based on works carried out for the River Wye in High Wycombe.

**Action:** MT to keep the Planning Committee informed of progress, and to ask the project partnership to consider the Committee as a key stakeholder.

Future meeting dates and times

The Board will agree dates for meetings in 2025 in December, following the setting by the Planning Committee in October. It was agreed by the Board that varying times and days encourages more attendance by as many Members as possible. It is difficult to maintain sufficient volunteers for the Committee, and of the correct category. Membership of committees is agreed at the Board AGM in June, Members will be invited to express an interest in membership of committees at the start of May. This will also serve as a reminder of who sits on which committee and Task and Finish Group to enable Members to make an informed decision. Members allowances will be dealt with around this time, to make the process easier and more transparent for all.

Jane McBean has resigned from the Chilterns Conservation Board, leaving a vacancy on the Planning Committee.

**Action:** MT to circulate a list of potential dates to Committee members for consideration

**24/25.11. Urgent Business**

The Planning Advisor, Mike Stubbs requested confirmation that the committee agrees for him to submit a holding objection to the recently received application Land to the East of Green St Chorleywood TRDC 24/0476/OUT and 24/0538/OUT. Cllr Sally Symington declared an interest in this matter and left the meeting.

**The committee CONFIRMED the objection had been tabled and would be discussed at the next Planning Committee meeting.**

**24/25.12. Dates of next and future meetings**

The next meeting was confirmed as Thursday 25<sup>th</sup> July 2024, 5pm at Chinnor Office

**Future dates:**

Thursday 17<sup>th</sup> October 2024, 2pm at Chinnor Office

The meeting was closed at 12.49

**The Chair.....**

**Date.....**

**Item 8      Lighting Position Statement – Update.**

**Author:** Michael Stubbs, Planning Advisor

**Purpose and Summary:** After the discussions with the Lighting Working group, inform the Committee about the current revised Lighting Position Statement update.

**Background**

1. At the 25<sup>th</sup> April 2024 meeting, the Committee resolved that the Lighting Working Group should be reconvened to review the lighting position statement before submitting its final version to the September Board. The July Planning Committee meeting would permit further consideration of the new draft.
2. Following one-to-one discussions with each member of the Working Group, the Planning Advisor has edited a new draft version. In summary, the review group members sought revisions to (i) sub-divide the statement into a separate model lighting policy and then a set of technical appendices (a technical advice note), (ii) promote a selection of reworked content focused on assisting busy and pressurised planning officers in understanding the key National Landscape/AONB objectives and (iii) include graphics and images that are visually arresting, to emphasise the key points. In revising this work, several other National Landscape/AONB lighting statements/supplementary planning documents have been researched, and some of their content and ideas are included in the revised content.
3. The reworked model lighting policy is included in the Annex below. The technical guidance note will be a separate, albeit linked, document. Copies can be made available should the planning committee require this. All revised documents have been circulated to the Working Group.

**Recommendations:**

1. **That the Committee:**
  - a. **ENDORSES the proposed model lighting policy, and**
  - b. **AUTHORISES officers to deliver the final version (model lighting policy and technical appendix), following agreement by the Working Group and sign off by the Committee Chair, for approval by the Board.**

## Annex: Chilterns National Landscape: Lighting Model Policy

### 1. NEW DEVELOPMENT.

Within the Chilterns National Landscape (AONB) and its setting, the design of new development must avoid light trespass (or spill), glare or glow and must conserve and enhance the intrinsic dark skies quality of the Chilterns National Landscape (AONB)<sup>1</sup>.

In determining planning applications:

- (a) The siting and orientation of new buildings and the size and location of their windows must be given detailed consideration.
- (b) Consideration must be given to the appropriateness of mitigation. For example, this may be achieved by the fine grain of architectural detailing, such as recessed windows, generous eaves, or the use of *brise-soleils*<sup>2</sup>. Anti-reflective glazing and reduced visible light reflectance glazing may be appropriate. Soft landscape planting alone is unlikely to be sufficient mitigation.
- (c) Internal illumination with large glazing panels such as picture windows, glazed gables and floor-to-ceiling glazing, is inappropriate in the National Landscape (AONB).
- (d) External lighting to gates, driveways, and garden features will be unacceptable and should only be permitted in exceptional circumstances.

### 2. EXTERNAL LIGHTING.

Where new external lighting is proposed or existing lighting is to be upgraded within the Chilterns National Landscape (AONB) and its setting, its design must avoid light trespass (or spill), glare or glow and must conserve and enhance the intrinsic dark skies quality of the Chilterns National Landscape.

In determining planning applications:

- (a) Design measures, as detailed in figure 1, below will be required and should be controlled by planning condition



Figure 1: The correct luminaire distribution. [We need to redraw this image: only the far right configuration is appropriate within the Chilterns NL and its setting.]

<sup>1</sup> To assess these intrinsic dark skies category please refer to: Institution of Lighting Professionals (ILP) (2021) Guidance Note 1 for the Reduction of Obtrusive Light 2021 (ILP - GN01-21). ILP: Rugby, UK. Intrinsically dark landscapes are those entirely, or largely, uninterrupted by artificial light (see Gov.UK guidance on light pollution at <https://www.gov.uk/guidance/light-pollution>). An oft-cited rule of thumb to achieve a dark sky is the ability to see the milky way in the night sky by the unaided eye, see <https://www.darkskydiscovery.org.uk/dark-sky-discovery-sites/>

<sup>2</sup> **Brise soleil**, sometimes **brise-soleil** is an architectural feature of a building that creates a sun break by, for example, using horizontal or vertical fins to shade the window openings. Associated with this is the reduction in heat gain by deflecting sunlight (Fleming J et al. (1991)). The Penguin Dictionary of Architecture London: Penguin Books.

- (b) Column-mounted lights and the position of the light's mounting must be appropriate to the national landscape and its setting in scale and prominence. Duplication of installations and sky glare into the wider landscape must be avoided, and an appropriate plan must be submitted to demonstrate this.
- (c) Fixtures should make appropriate use of mounting arrangements, quality optics, cowls and screens<sup>3</sup> and control systems so the lighting is only operational when required<sup>4</sup>.
- (d) A standard colour temperature of 2,700 kelvin or lower must be used<sup>5</sup>. If bats are likely to be affected, compliance with the ILP guidance GN08 Bats and Artificial Light is required.
- (e) The proposed lighting should not constitute or highlight a structure or feature that would have an adverse visual or ecological impact on the surrounding landscape.
- (f) Where domestic security lighting is required, it shall comply with ILP *GN09 Domestic security lighting, getting it right*<sup>6</sup>.

**3. TEMPORARY LIGHTING.** Where applications are made for temporary planning permission for lighting, they must demonstrate how they conserve and enhance the natural beauty of the National Landscape (AONB)<sup>7</sup>

**4. MITIGATION / MODERATION.** The location, orientation, and architectural treatment of the lighting must conserve and enhance the natural beauty of the landscape, as planning conditions requiring blinds, shutters, or other curfews on internal illumination will not be acceptable<sup>8</sup>.

