



Chilterns National Landscape

Planning Committee

10am, Thursday 23 October 2025

At the offices of the Chilterns Conservation Board, The Lodge, 90 Station Road, Chinnor, OX39 4HA commencing at 10am 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 9.45am. This meeting is being held in hybrid format as a trial (see item 8), and while we encourage members to attend in person, we would prefer online attendance to non-attendance. Voting (if applicable) is still not permitted for remote attendees.

Agenda

1. Introductions & Apologies
2. Declarations of interest
3. Notice of urgent business
4. Approval of minutes of previous meetings
 - 4.1. Draft minutes of 23 January 2025 meeting
 - 4.2. Draft notes of 17 April 2025 meeting (not quorate)
 - 4.3. Draft notes of 23 October 2025 meeting (not quorate)
5. Matters arising
6. Consideration of motions submitted by members
7. Public questions
8. Planning Committee work programme – Future of Planning Committee
9. Development Management Casework update Q3 2025/26
 - 9.1. Special Report: Marlow Film Studios decision
10. Planning Policy Casework update Q3 2025/26
 - 10.1. Reforms to the statutory consultee system (submitted 13 Jan 2026)
 - 10.2. Introduction to the NPPF review (live consultation)
11. Urgent Business
12. Dates of next and future meetings:
 - Thu 30 April 2026
 - Thu 29 October 2026

Dr E. King, CEO



Chilterns National Landscape

**MINUTES OF THE MEETING OF THE PLANNING COMMITTEE OF
THE CHILTERN'S CONSERVATION BOARD
held on Thursday 23rd January 2025 at CCB offices, The Lodge, 90 Station Road,
Chinnor OX39 4HA commencing at 10.20 AM**

Present:

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

In attendance:

Matt Thomson	Head of Strategy & Planning	Officer
Mike Stubbs	Planning Advisor	Officer
Lorna Coldwell	Clerk to the Board and Minute taker	Officer

No public present.

The Chair welcomed all present and introductions were made.

24/25.14 Apologies for absence

Apologies received and accepted from Committee members:

Cllr Paula Hiscocks – Local Authority member
Cllr Robert Carrington – Local Authority member
Colin Courtney – Secretary of State member
Joe Stewart – Secretary of State member
Cllr Heather Wallace – Local Authority member

Other apologies received:

John Nicholls – Chair of the Board
Elaine King – Chief Executive Officer

24/25.15 Election of Chair and Deputy Chair

The agreement made at the inquorate October meeting for Cllr Sue Rowland to continue as Chair was ratified.

The agreement made at the inquorate October meeting for Cllr Louise Price to be elected as Deputy Chair was ratified.

24/25.16 Declarations of Interest

None declared.

24/25.17 Notice of Urgent Business

None.

24/25.18 Minutes of the meeting held on 25th April 2024, notes of the 25th July 2024 inquorate meeting, and notes of 17th October 2024 inquorate meeting

The notes and minutes from previous meetings were taken as a true record and signed by the Chair.

24/25.19 Matters Arising

None.

24/25.20 Considerations of Motions Submitted by Members

No motions received.

24/25.21 Public Question Time

None in attendance.

24/25.22 Management Plan Refresh – proposed changes to Development chapter

Matt Thomson, Head of Strategy and Planning, provided the proposed changes to the Management Plan, particularly those relating to Chapter 10 “Development” to be included in the “refresh” of the plan. The Chair commented that it was an excellent job. A discussion was had resulting in some minor changes to be made, as follows:

- p.71: In this preamble, clarify that “natural beauty” and “landscape” does include built elements, and define “setting”.
- p.71, para 4, line 7: replace “AONB” consistent with branding.
- p.71, para 4, line 7: replace “They also...” with “Local planning authorities also...”
- p.71, para 5, line 1: strengthen “The CCB is well-placed...”
- p.72, “Protocol” – consider including transport and other infrastructure, including water infrastructure and waterways as examples of how the protocol may be reviewed during the Plan’s lifetime.
- p.73 “Key issues”, para 1, line 6: improve phrasing of “This practice continues...”
- p.75, para 2 of supporting text to DP3: “decision maker” appears circular with regard to “Deciding whether...” – rephrase or define.
- pp.76-77, para 4 of supporting text to DP4, line 6: replace “some” with “local planning authorities”.
- pp.76-77, para 5 of supporting text to DP4: reconsider deletion of para on chalk aquifer, perhaps replacing in relation to other text in the Plan [para was previously justified by example of abstraction in text proposed to be deleted from DP4].
- p.77, para 1 of supporting text to DP5: define “smallest projects”.
- p.77, DP5 and supporting text: consider introducing LVA and LVIA and explaining difference.
- p.79, para 1 of supporting text to DP8, line 2: insert “which is” into “and [which is] good for wildlife”.
- p.80, supporting text to DP10: include references to LNRs [and the Nature Recovery Plan] providing the spatial context for net gain.

- Unspecified location(s): consider making references to the overlap with and application of s.85 duty to licensing regime(s), e.g. with regard to disturbance/harm arising from festivals and other events: what *can* be said?

1. **The Committee CONSIDERED the draft plan and OFFERED OBSERVATIONS for AMENDMENTS, noted above, for Officers to take to the Board in March**

24/25.23 Chilterns Chalk Stream Planning Guidance

The Committee considered the draft Chilterns Chalk Stream position statement and planning guidance. Matt Thomson, Head of Strategy and Planning advised he wanted a document that will last for several years and not become outdated quickly. It is an in depth document as the value is in the detail to enable delivery. Minor alterations, such as to include further definitions were discussed. It was confirmed that the title should be “Chilterns Chalk Stream Planning Guidance.” The Chair commented that it was an excellent piece of work, and thanks were given to Land Use Consultants, the Smarter Water Catchment, and the Chilterns Chalk Streams team.

The Committee discussed the definition of a Chalk Stream at the top of page 8 (3rd Dec draft copy)(also 3rd para of Executive Summary) as “rivers that rise from chalk bedrock or aquifers”, noting that rivers arising in chalk bedrock/aquifers are not necessarily considered as chalk streams for their full length downstream. The Committee recommended that this definition should be clarified, perhaps based upon an ecological foundation and/or source citation (also compare the p.8 definition with the glossary).

1. **The Committee APPROVED the guidance, subject to the revised title and clarified definition, for recommendation to the Board in March that the guidance is adopted without further changes**

24/25.24 Development Management Casework Update

The Planning Adviser gave a presentation on live cases.

Particular note was made of the following applications:

- OS Field 7141, Latimer Road, Chenies (unauthorised chicken farm) the appeal has been concluded, and are waiting for a decision.
- 24/01/01239/MFA Land at Potten End SANGs applications was refused by the Planning Committee.
- London Luton Airport expansion – a decision has been deferred again; determination is now scheduled for early April.
- P23/S3651/FUL Russells Water Farm an application to demolish two dwellings and replace with one was refused as having an adverse effect on the landscape character.
- Watlington Relief Road OCC3.0010/24 the application to join a series of roads was altered following comments submitted by the Chilterns National Landscape Planning team. The amendments are acceptable and will be supported.
- CM/0020/24 and PL/0426/24 restoration of Pitstone Quarry – the Planning Advisor, Michael Stubbs recommends comments to be submitted in support with key conditions that must be satisfied.

The Grand Union Canal Transfer project was briefly discussed, which will result in construction but hopefully no permanent harm within the National Landscape around Dunstable Downs.

1. The Committee **NOTED** the updates and **ENDORSED** the responses made under delegated authority
2. The Committee **ENDORSED** the responses submitted from April to September 2024 following informal discussions at inquorate meetings

24/25.25 Planning Policy Casework Update

The Head of Strategy and Planning introduced live and recently submitted planning policy matters set out in the paper. These were discussed by those present.

Action: MT to circulate response to Dacorum Local Plan

1. The Committee **NOTED** the updates provided
2. The Committee **ENDORSED** response submitted on the Dacorum Local Plan
3. The Committee **ENDORSED** the responses submitted from April to September 2024 following informal discussions at inquorate meetings

24/25.26 Planning Committee Work Programme

The Head of Strategy and Planning gave an update on other matters in the work programme as set out in the paper. It was noted that the agenda format is well liked. It was suggested that the funds reserved for a Planning Officer could be used to employ external contractors, as recruiting an Officer is proving difficult. It was also suggested to consider recruiting a Strategic Officer to free up capacity for the Head of Strategy and Planning.

Action: MT to investigate further planning input from external contractors

Action: MT to discuss with Senior Management Team recruiting for the strategic parts of his role.

24/25.27 Urgent Business

There was no urgent business.

24/25.28 Dates of the next and Future Meetings

- Thursday 17th April, 10am, Chilterns National Landscape Office, Chinnor
- Thursday 23rd October, 10am, Chilterns National Landscape Office, Chinnor

It was noted that Cllr Sue Rowlands and Simon Mortimer would need to send their apologies for the 17 April meeting.

The meeting was closed at 12.52.

The Chair.....

Date.....



Chilterns National Landscape

**DRAFT NOTES OF THE MEETING OF THE PLANNING COMMITTEE OF
THE CHILTERN'S CONSERVATION BOARD
held on Thursday 17th April 2025 at CCB offices, The Lodge, 90 Station Road,
Chinnor OX39 4HA commencing at 10.00 AM**

Present:

Cllr Louise Price	Board Member	Local Authorities
Cllr Charles Hussey	Board Member	Parish Councils
Simon Mortimer*	Board Member	Secretary of State
Cllr Paula Hiscocks*	Board Member	Local Authorities
Paul Hayes*	Co-opted Member	

In attendance:

Matt Thomson	Head of Strategy & Planning	Officer
Mike Stubbs	Planning Advisor	Officer
Lorna Coldwell	Clerk to the Board and Minute taker	Officer

*listened online

No public present.

The Chair welcomed all present and introductions were made. The Head of Strategy and Planning, Matt Thomson noted that the meeting was inquorate due to lack of Secretary of State appointees in the room. The meeting was duly adjourned and key decisions deferred to the next meeting. Those present agreed to continue discussions on the agenda items as an update for members and an informal steer for officers.

24/25.29 Apologies for absence

Apologies received and accepted from Committee members:

Cllr Sue Rowlands – Parish Council member
Colin Courtney – Secretary of State member
Cllr Robert Carington – Local Authority member
Chris Hannington – Co-opted member
Elaine King – Chief Executive Officer

24/25.30

Declarations of Interest

None declared.

24/25.31 Notice of Urgent Business

None.

24/25.32 Minutes of the meeting held on 23rd January 2025

The minutes from the meeting were taken as a true record but could not be signed by the Chair due to not being quorate.

24/25.33 Matters Arising

- The Head of Strategy and Planning, Matt Thomson will circulate the response to the Dacorum Local Plan and upload the response on the shared drive for all to see. A reminder of how to access this will also be sent to members.
- It was agreed at the March Board meeting to defer the approval of the Management Plan refresh until the June Board meeting. This will allow for a better understanding of consultation responses, and for conversations with Local Authorities to take place, particularly with those who did not respond to the consultation so they have a chance to give input and feel able to endorse the Management Plan refresh.
- The Head of Strategy and Planning, Matt Thomson is exploring working with contractors for the Planning Officer role that has not been filled and is in the process of obtaining quotations and discussions with various organisations.

Action: MT to forward Dacorum Local Plan response

24/25.34 Considerations of Motions Submitted by Members

No motions received.

24/25.35 Public Question Time

None in attendance.

24/25.36 Planning Committee work programme (summary paper)

Several Local Authorities, namely Buckinghamshire Council, Hertfordshire County Council and Oxfordshire County Council along with some Parish Councils are currently in a pre-election period, and appointees to the Board and Committees will be addressed post-election if needed.

The Board approved at its last meeting the Lighting Position Statement and the Chilterns Chalk Stream guidance; these will be ready for publication within the next months.

As agreed last year, there is no Planning Committee meeting until October however a written update will be circulated in July when a meeting would have been held if frequency had not been decreased.

1. The Committee NOTED these updates**24/25.37 Strengthened section 85 duty – key decisions and implications (summary paper)**

The Head of Strategy and Planning, Matt Thomson had provided a detailed paper regarding the strengthening of the section 85 duty to “seek to further the purpose of conserving and enhancing the natural beauty of the area” from “have regard” to the same purpose. The National Landscapes Association published guidance in November 2024, and Defra in December 2024. In December 2024, a High Court judgement regarding a planning application in the New Forest National Park was the first judgment to the new legislation and will therefore have significance to the strengthened duties and how they are applied in practice. The Local Planning Authority refused an application for

an upper storey extension to a house located in the National Park, which subsequently was taken to appeal and approved by the Planning Inspectorate. The LA then went to the High Court to challenge the decision, which was dismissed. It was deemed that the level of attention paid to the duty should be proportionate to the level of impact the proposal has on the National Landscape. If there is a minor impact, then the proposal should not be expected to significantly enhance the area.

The Head of Strategy and Planning will circulate a written statement to Committee members outlining the potential future implications of the verdict. Both the National Parks and National Landscapes teams are currently reviewing the matter.

The application for the extension at Luton Airport was approved by the Secretary of State, a written report will be provided in due course. The approval considers the recommendations from the Planning Inspectorate and work has been completed to addresses issues raised. Committee members queried if a Judicial Review could be held, however it is not felt in this case it would be warranted. £250,000 was agreed as per the suggestion from the applicant for a fund for enhancement of the National Landscape. The Secretary of State viewed the impact to the National Landscape as slight, therefore the funding is also slight. It was suggested to seek to gear this settlement to CPI to account for future inflation, as the sum is not due to be triggered until a certain point in the expansion process which is scheduled for the 2030s. The Chair thanked the planning team for the explanations and hard work on this matter.

Action: MT to circulate responses to the High Court judgement when available

1. The Committee NOTED these updates

24/25.38 Development Management Casework Update (full paper)

Mike Stubbs, Planning Advisor had provided a detailed paper on live cases. He noted that a new format had been created for reporting items so the Committee members received a shorter version of representations made, picking out points of particular importance. He also commented that there has been an uptake in the number of requests for comments by various organisations received, due to an increase in applicants appealing decisions.

Between January and March 2025, a total of 23 responses were made, including 5 appeal representations, 4 objection in principles, 4 supportive comments.

Particular note was made of the following applications:

- Land at Green Park Copperkilns Lane Amersham – 8 enforcement notices were upheld to remove an unauthorised caravan site.
- OS Field 7141, Latimer Road, Chenies (unauthorised chicken farm) was dismissed on appeal, notices were upheld but varied on time for remedies.
- London Luton Airport expansion – as discussed, the Secretary of State permitted
- Land between Footpath 79 and Park Lane Stokenchurch – a prior approval application for an agricultural building under permitted development, to which an objection in principle has been submitted to seek a full planning application. The proposed building is intrusive within the National Landscape.
- DBC 23/01894/FUL Frithsden Vineyard Frithsden Lane Frithsden – formation of a new winery. Following amendments requested, the application is now suitable and has been supported.

- CBC CB/25/00140/VOC Mile Barn Farm Dagnall – following amendments the scheme is now acceptable and a comment of support has been submitted.

A brief update was provided regarding the National Trust site at Ashridge, Meadley's Meadow following a site visit by the Committee in September 2024. The National Trust have submitted a proposal for temporary parking at the beginning of April. This is the first of several stages to resolve the parking issue to avoid further environmental damage and unlawful parking.

1. **The Committee NOTED the updates in the paper but were unable to ENDORSE and this was DEFFERED to the October meeting due to note being quorate**

24/25.39 Planning Policy Casework Update (verbal update)

A list of current casework was provided, including the Grand Union Canal Transfer and applications located within the National Landscape but with no responses proposed.

24/25.40 Urgent Business

The Head of Strategy and Planning, Matt Thomson discussed the proposed Grand Union Canal Transfer and provided a summary of the scheme, which is to take water from the Severn Trent area in the Midlands and pump through to an existing underground reservoir located between Luton and Dunstable. Whilst the formal process begins in September 2026, the water companies have been in contact with the Chilterns National Landscape since the beginning giving the opportunity to discuss. Whilst it is unlikely that the scheme could be stopped, the effects on the Chilterns and how to mitigate will be investigated.

Cllr Paula Hiscocks raised concerns regarding the current state of the River Chess at Rickmansworth. Cllr Louise Price confirmed she would raise the matter with Three Rivers District Council. Matt Thomson, the Head of Strategy and Planning, advised that as the area falls outside the Chilterns National Landscape it is beyond the team's remit; however, he will refer the issue to the Chalk Streams team.

24/25.41 Dates of the next Meeting

- Thursday 23rd October, 10am, Chilterns National Landscape Office, Chinnor

The meeting was closed at 12.04.

The Chair.....

Date.....



Chilterns National Landscape

**DRAFT NOTES OF THE MEETING OF THE PLANNING COMMITTEE OF
THE CHILTERN'S CONSERVATION BOARD held on Thursday 23rd October 2025 at
the offices of the Chilterns Conservation Board, The Lodge, 90 Station Road,
Chinnor OX39 4HA commencing at 10.00 AM**

Committee Members Present:

Cllr Sue Rowland	Board Member (chair)	Parish Councils
Cllr Louise Price	Board Member (deputy chair)	Local Authorities
Cllr Charles Hussey	Board Member	Parish Councils
Cllr James Norman	Board Member	Local Authorities
Chris Hannington	Co-opted Member	
Paul Hayes*	Co-opted Member	

Also in attendance:

Matt Thomson	Head of Strategy & Planning;	Officer
	Deputy Monitoring Officer	
Elaine King	CEO	Officer
Mike Stubbs	Planning Adviser (Devt Mgt)	Officer
Victoria Thomson	Planning Adviser (Policy)	Officer
Lorna Coldwell	Clerk to the Board and Minute taker	Officer
Cllr Phillip Spicer*	Board Member	Local Authorities

*listened online

No public present.

The Chair welcomed all present and introductions were made. The Head of Strategy and Planning, Matt Thomson noted that the meeting was inquorate due to lack of Secretary of State appointees in the room. The meeting was duly adjourned and key decisions deferred to the next meeting. Those present agreed to continue discussions on the agenda items as an update for members and an informal steer for officers.

25/26.1 Apologies for absence

Apologies received and accepted from Committee members:
Simon Mortimer – Secretary of State member

25/26.2

Declarations of Interest

None declared.

25/26.3 Notice of Urgent Business

None.

25/26.4 Approval of Notes of the previous meeting held on 17th April 2025

The notes from the meeting were taken as a true record but could not be signed by the Chair due to not being quorate.

25/26.5 Matters Arising

The Chair asked if there was any update following the New Forest National Park judgment in December 2024. The Head of Strategy and Planning, Matt Thomson advised that he would circulate details of the repercussions following the verdict, along with other matters relating to the strengthened s85 duty following a further case with the same Judge presiding.

A submission was made by Officers regarding the Grand Union Canal project; any further updates will be shared when available.

Action: MT to circulate responses to the New Forest and any subsequent High Court judgements

25/26.6 Considerations of Motions Submitted by Members

No motions received.

25/26.7 Public Question Time

None in attendance.

25/26.8 Planning Committee work programme (summary paper)

The membership of the Planning Committee was confirmed at the September Board meeting as:

Local Authority Representatives

Cllr Louise Price (Deputy Chair)

Cllr Robert Carington

Cllr James Norman

One vacancy

Secretary of State Representatives

Simon Mortimer

Two vacancies

Parish Council Representatives

Cllr Charles Hussey

Cllr Sue Rowland (Chair)

Co-Opted Members

Chris Hannington

Paul Hayes

A discussion around how to proceed with the Planning Committee, in lieu of the vacancies and the historical issues with recruitment was had particularly surrounding the problems with quoracy due to the legislation the Committee is subject to. It was felt that continuing as a panel, rather than a committee may be the best way forward and a paper outlining further details will be submitted to the Board for its consideration. It was noted that more robust and frequent communications from Officers would be needed if

the committee were disbanded in favour of a panel, or a different option, which should provide the support for officers, oversight of their work, and enable the development of strategic policy. MT said how valuable the discussions at the Planning Committee meetings are for Officers.

Action: MT and EK to bring paper with proposals including an assessment of resources available going forward

It was suggested that volunteers, such as retired planners or landscape architects, could be utilised to assist with increasing coverage of responses to consultations to enable officers to focus on more strategic matters and engagement with LPAs. However volunteer management brings its own challenges and would require a lot of Officer input and time; working with volunteers could be seen as a 'stretch goal' once existing practices were settled. Both Parish Councils and the Chiltern Society were raised as potential sources of assistance, and the Chair volunteered to attend Chiltern Society Planning meetings alongside officers. CCB officers were encouraged to develop more DM and Policy guidance to support Parish Councils, Chiltern Society and others to support Chilterns National Landscape objectives.

Additional capacity for the team has been added with Victoria Thomson, Planning Adviser (Policy) following a two year recruitment search. She will focus on local plan and other policy responses, and also help to improve back office ways of working. The updated Management Plan Review was approved by the Board in June; the design is currently being finalised and will be circulated to members when complete.

- 1. The Committee NOTED these updates**
- 2. The CEO and Head of Strategy and Planning will provide a paper for next steps on the Planning Committee**

25/26.9 Development Management Casework Update Q1 and Q2 2025/26

Mike Stubbs, Planning Adviser (DM), had provided a detailed paper on live cases with updates since the last Planning Committee meeting.

The Committee provided feedback on the following key applications:

- DBC 24/02705/MOA Land at Bulbourne Wood Residential Care Home within AONB and wooded glade – the applicant is likely to appeal the refusal of permission by the Local Authority. The committee noted that the refusal had not, as yet, been appealed but the applicant has until Jan 2026.
- BC-C&SB PL/25/2447/FA Mop End Farm battery storage facility near Amersham sub-station. The applicant is a private entity rather than government led, and the application has specified that they would donate funds to the Chilterns National Landscape for mitigation works (similar to Mend the Gap). The Committee noted that 'grey belt' arguments were being used here, and asked for a briefing on this new policy area; they requested that officers seek legal advice on the funding issue, and discuss with the CEO, and colleagues at the National Landscapes Association.
- SODC P25/S1987/FUL Lewknor and Postcombe Solar array/farm proposal– the location here is such that it would strongly affect the special qualities of the National Landscape due to visibility.

- BC-C&SB PL/25/2402/OA Land SE of Whielden Street Old Amersham – the site is within the NL and adjoins the conservation area. The application downplays the NL and its assessment and the site was previously opposed by the CCB when a draft allocation in the withdrawn C&SB Local Plan (in 2018).

1. **The Committee NOTED the updates in the paper but were unable to ENDORSE and this was DEFERRED to the January 2026 meeting due to not being quorate**

25/26.10 Development Management Casework – special reports

Mike Stubbs, Planning Adviser (DM), gave a presentation giving visual details of specific development proposals.

10.1 Watlington Bypass

This location is a valued landscape in relation to the Chilterns National Landscape. There has been a significantly improved design following discussions, including increased landscaping and tree planting, along with a reduction in LED illuminations. The committee noted the summary of the principal issues raised by BECL (Beechwood Estates Company Limited) and the availability of their complete report as submitted to Oxfordshire CC by their solicitor.

10.2 Ashridge (NT Estate) Gateways – Hill Farm (Dacorum BC)

Members of the Planning Committee have previously completed a site visit to this location, Hill Farm. An addition such as this would not normally be encouraged in the National Landscape, however the wider benefit to the ecology of the landscape and the relief to the “honeypot” site of the Ashridge Estate, especially the Chilterns Beechwoods Special Area of Conservation, need to be balanced with the potential harm. A discussion ensued regarding the colour of the building and the use of Portland Stone on the exterior. Less impactful materials including wood cladding or green walls may be more appropriate, and the desire for local materials to be utilised first wherever possible (noting that Totternhoe Stone continues to be available from quarries in Bedfordshire). Clarification regarding lighting, signage and possible noise pollution was requested. Members recommended comparison of the car parking designs with those in place at the Cheese Shed at Nettlebed Creamery, and recommended a site visit for the NT. The Chilterns Conservation Board (CCB) has engaged with the Ashridge Gateways project since 2023, when the National Trust (NT) commenced its public engagement programme. In September 2024, the CCB's Planning Committee, hosted by the National Trust, visited the site locations and was briefed on the problems caused by over-recreation within the Chilterns Beechwoods SAC. The current principles behind the Hill Farm Gateway, within Dacorum BC, were presented to the CCB's PC on 23rd October 2025 and the PC supports the evolving but evident principles of (i) Siting the car park and visitor's centre towards the eastern boundary, away from the dry valley landscape of this proposed SANG, (ii) Concealing the car parking by virtue of its relatively sheltered location and topography and through additional landscaping/planting/mitigation, and (iii) the deployment of design thinking that involves the use of sustainable and re-purposed materials. The PC endorsed the opinion that a building in the landscape is acceptable but should not be so prominent as to impact the

wider landscape character of the site, which includes a dry valley landscape. There was a discussion of the appropriate colour palette, noting that the Chilterns does not have a colour guide (which for examples the N Wessex Downs and Mendip Hill AONB's do have) and there was discussion that the external facing would need to be reasonably muted. Portland Stone was discussed and considered very impactful. Tottenhoe stone may still be a viable option. (v) Further, that an 'access for all' strategy would be required in any planning application (CCB is able to offer further guidance) and that, acknowledging the design is at an early stage, further detailing should also deal with lighting, a signage strategy, roof voids (bat ecology) and downpipes (i.e. to blend them in). (vi) The committee also commented on the car park design now implemented at the Nettlebed Creamery, which is part-funded by the CCB's *FiPL* programme (Farming in Protected Landscapes). The appointed landscape team may want to visit this location.

(iv) That the location of this infrastructure within the design of a wider SANG is consistent with the draft pre-submission Dacorum Local Plan to 2041 policies NE5 on SANGs, NE 6 Gateway Principles and Natural England's Guidelines for Creation of Suitable Alternative Natural Greenspace (SANG), issued August 2021 and the Development policies in the AONB Management Plan 2025 schedule of amendments.

10.3 Outcomes of Key Appeals

APP/Q3115/W/24/3356473 Satwell House, Satwell near Henley on Thames

The application was for removal of an ancient hedgerow to install gates and was dismissed on appeal as an “incongruous urbanising feature at odds with the existing character and appearance of the area.”

APP/A1910/W/24/33454350 Land west of Leighton Buzzard Road Hemel Hempstead

A proposal for 390 dwellings and a 70 bed care home was granted on appeal, the Inspector concluded that the proposal would cause minor adverse harm to the landscape character and appearance of the area, however this would not transpose as harm to the natural beauty, wildlife and cultural heritage of the Chilterns National Landscape.

APP/K0425/W/24/3356181 Huttons Farm Estate, Main Road, Hambleden

An appeal for non-determination of the planning application for construction of a shooting lodge was dismissed by the Inspector who found that the landscape would be harmed should the development be permitted.

APP/X1925/W/24/3348028 Pirton Water Tower

An application to convert a lone water tower in the National Landscape was rejected, and the Inspector specifically gave weight to the Chilterns National Landscape Management Plan.

P25/S1825/PiP Wyfold Lane

The application was refused for reasons including harmful to the National Landscape.

PL/25/1753/OA Hampden Farm Barn

This application was refused for reasons including harm to the National Landscape.

1. The Committee NOTED the updates in the paper**25/26.11 Planning Policy Casework update****11.1 2025/26 narrative update including Dacorum Local Plan; South and Vale**

The Dacorum Local Plan is currently in the middle of the examination period. Officers have submitted significant objections relating to the s85 duty, as it is unclear in the plan how it will address matters regarding the National Landscape, which is not even shown on the proposal maps.

A response has been submitted regarding the Sarratt Local Plan, asking for a few minor amendments.

South Oxon and Vale's joint local plan has been held up due to the examining Inspectors concluding that the duty to cooperate had not been complied with; SODC are asking them to reconsider following a ministerial statement.

11.2 Bucks Local Plan (live consultation)

The Head of Strategy and Planning, Matt Thomson advised that Victoria Thomson, Planning Adviser (Policy) is carrying out an analysis of the Plan, and will be using it as a basis to create a "checklist" for future local plans for Officers to use going forward (as well as to inform the Board's consultation response). The Plan appears to be positive about the National Landscape, but it is important to make sure that the development management policies carry this through.

It was noted that Local Authorities do not always liaise with the Chilterns National Landscape prior to the development of draft Plans, and that this will be part of trying to improve relations with Local Authorities.

11.3 Future directions for policy casework

The Head of Strategy and Planning, Matt Thomson reported that he expected legal challenges following the Luton Airport expansion decision; the Planning and Infrastructure Bill legislation will pose certain difficulties for National Landscapes; further work is needed to understand the new rules around grey belt land; a paper will be presented to the Board in December regarding the devolution programme for English Local Authorities. The model development plan policy will hopefully be picked up soon now there is extra capacity within the Planning team. The Committee was in support of updating the Chilterns National Landscape guidance for solar power.

25/26.12 Urgent Business

None.

25/26.13 Date of Next Meeting

- Thursday 22nd January 2026 at 10am, Chilterns National Landscape Office, Chinnor

The meeting was closed at 12.47.

The Chair.....

Date.....

Item 8 Planning Committee Work Programme

Author: Matt Thomson, Head of Strategy & Planning

Purpose and Summary: To update the Committee on progress with various initiatives that are part of the Committee's work programme, on this occasion focusing on options for the future of the Planning Committee.

Background

1. This paper provides summary information on a number of matters relevant to the Planning Committee's work programme not dealt with in detail elsewhere in the agenda, in particular a discussion of the operation of the Committee and options for its future.

Committee membership

2. At its December meeting, the Board approved the following membership of Planning Committee:

Local Authority members	Cllr Robert Carington (Buckinghamshire) Cllr James Norman (South Oxon) Cllr Louise Price (Three Rivers) – Deputy Chair Cllr Philip Spicer (Central Beds)(recognising likely online attendance)
Secretary of State members	Simon Mortimer Matthew Stanton <i>One vacancy</i>
Parish Council members	Cllr Charles Hussey (Bucks Parish Councils) Cllr Sue Rowland (Oxon Parish Councils) - Chair

3. In addition, the Committee continues to benefit from two co-opted (non-voting) members, Chris Hannington and Paul Hayes.

Contacting the planning team

4. The planning team (not a formal team within CCB's organisational structure) continues to comprise:
 - Matt Thomson, Head of Strategy & Planning / Deputy Monitoring Officer – oversight and strategy (part of 1FTE, Mon-Thu only)
 - Mike Stubbs, Planning Adviser (Development Management) – planning and related applications, neighbourhood planning (part-time, days vary)
 - Victoria Thomson, Planning Adviser (Policy) – national, regional and local planning policy (part-time, days vary (not Fridays or weekends))
5. Mike and Victoria are contracted as consultants to the Board in relation to specific areas of work only.
6. All planning enquiries and intelligence relating to planning matters should continue to be addressed to planning@chilterns.org.uk. This mailbox is monitored by all three members of the team with protocols in place to ensure correspondence is dealt with by the appropriate team member. Please do not email or copy in the Head of Strategy &

Planning on any planning-related correspondence, unless it either relates to the operation of Planning Committee, or is of a sensitive nature.

The Future of Planning Committee

7. Further to discussion at the (inquorate) October 2025 Planning Committee meeting and the December 2025 meeting of the Board, the Board has resolved that officers should “develop options for the Planning Committee, for board approval in March 2026”.
8. The issues with maintaining a formal committee for supporting the Board’s planning function stem from the strict administrative requirements for a committee in law imposing a disproportionate administrative burden given the committee’s actual activities in practice, as follows.
9. Why have a committee? The [CROW Act](#) and our [Establishment Order](#) empower the Board to discharge some or all of its functions through delegation of those functions to committees, sub-committees and officers, in (exactly) the same way as local authorities can (because the legislation that applies is local government legislation). These structures are put in place in local authorities so that certain decisions are made in a way that is open and accountable, and that these decisions are made by groupings that are politically representative of the electorate in the same way that the full council is. Committees, sub-committees and officers can only make certain decisions if they have been appropriately publicised and the issues discussed and decisions made in a meeting that is open to the public (decisions made by officers are not subject to being made in a public meeting, but are subject to other constraints), and that all decisions made by committees, sub-committees or officers can be scrutinised and ‘called-in’ for consideration or re-consideration by the council or a higher committee in the structure. The reason for the openness, accountability and hence the administrative burden, is that the decisions made can and do have direct impacts on people’s lives and livelihoods, including, in the case of planning decisions, affecting their property rights or their ability to operate a business, etc. (the impacts of decisions in other areas of local authorities’ work can have even more critical implications relating to individuals’ education, health or even liberty).
10. Does CCB need a committee to discharge its planning functions? This is the crux of the matter, and the answer depends on a number of factors, which are partly related to the statutory justification for committees set out above. The question may be considered in relation to the following:
11. Do CCB’s planning functions have a direct impact on people’s lives and/or livelihoods?
No. All of the matters discussed and approved or endorsed by Planning Committee result in an output that is advisory to another decision-maker, usually a local planning authority or Planning Inspector. CCB’s ‘planning functions’ in this respect are made under the Board’s general power under s.87(4) of the CROW Act “to do anything which, in the opinion of the board, is calculated to facilitate, or is conducive or incidental to” the achievement of its statutory purposes or the carrying out of any of its specific functions.
12. Conservation Boards are explicitly precluded from exercising functions under any of the Town and Country Planning Acts. We have no direct ‘planning’ powers. All of our work in responding to planning consultations is advisory and is carried out because the Board has determined that this activity is “calculated to facilitate, or is conducive or incidental to” the achievement of our statutory purposes.
13. The work undertaken by Planning Committee to develop new planning policies for the Board is also advisory. Planning Committee itself does not have delegated authority to

approve the Board's planning policies, only to prepare such policies for the Board's approval. Even then, the Board's planning policies are themselves advisory, and can only hold the status of 'material considerations' in planning decisions made by LPAs or PINS.