---

<sup>3</sup> See examples certified by the International Dark Skies Association 'Fixture Seal of Approval' (<https://darksky.org/what-we-do/darksky-approved/>)

<sup>4</sup> smart technology may be used to reduce the impact, where possible, new technologies such as solar ground-level way marker systems, for low-impact wayfinding.

<sup>5</sup> For further information on colour temperature, please see the 'Design Details' section in the Appendix One: Supporting Technical Documents, that accompanies this Model Lighting Policy.

<sup>6</sup> Where necessary, lamps of less than 500 lumens (~5W LED) are suitable for paths and 1,000 lumens (11W LED) for domestic extra light, such as finding the front door and opening it. Above 500 lumens, if justified, must be fully shielded, with downward-pointing LEDs.

<sup>7</sup> This may include demonstrating how it furthers the public understanding of the landscape's history, ecology, and cultural heritage associations. Examples include festivals and Son et lumière shows requiring temporary lighting for cultural purposes.

<sup>8</sup> In accordance with Planning Practice Guidance such conditions will be unacceptable as they are unenforceable.

**Item 9** Chilterns Neighbourhood Planning Toolkit

**Author:** Matt Thomson, Head of Strategy & Planning and Michael Stubbs, Planning Advisor

**Purpose and Summary:** To inform the Committee about a new online planning resource for the Chilterns, and seek observations on its content and future development.

**Background**

1. In March 2017, Lucy Murfett, then CCB's Planning Officer, introduced to the Committee an idea for a future project in the form of a web-based "Neighbourhood Plans Toolkit", designed with the following objectives (quoted from Lucy's presentation to the Committee):
  - "To raise quality of neighbourhood plans
  - "Better protection for AONB
  - "Opportunity to increase local communities' understanding of AONB
  - "Avoid inappropriate allocations in AONB or its setting
  - "Reduce CCB planning officer time responding to individual NPs"
2. The minutes of the meeting do not record what observations the Committee made on the proposal then. The idea was eventually wrapped up in the brief for the externally-funded Chalk, Cherries and Chairs (CCC) partnership programme, and most of the work developing the toolkit was undertaken by the Planning Advisor, Mike Stubbs, in the time after Lucy had left CCB, reporting directly to the CCC steering group, later with input from the new Planner (Matt Thomson), after he had joined. Work on the toolkit stalled while CCC's issues were being resolved, and, later stalled again while CCC found technical capacity to fit the aspirations of the toolkit into the technical functionality of CCB's web platform.
3. All these issues have now been resolved, and the Toolkit has been uploaded in advance of a "soft" launch and promotion that are currently being planned.
4. The URL for the Toolkit is <https://www.chilterns.org.uk/neighbourhoodplanning/about/>. It is not yet linked from the main website, but is available to view with the above link.
5. As a product of the Chalk, Cherries and Chairs programme, the Toolkit has been designed with a focus on the CCC "Central Chilterns" project area, which covers most of the Buckinghamshire Chilterns and a small part of South Oxfordshire. However, it is intended to be used widely across the Chilterns National Landscape, and its setting. Indeed, the general principles of the Toolkit can be applied by any neighbourhood planning body that is interested in promoting the conservation and enhancement of any valued landscape (illustrated with examples from the Chilterns). This wider reach and applicability was a key aspect of securing funding for the project.
6. The CCC project funding has covered the cost of developing the Toolkit's content and design, the technical requirements of its implementation online, and will also cover its promotion. While the CCC project concludes in November this year, maintenance and further development of the Toolkit as a resource will become "Business as usual" for the Planning Team – the intention being, as noted in the project's original objectives, that the requirement for the Team's engagement with parish councils on neighbourhood plans should be reduced overall.

7. The Committee is invited to explore the Toolkit, and offer observations either at the meeting, or by email to [planning@chilterns.org.uk](mailto:planning@chilterns.org.uk). In June we also sought observations from planning officers at Buckinghamshire and South Oxfordshire councils (none have been received so far).
8. The next steps are:
  - A “soft” launch of the Toolkit online, which will include:
    - connecting the web pages up to both CCB’s website (including through our planning pages at <https://www.chilterns.org.uk/what-we-do/planning-and-development>) and the CCC micro-site (<https://www.chilterns.org.uk/chalkcherrieschairs/>);
    - placing a news item on our home page, in our eNewsletter, and information in future editions of *Outstanding* magazine.
  - Promotion through community events, including a small number of workshops or webinars with communities and key stakeholders. One such event, originally planned for June, but postponed to 16 September due to the election, is a joint Bucks & Milton Keynes Association of Local Councils and Berks, Bucks and Oxon Wildlife Trust event for parish councils, which you can find out about here: <https://bucksalc.gov.uk/events/achieving-biodiversity-turning-council-goals-into-action-june-17th-the-oculus-aylesbury-10am-to-3pm/>.
9. Officers would be interested in any ideas the Committee might have, on an ongoing basis, for additions or enhancements that could be worked into the Toolkit.

### **Recommendations:**

- **That the Committee OFFERS OBSERVATIONS on the Toolkit, and supports officers in keeping the content of the Toolkit under review.**

**Item 10 Development Management Casework Update****Author:** Michael Stubbs, Planning Advisor

**Purpose and Summary:** To inform the Committee about, and seek approval of, the responses made under delegated powers in connection with the planning applications as listed and to update the Committee on any outcomes. This is followed in a similar fashion to the previous format, with a summary of all comments, objections and representations on live applications and appeals since the last planning committee. The paper also seeks the endorsement of officers' draft approach to a SANG proposal in Dacorum Borough.

**Background**

1. In summary of the outcomes of previous **planning applications**, the Board has made **14** new comments/support/objections/representations. Since the April Committee, **2** applications were granted, for which CCB made supportive comments, and **2** were refused, to which we had objected. **1** was granted to which we had objected. **3 appeals** were determined, and all 3 were dismissed (refused). In all 3, AONB policy was mentioned in balancing planning issues and was deemed relevant when assessing planning harm and dismissing the appeals.

<b>Summary.</b>	<b>Outcomes and Updates since April's Planning Committee.</b>
Applications granted to which CCB commented = <b>2</b>	Grange Farm Bovingdon – housing allocation (DBC) and Westfield Farm Medmenham – extension to rural commercial campus (BC-Wycombe).
Applications granted to which CCB had objected = <b>1</b>	CCB raised objection (Aldi Old Amersham, on the grounds of design around a Chalk Stream). The application was granted, following a site visit by the BC-C&SB planning committee.
Applications refused to which CCB had objected = <b>2</b>	CCB had objected to one application (Marlow Film Studios), refused by BC - Strategic Planning Committee and one application refused by SODC planning committee at Satwell House, near Henley (landscape works to create designed parkland).
Applications supported = <b>1</b> .	Details of landscaping around the central section of the new Southern Aylesbury relief road. This would be visible in the wider panorama from vantage points such as Coombe Hill (BC-Aylesbury).
Planning appeal decisions issued = <b>3</b>	All dismissed, at Bishopswood Camp Sonning (SODC), Hughenden Valley (BC-Wycombe) and Hampden Farm Barns Prestwood (BC-C&SB).
Planning appeal decisions outstanding = <b>3</b>	Gomm Valley near High Wycombe (Inquiry closed in May 2024 in BC-Wycombe), Frithsden Vineyard dwelling (written appeal in DBC), and Latimer Chicken Farm (enforcement Inquiry, with a date still to be set, in BC-C&SB).
New applications/appeals since April's planning committee = <b>14</b>	Appeal representation = <b>1</b> . Comments on applications = <b>4</b> . Objections = <b>5</b> (one being a holding objection) Support = <b>3</b> . Pre-application = <b>1</b> .

2. Please note that this paper includes reference to responses made before our rebranding took place, and/or while officers were still getting used to the new language and terminology. As a result references to the Chilterns National Landscape and the Conservation Board may not be consistent with the latest branding guidelines.
3. Since the last Planning Committee, a number of small-scale appeals have been determined. All were refused (dismissed), including at Bishopwood Camp Sonning Common for 2 caravans (5th Feb 2024, PINS reference 3319460), 3 caravans under a Certificate of Lawfulness Warrendene Road Hughenden (5th June 2024, PINS 3323971) and 4 dwellings and following the previous refusal of 10 and 12 dwellings at Hampden Farm Barn Prestwood (29<sup>th</sup> April 2024, PINS 3329852).
4. The appeal at **OS Field 7141, Latimer Road, Chenes** (unauthorised chicken farm) (PINS 3312263) is still listed for an appeal date, with no date set yet. We have no information as to why this is being delayed. The decision at **Gomm Valley** near Wycombe for 599 dwellings within the wider setting of the AONB (PINS 3332257) is anticipated in the Autumn of 2024, with the public inquiry closed in early May 2024. This land was candidate AONB land in the 1960's but never achieved that status.
5. **New CCB Responses** on planning applications since April's planning committee are listed in Appendix 1, and **current live casework** in Appendix 2. Applications within Appendix 1 to be presented to the committee include the **Land East of Green Street Chorleywood**, 300 scheme (24/0476/OUT), 675 scheme (24/0538/OUT), the updated item on the **Marlow Film Studios** application (22/06443/FULEA) which was refused permission on 31<sup>st</sup> May 2024 and the reserved matters details **Little Sparrows**, Sonning Common (now called Widmore Park) following the allowed planning appeal decision in 2021 (P24/S0960).
6. The Planning Adviser will provide reflections on the outcomes of CCB representations

#### **SANG's Casework – Potten End Hill**

7. At the 25<sup>th</sup> April 2024 planning committee, agenda item 7 considered two types of activities that potentially have an impact on the special character of the National Landscape, including proposals for sites of Suitable Alternative Greenspace (SANGs). The planning committee discussed the merits of a future National Landscape (CCB) Position Statement on SANGs. Since that meeting, we have been consulted on a proposed 47-hectare SANG at Potten End Hill, near Great Gaddesden in Dacorum BC approximately 1.3 km to the northwest of Hemel Hempstead. A draft objection is presented below. This draft objection raises matters of policy detail and strategic planning, notably the broader coordination of SANG allocations around the Chilterns Beechwoods Special Area of Conservation (SAC).
8. In the 25<sup>th</sup> April 2024 paper, CCB officers clarified our strategic position, including the current AONB Management Plan policies that feed into the objectives of a SANGs strategy. Of particular note, the paper (in summary extract) stated that (section 19):

*These policies and proposed actions of the Management Plan support the principle of SANGs within the National Landscape and its setting, but also provide sufficient safeguards (also with regard to other general policies of the Plan, and additional guidance such as the Chilterns Buildings Design Guide) to justify the Board's intervention in proposals for SANG provision. In particular:*

- *There should be a strategic approach to SANG provision. However, it is unlikely that we would be supporting an attempt to block a SANG proposal solely on the grounds that there is not an appropriate strategy in place – arguably the individual LAs have their own strategies in place, and it could be argued that we have had the opportunity to produce such a strategy since adopting that as a Key Action in 2019.*
- *SANGs (in the designated area and, arguably, its setting) must conserve and enhance the special qualities of the National Landscape, and promote their understanding and enjoyment. A developer might be best advised to locate SANGs outside of the National Landscape, since this would provide more flexibility in the design and management of the site. Conversely, SANG provision within the National Landscape could provide opportunities to restore or enhance particular landscape features (including natural habitats and cultural heritage) that are currently degraded or at risk (where this restoration would be compatible with visitors).*
- *We would normally only support “small-scale” visitor facilities, but SANGs are large-scale by definition (their size is determined by requirements for the provision of walks of a certain distance). This does not necessarily mean that we should oppose all large-scale proposals.*

9. We propose to submit a holding objection on this current application due to the need for further details and assurances regarding both its strategic locations and its implications for the anticipated Local Plan content and process. This is, to some degree, a nuanced matter because in the 25<sup>th</sup> April 2024 paper CCB officers accepted that a strategic objection would be unlikely when confronted with a SANGs application (please see the first bullet, as above). In this application, the central point is that any future housing allocation to the north of Hemel Hempstead would be better placed to accommodate a comprehensive SANG along its AONB boundary, which also serves the objective of enhancing the setting of the AONB. The Planning Advisor will display plans, including the location and design of the proposed scheme. At present, we do not know the housing locations linked to this application because such a SANG proposal is usually triggered as necessary mitigation when a housing scheme comes forward and is ordinarily the subject of a section 106 planning obligation agreement.

#### 10. Summary Holding Objection (in draft):

- a) The Chilterns Conservation Board (CCB) has been consulted on this application. It is the duty of a conservation board, established by the Countryside and Rights of Way Act 2000, to (a) seek to further the purpose of conserving and enhancing the natural beauty of the AONB, and (b) to further the purpose of increasing the understanding and enjoyment by the public of the special qualities of that AONB.
- b) We are submitting a holding objection, contingent upon the resolution of two principal planning matters - (i) To establish the planning principle which requires, in this case, further detail on the relationship between the anticipated housing sites for this SANG and the anticipated Local Plan's preferred options consultation. A strategic approach is required to understand the best location for such a future SANG, and (ii) subject to the resolution of such matters, details pertinent to design (car park layout and location), accessibility (modal split between car and non-car-based visitors), the impact upon and the assessment of mitigation to prevent harm to the site's ancient woodland and the long-term delivery of the submitted SANGs management plan objectives.

- c) Potential harm to the AONB follows when the delivery of a SANG is uncoordinated and could be more effectively delivered within the forthcoming Local Plan process. Therefore, we require greater information on the housing site(s) linked to this proposed SANG.
- d) The LPA should now apply the '*duty to further*' in the revised section 85 of CROW 2000 by considering the relationship between this location and the potential capture of visitors to the SAC by delivering a strategic approach in the forthcoming Dacorum Local Plan. It may be that this site offers the best location, but as matters currently stand, we do not have that information. We need to know which potential sites are earmarked for this new housing and their relationship. We need to understand how this SANG relates to the potential areas of search for future housing locations in the emerging Local Plan.