14. Most of CCB's specific statutory functions are set out in [Article 25 of our Establishment Order](#). All of these functions are shared with our local authorities, and many, if not all, of them can have a direct impact on people's property, lives or livelihoods. However, none of these functions are delegated to the Planning Committee to discharge (even though some are more or less related to planning matters). It is not clear the extent to which CCB has ever exercised any of these functions (knowingly).
15. The other key statutory function of CCB is the preparation of its AONB Management Plan. While Planning Committee has a role in contributing to the Management Plan (especially, obviously, the policies relating to planning and development) the Committee is only empowered to recommend approval of those policies to the Board, and even then, the Management Plan is again only advisory in terms of how it is delivered.
16. Officers already have delegated authority to respond to consultations, so long as the response is consistent with the Board's purposes, objectives, policies, etc., subject to the (constitutional) proviso that these submissions are (mostly retrospectively) endorsed by Planning Committee. That proviso does not apply to any other CCB functional areas' responses to consultations etc. Where officers cannot respond without needing to seek a change to the Board's policies, priorities, etc., then the response must be referred to the Board – Planning Committee cannot constitutionally change the Board's planning policies. Ultimately, Planning Committee does not discharge any functions or make any decisions: its practical function is purely advisory.
17. In conclusion, Planning Committee does not deal with any matters that, in themselves, justify the administrative burden of maintaining a formal committee.
18. What are the administrative burdens of maintaining a formal committee? These are as follows:
 - a. Membership: a committee must comprise members from each of the appointing groups (local authorities, parish councils, secretary of state) in the same proportion (as near to a whole number as possible) as the Board as a whole. We have not always been able to maintain this, with periods on long-term vacancies for local authority members and, more recently, secretary of state members; in the past we have also had too many members from one group (usually parish council members) which is not strictly lawful. Recruiting members to the Planning Committee, especially to fill vacancies, is mostly undertaken by the Head of Strategy and Planning, and recently has needed to be pursued throughout the year.
 - b. Quorum: to be quorate (and hence be able to discharge its functions) each meeting must have at least one-third of members present (in person) including at least one member from each of the appointing groups. Planning Committee's recent experience of being quorate is as follows:

25 January 2024	✗ (no LA member)
25 April 2024	✓
25 July 2024	✗ (no LA or SoS members)
17 October 2024	✗ (no LA members <i>in person</i>)

23 January 2025



17 April 2025

✗ (no SoS members *in person*)

23 October 2025

✗ (no SoS members)

- c. Publicity: meetings must be publicised in accordance with local government statutes, and their agendas published and circulated to certain persons at least three clear working days before the meeting. Functions cannot be discharged or formal decisions made that are not publicised in this way (unless urgency measures are followed). Members of the public and the press must be permitted to attend meetings, and ask questions if they give appropriate notice. Unless confidential, papers and minutes of the meeting must be published.
19. Technically, a committee cannot discharge functions or make formal decisions if a meeting is not quorate or has not been appropriately publicised. Any functions discharged or decisions made under these circumstances can be challenged through the courts, as can a decision made on the basis of a vote where membership of the committee is incorrectly balanced. However, none of this really matters for CCB because the Planning Committee does not discharge the Board's statutory functions, or make formal decisions, that could be challenged in court, for the reasons set out in paragraphs 11-16 above.
20. In effect, the Planning Committee functions as an advisory group, not a committee, because (a) the matters it deals with are advisory (to officers or the Board), rather than formal decisions that discharge of the Board's functions, and (b) more often than not, meetings are not quorate, so even if formal decisions needed to be made, they would frequently need to be deferred (to the next Committee meeting or meeting of the Board). Most of the formal decisions made recently by the Committee (when quorate), other than retrospective endorsement of submissions already made, have been the approval of minutes and the election of the chair and deputy chair.
21. Do all Conservation Boards have a formal Planning Committee? No. The only other current Conservation Board – that for the Cotswolds National Landscape – does not maintain a Planning Committee. Instead, it maintains an advisory 'Planning and Infrastructure Working Group' (which also deals with some issues wider than planning). Formal decisions discharging the Board's functions in relation to planning, where necessary, are made by their Executive Committee or the Board.
22. So, why does CCB have a formal Planning Committee? There are two very clear and strong arguments in favour of retaining a Planning Committee:
- a. Having a formal standing Planning Committee is considered to accurately convey to Board members, the officer team, and to the Board's stakeholders the high level of importance that the Board places on planning as an activity that achieves the statutory purposes of both the Board and the National Landscape designation.
 - b. There is at least anecdotal evidence that submissions made on planning matters that bear the imprimatur of having explicitly been approved by the Planning Committee carry more weight than those that do not (especially in relation to planning appeals).
23. There should be no less weight attached to these points as a result of their brevity in comparison with the preceding paragraphs. **Dissolving the Planning Committee is not a decision that should be taken lightly.**

24. However, it can conversely be argued that:

- a. if the Board placed such high importance on planning matters, it might have reserved planning matters for the Board's decision, as it does for the Management Plan, Annual Business Plan, or changes to the Constitution; rather than diminishing the status of planning, dissolving Planning Committee arguably elevates this status to a Board matter;
- b. most submissions made by officers, whether with the explicit approval of the Committee or not, are presented to the decision-maker as being submitted by CCB without the decision-maker having any knowledge of which grouping approved the submission; the explicit approval, where appropriate, of a submission by the Board would surely carry more weight than approval by a committee.

25. Why only planning? It is also worth noting that many other functions or activities undertaken by officers of the Board are carried out with no constitutional requirement for member or committee approval or sign-off at all. The importance attached to planning as a function, and the requirement for committee approval, including retrospective endorsement of submissions made, is a burden placed almost uniquely on the day-to-day operations of the planning function. It could be argued that this signals a lack of confidence in the capabilities of the Board's planning officers, while other officers are given far more autonomy and their work is subject to less scrutiny. It is therefore unsurprising that both Board members and officers repeatedly identify a lack of connection as an issue for CCB as a whole, but less so in relation to planning.

26. What are the options for an alternative to Planning Committee? The following is a non-exhaustive list of suggestions, with some notes as to their application.

- a. Maintain Planning Committee (more or less) as it currently is with only minor changes (to be determined) to try to address some sticky issues; for example, could there be other solutions to the problem of quoracy, e.g. changing the size of the committee?
- b. Retain Planning Committee for particular purposes, forgoing regular meetings in favour of *ad hoc* meetings only when certain formal decisions are required (such decisions are already rare – see para 16), possibly as a hybrid with option (c) below.
- c. Replace the committee with an Advisory Panel (or similar); this could:
 - i. Meet more (or less) frequently than the committee currently does;
 - ii. Be constituted with fewer constraints (e.g. without needing to reflect the Board's overall membership, allowing for substitutions, not requiring the statutory quorum);
 - iii. Have a "core" membership (e.g. current Planning Committee membership), but be open to all Board members should they wish to participate on a particular matter;
 - iv. Provide advice (as a panel, not individually) to officers in writing or through online or hybrid meetings;

- v. Operate as above in parallel with a formal Planning Committee under option (b) above.
 - d. Under whichever option, give consideration to whether and how to engage additional skills and expertise, fill gaps, etc., as is currently provided by the Committee's co-opted members.
 - e. Completely dissolve Planning Committee as a concept, and simply take planning matters that require a formal decision to the Board, which, practically and constitutionally speaking, is already the case (see also paragraph 16 above), and give planning officers the same degree of autonomy granted to other officers of the Board. Note that while this would be reasonable and fair, it is not recommended as **this does not account for the enormous value that the Board's planning team places on the advice secured from Planning Committee (and other Board) members and co-optees.**
27. The Committee's views on the above options are welcome, including different options or variations on the options given.
28. Information and communication: Under all of the above options, and any others that may arise, there need to be improvements to how information on planning matters is communicated by the planning team to the Committee or its agreed successor grouping, and, by extension, the Board. We already also recognise that there needs to be similarly improved communications with the officer team and external stakeholders.
29. A part of this will be providing improved information on current casework and submissions that have been made by reviving and improving what used to be known as the '**Real Time System**'. This will be more practicable as the organisation moves more of its data to SharePoint as part of the current Information Management Programme, which will also give members greater and more immediate access to a range of materials relating to Board and Committee papers, and the background to them – this work is in progress. We are expecting to accelerate the provision of planning information shortly, thanks to the additional capacity provided by our Planning Adviser (Policy).
30. Some aspects of the Real Time System have always been there, and are accessed by some members of the Committee – a key example being the Casework Tracker spreadsheet. Officers do need to update permissions and issue user instructions before relaunching these resources.
31. Officers are also working on launching a **monthly 'Planning Update'**. This would initially be circulated to Planning Committee members, other Board members, and officers (unsubscribe options will be available), with the intention of extending circulation to planning professionals in our stakeholder organisations (especially LPAs), parish councils, and possibly any member of the public who wishes to subscribe.
32. The Planning Adviser (Policy) has developed a proposed template for the Planning Update, attached as appendix 1 to this paper. The idea is that the update would be circulated at the beginning of each month, with its contents covering matters that have arisen and submissions made during the previous calendar month. Officers have also populated a 'pilot' Update for December 2025 (which would have been circulated earlier in January) to test how it might look and feel. The committee's views on the proposed template contents and the 'pilot' as an outcome would be most welcome.

Producing new and/or reviewing existing planning guidance, briefings, etc.

33. An important element of the Planning Committee's work is determining a programme for the production of new and/or review of existing CCB planning guidance, etc. (including guidance that may be produced in partnership with others, such as the NLA). The Committee also has a role in contributing to the development of such guidance (although the guidance itself must be approved by the Board).
34. All such work is of course subject to capacity and resources. Recent experience with the Chilterns Chalk Streams Planning Guidance demonstrates what can be achieved, in a relatively short space of time, when external funding can be identified (and that the potential for such funding definitely exists, for some topics). Conversely, experience with the Lighting Planning Guidance demonstrates how long producing authoritative guidance can take, especially without any budget to speak of, and limited officer capacity.
35. Officers would welcome the Committee's views on which new or revised guidance to prioritise, should resources and capacity allow. Further suggestions for new guidance to consider would always be welcomed.

Reviewing existing guidance

36. We always need to consider the shelf-life of such guidance, especially in a period of hyperactive planning reform and changes to national planning policies, let alone changes to the wider context for protected landscapes. For example, the need for much of the content of our position statement on Setting (which presented a justification for considering the impact of development in the setting of the Chilterns) was reduced when in June 2021 the government introduced a (short) policy on development in the setting of protected landscapes into the NPPF. At the time, we decided that the key policies of the statement remained valid, and opted not to produce an update. Our foresight has been rewarded now that the proposed new NPPF removes the setting policy.
37. Any or all of our published guidance may need reviewing in the light of the new NPPF when it is approved, since the changes just to the format of the framework are so significant, let alone its policy content.
38. Most of our published guidance could do with refreshing to reflect our rebranding, with references to external policies and legislation updated where necessary.
39. We may also wish to review or refresh existing guidance to reframe it in the form of 'standing guidance' used by statutory consultees in the planning system (whether or not we are successful in securing that status).
40. Existing guidelines that may need most urgent review include:
 - Renewable Energy Position Statement (2014) – while the general thrust of the policy content remains valid, and is refreshingly positive about development, technology and the understanding of certain impacts have moved on significantly, and there are new forms of development, such as battery energy storage systems and solar powered vehicle charging centres, that are not catered for in the current statement.
 - Buildings Design Guide (2010) – while the principles of good design, the nature of vernacular architecture, and the materials most appropriate to the Chilterns will not have changed in the 15 years since the guide was last reviewed, the context for design guidance has changed with the National Design Guide and the

National Model Design Code. New materials and new technologies also need to be referenced, and the supplementary technical notes may need to be revisited too.

- Model Development Plan policy (unpublished) – There is a lot to learn from how our model development plan policy has been incorporated into development plans locally, and we have identified some failings in the wording of the policy; in addition the policy needs updating to reflect the strengthened section 85 duty.
- Consultation Protocol (included in the Management Plan) – The protocol needs revision to reflect current development experience and address some ambiguities; it also needs re-negotiating with some of our LPAs. Most importantly, it could be revised to reflect how we would want to work as statutory consultees, whether or not that status is accorded to the CCB.

New guidance

41. The following topics for possible new planning guidance have been suggested:

- Interpretation of the strengthened section 85 duty – this would be more of a briefing on how Planning Inspectors, Secretaries of State and the Courts are interpreting the duty, rather than our own policy, but would still be of significant benefit to the Board and its stakeholders. (This is a work in progress, complicated by the rapid pace of the evolution of thinking on the matter, and constant threats that the duty may be reset to its 2000 version, or repealed entirely.)
- SANGs (Sites for Alternative Natural Greenspace) – these are areas of open land provided for public access to reduce the impact of new development on sensitive environments such as the Chilterns Beechwoods SAC at Ashridge and Tring Park. Guidance is needed to ensure that the design, implementation and management of these spaces is appropriate to the Chilterns National Landscape (or its setting).
- Chilterns colour guide - perhaps as an addition to the supplementary notes to the Buildings Design Guide (or a part of its review), identifying the palette of colours appropriate to the Chilterns landscape; this is especially important with the increased use of new building technologies and materials to support low energy, low carbon or low cost construction and modular or pre-fabricated buildings where traditional materials may be less practicable.

Future Committee dates

42. The Board has approved the Committee's proposals for meeting dates in 2026 (of which the current meeting is the first). The remaining dates are:

- Thu 30 April 2026
- Thu 29 October 2026

43. Both are planned to be held at the CCB's offices in Chinnor, starting at 10am as usual.

44. It is proposed to retain these dates pending the outcome of the Board's consideration of the future of Planning Committee; the dates may then be held for use by the Committee or whatever its successor may be, if appropriate.

Recommendations:

1. That the Committee:
 - a. **NOTES** these updates.
 - b. **OFFERS OBSERVATIONS** on the options for the future of the Planning Committee, including making its own recommendation for presentation to the Board if there is a consensus.
 - c. **OFFERS OBSERVATIONS** on priorities for the preparation or review of planning guidance.

Annex 1: Proposed 'Planning Update' template

Chilterns Conservation Board Planning Update Month/Year

This monthly update highlights some of the recent and forthcoming developments with regard to planning matters in or affecting the Chilterns National Landscape, for the information of Planning Committee and Board members. It covers both policy and development management casework, from the national to local scales.

Legislation (Primary and Secondary)

- Enactment of relevant legislation inc. a few lines on the implications for the CCB, and a link to any more detailed briefings.
- Progression/content of relevant Bills.
- Legal judgements on interpretation of legislation, e.g. s. 85.
- Updates to/consultations on legislation, inc. a few lines on the implications for the CCB, and a link to any more detailed briefings.

Committees

- CCB submissions to Select Committee, etc.
- Publication of reports/government responses, inc. a few lines on the implications for the CCB

National Policy and Guidance

- Updates to/consultations on NPPF, NPSs, and Planning Practice Guidance, inc. a few lines on the implications for the CCB, and a link to any more detailed briefings.

Regional and Sub-Regional Plans

- Which, timeline, relevant content, CCB evaluation/input.

Development Plans

- Which (spatial development strategies, local plans, neighbourhood plans, supplementary plans, and minerals and waste plans), timeline, relevant content, CCB evaluation/input.
- E.g.: *Bucks Local Plan: draft plan issued under Reg. 18. Good intentions regarding the CNL, but some concerns regarding detail and application within strategic policies. Response [link] submitted by deadline. Next draft expected xxxx 2026.*

National Casework

- Update on NSIP, etc., casework (what, where, severity), inc. outcomes (decision and any reflections on the success or otherwise of build-out).

Local Casework

- Update on DM casework (what, where, severity), inc. outcomes (decision and any reflections on the success or otherwise of build-out).
- E.g. *South Oxfordshire 25/12345/FUL: erection of new country house in xxxx, within CNL. Concerns regarding size and design, but thoughtful landscaping*

softens impact. Qualified objection submitted by deadline [link]. Decision expected xxxx 2026.

Chilterns Planning Documents

- Evaluation/revision/production/application of Chilterns planning advice (e.g. Chilterns Buildings Design Guide).

Misc.

- Ad hoc items not covered by the above, e.g. staff changes, links to wider CCB documents with implications for planning (e.g. management plan), research.

Date
Contact details for team

Annex 2: Illustrative pilot ‘Planning Update’

Chilterns Conservation Board Planning Update December 2025

This monthly update highlights some of the recent and forthcoming developments with regard to planning matters in or affecting the Chilterns National Landscape, for the information of Planning Committee and Board members. It covers both policy and development management casework, from the national to local scales, for the month of December 2025.

Legislation (Primary and Secondary)

- MHCLG consultation on ‘[Reforms to the statutory consultee system](#)’ (closing date 13 January 2026): seeks views on proposals to streamline the use of statutory consultees for planning applications. CCB’s submission [[link to follow](#)], aligned with that submitted by Cotswolds National Landscape, seeks statutory consultee status for National Landscape Conservation Boards, along with other adjustments to or clarifications of the proposals.

National Policy and Guidance

- National Planning Policy Framework revisions to plan-making and national decision-making policies were published for consultation in December 2025 (closing date 10 March 2026). Preparation of CCB’s submission is underway.
- The revised National Policy Statement for Nuclear Energy Generation (EN-7) came into force: together with the Overarching National Policy Statement for Energy (EN-1: January 2026), it provides the primary policy for decisions by the Secretary of State for Energy Security and Net Zero on applications for Development Consent relating to infrastructure using nuclear fission to generate energy.

National Casework

- December community update on the Grand Union Canal Transfer Development Consent Order (DCO) with forthcoming February/March 2026 second round of pre-DCO public consultations. CCB responded to the first round. This project involves the transfer of water from the Severn Trent’s supply area to Affinity Water in the southeast via the Coventry Oxford and Grand Union Canals. We have an interest around the impacts at the North Chilterns and constituent farm clusters in the FiPL programme.

Local Casework

- Of note:
 - 1) An application by the National Trust to vary common land at the Monument Drive Ashridge (Herts) to allow permanent fencing as a part of their programme of works to protect the Chilterns Beechwoods SAC from further erosion (CCB Support).
 - 2) An outline planning application at Slapton Rd Ivinghoe (Bucks) for a SANG application in which Natural England have sought design amendments (e.g. to prevent dog recreation within a promoted lowland chalk grassland restoration). A case where the principal of allowing a SANG is contingent on getting the most appropriate details in place. (CCB support for NE’s stance).

- 3) An appeal against refusal of the Kimblewick Solar Farm was heard on 16th December 2025. CCB did not object, but the LPA did rely, in their evidence, on a settings impact upon the CNL. (CCB monitoring the outcome, granted on 14th Jan 2026).
- 4) Consulted on an appeal against SODC's refusal of unauthorised development in the CNL at Digberry Farm, Park Corner nr Henley. CCB support SODC (CCB objection, seeking appeal dismissal and enforcement action)
- 5) We declined to comment on a new motorway service area between junctions 16 & 17 (the Chalfont 'Extra' MSA), which is around 2.3km away from the CNL and does not impact the setting due to distance and topography. This application is being considered alongside an alternative option (the Colne Valley Welcome Break), which is also set well away from the CNL. (CCB No Comments to offer).