**Recommendations:**

1. **That the Committee NOTES and ENDORSES the responses made in connection with the applications listed in Appendix 1, and 2.**
2. **The Committee ENDORSES the draft objection to the Potten End SANG proposal, summarised under para 10 above, and authorises officers to submit a detailed response in line with that summary in due course.**

**APPENDIX 1****New CCB Responses on Planning Applications since Last Planning Committee**

Location	LPA & Ref No	Development	Status	Summary of the Board's Response	Date
Land Between Wendover Road and Aston Clinton Road Weston Turville Bucks	BC -Aylesbury area. 24/01545/ADP	Submission of Reserved Matters (access, landscaping, appearance, scale and layout) for the Southern Link Road (Central Section and New Road Diversion) comprising accesses, infrastructure works, associated drainage and landscape features pursuant to Outline Planning Permission 16/00424/AOP .	Pending	<p><b>CCB Comments Support.</b></p> <p>The CCB commented on the Southeast Aylesbury Link Road (SEALR Phase 2) improvement scheme (22/03783/APP) in January 2023 and on reserved matters for the western section of the southern link road (23/01876/ADP) in October 2023.</p> <p>The landscape here and its master planning are commendable. A meaningful landscape corridor is proposed, and we can support that aspect. The code compliance details noted that '<i>trees must be planted at a uniform distance</i>'. Again, we assume that this applied to the roadside trees in the immediate proximity of the road and that when viewed from the wider landscape, this would not appear as regimented due to the corridor's wider mix of landscaping. A longer-term maintenance plan and monitoring will be required.</p>	18 <sup>th</sup> June 2024
Land at Bullslad Farm Bullslad Lane Chorleywood Herts	TRDC 24/0515/PREA PP	Pre-application, seeking views on the location of a proposed EV charging station and linked solar array.	n/a	<p><b>CCB Pre-application</b></p> <p>The Chilterns National Landscape /CCB recommends producing a proportionate LVI. This should address the impact on the wider setting of the AONB and views from the Chilterns Open Air Museum's agricultural collection of buildings (its northeast corner) and the nearby PROW network, including Shire Lane and Old Shire Lane. Old Shire Lane (a Bridleway at this point) runs along the southern boundary before merging with the Chiltern Way, which runs up the western boundary from north to south. Although boundary planting is to be reinforced, the site will be visible to walkers and horse riders.</p>	9 <sup>th</sup> May 2024

Location	LPA & Ref No	Development	Status	Summary of the Board's Response	Date
				We have recently dealt with a similar scheme in Dacorum District and within the AONB, to which we submitted comments and not an objection. However, in that scheme, the applicant carefully avoided the steep topography on one side to protect the wider AONB views and landscape character. We recommend the applicant also looks at this proposal, which is currently undetermined (Land South of the Horse and Jockey near Markyate Beds Dacorum BC reference 23/02955/MFA).	
Land East of Green Street and North of Orchard Drive Green Street Chorleywood Herts (two applications).	TRDC  24/0476/OUT (300 scheme).  24/0538/OUT (675 scheme).	Outline Applications for the development of the Site, delivering (1) <b>300</b> residential dwellings associated access, and supporting amenity space, landscaping, green infrastructure and sustainable drainage systems and (2) <b>675</b> residential dwellings (Use Class C3), a new two-form entry primary school, associated access, and supporting amenity space, landscaping, green infrastructure and sustainable drainage.	Pending	<p><b>CCB Objections (x2).</b></p> <p>(1). The principle of development is not established.</p> <p>(2). There is clear harm to visual and landscape character, and the proposal undervalues or downplays this harm by 'cherry-picking' the special qualities relevant to its consideration.</p> <p>(3). There is a clear conflict with NPPF policy because of this harm, and the exceptional circumstances required to justify major development in the National Landscape, or the Green Belt have not been demonstrated.</p> <p>(4) The applicants have misunderstood the 'tilted balance' in relation to para 11 of the NPPF.</p> <p>(5) The reasoning behind the Council's previous refusal still applies. The principal change in circumstance is the <i>'duty to further'</i> the conservation and enhancement of the AONB, as set out in the Levelling Up and Regeneration Act 2023. To grant permission for either of these proposals, even if the proposal is justified on planning policy grounds, the decision-maker will need to demonstrate how the duty to seek to further the purposes of conserving and enhancing the National Landscape would be met through granting permission. In</p>	14 <sup>th</sup> May 2024

Location	LPA & Ref No	Development	Status	Summary of the Board's Response	Date
				our judgment, this <u>cannot</u> be demonstrated. The proposal is harmful to the designation. The decision-maker then needs to think about whether granting planning permission would further the purposes of designation, and if not, what steps they would need to take to demonstrate that they have sought to further the designation and why those steps could not be followed in this case. The exceptions test in the NPPF at 183 also applies. A high bar is set. It must be established that no reasonable alternative outside of the AONB/National Landscape exists to meet the housing need. The applicant advances no such evidence.	
HS2 Bowood Lane and Grims Ditch near Great Missenden	BC-C&SB & BC-Aylesbury  Bowood Lane parapet details Aylesbury area 24/01411/HS2 and Grim's Ditch retaining walls, earthworks and security fencing details, Chilterns and SB area PL/24/1492/HS 2.	Bowood Lane parapet details and Grim's Ditch retaining walls, earthworks and security fencing details	Pending	<p><b>CCB Comments Support (x2).</b></p> <p>At <b>Bowood Lane</b> (AV ref 24/01411/HS2), the CNL/CCB's last involvement was the HS2 appeal dealing with the treatment of the sunken lane under Buckinghamshire Aylesbury Vale Area reference 22/01330/HS2 and Planning Inspectorate reference: APP/HS2/22, allowed December 2023.</p> <p><b>Bowood Lane.</b> CNL/CCB's principal interest is replicating the sunken lane and hollow way non-designated heritage asset landscape, seeking harmony with the sections leading up to the bridge.</p> <p>In the papers, the material is called an 'as struck' pre-cast concrete' with a 'light sandblast' finish. The material's finish is important, and we recommend a material that is as recessive as possible for the long-term and sustainable delivery of a rural aesthetic within this National Landscape. The wider visibility of this bridge potentially includes the Rignall Road as it leaves Great Missenden.</p>	23 <sup>rd</sup> May 2024

Location	LPA & Ref No	Development	Status	Summary of the Board's Response	Date
				<p><b>Grim's Ditch.</b> 7 key points as:</p> <p>(1). The security fencing must be as blended as possible, and the proposed black powder-coated finish appears the most recessive and appropriate.</p> <p>(2). It appears that the retaining walls were partially in the cutting and below the depth of the SM itself. However, they allow less earth to be removed above them and, therefore, marginally less Grim's Ditch to be removed.</p> <p>(3). Again, in the Detailed Design Principles, we have assumed that Corten will be used for the retaining walls. One of the key Design Principles at 1.2 is integrating the railway into the landscape. The vision is commendably holistic, stating that '<i>The railway is integrated into the landscape by design measures that are in keeping with the particular local landscape context and that meet associated ecological, heritage and social objectives</i>'</p> <p>(4). Heritage integration is an important component, and the CNL/CCB would welcome a preserved section of the Ditch for future academic study. With suitably controlled access arrangements, this offers lasting public benefit. A suitable condition could allow HS2 the necessary flexibility in discovering the most appropriate location to promote future engagement and allow controlled access for academic and learning benefits. This also assists in delivering the recently upgraded s245 (6) duty under the LURA legislation.</p> <p>(5). Some 4 metres are exposed on the 'long face'. Historic England's recommendation to achieve a simple design structure appears resolved.</p> <p>(6) Following our reading of the weathering/patina, we have assumed a Corten finish is proposed.</p> <p>(7). If our in-house Archaeologist has any further comments, we will forward them as a separate (additional) consultation.</p>	

Location	LPA & Ref No	Development	Status	Summary of the Board's Response	Date
Land Adjacent South Side Marlow Road and A404 Junction Westhorpe Park Little Marlow Bucks	BC-Wycombe area 22/06443/FUL EA	Full planning permission for production space and supporting buildings for screen-based media and associated services/industries. The development of approximately 168,718 sqm GEA total floorspace comprising : sound stages, workshops , office accommodation, studio hub associated outdoor space such as backlots and unit bases; entrance structures and reception; security infrastructure, mobility hub; cafes; parking; bridge; incidental supporting buildings; associated infrastructure; public art; upgraded vehicular access onto Marlow Road; new cycle and pedestrian accesses; a new cultural/educational/recreational building; a new community building and associated landscaping, publicly accessible recreational land and	Refused 31 <sup>st</sup> May 2024 at BC's Strategic Planning Committee Reason 3 deals with landscape and includes the AONB's setting.	<p><b>CCB Further Submissions (Objection).</b></p> <p><b>Note</b> for planning committee- a summary is presented below, and the full submission is available, if required.</p> <p><b>CCB's Objection.</b></p> <p>3 principal grounds, in summary as originally submitted and reported to CCB's April and July 2023 planning committee. The applicant made a presentation to the Executive Committee in May 2023:</p> <p>(1). Visual setting of the AONB, including impact when viewed from Winter Hill.</p> <p>(2). Landscape erosion of RUR4 Country Park policy and its impact on the AONB.</p> <p>(3). Failure to comply with 'very special circumstances' tests in green belt due to the applications material erosion of the rural landscape and therefore inability to deliver the NPPFs para 138 (c) <i>to assist in safeguarding the countryside from encroachment</i>; and consequential impact on the AONB's setting.</p> <p>Following further revisions CCB's updated conclusion on this new information were submitted on 9<sup>th</sup> April 2024.</p> <p><b>Additionally,</b></p> <p>(4). We agree with the point made that additional mitigation to create a woodland corridor to the north side of the A4155 is beneficial to the AONB's setting.</p> <p>(5) On tranquillity and concerning the views from Winter Hill it is difficult to see how this impact would amount to a '<i>negligible magnitude of change</i>' and a '<i>very localised</i>' and '<i>minor/not significant impact</i>' upon the sweeping view across the site and including the landscape character of the</p>	9 <sup>th</sup> April 2024

Location	LPA & Ref No	Development	Status	Summary of the Board's Response	Date
		ecological and environmental enhancements /habitat creation.		<p>Great Marlow Rolling landscapes.</p> <p>(6). We disagree that the impacts on Winter Hill are '<i>negligible / minor / not significant</i>'. The impact combines wider views across the Great Marlow landscape character with the AONB to the northwest. The applicant's attempts to break up the built structures and use of recessive materials are to be supported. Following guidance from the Landscape Institute, we accept that these decisions involve professional judgments. However, it is difficult to see how any assessment from Winter Hill is other than harmful, regardless of how it is arrived at.</p> <p>(7) The CCB would recommend that '<i>great weight</i>' be given to the setting of the AONB when factored into the planning balance. The view from Winter Hill is a matter of setting. The new duty to '<i>further the purpose</i>' of the AONB's conservation and enhancement requires that mitigation yields tangible benefits to the special qualities (tranquillity and unspoilt countryside in this case). This is largely delivered for the north side (with extra planting) but is not and cannot be delivered for the contextual view from Winter Hill.</p> <p>Reason 3 of the refusal notice dated 31<sup>st</sup> May 2024 states, <i>Landscape character, visual effects and AONB setting: 3 The proposed development intrudes upon and obscures views between the Thames Valley and Chilterns AONB and breaks the continuity of the open rural landscape between them, and results in significant adverse impacts upon landscape character, visual amenity and the setting of the Chilterns AONB. The associated landscape spaces and 'enhancements' to public rights of way results in urbanising features that change the fundamental character of</i></p>	

Location	LPA & Ref No	Development	Status	Summary of the Board's Response	Date
				<p><i>countryside amenity that is currently enjoyed by members of the public, and which remains a key objective for public recreational use in this location. The proposals are therefore contrary to the Wycombe District Local Plan (2019) policies CP9, CP10, RUR4, DM30, DM32 and DM35 and paragraphs 135, 136 and 182 of the National Planning Policy Framework (2023).</i></p>	
Russells Water Farm, nr Stonor Henley, Oxon.	SODC P23/S3651/FUL	Demolition of two dwellings (Russells Water and The Lookout) and associated outbuildings; and the replacement with a 4-bedroom self-build dwelling and associated garage, swimming pool and outbuilding along with landscaping enhancements (amended plans showing alterations to site layout and addition of louvres and low reflectivity glazing and Landscape Visual Impact Assessment received 4th June 2024).	Pending	<p><b>CCB Comments</b></p> <p>If the LPA is minded to grant planning permission, we recommend using planning conditions to achieve the following public benefits to both the AONB's landscape quality and receptors (users) of the AONB's public rights of way:</p> <p>(1) <b>Materials</b> appropriate to the Chilterns are sourced and drawn from the Chilterns Buildings Design Guide and the Technical Notes on materials.</p> <p>(2) <b>External lighting</b>. To avoid any external lighting within the landscape and require its approval in the future.</p> <p>(3) <b>Glazing</b>. To control the glazing of the large 'wing' sections, approving an appropriate anti-reflective and low transmission glazing. Any condition dealing with internal shutters or similar would be unenforceable within the tests set out in the Planning Practice Guidance.</p>	17 <sup>th</sup> June 2024
Sonning Quarry, Playhatch Road, Sonning Eye, nr Reading Berks.	OCC MW.0036/24.	Planning application for the winning and working of minerals as a southern and eastern extension to the existing quarry.	Pending	<p><b>CCB Comments</b></p> <p>This site is outside the AONB and sits within its wider setting. The Thames Valley Fringes Landscape Character Area, within which the site is located, forms a contiguous river valley landscape, and part of it is included within the Chilterns National Landscape/AONB. We accept the point made in Appendix 4 LVIA (9.10) that there is little intervisibility</p>	17 <sup>th</sup> June 2024