Issued January 2026

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<https://www.chilterns.org.uk/what-we-do/planning-and-development/>

Item 9 Development Management Casework update Q3 2025/26

Author: Michael Stubbs, Planning Adviser (Development Management)

Purpose and Summary: To inform the Committee about and seek endorsement of the responses made under delegated powers concerning the planning applications as listed and to update the Committee on any outcomes. This is presented in the revised format, with:

(i) A summary of submissions (support, objection in principle, comments over details, appeals and 'others' covering EIA matters and pre-application responses)

(ii) A summary of outcomes (CCB impacts upon decisions and, **(Appendix 1 and 2)** Appendices of current and future applications, with key points of note and interest for the Planning Committee specifically identified.

Background

(i) A summary of submissions (support, objection in principle, comments over details, appeals and 'others' covering EIA matters and pre-application responses).

New applications/appeals since 1 st October 2025 = 14	Appeal representation = 0
	Comments over details = 7
	Objections in Principle = 4
	Support = 3
	Others = 0

(ii) A summary of outcomes (CCB impacts upon decisions) since 1st Oct 2025.

Applications granted to which CCB Positively commented or supported = 2	Chiltern View Nurseries Wendover Road Stoke Mandeville. Buckinghamshire BC- Waste & Minerals, CM/0007/25 Waste Transfer Station - Erection of an open-fronted canopy building to cover the existing open storage yard. Granted 24th Sep 2025. A condition was added (8) requiring that all permitted external walling be painted dark green, as requested by the CCB, to protect views from Coombe Hill, especially. Land West of the Fairmile Henley SODC P19/S2350/FUL Demolition of existing buildings and erection of 71 residential units. Granted 18 th December 2025. The CCB previously commented in September 2019 and June 2021 regarding landscaping, design details and protecting the setting of the CNL (to the west). Amended plans were submitted, and they accommodated these details and points of reassurance.
Applications granted to which CCB had objected = 0	None.
Applications refused to which CCB had commented or objected = 6	Land at Bishopswood Camp, Gallowstree Road near Sonning Common SODC, P25/S0696/FUL for a gypsy pitch with dayroom, associated parking, access and services. Refused on 26 th September 2025, dealing with the harm to the National Landscape. Pond Between Footpath 79 And Park Lane Stokenchurch Buckinghamshire BC-Wycombe, 25/05470/PNP6A,

	<p>25/06637/AGD for a building to accommodate a vertical hydroponic farming system. Refused 13th Nov 2025, with reason 2 stating that the '<i>bulk, mass, size and height and ... would appear as a prominent dominant and obtrusive feature in the landscape which fails to respect the natural beauty</i>'.</p> <p>At Land Located Between Wendover Road and Risborough Road Wendover Road Stoke Mandeville Buckinghamshire Aylesbury area, reference 25/00167/AOP, Outline planning application for up to 650 dwellings, local centre (Use Class E), country park (SANG), multi-functional open space, community orchards, community. Refused 31st October 2025. The proposal was deemed to fall within the setting of the National Landscape and would be '<i>visible in panoramic views from elevated vantage points in the Chilterns NL, such as at Coombe Hill</i>'. The planning officer's report quotes CCB's concerns that the applications landscape and visual impact assessment underplays the impacts upon the National Landscape. Reason for refusal: 3 addresses the impact on the setting of the Chilterns National Landscape.</p> <p>Land adjacent to Digberry Farm Digberry Lane near Park Corner, Oxfordshire SODC P25/S2124/FUL for the material change in use of the land to a mixed use, comprising agricultural grazing for horses and a caravan site, to provide residential accommodation for Gypsies and Travellers, comprising a single-family pitch. Refused 14th November 2025 due to the resulting harm to the Chilterns National Landscape. An appeal has been submitted, to be heard by the Hearing method on 5th March 2026.</p> <p>Outline application for the erection of 18 dwellings including 9 affordable units (matter to be considered at this stage: access), Buckinghamshire Chiltern & South Bucks: PL/25/1732/OA, Land Adjacent to Hampden Farm Barn Greenlands Lane Prestwood. Refused 15th October 2025 including being harmful to the special qualities of the National Landscape, not constituting grey belt under the NPPF footnote 7 test and contrary to 3 recent planning appeal decisions of 2022 and 2024. PC NOTE: This application is detrimental to the Management Plan's 2025 schedule of amendments, particularly at DP2 (i.e., it harms the local landscape character, distinctiveness, and natural beauty). Three previous appeals on this site, of similar merit, have been dismissed.</p> <p>Land off Wyfold Lane, Peppard Common, Oxfordshire SODC application reference: P25/S1825/PiP for an outline application for the erection of 7 Custom Build dwellings. Refused 16th Oct, dealing with harm to the Chilterns National Landscape.</p>
Applications Supported = 2	<p>Kimble Farm Dudley Lane Southend Buckinghamshire BC-Wycombe area reference 25/06412/FUL. Proposed creation of a tennis court and a padel court. Granted 4th Dec 2025.</p> <p>Land at Albury Common, Ashridge Estate, Herts. An application under the National Trust Act 1971, section 23, seeking permanent fencing along the Monument Drive. Planning Inspectorate Common Land Casework. In progress</p>
Planning Appeal decisions = 3	<p>Chartridge House nr Chesham (BC-C&SB written representation) for 11 dwellings (part within the National Landscape). APP/X0415/W/25/3359085. Appeal Dismissed 29th October 2025. The Inspector noted that had he been so minded as to grant the appeal, he would have had to consider the duty under the CROW Act.</p>

	<p>Marlow Film Studios (BC-Wycombe and recovered by the Secretary of State for decision) for 168,718 gross external floorspace production floorspace. APP/K0425/W/24/3351904. Appeal Allowed, 26th November 2026. Both the appointed Inspector and the Secretary of State agreed that there would be harm to the visual effects (panoramic views) within the setting of the Chilterns. The Inspector did not share the Inspector's finding that the new duty was not met and instead assessed this harm as not significantly adverse and followed the new DEFRA guidance on the new duty due to mitigation and a sensitive location.</p> <p>Land south of Nettlebed Road and north of Potten End Hill, Great Gaddesden, Hemel Hempstead, Dacorum BC. APP/A/1910/W/25/3365474. Appeal Allowed 21st October 2025. CCB had supported this application for a SANG just to the north of Hemel. The Inspector concluded that the proposal was appropriate and would ultimately enhance the landscape. At his paragraphs 17-19 he quoted the CCB's submissions to this effect.</p>
Planning appeal decisions outstanding = 3	<p>Land at West of Field Cottage Buslins Lane, Chartridge, Chesham (BC-C&SB, written representations). PINS 3356484. Enforcement notice appeal to remove surfacing/hardstanding outside the permitted area. Decision pending.</p> <p>White Cross Farm, nr Wallingford (OCC). Sand and gravel extraction impacting the Thames Path and the setting of the National Landscape. PINS 3361505. Planning Inquiry opened 15th July 2025. Decision pending.</p> <p>Land to the south of Bishopstone (Kimblewick Solar). Solar farm with a generating capacity of 40MW (AC) and ancillary structures. PINS 3372885. Planning appeal by Hearing method on 16th December 2025. Decision pending.</p>

1. **New CCB responses on planning applications since 1st October 2025 to 31st December 2025 are listed in Appendix 1**, and current live casework is in **Appendix 2**. The Planning Adviser will provide reflections on the outcomes of CCB representations at the 22nd January 2026 Planning Committee. Matters for the Planning Committee to note are set out at the end of each section.

Recommendations:

1. That the Committee:

- a. **NOTES** the updates in this paper, and **ENDORSES** the responses made in connection with the applications listed in Appendix 1, and 2.

APPENDIX 1

New CCB Responses on Planning Applications since the last Planning Committee

Location	LPA & Ref No	Development	Status	Summary of the Board's Response	Date
Amersham & Chiltern Rugby Club Ash Grove Amersham Bucks.	BC– Chiltern & South Bucks area PL/25/2252/FA	Construction of a 3G training pitch, enclosures, and the reinstatement of floodlighting. Creation of 4 padel courts with associated canopy. Laying out of perimeter running track, replacement surface to outdoor gym, and resurfacing and formalisation of overflow car park. Erection of care home (Use Class C2), with associated access, car park and secure garden.	Pending	<p>CCB Comments in detail.</p> <p>(1). Additional information and commentary on lighting issues with consideration of sky glare and the extent to which this can be avoided and/or the subject of control, above and beyond what is currently consented for the lighting. In our new Lighting Planning Guidance, we draw attention to the 'best practice' example of another case in SODC at Kidmore End Memorial Hall, Reade's Lane, Sonning Common, South Oxfordshire District (approved August 2021 under reference P20/S4912/FUL).</p> <p>(2). We have seen the BC's internal consultation on ecology. This raises points about foraging bat habitats, which typically encompass the trees and habitat west of the Chilterns National Landscape. The preliminary ecological appraisal also deals with foraging bats. We would welcome a consideration of the ILP/Bat Conservation Trust's good-practice guidance, GN08 Bats and Artificial Lighting as well as our own Chilterns Lighting Guidance. We fully appreciate that the existing rugby pitch is illuminated; therefore, this benchmark must be factored into the assessment.</p>	27/10/25
Land at Park Lane Stokenchurch Bucks.	BC – Wycombe area PL/25/4436/AGN	Application for approval of siting, design and external appearance for construction of agricultural barn with hardstanding granted under planning reference: 25/06417/PNP 6A	Refused on 13 th Nov 2025 on CNL grounds.	<p>CCB Objection in principle.</p> <p>The CCB is grateful for the opportunity to submit a fresh objection against application PL/25/4436/AGN. We agree with the applicant's agent in their supporting statement that permitted development (PD) is not explicitly restricted in National Landscape areas and that agricultural buildings are an integral part of the Chilterns landscape. The secondary legislation governing PD explicitly addresses siting, design, and external appearance. This application</p>	27/10/25

Location	LPA & Ref No	Development	Status	Summary of the Board's Response	Date
				proposes an industrial structure at a highly sensitive boundary location within the AONB/National Landscape, serving as a gateway to the wider landscape character area. The applicant accepts that, at 12 metres, this is a tall building. We say that a full application should be invited and that such an application would be contrary to National Landscape policy, based upon siting and design.	
Bishopswood Sports Club Horsepond Road Gallowstree Common, Oxon.	SODC 25/S1784/FUL	Creation of a 3G Artificial Grass Pitch (AGP) with perimeter fencing, areas, storage container, floodlights, an access footpath, and a pavilion.	Pending	<p>CCB Comments in detail (updated note of 28th October 2025, following submission of the applicant's 3rd issue of technical details, 23rd September 2025).</p> <p>With the assurance of tightly controlled planning conditions, if the LPA is minded to approve this application, then several planning conditions would have to be met. These conditions would need to cover the specific LED luminaires, their colour temperature (CCT)/lux details, the use of the internal louvre system, the agreed curfew, and the periodic review/maintenance of the lighting. We noted that the proposed 4,000 kelvin system can be dimmed to 120 lux for training sessions. This reduces impact, noticeably and is also a matter for conditional control. We assume the club and community would have some days when training occurs and others when matches take place. Hours of use would be a matter for the LPA, but the dimmable option would reduce sky glare (as opposed to sky glow), which is controllable. We accept that impact assessment is a matter of judgment. We would seek some robust assurances in the planning conditions. In this respect, we have cited in our planning conditions section of CCB's Lighting Planning Guidance the conditions used by SODC at Kidmore End Memorial Hall, Reade's Lane, Sonning Common, South Oxfordshire District (approved August 2021 under reference P20/S4912/FUL).</p>	28/10/25

Location	LPA & Ref No	Development	Status	Summary of the Board's Response	Date
				To deliver the conservation and, indeed, enhancement function in Nationally Protected Landscapes, as outlined in national policy, the Development Plan, and the AONB/CNL Management Plan, it is essential to avoid 'sky glare' impacts. With strict controls, this can at least be mitigated.	
At land from north of Frith Hill to the south of Leather Lane Great Missenden, Bucks.	BC – HS2 Team PL/25/6606/HS 2	Plans and Specifications submission under Schedule 17 to the High Speed Rail (London West Midlands) Act 2017 for works comprising: • South Heath Cutting (Part Of) Railway Track Alignment (Scheduled Work No. 2/14); • Permanent landscape earthworks (contours); • 6 no. drainage basins (earthworks only); • Drainage ditches (earthworks only); • Headwalls; • 4 no. newt pond (earthworks only); • Location of permanent fencing; • Location of permanent Vehicle Restraint System (VRS); • GMI/12 Overbridge Footway structure: finishing and appearance	Pending	CCB Comments in detail (bullets indicate each component element). • South Heath Cutting (Part Of) Railway Track Alignment (Scheduled Work No.2/14); • Permanent landscape earthworks (contours). Some of these works include mitigation works around the North Portal section. We would ask that BC-HS2 reassure themselves that these works would not prejudice any future landscape scale restorations around the railway in the future. A good deal of this involves localised reprofiling and not wider landscape interventions. • 6 no. drainage basins (earthworks only); • Drainage ditches (earthworks only); • Headwalls; • 4 no. newt pond (earthworks only); That BC-HS2 need to be reassured that no drainage enters the nearby Chalk Streams. We did see that at 3.2.32 a discharge to a nearby ditch is within the River Chess's catchment. We support the habitat enhancement as provided by the Newt Ponds. • Location of permanent fencing; • Location of permanent Vehicle Restraint System (VRS); • GMI/12 Overbridge Footway structure: finishing and appearance details. We have noted that considerable care and attention has been expended on the design of GM1/12 overbridge, regarding the 'earth tones' of the steelwork to blend in with the Chilterns NL (3.2.51). We recommend that the finish of the	14/10/25

Location	LPA & Ref No	Development	Status	Summary of the Board's Response	Date
		<p>details • Diversion of GMI/2;</p> <p>GMI/12 and GMI/13 and related permanent earthworks; and • Pedestrian access to the</p> <p>railway lines, including maintenance access stairs, handrails and working platforms for</p> <p>GMI/2 Accommodation Overbridge and GMI/12 Footway Overbridge.</p>		<p>proposed 'anticlimbing fairing' and the access stairs, handrails, and security fence tie-in also blend with the hue/patina of the main overbridge structure to ensure a seamless integration. The internal finish and surfacing are of high quality. On the vehicle restraint system (VRS), we noted this is only confined to location and not specification (at 3.2.118). We appreciate that the operator will need to protect the railway. We ask BC-HS2 to be reassured that any future specification can be mitigated through materials to avoid unnecessary visual intrusion into the National Landscape.</p>	
Land To North of Little Green Lane, Croxley Green, Herts.	<p>Three Rivers DC.</p> <p>24/2073/OUT</p>	<p>Outline Application: Development of up to 600 residential dwellings (Use Class C3(a)), construction of a 5-bedroom property for children's social care and supported living (Use Class C3(b)). Two vehicular access points from Little Green Lane and further pedestrian / cycleway accesses. A one form entry primary school (Use Class F1(a)) (plus expansion land for a two form entry primary school.</p>	Pending	<p>CCB Comments in detail.</p> <p>The statutory boundary of the Chilterns AONB/National Landscape is set away from the application site and lies some 2.4 to 2.6km to the west of the submitted red line. The landscape within and surrounding the application site shares several characteristics with the Chilterns, notably narrow, partly sunken lanes, dry chalk valley features, and a chalk plateau landscape. The River Gade, a Chilterns Chalk stream and valley landscape, is located approximately 2-3 km to the east of the application site. This flows from a source within the National Landscape. It is material that in the Spring of 2025, Natural England ceased work on the Chilterns boundary extension review, along with other candidate projects. The distance and intervening topography to the east of this application site result in a very marginal impact upon the setting of the Chilterns, and we accept that this would not harm the special qualities following an appraisal of visual impacts alone.</p>	21/10/25

Location	LPA & Ref No	Development	Status	Summary of the Board's Response	Date
				In taking a more holistic view of the impacts upon the Chilterns, we would seek assurances that the River Gade's ecology is not impacted. The applicants, within their submitted landscape and visual impact assessment and/or ecological assessment, are welcome to comment on the wider implications for the River Gade and the recreational impacts on footpaths and green infrastructure more generally. We would welcome an addendum to the landscape assessment with a Chilterns perspective.	
Land south of Greenfield Road and Clayhill Farm, Greenfield Road, Westoning, Beds (Sampshill Solar Farm)	Central Bedfordshire reference: CB/25/02017/FULL	Construction of a temporary Solar Farm, to include the installation of Solar Panels with transformers, a substation, a DNO control room, a customer substation, GRP comms cabin, security fencing, landscaping and other associated infrastructure and works.	Pending	<p>CCB Comments in detail/Support.</p> <p>Following the withdrawal of the previous application CB/21/02583/FUL and the subsequent amendments, as they affect the Chilterns National Landscape, we noted that the 2025 revised proposal incorporates the following:</p> <ul style="list-style-type: none"> • Removing the southernmost fields from the development, • Incorporating greater retention of existing hedgerows • Supplementing existing screening with planting new hedges and woodland to further assist with screening. This includes further planting on the northern side of the southern boundary. <p>A number of these follow from our consultation response to the 2021 application. For ease of reference, we append our previous response below. We also append some notes on the new 'duty to further' the AONB/NL, as this also applies to the setting of the AONB.</p> <p>We agree with the CBC landscape officer's assessment of 26th August 2025, where the officer concludes, as far as the NL is concerned, that '<i>The</i></p>	14/10/25

Location	LPA & Ref No	Development	Status	Summary of the Board's Response	Date
				<p>southern portion of the development area will be partially visible from the Chilterns escarpment and will increase the extent of solar arrays visible from the setting of The Chilterns National Landscape but would form a small portion of the overall view'.</p> <p>A significant number of receptors (people) enjoy the outward view from the escarpment at Sharpenhoe Clappers) which we calculate that distance to be in the region of 1.7 km to the edge at the southern field.</p>	
Kensworth Quarry, Isle of Wight Lane, Kensworth, Dunstable.	CBC CB/09/05429/MWR	Application for Determination of Conditions Periodic Review of Mineral Planning Permission. (EIA application accompanied by an Environmental Statement)	Pending	CCB Comments in detail <p>The detailed restoration is considered in relation to the prevailing landscape character assessment at 11A, the Whipsnade Chalk Dipslope. These details serve to further the conservation and enhancement of the AONB/National Landscape, consistent with the new duty in section 85 of the CRoW Act 2000 (as introduced by the Levelling Up and Regeneration Act 2023, s.245.</p> <p>Three points of detail arise as:</p> <p>(1). We have assumed the original conditions apply as attached to the original planning permission, including condition 15, which prohibits the importation of landfill material, and</p> <p>(2). That the restoration details are triggered after 2024 and 2030, with the last review (2010 reference CB/09/05429/MWR) at condition 33 stipulating a final implementation date of 31st December 2037. We welcome a discussion between the LPA and the applicant on this final date, either bringing it forward and/or incorporating a condition to review the 'end date' at the 2030 trigger date.</p> <p>(3). The commitment to bring forward some screen planting of hedgerows is welcome (ES 7.10.7). We welcome a date for</p>	3/10/25

Location	LPA & Ref No	Development	Status	Summary of the Board's Response	Date
				that, too, which we assume is built into the post-2024 trigger date.	
Spring Chamber Bridleways Wendover, Bucks.	BC - Aylesbury PL/25/4131/FA	Installation of a spring chamber and flow monitoring chamber with associated pipework for the requirements of HS2, including an attached power box with roof-mounted solar panel, a headwall outflow structure, the reprofiling of an existing drainage ditch, stockproof fencing, a temporary access track and temporary laydown area for construction.	Pending	<p>CCB Support</p> <p>We support the proposed spring chamber, which is a necessary requirement of the Environment Agency consent and is important for the hydrology in and around Stoke Brook East and the management of groundwater levels following the implementation of the Wendover green tunnel and other associated works. The hydrology of the Chilterns links to its special qualities (i.e. chalk streams and spring-line settlements).</p> <p>This application directly relates to and delivers AONB Management Plan policy (June 2025 Schedule of Amendments) policy LP 15 to 'support a catchment-based approach to the enhancement and sustainable management of the Chilterns water environment'.</p> <p>We agree with the supporting planning statement that (at 3.1.5) the impact on the beauty and character of the National Landscape is deemed negligible. Set against this, the decision-maker is vested with the discharge of the new 'duty to further'. In this case, the duty points towards mitigation and what might be embraced as a positive enhancement. In this case, that would manifest as further landscaping/planting with careful regard to the landscape character. A condition could control this. We did note the loss of some existing trees due to their proximity to the proposed headwall engineering. Further planting and/or amendments to keep these trees (as suggested by the Wendover HS2 mitigation group in their supporting comments) would assist in delivering this new duty.</p>	10/10/25
At OS Parcel 7124 Bledlow Road	BC – Wycombe Area.	Outline planning application for	Pending	CCB Comments in detail.	10-12-25

Location	LPA & Ref No	Development	Status	Summary of the Board's Response	Date
Saunderton Bucks.	PL/25/3225/OA	the erection of up to 65 dwellings (including affordable housing), provision of vehicular and pedestrian access, public open space and other associated infrastructure provision (matter to be considered at this stage: access)		<p>We have concluded that the impact on the Chilterns National Landscape is a material consideration for the LPA. The Landscape Institute's GLVIA 3rd edition at page 113 makes the point that visual receptors most susceptible to change are likely to include <i>'people.....who are engaged in outdoor recreation, including use of public rights of way, whose attention or interest is likely to be focused on the landscape and particular views'</i> (GLVIA at 6.33). From a site visit, it is apparent that such recreational users may be on the PROW access track to Horsenden, The Chiltern Way, Chilterns Cycleway and/or The Ridgeway National Trail, which passes close by.</p> <p>The Chilterns Conservation Board recommends that the LPA give due weight and attention to the relationship within the setting of the National Landscape. Our Position Statement is designed to assist in such cases. In any assessment of visual effects, the Landscape Institute's GLVIA 3rd edition (page 99 summary) requires that a judgment on sensitivity be based on the susceptibility and value of a particular view. In this application, the LPA will need to satisfy itself that any such evaluation takes into account the sensitivity experienced by recreational users, as above. In our overall recommendation, this assessment will feed into an overall understanding of the policy framework in the NPPF at 189, the Local Plan at DM30 (the significant adverse test).</p>	
Land south and north-west of Cockernhoe and east of Wigmore (Stubbocks Walk), Brick Kiln Lane, Cockernhoe, Herts.	NHDC reference 17/00830/1 (1,400 homes) & 16/02014/1 (660 homes).	Erection of 660 dwellings together with associated public open space, landscaping, highways and drainage infrastructure works (outline planning application	Pending	<p>CCB Support in detail (for Nature-Based Recovery Plan).</p> <p>(1) We acknowledge that these applications present an opportunity to coordinate and deliver a broader set of nature-based strategies. Such nature-based outcomes would be coordinated with the emerging Hertfordshire Local Nature Recovery Strategy and the Chilterns Nature Recovery Plan, to which we comment further below.</p>	20/11/25

Location	LPA & Ref No	Development	Status	Summary of the Board's Response	Date
		Mixed-use application for demolition of existing buildings and construction of up to 1,400 new dwellings (C3 use) together with retail, educational and community facilities (A1-A5, D1 and D2 uses) and associated roads, open space, green infrastructure and ancillary infrastructure.		<p>(2) With the UK State of Nature 2023 report highlighting a 32% decline in wildlife abundance in England since 1970, there has never been a more pressing need to address the impacts of human activity on nature. The term 'nature recovery' is increasingly used to describe efforts to help wildlife thrive, enabling resilient, diverse ecosystems to flourish.</p> <p>(3) The Chilterns Nature Recovery Plan focuses on nature recovery within the Chilterns National Landscape. It supports the statutory Management Plan, which describes the area's natural beauty, special qualities, and key characteristics. It is not a delivery plan; rather, we hope it will serve as a guide to inspire coordinated, appropriate action that supports nature recovery within the Chilterns National Landscape.</p> <p>(4) To report on the current applications, we welcome the commitment by the joint applicants in their masterplan to produce a nature recovery plan or network. We support this vision and recommend adding further details as the application progresses toward a decision. Such detail should focus on the core principles and align with the NHDC Nature Recovery Plan/Hertfordshire strategy, as NHDC is the responsible body.</p>	
Aldbury Common, Ashridge Estate (The Monument Drive). Herts.	PINS Common Land Casework team.	Consent under section 23 of the National Trust Act 1971 for permanent fencing along the Monument Drive.	Pending	<p>CCB Support</p> <p>We support this application and can confirm that, in our judgment it delivers the duty in s85 of the CRow Act 2000 and also delivers key policy objectives in the forthcoming 2025-2030 Management Plan and the emerging (statutory) Development Plan for Dacorum for land-use planning purposes (policies NE4 and NE6 especially, dealing with the Chilterns Beechwoods Special Area of Conservation, SAC) and design principles for the new Gateways for the Ashridge Estate.</p>	5/12/25

Location	LPA & Ref No	Development	Status	Summary of the Board's Response	Date
				<p>For some time, the CCB has been aware of the habitat erosion and degradation along the Monument Drive. It is a matter noted in our 2019-2024 Management Plan when dealing with the consequential impact of recreational pressures. Erosion of grass margins, erosion of acid grassland, soil compaction around trees, eutrophication (from dog faeces), and trampling of habitats have all followed from this over-recreation, largely a consequence of the proximity of car parking and activity, resulting in a physical denuding of the landscape.</p> <p>The CCB supports this common land application, which is an essential starting point for the immediate and then the longer-term management of the Chilterns Beechwoods SAC.</p>	
Land at Cutlers Farm Marlow Road Lane End High Wycombe, Bucks.	BC - Wycombe PL/25/2744/OA	Outline application for demolition of an existing house, creation of new vehicular and pedestrian access from Marlow Road, erection of up to 59 dwellings with associated landscaping and parking, Local Equipped Area for Play (LEAP) and open space (matter to be considered at this stage: access)	Pending	<p>CCB Objection-in-Principle.</p> <p>CCB made observations on both the merits and the justification of major development within the NL.</p> <p>On merit (28/10/25).</p> <p>In the submitted papers, the supporting planning statement and landscape and visual impact assessment give scant regard to the site's AONB status. This land is functionally part of the AONB landscape, a point that is largely downplayed or dismissed in the papers. The landscape and visual impact assessment (LVIA) addresses views from several public rights of way. At paragraph 1.9, the LVIA viewpoint 11 and at Table 2 deal with the PROW to the immediate north of the site, concluding that <i>'from this perspective the development would be a clear incursion into the countryside'</i>. This harm must be attributed 'great weight' in the decision-making balance, or to put it another way, the 'great weight' to the conservation and enhancement of the AONB in the NPPF is not delivered in these papers.</p>	28/10/25 & 14/11/25

Location	LPA & Ref No	Development	Status	Summary of the Board's Response	Date
				<p>On Major Development tests (14/11/25)</p> <p>The CCB is grateful to submit some additional comments on the status of this application when applying the major development test in the NPPF's footnote 67 <i>For paragraphs 190 and 191, whether a proposal is 'major development' is a matter for the decision maker, taking into account its nature, scale and setting, and whether it could have a significant adverse impact on the purposes for which the area has been designated or defined.</i></p> <p>We also apply the (former) Wycombe DC methodology as previously applied at Land Rear of 33 to 45 Glynswood, High Wycombe, Bucks. That site was allocated in the WDC Local Plan 2019 (HW9) and falls within the AONB. The officer's methodology in the report to the committee for 20/05980/FUL is of relevance.</p>	
<p>Mop End Farm Mop End Lane</p> <p>Mop End, Bucks</p>	<p>BC- Chiltern & South Bucks</p> <p>PL/25/2447/FA</p>	<p>Proposed battery energy storage facility and associated works</p>	Pending	<p>CCB Objection in Principle (summary only to replace the CCB Objection dated 16th September 2025)</p> <p>The following points were submitted.</p> <ol style="list-style-type: none"> (1) Harmful to the natural beauty of the National Landscape, following the application of Natural England's published designation criteria. (2) Not grey belt under the NPPF footnote 7 test (as it fails that test due to the application of NPPF policies for the National Landscape constituting a '<i>strong reason for refusing or restricting development</i>'). (3) The major development test in NPPF 190 (b) requires that <i>Consideration of such applications should include an assessment of: a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy; b) the cost of, and scope for, developing</i> 	24/11/25

Location	LPA & Ref No	Development	Status	Summary of the Board's Response	Date
				<p><i>outside the designated area, or meeting the need for it in some other way; and c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.</i></p> <p>(4) The applicants do not comment on the Chilterns Conservation Board's reference to the current battery application at Loudwater in the Wycombe area (23/07053/FUL), which is outside the National Landscape and within the same LPA. This is a proposed battery facility outside the '<i>designated area</i>'. Looking at issues of need and national considerations in the application papers, we could not find any commentary as to why the approach at Loudwater could not prevail, i.e. a grid connection serving the renewable energy case that is outside the designated area.</p> <p>(5) Development Plan policies are not delivered insofar as Chiltern and South Bucks Local Plan LSQ1, and Core Strategy 22 (a) are concerned. This proposal runs counter to their combined force to conserve and enhance the natural beauty/scenic qualities of the AONB (the term used then for the National Landscape). Following s.38(6) of the 2004 Act, the Development Plan is not complied with when considering the AONB (as referred to in these policies, now the National Landscape). '<i>Great weight</i>' must be given to these policies, consistent with the guidance in the NPPF at para 189. The application, therefore, is contrary to the Development Plan policies that address National Landscape matters.</p>	
Land at Bridle Path,	SODC	Outline Application for the	Pending	CCB Objection in Principle.	28/11/25

Location	LPA & Ref No	Development	Status	Summary of the Board's Response	Date
Woodcote, Oxon.	P25/S3372/O	development of 41 dwellings forming a later living community, including a community hub building, access from Bridle Path, infrastructure, open space and landscaping. All matters reserved except for means of access.		<p>The CCB has been a consultee to the previous 3 outline applications on this site in 2016 (P16/S3306/O), 2018 (P18/S0004/O) and in 2022 (P22/S0001/O). In all 3 cases the reason for refusal dealt with the resulting harm to the (then) AONB, now the Chilterns National Landscape, which was assessed against the impacts upon landscape effects and visual effects.</p> <p>The CCB previously objected to all 3 applications, deemed harmful to the natural beauty of the Chilterns and involving an assessment of the special qualities of the National Landscape. We have seen the pre-application opinion issued by SODC, which is detailed and addresses the settlement pattern of the village, considering this to be a breach of the existing edge of the settlement. This application is also considered to be major development under the NPPF 190 tests to which, it was deemed, unlikely that a compelling case could be made on the grounds of exceptional circumstances.</p> <p>We concur with this pre-application opinion, fully appreciating it is informal and non-binding. AONB law (as applies to National Landscapes) has been further emboldened by the introduction on 26th December 2023 of the new 'duty to further', in the amended section 85 of the CRoW Act 2000 (as introduced by section 245 of the Levelling Up and Regeneration Act 2023). The resulting harm to the landscape character alone is greater than residual harm, and considering this, the natural beauty is demonstrably eroded. We consider this landscape effect to relate to the changes in the scale, pattern, character and quality of the landscape. These effects do not need to be visual.</p>	

APPENDIX 2**Live CCB Development Management Casework at the end of September 2025**

Location	LPA	Ref number	Development	Deadline
Land at Slapton Road, Ivinghoe, Bucks	BC-Aylesbury area	25/02374/APP	Change of use of agricultural land to a SANG (Suitable Alternative Natural Greenspace).	8 th Jan 2026
Land East of Hemel Hempstead Rd, south of B487 (Redborne Road) and north of A4147 St Albans Road, Herts	Dacorum BC and St Albans DC	25/02916/MOA	Urban Extension comprising two new neighbourhoods (to the east of Hemel and within St Albans DC).	29 th Jan 2026
Manor Farm Ibstone Bucks	BC-Wycombe area	PL/25/4490/FA	Creation of a new landscape setting to Manor Farm including realignment of the Ha-Ha, formation of new pond, swimming pool and parking for adjacent church	9 th Jan 2026

Item 9.1 Special Report: Marlow Film Studios decision

Author: Michael Stubbs, Planning Adviser (Development Management).

Purpose and Summary: To inform the Committee about the outcome of the appeal into Buckinghamshire Council's refusal of planning permission for the proposed Marlow Film Studios, which involves issues and outcomes focusing on the strengthened duty under section 85 of the CROW Act.

1.0. Background.

Marlow Film Studio Background (PINS reference: APP/K0425/W/24/3351904 & Buckinghamshire Wycombe area reference: 22/06443/FULEA)

1.1. The Secretary of State allowed (granted) this recovered planning appeal on 26th November 2025 for production space and supporting buildings for screen-based media and associated services/industries. The Secretary of State (SoS) concluded there would be harm to the setting of the Chilterns National Landscape (as viewed from Winter Hill, nr Cookham).

1.2. The SoS and Inspector agreed that the main considerations comprised the unmet need for studio space in the UK, the landscape and visual impacts of the proposal, the application of Green Belt policy, sustainability considerations, and the impacts on ecology and transport. The Planning Inspector's report (IR) recommended that planning permission be granted, and the SoS (SoS) agreed. Within this shared view, there was an interesting divergence of opinion on the delivery of the new duty as it applies to the Chilterns National Landscape. All the harm arising to the Chilterns National Landscape (CNL) was attributed to the impact upon its setting.

2.0. Key topics of interest:

2.1. Discharging the new duty when considering the setting of development upon a National Landscape.

2.2. The role of the December 2024 DEFRA guidance in the decision-making process; and

2.3. The treatment of harm to the National Landscape. In discharging the new duty, it is entirely possible and correct in law that harm to the National Landscape may result. This point applies to Marlow Film Studios and is a matter of common law, following recent High Court decisions in the New Forest and CPRE Kent cases (both discussed at the end of the following Mop End Farm application briefing).

3.0. The Appeal Decision.

3.1. **The Inspector** drew attention to the **special qualities** (IR 15.58 'Effects on the CNL). *The proposal is located outside the CNL, but it would influence 2 of the special qualities of the CNL. These would be the panoramic views and the network of rights of way. The height*

and expanse of the development, particularly plots 1-3 on the edge of the CNL, would introduce a considerable change in comparison to what can be seen currently. (IR 15.59) The primary impact would be on panoramic views gained from the viewing point and PRoWs on Winter Hill looking towards the CNL..... (and continues)

3.2. On the **National and Local Policy**, the Inspector concluded there would be compliance. (IR 15.61), *Therefore, whilst there would be an adverse effect on the setting of the CNL, it would not be significantly adverse, and there would be no conflict with DM30. Furthermore, whilst the scale is considerable, and much of the built form would be on the edge of the CNL, the proposal has been designed to minimise adverse impacts on the CNL. It is also sensitively located adjacent to the edge of Marlow. For this reason, compliance with paragraph 189 of the NPPF would be achieved. (our emphasis).*

3.3. On the **new duty**, the Inspector concluded (IR 15.62). *Notwithstanding this, the proposal would not further the statutory purposes of the CNL as required by section 245 (Protected Landscapes) of the Levelling-up and Regeneration Act 2023. This is because the panoramic views and views from the network of rights of way would be adversely affected. These are special qualities and the proposal would not further the conservation and enhancement of the natural beauty of the CNL, owing to its proximity and scale. (Our emphasis).*

3.4. When **discharging the planning balance**, the Inspector concluded that (IR 17.3) *There would be conflict with the development plan overall. Weighing against the proposal is the failure to further the purposes of the CNL, to which significant weight is attached.(and continues)*

3.5. The **SoS** agreed with most of this but revisited the new duty, as he is entitled to do, and considered DEFRA's (December 2024) guidance on the new duty, which was not considered by the Inspector or the main parties to the appeal. At Paragraph 22.....*The Secretary of State has therefore considered the proposals both in terms of the setting of the CNL and the impact in the CNL itself. He has considered the Inspector's analysis at IR15.58-15.63, has taken into account his duty under section 245 (Protected Landscapes) of the Levelling Up and Regeneration Act (LURA) 2023 to seek to further the statutory purposes of the CNL and has further considered the proposals against the guidance for relevant authorities published by DEFRA on 16 December 2024.*
(Our emphasis).