Location	LPA & Ref No	Development	Status	Summary of the Board's Response	Date
				between the existing site and the Chilterns National Landscape/AONB to the north. However, there is an overlapping element of landscape character, and this site may be included in the anticipated search area for AONB's extension. We comment on two matters of interest: (1) The generation of vehicular movements and (2) The boundary extension and its potential materiality as a planning consideration.	
The Rossway Estate Rossway Berkhamsted Herts.	DBC 24/00922/RET	Retrospective permission for the installation of 135 storage containers (use class B8) for commercial purposes on brownfield land and conversion of 13 former grain silos to trade and light industrial workshops (use class E), with associated vehicular access and landscaping.	Pending	<p><b>CCB Comments</b></p> <p>Due to the site's location, we could not view the containers from any nearby public right of way, and they are within private land. If the LPA is minded to approve it, we recommend incorporating appropriate landscaping and screening. A proper landscape strategy and its management can be controlled by condition.</p> <p>The recently revised section 85 of the CROW Act 2000 (amended by section 245 of the Levelling Up and Regeneration Act 2023) introduced a '<i>duty to further</i>' the conservation and enhancement of the AONB. This new legislative provision assists the LPA in seeking mitigation.</p>	9 <sup>th</sup> April 2024
Potten End Hill near Berkhamsted and Hemel Hempstead	DBC 24/01239/FUL	Construction of a Site of Alternative Natural Greenspace (SANG) with car parking	Pending	<p><b>CCB Objection (Holding)</b></p> <p><b>Please also see a separate paper on this agenda.</b></p> <p>The delivery of an effective SANGS strategy is essential to mitigating recreational pressures on the Chilterns Beechwoods Special Area of Conservation, a significant special quality identified in the AONB Management Plan.</p> <p>We are submitting a holding objection contingent upon the resolution of two principal matters:</p>	TBC

Location	LPA & Ref No	Development	Status	Summary of the Board's Response	Date
				<p>(1) To establish the planning principle which requires, in this case, further detail on the relationship of the anticipated housing sites drawn from the anticipated Local Plan's preferred options consultation and,</p> <p>(2) Subject to the resolution of details pertinent to design (car park layout), accessibility (modal split between car and non-car based visitors), the impact upon and the assessment of mitigation to prevent harm to the Ancient Woodland and the delivery of the Management Plan.</p>	
Land West of Leighton Buzzard Rd, Hemel Hempstead	<p>PINS 21/04508/MOA (DBC) APP/A1910/W/24/3345435 (PINS)</p>	390 dwellings and 70 bed care homes – planning appeal by Inquiry (date TBC)	Pending	<p><b>CCB Written Representations</b></p> <p>This site was not allocated in the draft local plan. It was included in the draft site appraisals back in 2017 (as "North of Gadebridge (Land at Piccots End)" but rejected at that time on grounds of green belt, archaeology, and floodplain, as well as landscape generally if not AONB landscape impacts (see the Council's appraisal document, pages 21-24).</p> <p>This application falls within the wider setting of the Chilterns AONB. That is accepted in the applicant's landscape and visual impact assessment. Beyond assessing visual or physical settings, we also want to comment on the need for a holistic and wholly sustainable approach to applications submitted outside the local plan process. The draft Local Plan was anticipated to be accompanied by a strategy to deal with the recreational impacts upon the Chilterns Beechwoods SAC. One argument used in support of allocating significant development on the edge of Hemel Hempstead and elsewhere in Dacorum is the delivery of a mitigation strategy as associated with the delivery of section 106 funding to mitigate harm and the possibility of leveraging in new country</p>	1 <sup>st</sup> July 2024

Location	LPA & Ref No	Development	Status	Summary of the Board's Response	Date
				parks, to alleviate pressure on ecologically sensitive 'honey-pot' sites such as at Ashridge. Dacorum Borough Council approved their own Chilterns Beechwood SAC mitigation strategy in 2022. This document is also being used and applied by neighbouring authorities. We have assumed the LPA and appellant will include this as a core document for the planning inquiry.	
Little Sparrows, Sonning Common (now called Widmore Park, phase 2 by the applicant).	SODC P24/S0960	Reserved matters application in relation to layout, scale, appearance and landscaping pursuant to planning permission (P22/S3921/S 73) for the erection of 60 assisted living units. (Variation of condition 2 (approved plans) on application P19/S4576/O for the addition of solar panels and minor alterations to the substation. (Hybrid planning application for the development of a continuing care retirement community care village (Use Class C2) of up to 133 units with ancillary Communal and care facilities and green space consisting of (i) A full planning	Pending	<p><b>CCB Comments</b></p> <p>(1). Materials. The use of gabion baskets. We could not find a detailed plan denoting the exact location and visibility. Within the AONB, cut and fill is to be discouraged (see Chilterns Buildings Design Guide). Using gabion baskets infers engineering / engineered embankments, as you would find along road and rail routes. This should be discouraged within the AONB. We noted that this was a matter raised at the pre-application meeting with the applicant's planning agent.</p> <p>(2) Detailing. The submitted 'Materials Schedule' refers to '<i>prefabricated flint blocks</i>'. The CCB promotes avoiding these within the Chilterns (see Chilterns Buildings Design Guide). They are inappropriate and lack the necessary hand-worked detailing redolent of the Chilterns' vernacular, an acknowledged special quality (see AONB Management Plan page 11 and '<i>distinctive buildings made from local brick, flint and clay tiles</i>').</p> <p>(3) SODC insisted on hand-worked flint in a condition applied at the Highlands Farm Highlands Lane Rotherfield Greys (Henley) housing scheme (please see condition 12 attached to consent P19/S2646/FL which stated that, '<i>The flint work on the exterior of the development hereby permitted shall be constructed using traditional knapped flint, individually laid as part of the</i></p>	9 <sup>th</sup> April 2024

Location	LPA & Ref No	Development	Status	Summary of the Board's Response	Date
		<p>application for 73 assisted living units within a "village core" building with ancillary communal and care facilities, gardens, green space, landscaping and car parking areas and residential blocks B1- B4; and (ii) An outline application (all matters reserved except access) for up to 60 assisted living units with ancillary community space, gardens, green space and landscaping and car parking areas.</p>		<p><i>construction</i>'. Justification for this condition included CSEN1 (AONB policy) and is a matter also supported by AONB Management Plan policies, which are set out below and is a matter especially relevant to DP2 (a) and (c). We support the same approach here.</p> <p>(4) The submitted Design and Access Statement (D&amp;A) mentions flint walling and justifies its use on gables to '<i>tie in with the local context</i>'.</p> <p>(5) Timber-effect boarding is mentioned in the D&amp;A and '<i>mock Tudor boarding</i>' in the materials schedule. We recommend deleting both, as they are inappropriate to this part of the Chilterns.</p> <p>(6) Cement slates lack the necessary patina that would be expected and are best replaced with natural slates. We recall a discussion at the appeal in 2021, dealing with the high quality of materials that could be deployed. Cement slates also tend to last around 30 years, and a more sustainable and durable alternative exists, notwithstanding its more Chilterns redolent characteristics, visible from the wider PROW networks surrounding the site.</p> <p>(7) The site includes <b>walling</b> within and along its boundaries. The existing walling to the Johnson Matthey car park is an example of fine detailing, using Chiltern bricks and enhancing the vernacular design. We promote this so the applicant can produce a series of wall elevations, showing these details and using a Chilterns-made brick and capping, as appropriate. Such an approach was used to great effect with the granting of planning permission at the <b>Springs Hotel and Golf Course planning permission</b>, Wallingford Road, North Stoke (SODC reference P20/S1589/FUL).</p>	