3.6. Paragraph 23.....*the Secretary of State agrees that the proposal would influence two of the special qualities of the CNL, namely the panoramic views and the network of rights of way (IR15.58), and that the height and expanse of the development, particularly in respect of plots 1-3 on the edge of the CNL, would introduce a considerable change in comparison to what can be seen currently (IR15.58). He considers that there would be a harmful impact on these special qualities. (Our emphasis).*

3.7. Paragraph 26*the Secretary of State agrees that whilst the scale is considerable, and much of the built form would be on the edge of the CNL, the proposal has been designed to minimise adverse impacts on the CNL and is sensitively located adjacent to the*

edge of Marlow (IR15.61). He agrees with the Inspector at IR15.57 that the development is a high quality design and considers the proposed landscaping and ecological management plans secured by conditions 29 and 43 respectively, would further mitigate the impacts of the development on the surrounding landscape. (Our emphasis).

3.8. Paragraph 28.Based on the evidence before him, and his conclusions in paragraphs 22-27 above, the Secretary of State considers that in line with the DEFRA guidance, the proposals have sought to further the statutory purposes of the CNL by seeking to minimise impacts and avoid harm and contribute to the conservation and enhancement of the natural beauty, special qualities, and key characteristics of Protected Landscapes where possible. He considers that his duty under section 245 of the LURA 2023 to seek to further the statutory purposes of the CNL has been complied with. (our emphasis).

4.0. CNL Potential ‘take away’ Positives/Negatives:

4.1. Setting is clearly a matter that falls within the scope of the new duty (if ever any doubt existed),

4.2. The profile of the DEFRA guidance, as specifically raised by the SoS, is useful. The SoS relies on this to explain and justify the delivery of the new duty.

4.3. You can comply with and deliver the new duty even if harm to the National Landscape would result.

4.4. Harm to the setting of the CNL was an agreed outcome. The measuring of that harm is always going to be a matter of judgment. Both decision-makers identified special qualities (SQs) when assessing natural beauty. The appraisal of natural beauty and the identification of harm are not necessarily contingent on the SQs. However, this decision is helpful because the Inspector uses SQs in her analysis, which may provide some comfort for applications that affect the CNL setting.

4.5. The level at which harm to the setting is deemed ‘significantly adverse’ is a matter of judgment. The CCB’s Position Statement on setting was widely referred to by the parties in this appeal and is dealt with in the Inspector’s reporting of the evidence. It is worth reflecting on the nature of what would be ‘significantly adverse’, for example, impacting upon the Management Plan policies or identified special qualities and resulting in more than ‘residual harm’ (i.e. harm left over after mitigation).

5. Recommendations:

- 1. That the Committee NOTES the content of this report.**

Item 10. Planning Policy Casework update Q3 2025/26

Authors: Matt Thomson, Head of Strategy & Planning, Victoria Thomson, Planning Adviser (Policy), Michael Stubbs, Planning Adviser (DM)

Purpose and Summary: To inform the Committee about policy developments and seek endorsement for consultation responses submitted under delegated authority during Q3 2025/26.

Background

1. This paper sets out submissions made on formal planning policy consultations under delegated authority during the last quarter.
2. Note that two key matters are presented in separate papers on this agenda:
 - a. 10.1 – submission made on MHCLG’s consultation relating to statutory consultees, and
 - b. 10.2 – an introduction to the current (live) consultation on reforms to the National Planning Policy Framework.

Formal responses made in Q3 2025/26

Buckinghamshire Local Plan, “regulation 18”

3. Further to discussion at the (inquorate) Planning Committee meeting in October, officers submitted the response attached as Appendix 1 to Buckinghamshire Council’s consultation on its draft local plan.
4. The response is mostly supportive, offering advice on improving the plan’s compliance with national policy and legislation, particularly in relation to the policies of direct relevance to the Chilterns National Landscape, and also on landscape generally, heritage and other environmental matters. Particular support was expressed for the attention paid to chalk streams.
5. Buckinghamshire Council is now working through a number of related workstreams on the local plan, including the identification of development sites for allocation in the plan, and their officers are engaging with CCB’s officers on such details: further updates will be given in due course.

Eye and Dunsden Neighbourhood Plan Submission Draft 2011-2035.

6. In our response, the CCB expressed support for this plan. Most of our comments dealt with updates to the text, following the renaming of AONBs to National Landscapes, revisions to the section 85 duty and potential future revisions following the (Dec 2025) consultation on the NPPF and the future progress on the Vale/SODC Joint Local Plan 2041.
7. We supported the production of the Eye & Dunsden Parish Landscape Character Assessment and the plan’s promotion of a valued landscape, along with the supporting evidence base. The Kidmore End Neighbourhood Plan successfully followed a similar approach. It formed an important part of their evidence base and was endorsed at the independent examination. Two identified landscape areas within this study are

indistinguishable from the Chilterns National Landscape (the Dunsden Open Dipslopes/Thames Valley Sides and the Dunsden Semi-enclosed Dipslopes/ River Cliff and Terraces). Both are valued landscapes that make an important contribution to the Chilterns National Landscape's landscape and visual character. We expressed support for this approach. Further, we supported the Neighbourhood Plan's policy on 'views in' and 'views out' of the Chilterns National Landscape, which we considered to be consistent with our approach in the CCB's Position Statement on Development within the Setting of the Chilterns.

8. With Natural England's cessation of further work on the boundary extension on 9th May 2025, the elevation of the countryside around the CNL to valued landscape status is an important contributor to protecting its setting. Following case law (Gladman v Stroud District Council 2014), the widely applied test of a valued landscape is that it contains demonstrable physical features beyond mere countryside. With this comes further policy protection with the current NPPF (187) stating that planning policies and decisions should contribute to and enhance the natural and local environment by, '*protecting and enhancing valued landscapes...*' The relationship between the CNL's landscape character and the valued landscape is interdependent in and around this Neighbourhood Plan area.

Recommendations

1. **That the Committee NOTES the contents of this paper and ENDORSES submissions made on planning policy matters under delegated authority.**

Appendix 1

Consultation on Draft Local Plan for Buckinghamshire: Chilterns Conservation Board Response

The Chilterns Conservation Board (CCB) was established by Parliamentary Order in 2004 at the request of the area's local authorities to manage the Chilterns National Landscape, then known as the Chilterns Area of Outstanding Natural Beauty (AONB). Its primary role is to further the purpose of conserving and enhancing the natural beauty of the Chilterns National Landscape. Further information about the CCB may be found [here](#).

We welcome the opportunity to respond to this consultation on the new Local Plan for Buckinghamshire. As this stage we have restricted our responses to those issues on which we have particular views in relation to the conservation and enhancement of the natural beauty of the Chilterns National Landscape.

The CCB would be pleased to assist the Council with the further development of these and other relevant policies in the Local Plan as it progresses towards Regulation 19, including the spatial strategy and consideration of site allocations.

OVERVIEW

Overall, the references to the National Landscape (NL) in the draft plan are to be welcomed, though some refinement is needed, and it is not yet clear how the emerging development strategies being outlined to address development pressures will be reconciled with the commitment to protecting the Chilterns.

DRAFT PLAN CONSULTATION: PART A – SPATIAL STRATEGY

1. Introduction

- p. 4: The reference in the first paragraph to protecting the Chilterns is welcomed.

3. Buckinghamshire

- p. 6: Whilst further reference to the National Landscape within the Spatial Portrait is welcomed, the current text does not accurately describe the status and function of the designation, and needs amending. It is not correct to state that 'its designation is to conserve beauty through protecting flora, fauna, and geological features'.
 - Section 82 of the [Countryside and Rights of Way Act 2000](#) confirms that the purpose of designating an area of outstanding natural beauty (now 'National Landscape') is to conserve *and enhance* the natural beauty of the area; section 85 of this legislation imposes a duty to seek to further this purpose when exercising or performing any functions in relation to, or so as to affect, land in an area of outstanding natural beauty.
 - In addition to being subject to the above duty to seek to further the purpose of conserving and enhancing the natural beauty of the National Landscape, the Chilterns Conservation Board also has a duty to seek to further the purpose of increasing the understanding and enjoyment by the public of the special qualities of the Chilterns (though with greater weight being given to the duty to conserve and enhance natural beauty if there is a conflict between the two duties). This is the only

statutory reference to the landscape's special qualities, and, whilst these special qualities – articulated in the Chilterns Area of Outstanding Natural Beauty Management Plan – are helpful in describing what is distinctive about the landscape, they do not cover all aspects of its natural beauty, and do not need to be present in any particular parcel of land for that land to be considered to have the outstanding natural beauty that must be conserved and enhanced. Further, the list of qualities suggested in the consultation document does not itself cover all the special qualities defined in the Management Plan, nor the six factors which Natural England defines as contributing to the perception of natural beauty (landscape quality, scenic quality, relative wildness, relative tranquillity, natural heritage features, and cultural heritage).

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– The focus of the approach in the Local Plan for Buckinghamshire should therefore be solely on conserving and enhancing the natural beauty of the National Landscape. With that in mind, suggested replacement text is set out below (which further reflects the distinction in the National Planning Policy Framework between all 'valued landscapes' and those such as National Landscapes which 'have the highest status of protection'):

*The Chilterns National Landscape is a valued landscape **with the highest status of protection**, and its designation is to conserve **and enhance the natural beauty of the area** ~~through protecting flora, fauna, and geological features~~.*

–

- p. 6: The statement in that same paragraph that 'Both the Green Belt and Chilterns National Landscape affect the scale and types of development that can happen within these areas' strikes an appropriate balance between the need to accommodate development in the county, and to protect this important landscape.
-
- p. 7: Inclusion of the Chilterns in the key diagram is welcomed; the Chilterns Conservation Board looks forward to seeing the National Landscape's inclusion in the Policies Map in due course.

4. Local Plan Vision

- p. 8: The references in the Vision to the National Landscape ('In 2045... we have protected and supported the purposes of the Chilterns National Landscape') and Local Nature Recovery and natural habitat restoration are welcomed.

5. Local Objectives

- p. 9: It is understood that the wording in Local Plan Objective 1 is necessarily less precise than detailed planning policies. Given the overall intent here, and the context provided by the opening statement, the reference to protecting the Chilterns National Landscape in Local Plan Objective 1 is supported, as is the reference to conserving and enhancing special places for nature, and improving water quality ('including our globally rare chalk streams').

- p. 9: The reference to the historic environment in Local Plan Objective 1 is also welcomed, but some rephrasing is suggested, to better align with national planning policy:
 - It would be better to refer to 'heritage assets' rather than 'historic assets' (or to 'the historic environment', if the intention is to refer to the wider context).
 - The overall thrust of this objective is assumed to be ensuring the conservation and enhancement of heritage assets (including their setting), rather than development merely 'respecting' the assets and 'enhancing' their setting.
-
- p. 9: The suggestion in the supporting text that the National Landscape 'already has a high level of protection' is potentially unhelpful: in common with most of the other assets and qualities addressed here, much of its protection – and compliance with the statutory duty set out in s. 85 of the Countryside and Rights of Way Act 2000 – stems from the application of national and local planning policy.
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- p. 10: In the supporting text to Local Plan Objective 2, the reference to the preparation of a Green Infrastructure Strategy is welcomed; we would be pleased to participate in this work.
- p. 11: The reference in Local Plan Objective 3 to new housing being of 'high-quality design, low-carbon and digitally enabled and in keeping with its surroundings' is welcomed.
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- p. 12: In a similar vein, the reference in Local Plan Objective 4 to taking 'inspiration from the valued and unique characteristics of Buckinghamshire to deliver high quality design that reinforces Buckinghamshire's distinctiveness, while being innovative in construction and design where appropriate' is also welcomed. With regard to the emerging Buckinghamshire Design Code, we would be pleased to work with the Council on this important project, drawing on our experience in the development and application of the Chilterns Buildings Design Guide.
- p. 15: we welcome the reference in Local Plan Objective 6 to providing and connecting green and blue infrastructure to enhance the landscape and biodiversity.

6. Local Plan Spatial Strategy

- It is noted that the assumed housing need for Buckinghamshire (4,332 dwellings per annum to 2045, an increase of 43% from the previous calculation) is not yet confirmed, and that further work is underway. Pending the conclusion of that work, the statement that the assumed figures imply 'a dramatic change to the County should this level of development proceed' is of some concern, particularly as one of the seven strategic approaches for development – Approach 6 – specifically notes that it 'could adversely impact on high quality landscape'. The detailed implications of all seven approaches on the Chilterns National Landscape will of course need careful consideration.
-
- With regard to employment, the quantum of new employment land needed is unclear from the information presented. The consultation notes that new employment land is

primarily located towards the north and centre of Buckinghamshire, and states that ‘new employment land will be designated in other locations...to help re-balance the current skewed distribution’: it will be important to understand the implications of such a redistribution for the Chilterns National Landscape, as well as the detailed implications of the additional requirement for data centres and support for rural businesses and tourism and visitor attractions.

- For now, there is a disconnect between the general commitments made to conserving and enhancing the Chilterns National Landscape in line with the statutory duty, and the emerging strategy to deliver the county’s development needs: further information is needed to demonstrate how development pressures will be reconciled with the commitment to protecting the Chilterns. The Chilterns Conservation Board would of course be pleased to advise and support the Council in addressing this issue as the Plan progresses to the Regulation 19 stage.

DRAFT PLAN CONSULTATION: PART B – DEVELOPMENT MANAGEMENT POLICIES

At this stage of plan preparation, we have focused solely on those policies of particular relevance to the natural beauty of the Chilterns, though – except in relation to Policy NE18 – have not gone into particular detail regarding any issues identified. We would however be pleased to assist with the development of these and other policies as appropriate for the Regulation 19 draft of the plan.

- *Policy NE2 (Watercourses and Associated Corridors)*: overall, the policy is welcomed, and particularly the reference to chalk streams and the inclusion of the various provisions for their protection set out in our Chilterns Chalk Streams Planning Guidance. Areas for further refinement include:
 - Making direct reference to the Chilterns Chalk Streams Planning Guidance, and its status in relation to planning in Buckinghamshire.
 - Reflecting all the guidance’s detailed proposals within the policy and/or its supporting text:
 - Whilst welcome, the existing reference to ‘re-naturalising watercourses’ does not specifically address the removal of weirs and other barriers to fish and wildlife movements, nor landscaping and bank improvements. This is touched on in the supporting text to Policy NE1 Water Quality (paragraph 2.24.3) but not currently reflected in policy as it needs to be.
 - Runoff is not addressed in this policy (nor a cross-reference made to policies CC1 and CC2).
 - The references to water safeguard zones and groundwater aquifers in Policy NE1 Water Quality are welcomed, as is the reference to public access in Policy NE2.
 - Paragraph 2.25.11 provides further detail on the proposed requirements for buffer zones, e.g. in relation to light pollution: these should be included within the policy itself, and a cross-reference made to Policy NE10 (Mitigating light impacts), where this issue is also addressed.

- Policy NE3 (Protection and enhancement of sites of high biodiversity and geodiversity importance), Policy NE4 (Protection and Enhancement of notable species), and Policy NE5 (Biodiversity Gain and Nature Recovery):
 - Full compliance with national planning policy is needed.
 - The references to nature recovery and chalk streams are particularly welcomed.
 - Reference to the Chilterns Conservation Board's Nature Recovery Plan is also needed.
 -
- Policy NE8 (Trees, Ancient and Veteran Trees, Woodlands, Orchards):
 - The policy needs to clearly reflect NPPF policy.
 - More information about the nature of Buckinghamshire's 'tree, woodland, orchard and hedgerow resource' is needed.
 - Reference to the trees within the Chilterns National Landscape is also needed, including:
 - The objectives of the Chilterns AONB Management Plan
 - The Chilterns Nature Recovery Plan
 - Government targets for tree and woodland cover in the Protected Landscapes Targets and Outcomes Framework.
 -
- Policy NE10 (Mitigating light impacts): Policy NE10b seeks the minimisation of light spill, potential glare and the impact on the night sky in relation to areas of wildlife interest, 'the visual character of historic buildings', and 'rural landscape character'. The remainder of the policy refers primarily to the impact of light pollution on wildlife, but the historic environment and Chilterns National Landscape also need considering in more detail:
 - The reference to 'rural landscape character' needs refining to ensure that the Chilterns National Landscape is properly considered.
 - In particular, the Chilterns National Landscape is considered an E1 Natural Zone within the environmental zones defined by the Institution of Lighting Professionals (ILP), where particular care is needed. Reference to the CCB's Lighting Planning Guidance would be welcome in relation to proposals within the NL and its setting.
 - The reference to historic buildings limits the relevance of this policy: reference to the wider historic environment is needed.
- Policy NE18 (National Landscapes and their Setting):
 - The inclusion of a policy on the Chilterns National Landscape is very much welcomed, as is the effort to reflect the Board's model policy, but both do need some refinement in light of changes to legislation and policy. The preparation of the new local plan for Buckinghamshire provides a timely opportunity to review the Board's emerging model policy, and we would welcome the opportunity to discuss this with the Council's planning officers.
 - It would be clearer if the policy started with the provisions relating to all development in the National Landscape, before moving on to major development.
 - The reference to proposals for major development should be amended to more closely reflect national planning policy as set out in paragraph 190 of the NPPF (which refers to refusal unless there are exceptional circumstances *and* a

demonstration that the development is in the public interest, as well as the various assessments which consideration of such applications should include).