Location	LPA & Ref No	Development	Status	Summary of the Board's Response	Date
Pednor Road Chesham Bucks	BC-C&SB	Retrospective retention of fencing.	Pending	<p><b>CCB objection</b></p> <p>This application arises from the 'plotland' subdivision of the surrounding land parcel, as shown in recent historic plans in the applicant's submitted Design and Access Statement. This subdivision catalysed the service of an article 4 Direction under the General Permitted Development Order. A further level of landscape harm is manifested by fencing the subsequently created plots.</p> <p>This application is, therefore, contrary to the Local Plan policy LSQ1 (i), the duty in the NPPF at 182 to give '<i>great weight</i>' to the conservation and enhancement of the AONB and the AONB Management Plan 2019-2024 Policy DP2 which states, '<i>reject development in the AONB, unless it meets the following criteria – (e) it enhances natural beauty.</i></p>	9 <sup>th</sup> July 2024

## APPENDIX 2

### Current Live CCB Planning Application Casework.

Location	LPA	Ref number	Development	Deadline
Land at Potten End Hill near Great Gaddesden, Herts	DBC	24/01239/FUL	Change of Use from agricultural land to a SANG (47 ha) (site of alternative natural greenspace) with car parking (50 spaces)	16 <sup>th</sup> July 2024
Land south of Missenden Abbey, High Street, Great Missenden, Bucks	BC-C&SB	PL/24/1909/FA	Change of Use from informal open space to formal SANG and associated alterations.	31 <sup>st</sup> July 2024

**Item 11** Policy Casework Update

**Author:** Matt Thomson Head of Strategy and Planning and Michael Stubbs, Planning Advisor

**Purpose and Summary:** To inform the Committee about current policy developments and consultations.

Background

1. Since the 25<sup>th</sup> April 2024 meeting, the CCB has not been engaged in any policy consultations (national policy, Local Plans and Neighbourhood Plans). However, we have been keeping an eye on developments with regard to the strengthened section 85 duty, and we have had a change of Government. This paper provides a brief overview of these two developments (to be supplemented by a verbal update at the meeting).

Section 85 Duty

2. We are still awaiting publication of the promised interim guidance on the interpretation of the strengthened CROW section 85 duty (the “duty to further the purposes”) and its associated provisions relating to the development and delivery of Management Plans. It is understood that the guidance will need to be run past other government departments (what is known as “ministerial write-round”) again following the election.
3. In the meantime, the National Landscapes Association (NLA) has commissioned John Mills, the planner at the Cotswolds National Landscape to undertake a survey of practitioners in protected landscapes to gather intelligence about expectations and concerns about the implementation of the strengthened duty that might be fed back to Natural England and Defra as they prepare the interim guidance and develop the anticipated regulations. This survey is still a work in progress, but parts of it were presented to the NLA conference this month, and was further refined following workshops at the conference.
4. John Mills’ interim key findings from the survey and discussions are summarised as follows:
  - a. The ‘seek to further’ duty is seen as being a more active duty than the former ‘duty of regard’.
  - b. Things that might prevent, or hinder, the ‘seek to further’ duty from making a meaningful difference include a lack of: guidance; understanding and awareness; resources; capacity; monitoring; consequences for non-compliance.
  - c. The ‘seek to further’ duty has the potential to play an important role in the setting and delivery of management plan objectives but there is a risk that relevant authorities might seek to water down the aspirations of management plans.
  - d. The ‘seek to further’ duty has the potential strengthen the protection afforded to protected landscapes in planning decisions.
  - e. The extent to which the ‘seek to further’ duty could help protected landscapes teams to further the statutory purposes of designation could be huge.
  - f. Most respondents identified local authorities as a priority relevant authority.

- g. Monitoring of compliance was identified as an important issue.
- h. The issue of non-compliance and how this should be addressed was identified as an important issue.

5. It is emphasised that the above is John Mills' summary of the interim findings, and is a work in progress, shared here for information only.

6. In addition, the NLA is working on materials to facilitate conversations about the strengthened duty with key 'relevant authorities' such as the Planning Inspectorate, which includes material based on information submitted by our planning advisor, Mike Stubbs, drawing on our experiences with major planning proposals, including the Luton Airport expansion, and the appeal on the proposed 1,400-home site on land east of Tring. Work like this becomes all the more important the longer that Natural England and Defra delay the publication of their interim guidance.

7. Your officers will continue to engage with the NLA and other stakeholders to develop our understanding of and influence advice on the duty, and update the Committee (and the Board, since it affects all of our work, not just planning) in due course.

### **New Government**

- 8. The change in government following the General Election on 4 July 2024 is obviously likely to have impacts on the work of CCB as a whole, and the planning system in particular. It is early days for much clarity, and the following observations are made on the basis of what the Labour Party's manifesto has said, and announcements since the Election.
- 9. In the section of their manifesto entitled "Make Britain a clean energy superpower", Labour committed to "**tackle the Conservatives' nature emergency, including the unforgivable pollution of our rivers and seas**" and "**improve access to nature, promote biodiversity, and protect our landscapes and wildlife**". These appear to be the commitments of most relevance to the work of CCB as a whole, although the manifesto is otherwise silent on protected landscapes specifically (even National Parks). Historically, of course, both National Parks and AONBs were products of the same set of post-war legislation introduced by the then Labour government alongside the NHS, the welfare state and, of course, the modern planning system. The "New Labour" government were subsequently responsible for updating AONB legislation in the Countryside and Rights of Way Act 2000. Arguably, protected landscapes are a Labour creation, but there is a concern that AONBs in particular are not on the current government's agenda.
- 10. Steve Reed OBE MP (Streatham and Croydon North) is the new Secretary of State at Defra. It is not yet clear which of his ministers (Daniel Zeichner MP, Emma Hardy MP and Baroness Hayman of Ullock) will take the landscapes portfolio. The department's immediate focus post-election has been on reform of the water sector.
- 11. With regard to planning, the headline in the manifesto (under "Kickstart economic growth") is "**Planning reform to build 1.5 million new homes**" and a commitment to reintroduce "mandatory housing targets". This is presented alongside familiar assertions about being "hampered by a planning regime that means we struggle to build either the infrastructure or housing the country needs" and a range of non-specific proposals to remove "brakes" and "barriers" that planning presents to sustainable development. Many of their proposals for reforms to planning and related policy and legislation are similar to those that were considered by the previous government(s) in terms of their intentions –

exactly what is now proposed to achieve these intentions that is different to previous attempts is less clear.