- The policy's intention of applying similar standards to development proposals within the National Landscape and its setting is appreciated (i.e. that 'proposals for all development affecting the Chilterns National Landscape, including those within its setting' must meet the same criteria (a-f)). However, the outcome here is that the policy does not draw a sufficient distinction between the approach to be taken to the **principle** of development within the designated area as opposed to its setting. The NPPF makes clear that there are provisions specific to proposals within the National Landscape (that the scale and extent of development should be limited, and major development normally refused), and others are specific to proposals within its setting (that they should be sensitively located and designed).
- Criterion b) should read 'conserve and enhance the Chilterns National Landscape's ~~special qualities~~ **natural beauty** in accordance with national planning policy, **and** the purposes of its designation ~~and local landscape character assessments~~': that the land demonstrates outstanding natural beauty is already confirmed by its designation, and local landscape character assessments cannot change this.
- There are various omissions from the policy in respect of 'proposals for all development':
 - The 'great weight' that NPPF paragraph 189 requires in respect of the conservation and enhancement of natural beauty/landscape and scenic beauty is not adequately addressed within the current policy.
 - As noted above in relation to the approach to be taken to the principle of development, the criteria omit any provision to ensure that the scale and extent of development within National Landscapes is limited (again, in line with paragraph 189 of the NPPF); the Planning Practice Guidance confirms that 'all development in... Areas of Outstanding Beauty will need to be located and designed in a way that reflects their status as landscapes of the highest quality'.
 - There is currently no recognition within the policy of the statement in paragraph 189 of the NPPF that 'the conservation and enhancement of wildlife and cultural heritage are also important considerations' in National Landscapes.
- The references to the Chilterns National Landscape Management Plan, Chilterns Building Design Guide, and Technical Notes and Position Statements (including that on the setting of the Chilterns National Landscape) are welcomed.
- Paragraph 2.41.1:
 - It is not necessary to refer to the National Parks and Access to the Countryside Act 1949 in paragraph 2.41.1, as the primary legislation for National Landscapes is the CROW Act 2000 (s.90 is the only provision of the 1949 Act that still refers to AONBs, giving local authorities the power to prepare byelaws). Similarly, the reference to the Levelling-up and Regeneration Act 2023 is unnecessary, as this served only to amend the CROW Act in relation to National Landscapes.
 - The primary purpose of National Landscape designation is the conservation **and enhancement** of the natural beauty of the area.
- Paragraph 2.41.2: we welcome the inclusion of this paragraph.
- Paragraph 2.41.3: the last sentence of this paragraph needs amending to read 'It is a living landscape that supports homes, economic activities and leisure uses that

complement and contribute to its distinctive character and biodiversity **natural beauty**'.

- Paragraph 2.41.4: this repeats paragraph 2.41.3.
 - Paragraph 2.41.5: it is not correct to state that 'all development should, as a minimum, conserve the natural beauty of the Chilterns National Landscape' and only 'wherever possible' enhance the natural beauty of the Chilterns, nor that 'the Council recognises that not all development can enhance natural beauty, but where there are opportunities to do so, then permission may be refused if these opportunities are not taken'. The statutory purpose of the designation is to conserve and enhance the Chilterns' natural beauty, the statutory duty is to 'seek to further the purpose of conserving and enhancing the natural beauty of the area', and the NPPF confirms that 'great weight' should be given to both conserving and enhancing landscape and scenic beauty in National Landscapes.
 - Paragraph 2.41.6: in relation to development in the setting of the National Landscape, the supporting text exceeds both the wording of Policy NE18 and national planning policy, and needs amending (see above in relation to the policy wording on setting).
 - Paragraph 2.41.9: the text here provides a reasonable summary of the NPPF definition of 'major development' in this context, but it would be helpful to adhere to the NPPF text more closely: the Council needs to take into account the nature, scale and setting of a proposal, and 'whether it could have a significant adverse impact on the purposes for which the area has been designated or defined'.
- Policy NE19 (Landscape Character and Visual Amenity):
 - Cross-referencing is needed to ensure the requisite linkages are made between Policies NE18 and NE19.
 - The provisions in relation to light and noise pollution are welcomed, but cross-references to other policy on these issues are needed, and specific reference to the Chilterns National Landscape (the existing reference to avoid noise pollution 'in areas relatively undisturbed by noise, especially those areas of recreational or amenity value' is not adequate in this regard).
 - The policy needs to clearly reflect NPPF policy, including in relation to 'protecting and enhancing valued landscapes... in a manner commensurate with their statutory status or identified quality'.
 - The reference to the Chilterns Landscape Character Assessment is welcomed.
 - Policy BE4 (Heritage Assets): as noted above in relation to Local Plan Objective 1, Policy BE4 has laudable intentions with regard to the conservation and enhancement of the historic environment, but both the policy and its supporting text need amending to address the following:
 - Non-compliance with national planning policy and legislation (both omissions and errors in interpretation).
 - Unnecessary duplication of national planning policy.
 - Factual errors (e.g. there are 41 registered parks and gardens in the Bucks Council area, not 412)
 - Minimal reference to Buckinghamshire's heritage, and the related failure to set out a positive strategy for the conservation and enjoyment of the historic environment

which is required by paragraph 203 of the NPPF. A related point is the need to recognise that portion of the area's heritage that lies within the Chilterns: paragraph 189 of the NPPF states that the conservation and enhancement of cultural heritage is an important consideration in National Landscapes.

- Policy BE6 (Design of Developments):
 - The policy does not wholly reflect national planning policy.
 - The policy and supporting text are not wholly aligned with each other:
 - The key statement at paragraph 2.61.5 that 'all developments must positively contribute to the character of the built environment and landscape, having regard for the local context and surround[ing?] amenity' should be set out within the policy.
 - The variations in Buckinghamshire's character should be more fully acknowledged, alongside the relevant sources of advice beyond the Buckinghamshire Local Design Code. As noted in paragraph 2.61.3, 'designs that may be acceptable in one part of Buckinghamshire may not be appropriate elsewhere', and, whilst there is reference to the Chilterns National Landscape in the supporting text, there is no reference to the Chilterns Building Design Guide and associated guidance.

Submission produced by the Chilterns Conservation Board, October 2025
Please contact planning@chilterns.org.uk

Item 10.1. Reforms to the Statutory Consultee System: Consultation

Authors: Victoria Thomson, Planning Adviser (Policy)

Purpose and Summary: To inform the Committee about, and seek endorsement of, officers' response under delegated authority to the recent consultation on proposed revisions to statutory consultation in the planning system.

Background

1. This paper summarises the recent consultation on proposed revisions to statutory consultation in the planning system, and the approach taken in the CCB's response (attached to this paper).

Reforms to the statutory consultee system

Context

1. Statutory consultees on planning and related applications are defined in *The Town and Country Planning (Development Management Procedure) (England) Order 2015*. They must be consulted before a local planning authority (LPA) grants planning permission for development meeting defined criteria: for instance, National Park Authorities must be consulted on 'development likely to affect land in a National Park'. Unlike the related provision for 'notification' of some applications, statutory consultees are required to respond to the consultations received (within 21 days).
2. The government has been signalling its intentions to reform the statutory consultee system for some time. In the consultation launched on 18 November 2025, it stated that it wished to 'improve the functioning of the statutory consultee system to facilitate confident and timely decision making'. In support of this, the overall thrust of the current proposals was largely a reduction in consultation, through a combination of measures:
 - Removing some statutory consultees (Sport England, the Theatres Trust, and the Gardens Trust)
 - Raising referral thresholds
 - Placing greater emphasis on development plans (and early engagement with them)
 - Making more use of standing advice
 - Moving to notification rather than consultation.

Assessment

3. Whilst there are undoubtedly improvements to be made in the efficiency and effectiveness of the statutory consultee system, the consultation proposed significant changes without evidence of an existing problem or of the likely impact of the proposed solutions. Whilst much was not of direct relevance to the Chilterns Conservation Board, a response was submitted in relation to three key topics (attached to this paper), following discussion with the Board in December:
 - Natural England's role as a statutory consultee
 - The suggested end to the existing moratorium on new statutory consultees
 - Local plan engagement.
4. In addition, the response supports the retention of the Garden Trust as a statutory consultee, since that body is able to provide expert advice on development affecting

designed landscapes on the statutory register of Historic Parks and Gardens, which are recognised in our Management Plan as being key parts of the character of the Chilterns.

i) Natural England (NE)

5. Natural England's statutory consultee role is limited to Sites of Special Scientific Interest and agricultural land, with no direct requirement to comment on matters affecting National Landscapes. However, under both the National Parks and Access to the Countryside Act 1949 (the 1949 Act) and the Natural Environment and Rural Communities Act 2006 (NERC Act), NE is also obliged to respond to requests for advice from public authorities, where these are relevant to protected landscapes and/or to its general purpose respectively: this enables (but does not require) local planning authorities to seek NE's views on proposals affecting the National Landscape.
6. Given Natural England's current statutory consultee focus, and recent reinforcement of its priorities, the CCB has not pressed for NE to become a statutory consultee in relation to proposals affecting National Landscapes. Instead, CCB has sought clearer statements from NE regarding the scope of its consultation responses, so that NE's silence on National Landscape matters is not seen as endorsement of a proposal, and will not undermine the CCB's own response.

ii) The Chilterns Conservation Board as a Statutory Consultee

7. A moratorium on the creation of new statutory consultees was announced in January 2025, but the consultation recognised that new statutory consultees may be appropriate as circumstances change, albeit with any additions to the existing cohort being subject to 'a high bar' so that the benefits outweigh the perceived regulatory burden. Accordingly, the consultation proposed six criteria for the consideration of potential statutory consultees. Whilst the criteria themselves need refinement, the CCB is satisfied that it complies with them as drafted, and – alongside the Cotswolds National Landscape Board (a Conservation Board like the Chilterns) – has requested identification as a statutory consultee. The National Landscapes Association has also submitted a response seeking statutory consultee status for Conservation Boards, and also for the Chichester Harbour Conservancy, which is a similarly constituted independent body.
8. Being formally consulted on planning applications affecting the National Landscape would underscore the importance of the landscape designation, enable the CCB to ensure it was aware of all relevant proposals, support the local planning authority in complying with the section 85 duty, and ensure that appropriate weight would be given to CCB comments. It would also introduce parity and consistency with regard to the CCB's planning status: the CCB is already a 'prescribed consultee' in relation to Nationally Significant Infrastructure Projects.
9. At its December 2025 meeting the Board resolved to advise officers to seek statutory consultee status through this consultation; this resolution follows earlier Board resolutions of a similar nature, including in relation to CCB's submission on the government response to the 2019 Glover Landscapes Review.
10. If statutory consultee status is not pursued/awarded, the Board could give consideration to working with local planning authorities to define local consultation criteria, for which there is some precedent from Cotswold National Landscape Board's consultation thresholds.

iii) Local Plan Engagement

11. The consultation document suggested that a reduction in the extent of statutory consultation on applications will be offset to some degree by various mitigations, and that 'relevant engagement' in development plan preparation will itself assist local planning authorities to make 'effective decisions'. In support of this, the government proposed to:

- Retain ‘general’ and ‘specific’ consultation bodies in the plan preparation process (e.g. Natural England)
 - Introduce a new plan-making system, which will ‘support more effective engagement with statutory consultees at an earlier stage’: all relevant interested parties will be notified of work on a plan during an initiation period, enabling engagement from the outset.
 - Define some organisations as prescribed bodies in relation to notification about local plans (simultaneously reducing any related statutory consultee obligation to avoid ‘double handling’), linked to a ‘requirement to assist with certain plan making’. A 2023 consultation on the implementation of plan-making reforms listed these organisations, which included Natural England, Local Nature Partnerships, Local Nature Recovery Strategy responsible authorities, and other bodies ‘where relevant’, including National Park Authorities. These bodies would be notified of the need to provide relevant (and proportionate) assistance if they were not already engaging.
12. The government has committed to reviewing the list of prescribed bodies to determine if additional bodies should be identified: whilst requests to be added to this list were not explicitly invited in the current consultation, it was nevertheless a timely opportunity to request a more formal role in the development plan process for the CCB, and this was therefore addressed in the CCB’s response. An announcement on the list of prescribed bodies is expected ‘in due course’.

Next Steps

13. The consultation closed on 13 January. No estimate has yet been provided for the government’s response on the consultation itself or the related matters being considered (such as the definition of the bodies to be formally consulted on local plans).

Recommendations

1. **That the Committee NOTES the contents of this paper and ENDORSES the submission (attached) made by officers under delegated authority.**

Consultation on Reforms to the Statutory Consultee System – Chilterns Conservation Board Response

The Chilterns Conservation Board (CCB) was established by Parliamentary Order in 2004 at the request of the area's local authorities to manage the Chilterns National Landscape, then known as the Chilterns Area of Outstanding Natural Beauty (AONB). Its primary role is to further the purpose of conserving and enhancing the natural beauty of the Chilterns National Landscape. Further information about the CCB may be found [here](#).

We welcome the opportunity to respond to this consultation on the proposed reforms to the statutory consultee system. We have restricted our responses to those issues on which we have particular views in relation to the conservation and enhancement of the natural beauty of the Chilterns National Landscape: these include a case for making the Chilterns Conservation Board a statutory consultee.

We would of course be pleased to discuss this response – and the potential role of the Chilterns Conservation Board – further with MHCLG.

Responses to Consultation Questions

Ensuring the statutory consultation system supports economic growth

Question 1: Are there other key areas we should be considering in relation to improving the performance of statutory consultees?

No comment.

Question 2: In exploring reforms to the system, we have so far focussed more on key national statutory consultees. Is there more that government should do in relation to smaller scale and local statutory consultees?

No comment.

Reviewing the scope of statutory consultation in the Town and Country Planning Act

Question 3: In light of the proposed mitigations, do you support the removal of Sport England as a statutory consultee?

Neutral.

Question 4: In relation to notification requirements, should substantial loss of an existing playing field be defined as: 20% / a figure below 20% / a figure above 20% / an alternative approach?

No comment.

Question 5: Are there impacts on the removal of Sport England as a statutory consultee, or the proposed mitigations, that you think the government should take into account in making a final decision?

No comment.

Question 6: In light of the proposed mitigations, do you support the proposals to remove The Gardens Trust as a statutory consultee?

Oppose.

Registered parks and gardens make an important contribution to the natural beauty and special qualities of the Chilterns National Landscape, as is particularly apparent from an analysis of the various landscape character types in the Chilterns: river valleys are noted as having a number of large historic houses presiding over estates, with parkland scattered throughout the valleys, and the plateau and dip-slope areas have are characterised by designed parklands, alongside extensive woodlands and arable fields interspersed with commons, villages, and scattered farmsteads.

As such the CCB is concerned by the proposed removal of the Gardens Trust as a statutory consultee: the impacts of this are addressed further in relation to Question 7.

Question 7: Are there impacts of the removal of The Gardens Trust as a statutory consultee, or the proposed mitigations, that you think the government should take into account in making a final decision?

The Gardens Trust provides a breadth and depth of expertise on historic parks and gardens that is not able to be provided by local planning authorities, whose access to heritage capacity is known to be constrained, and generally focused on buildings. The input from Historic England (HE) is also constrained, in part by the fact that they are only consulted on Grade I and II* designed landscapes, and in part by the fact that, as the Gardens Trust has observed, historic parks and gardens are not Historic England's sole focus, and HE's access to specialist expertise is itself now quite limited: the Gardens Trust does not duplicate the work of Historic England with regard to Grade I and II* designed landscapes.

The removal of the Gardens Trust as a statutory consultee will result in the loss of the specialist input to the planning system needed to ensure that planning policy and legislation is effectively applied in support of the delivery of sustainable development, and, by extension, cause harm to historic parks and gardens, and to the contribution they make to both the Chilterns National Landscape and the wider social, economic and environmental benefits registered parks and gardens deliver in the Chilterns and nationwide.

The proposed mitigations do not adequately offset these impacts. Pursuing notification rather than consultation will reduce the effectiveness of engagement in respect of these already very vulnerable heritage assets, and the related proposals to remove any notification in respect of setting will leave Grade II landscapes (which comprise two-thirds of the total number of registered parks and gardens in England) particularly exposed, not least as development proposals in the setting of registered parks and gardens constitute around 40% of the consultations currently received by the Gardens Trust. There is no apparent need for the removal of the Gardens Trust as a statutory consultee, nor benefits, but certainly an expectation of real harm being done to these important and visible assets.

Question 8: In light of the proposed mitigations, do you support the removal of Theatres Trust as a statutory consultee?

Neutral.

Question 9: Are there impacts of the removal of Theatres Trust as a statutory consultee, or the proposed mitigations, that you think the government should take into account in making a final decision?

No comment.

Question 10: Are there other statutory consultees for which we should consider removal? What evidence would support this approach?

No comment.

Reforms to key statutory consultees

Question 11: Do you support the proposed changes to National Highways' referral criteria?

No comment.

Question 12: Is there anything else we should consider in relation to National Highways as a statutory consultee?

No comment.

Question 13: Do you support the proposed changes to Active Travel England's proposed referral criteria?

No comment.