12. One of the widely-reported aspects of planning reforms involves the reform of **Green Belt** policy, and the introduction of a concept that the manifesto describes as “Grey Belt”. The proposal has been widely misreported, in your officer’s view, either as a free-for-all or on the assumption that “lower quality (grey belt)” would necessarily include ‘scrubland’ and other neglected open land with biodiversity or amenity value. The focus, rather, appears to be on taking a pragmatic and strategic approach (rather than the haphazard and speculative release seen under current policy). Crucially, the proposal includes a commitment to ‘introduce ‘golden rules’ to ensure development benefits communities and nature.’ How the policy is introduced will be critical, and, from our perspective we will want to ensure that Green Belt’s currently unwritten purpose of helping to conserve AONBs and the setting of protected landscapes is recognised both in the rules governing the identification of ‘grey belt’ and in the ‘golden rules’ for development in the Green Belt.
13. The department responsible for planning has been renamed as the Ministry of Housing, Communities and Local Government (MHCLG), with the Rt Hon Angela Rayner MP (Ashton-under-Lyne) as Secretary of State and, in a welcome return to the communities portfolio, also Deputy Prime Minister. Rayner is supported by two ministers and four parliamentary-under-secretaries, whose responsibilities have yet to be defined.
14. The ministry has so far been focused on devolution proposals for authorities in England.

**Recommendations:**

- a. **That the Committee NOTES this update.**

**Item 12** Planning Committee Work Programme**Author:** Matt Thomson, Head of Strategy & Planning**Purpose and Summary:** To update the Committee on progress with various other initiatives that are part of the Committee's work programme.Background

1. This paper provides information on a number of matters relevant to the Planning Committee's work programme not dealt with in detail elsewhere in the agenda.

Committee membership

2. Following the Board meeting and AGM in June, the membership of Planning Committee for 2024/25 has been approved as:

Local Authority members	Cllr Paula Hiscocks (Herts County Council)  Cllr Robert Carington (Bucks Council)  Cllr Louise Price (Three Rivers District Council)  <i>One vacancy</i>
Secretary of State members	John Nicholls (also Board chair)  Colin Courtney  Simon Mortimer
Parish Council members	Cllr Charles Hussey (Bucks Parish Councils)  Cllr Sue Rowland (Oxon Parish Councils)
Co-opted members	Chris Hannington  Paul Hayes

3. In his role as Board chair, John Nicholls is seeking additional volunteers to fill the Local Authority member vacancy, as part of introducing himself to all members.
4. The Code of Governance allows the Committee to co-opt up to four non-voting members of the Committee who are not members of the Board. Co-optees, who need to be nominated by two committee members and approved by a majority vote, are usually selected to provide particular expertise, but may also help to address diversity or geographical distribution issues. Paul and Chris provide a great deal of benefit to the Committee through their broad expertise and experience, especially around the practicalities of development and planning. In particular, Paul provides insight into development economics, and Chris provides expertise in environmental impacts of planning; Chris also provides a perspective from a local authority (currently) outside of the designated landscape, but which is very much related to it.

5. Until recently, we have also benefitted from the attendance (on an informal and as-needed basis) of Colin Blundel (who was the Chiltern Society's planner) and Paul Matthews (who provided transport planning advice on a voluntary basis). Neither were co-opted onto the Committee, but regarded as 'observers'. Colin has now left the Chiltern Society, and his role there has not been directly replaced; officers understand that Tom Beeston, the Chiltern Society's chief executive has recently expressed an interest in attending meetings. We have not engaged Paul for a while due to a reduction in transport planning activity (other than the Luton Airport expansion, the early stages of which Paul contributed to).
6. Consideration might be given to co-opting Tom and/or Paul onto the Committee (if they would be interested, of course), or retaining their role as 'observers'. Officers would welcome any observations on skills and experience or other matters that members consider could be addressed through co-option, and in any nominations for individuals to approach.

### **SANGs**

7. Further to discussions at the last Committee meeting, and the previous Board meeting, officers have opened discussions with Natural England about their intentions and policies for how SANGs should be planned and implemented. At the last Committee meeting, officers were asked to circulate any published guidance, and Natural England's advice that was published in relation to the Thames Basin Heaths Special Protection Area will be circulated in advance of the meeting.
8. In the meantime, speculative proposals for new SANGs keep coming forward, each time raising new issues, the most prevalent of which are (a) the need for a strategic approach, and (b) a tendency to locate SANGs in areas where developers would struggle to get permission for housing, rather than in areas that are conveniently located for the new residents of housing development. An emerging issue is a need to inform members of the public of the purpose of SANGs in terms of protecting vulnerable natural sites, rather than simply being a new type of public open space.

### **Recruitment**

9. Executive Committee and the Board have approved additional resources that will enable us to re-advertise the Planning Officer role on more attractive terms (more flexibility on salary and a 2-year contract). Officers are finalising the role profile, which involves a new template and benchmarking process.

### **Future Committee dates**

10. Normal practice is for Committees to select meeting dates for the following year at their last meeting of the year (for Planning Committee this will be on 17<sup>th</sup> October), for agreement at the Board meeting in December. This year the Board and its Committees have experimented with varying meeting times and days to spread their accessibility to members from different backgrounds.
11. Some meeting times – especially starting at 5pm – have proved particularly unpopular. The Planning Committee's chair has expressed a preference for returning to a standard 10am start, and this would be supported by officers. Further feedback on this experiment would be welcome, including on preferred days to meet – or to avoid – where, for example, local authorities regularly have their own meetings on particular days in the week.

12. In recent years Board and Committee meetings have been arranged on a quarterly basis, with the Board meeting in the third month of each quarter, Executive Committee in the second month, and Planning Committee in the first (i.e. January, April, July and October). Quarterly meetings help with aligning quarterly business planning and reporting cycles. Planning Committee has tended to meet in the second half of their allotted months in order to allow time for officers to prepare reports for the previous quarter.

13. It is therefore suggested that Planning Committee meetings are agreed for:

- a. w/c 20 January (the head of strategy & planning may not be available in the following week);
- b. w/c 28 April (Easter weekend is 18-23 April);
- c. w/c 21 or 28 July;
- d. w/c 20 or 27 October.

14. As a starting point for discussion, the Chair and officers would recommend 10am on the Thursday of those weeks, with meetings being normally held in the meeting room in Chinnor. Requests for a meeting in an alternative location will be considered, but this will be dependent on support with arranging the facility, the (low) cost of the venue and availability of reliable wi-fi.

**Recommendations:**

**1. That the Committee**

- a. **NOTES the updates in this paper.**
- b. **OFFERS OBSERVATIONS on skills to be addressed through additional co-opted members and suggestions for individuals to approach, and/or extending invitations to attend meetings to individuals as 'observers' (paras 5-6).**
- c. **OFFERS OBSERVATIONS on proposed meeting dates/times (paras 13-14).**