Question 14: Is there anything else we should consider in relation to Active Travel England as a statutory consultee?

No comment.

Question 15: Are there other actions that the government and / or Natural England should be taking to support their role as a statutory consultee?

Yes.

In our view there is currently confusion regarding Natural England's role in relation to consultations on development proposals likely to affect protecting landscapes, including National Parks and National Landscapes.

Currently, Natural England (NE) is a statutory consultee for development proposals in relation to Sites of Special Scientific Interest (SSSIs) and agricultural land, which is to say that those are the matters on which a local planning authority (LPA) is required to consult them.

However, NE is also subject to:

1. a general duty, under section 4 of the Natural Environment and Rural Communities (NERC) Act 2006 to give advice when requested on any matter relating their statutory 'general purpose' (which includes 'conserving and enhancing the landscape'), and
2. a specific duty, under section 6(4) of the National Parks and Access to the Countryside Act 1949, as applied to National Landscapes/AONBs by

section 84 of the Countryside and Rights of Way (CROW) Act 2000, to 'give advice ... as to proposals for development of land' when requested.

As a result, NE must give advice when specifically consulted by an LPA on proposals likely to affect a protected landscape, but LPAs are not required to consult NE on such matters.

It is our experience that some LPAs either believe that NE are a statutory consultee on protected landscape matters, or choose to consult NE for reasons of their own (which it is reasonable for them to do). NE may also reasonably respond, in relation to their duties under the 1949 Act or the NERC Act, to a consultation made specifically in relation to SSSIs or agricultural land that happens to relate to land within a protected landscape or its setting. NE's responses in these circumstances may be given greater weight by a decision maker (whether the LPA or PINS) than is given to the advice of the relevant National Landscape team or Conservation Board (or the local authority's own landscape officer).

In particular, where NE offer no advice (whether on any matter, or specifically in relation to impacts on a protected landscape), this is cited as meaning that NE has no concerns about impacts on a protected landscape, and/or as evidence that the decision maker may discount the advice of others who may in fact be better placed to offer such advice.

To resolve this issue, there is a reasonable case for Natural England to be made a statutory consultee on protected landscape matters. However, this position is not supported by the Chilterns Conservation Board. It is our view that a purpose of statutory consultees is to support the decision-making process with the best possible evidence, and the best advice will be provided by the officers working within the protected landscape, i.e. the National Park Authority (NPA – already a statutory consultee), the National Landscape team (whose officers are in effect already embedded within the relevant local authority/ies) or the National Landscape Conservation Board (who we would advocate should be statutory consultees (see our response to other questions, especially question 33). Making NE a statutory consultee on protected landscape matters would duplicate these existing or suggested arrangements.

However, in answer to the specific question here, it is our view that to resolve the confusion around the status of NE's advice in relation to protected landscapes, their advice (or lack of it) on protected landscapes should always be caveated as to which statutory provision their advice is made under, that the advice of other relevant consultees (whether as statutory consultees themselves, such as NPAs and, we would submit, Conservation Boards, or the local expert National Landscape team) should be taken into consideration, and that where NE make no comment on protected landscape matters, this must not be taken as meaning that there are no landscape issues that need to be taken into consideration, and that the decision maker should take the advice of the relevant protected landscape body/ies into consideration, including specifically consulting them where appropriate.

Question 16: Are there other actions that the government and / or the Environment Agency should be taking in relation to the Environment Agency's role as a statutory consultee?

No comment.

Question 17: Do you support the changes to Historic England's proposed notification criteria?

No comment.

Question 18: Do you support changes to align the listed building consent process in London with the process that applies elsewhere?

No comment.

Question 19: Is there anything else we should consider in relation to the role of Historic England as a statutory consultee?

No comment.

Question 20: Do you support the changes to the Mining Remediation Authority's proposed referral criteria?

No comment.

Question 21: Do you support the proposed changes in relation to the Mining Remediation Authority commenting on the discharge of conditions?

No comment.

Question 22: Is there anything else we should consider in relation to the MRA as a statutory consultee?

No comment.

Question 23: Are there other statutory consultee referral criteria we should consider amending? What evidence supports this?

No comment.

Question 24: Is there anything further government should consider in relation to voluntary pre-application engagement and for any statutory consultees in particular? What evidence supports this?

No comment.

Question 25: Is there anything further government should consider in relation to statutory consultee engagement in post-approval processes, such as agreeing that planning conditions have been fulfilled? What evidence supports this?

No comment.

Statutory consultee performance

Question 26: Do you have suggestions for how government can effectively incorporate appropriate developer and local authority feedback into consideration of statutory consultee performance?

No comment.

The role of local planning authorities

Question 27: Do you agree with this approach?

No comment.

Question 28: Is there anything else the government should be doing to support local planning authorities in their engagement with statutory consultees?

No comment.

Question 29: Are there best practice examples from local authorities that help support statutory consultees and developers, for example, checklists/proformas for environmental issues?

Yes.

Officers of the Chilterns Conservation Board have been looking into the practice of our colleagues in the Cotswolds National Landscape (also a Conservation Board) in relation to how they engage with LPAs, their consultation thresholds and their standing advice, which – in effect – means that they are operating in many respects similarly to the expectations for a statutory consultee. We understand that the Cotswolds National Landscape Conservation Board are considering outlining their approach as part of their response to this consultation question, and we would commend that submission as an appropriate best practice example.

Question 30: How might best practice be expanded to support statutory consultees, including through reducing the volume of material which developers have to produce?

No comment.

Question 31: How best can government and statutory consultees support the increase in capacity and expertise of local and strategic authorities?

The expertise required of LPA planning officers has inevitably increased as the remit of Town and Country Planning has expanded to meet new challenges and address new forms of development; at the same time the resources available to LPA planning teams have diminished as public sector finances, understandably, have not kept pace with the expansion of their remit.

Rather than seeing the engagement of statutory consultees necessarily as a burden on LPAs, statutory consultees should be seen as a part of the support that government and other bodies can provide for LPA capacity and expertise. The administrative effort of consultation can be seen to be reducing as digital resources, including AI, have been improving, including with regard to identifying which organisations need to be consulted on which types of applications and where, the distribution of consultation requests and the receipt and processing of responses. Consultees, particularly statutory consultees whose role is carefully defined and aligned with national priorities, by their very nature provide access to the best possible expertise in relation to the achievement of a wide range of national priorities and objectives – whether these are landscape, heritage or hazardous waste – without the LPA needing directly to employ experts in those fields.

In response to this question, government may find it helpful to consider rationalising the approach to statutory consultees in terms of how best such consultees can be identified, secured and resourced to support advice on delivering national objectives and commitments in the areas in which LPAs currently lack their own expertise. A key element of this will be in relation to the arbitrary 'moratorium' on

new statutory consultees, in favour of an approach that can respond more effectively to changing needs and priorities in managing development, with appropriate safeguards of course.

Moratorium on new statutory consultees

Question 32: Do you agree that these criteria clearly set a framework for decisions on future statutory consultees?

No.

The Chilterns Conservation Board does not agree that the criteria set a clear framework that best delivers sustainable development in the public interest, and nor will it help to deliver the full range of the national objectives, and national and international commitments. Our concerns here relate to two issues: the meaning and application of the 'pro-development' criterion, and the application of consistent criteria to both proposals for new statutory consultees, and the retention of existing consultees.

The criterion that "there is a clear pro-development objective for the proposed body – statutory consultee status will support development rather than deter it" is unclear and may not support the achievement of sustainable development as set out in the existing NPPF and the proposed consultation draft NPPF.

The key issue here is that planning decisions always involve a balance between how a proposal meets specific development needs and the achievement of other priorities, objectives or commitments, including the three overarching objectives which the NPPF notes as being 'interdependent and need[ing] to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives)'. In this respect, it is an appropriate role for statutory consultees to ensure that development proposals ideally help to achieve these other priorities, objectives or commitments, or, at the very least, that the delivery of the same objectives etc. is not unnecessarily prejudiced by development.

It should be acceptable for a statutory consultee to seek to deter some types of development in some circumstances (or places), especially where the development need can be met by a less harmful form of development, or in a less harmful location. Often the best way in which to identify and secure the most sustainable forms of development is through the development plan process, enabling the comparison of the pros and cons of different types and locations of development, and which may also help to justify development proposals that might otherwise seem unsustainable if received as a standalone speculative application: the CCB engages as a consultee in both plan-making and decision-making.

The meaning of "pro-development objective" needs further clarification. For example, National Landscape Conservation Boards are subject to a duty, under section 87(2) of the CROW Act 2000, that in fulfilling their statutory purposes, they "shall seek to foster the economic and social well-being of local communities". This duty partly recognises that places such as National Landscapes must not be 'preserved in aspic' if their communities are to continue to thrive, and it also recognises that local economies that are dependent on the sustainable management of land at a strategic scale – including agriculture, forestry, the tourism and visitor economies, creative industries, etc. – can be fragile, and livelihoods in these sectors can

be threatened by the wrong kind of development in the wrong place. Is this duty sufficiently “pro-development”? We would argue that it is.

Statutory consultees must – ultimately – have a remit that allows them to seek to deter development that is inappropriate, unsustainable or otherwise prevents the delivery of other national objectives, priorities or commitments. It is therefore rational and reasonable for statutory consultees to be able to frame their advice in the form of an objection to a development proposal, where that proposal would fail to deliver or prevent the delivery of other national objectives and commitments, and cannot be amended to avoid or reduce that impact. In other words a statutory consultee must be empowered to advise when a development proposal would be unsustainable, otherwise sustainable development will not be achieved. It should also be remembered that it is for the decision maker to come to a conclusion as to the ‘planning balance’: the advice of statutory consultees is only binding in very limited and specific circumstances.

Conversely, existing statutory consultees (like the Gardens Trust) and other consultees that might be added to the statutory list (like National Landscape Conservation Boards) already frequently play a role in providing the evidence necessary for LPAs to permit development that they might otherwise reject. Such consultees are able to provide clear advice or evidence as to how development proposals can be accommodated without unreasonable harm to the significance of the place in question.

The Chilterns Conservation Board, for example, is frequently castigated by local communities for supporting (or at least not objecting to) development proposals where our interpretation of impacts (in the context of our statutory purposes and established policies etc.) are different from those of local people or other interest groups. Recently this has been experienced in particular in relation to proposals for solar arrays, mostly within the setting of the National Landscape, but also within the designated area. Another example was our support for the sensitive extension of a café, catering mostly for cyclists, in the Chilterns National Landscape, which was nonetheless rejected by the LPA on a strict interpretation of Green Belt policy. Without the support or advice of those who properly understand impacts of development on a particular area or asset of importance, many more developments may be similarly and unnecessarily rejected.

Finally, we are concerned that the different criteria are being proposed for new candidates for statutory consultee status than have been applied to existing statutory consultees: any criteria applied should apply equally to all, in the interests of consistency and the appropriate delivery of government objectives in relation to the purpose and practice of statutory consultation.

Question 33: Should the government maintain the moratorium, subject to periodic review, or adopt criteria for consideration of new statutory consultees?

The Chilterns Conservation Board recommends that there should not be a moratorium on selecting new statutory consultees, but that the range of statutory consultees should be kept under review in relation to a set of defined criteria relating to the achievement of the objectives for the planning system (as discussed in relation to Question 32, above). The criteria and/or consultees themselves should be reviewed alongside reviews or reforms of the planning system, but it is correct that

the standards set for reviewing the criteria, and for the identification of statutory consultees, should be high.

We further recommend that National Landscape Conservation Boards, established under section 86 of the CROW Act 2000, should be defined as statutory consultees. The current Conservation Boards are those established for the Chilterns and the Cotswolds National Landscapes; additional Conservation Boards may be established over time. Please note that the recommendation in relation to National Landscape Conservation Boards is made in the context of their status as independent statutory bodies, responsible for the preparation and approval of AONB Management Plans under section 89 of the CROW Act.

We accept that the remit for Conservation Boards' engagement as statutory consultees should be carefully defined in relation to proposals of a particular nature or scale, and we would be keen to discuss such criteria or thresholds alongside colleagues at the Cotswolds National Landscape.

The role of Conservation Boards is distinct from that of other National Landscape teams, which operate (under various arrangements, including joint committees and partnerships) within their constituent local authorities, sometimes a single authority, and where the local authority/ies is/are responsible for preparing and approving the Management Plan. It may not be appropriate for part of a local authority to operate as a statutory consultee for its own local planning authority, and internal standing orders can be arranged to ensure that appropriate consultations are made and responses accorded weight in decisions (note: while it is the case that Local Highways Authorities can be statutory consultees for the same council's LPA, the nature of the statutory requirements for Highways Authorities is significantly different to that for National Landscape teams).

In our view the identification of Conservation Boards as statutory consultees for planning applications has simply been an oversight since the first such Boards were established in 2004; nonetheless, Conservation Boards were identified as statutory consultees for Nationally Significant Infrastructure Projects pursuant to the Planning Act 2008. Subsequent reviews of the statutory consultee system may have focused on other matters, including the identification of all AONB/National Landscape teams as statutory consultees, as was recommended by the government-sponsored Glover Landscapes Review in 2019.

Now, the application since 2023 of the strengthened duty under section 85 of the CROW Act, and the attendant anticipated additional requirements in relation to the preparation and delivery of AONB Management Plans (both subsequent to section 245 of the Levelling Up and Regeneration (LURA) Act 2023) each lend additional weight to the existing need to give the advice of Conservation Boards (as bodies that are independent from local authorities) clearer status in the planning system.

As set out under Question 32, Conservation Boards have a unique position as independent advisors on matters relating to their National Landscape to understand impacts on the natural beauty of their areas, advise on how developments can be accommodated within the designated area or its setting, how the objectives of the statutory Management Plan can be achieved, and how decisions can be made that align with the duty under section 85 of the CROW Act.

Notwithstanding the comments above regarding the definition and application of the criteria for statutory consultees, an initial assessment of the

CCB's performance against these criteria suggests that it is indeed eligible for identification as a statutory consultee:

- *Policy first:* challenges in the consistent interpretation and application of national planning policy on National Landscapes, uncertainty in LPAs regarding the interpretation of the section 85 duty, and the lack of access to landscape expertise in LPAs all suggest that the required "clear case" could be made that current policy and guidance "are not adequate to delivering the aim".
- *A case-by-case approach to consultation is essential:* strategic issues are already dealt with through local plans (albeit in light of weak national policy); it is individual development management cases that tend to have the most impact on the Chilterns (though changes to the CCB's role in relation to the development plan are also sought: this is addressed in response to Question 34, below). Development management cases fall into a number of categories, including housing and infrastructure: a clearly defined category of development would need to be defined and justified in any response on this point, and we would welcome the opportunity to discuss this further.
- *There should be no duplication of function:* no other organisation provides advice 'on the same risks' in the Chilterns. Natural England is not a statutory consultee on landscape matters (and, as discussed in response to Question 15, above, the widely held assumption that it is means that NE's silence on landscape matters leads LPAs to assume NE's support and subsequently downgrade advice from the National Landscapes).
- *There must be a clear case that the benefit of the new statutory consultee will exceed the costs imposed on development and the public:* the number of applications would remain low, so the cost would be limited, and the benefits demonstrable in relation to compliance with the section 85 duty.
- *There is a clear pro-development objective for the proposed body:* first the Chilterns Conservation Board is subject to a duty to seek to further the economic and social well-being of local communities, and, second, within the parameters of the section 85 duty, statutory consultee status for the Chilterns Conservation Board would 'support development rather than deter it', though this might involve changes in scale or location, and could also help with supporting high quality development.
- *Clear evidence that the proposed body must be capable of meeting statutory requirements for consultation responses:* the CCB's planning performance to date satisfies this requirement with regard to the timeframes for response (21 days), and the organisation is well able to adapt to the evolving requirements for statutory consultee input, for example framing the response as advice, and making standing advice available as needed (indeed the CCB has published a range of advice including a general Buildings Design Guide and specific constructive advice on detailed matters including building materials, renewable energy and light pollution).

Question 34: Is there anything else the government should consider in relation to the criteria?

In exploring the future for the statutory consultee regime, the consultation makes repeated reference to the way in which engagement in development plan preparation makes a significant contribution to efficiency and certainty (including in the criteria for the identification of further statutory consultees). Specifically, the consultation document suggests that a reduction in the extent of statutory consultation on applications will be offset to some degree by various mitigations, and that “relevant engagement” in development plan preparation will itself assist local planning authorities to make “effective decisions”.

Given the importance of development plans in delivering sustainable development, and of engagement in development plans in reducing delays with casework, the CCB would like to express its interest in being identified as a prescribed body in relation to notification about local plans, linked to the “requirement to assist with certain plan making”. The 2023 [consultation](#) on the implementation of plan-making reforms listed various organisations already being considered for this, including Natural England, Local Nature Partnerships, and Local Nature Recovery Strategy responsible authorities, as well as other bodies “where relevant”, including National Park Authorities: National Landscape Conservation Boards are an obvious counterpart to these bodies. As the government has since committed to reviewing the list of prescribed bodies to determine if additional bodies should be identified, the CCB wishes to request its inclusion within the list.

Impact

Question 35: Are there any equality impacts in relation to the proposals in this consultation that the government should consider?

No comment.

Question 36: The government considers that these measures would have a deregulatory impact. Do you have evidence from engagement with statutory consultees under the current system of the impact this may have?

No comment.

Question 37: Based on the proposed changes to referral criteria, would statutory consultees expect to see performance improvements? Please explain your reasoning.

No comment.

Item 10.2. Introduction to the National Planning Policy Framework review

Authors: Matt Thomson, Head of Strategy & Planning

Purpose and Summary: To inform the Committee about the current consultation on a revised National Planning Policy Framework (which closes on 10 March).

Background

1. This paper provides an introduction to the recently issued consultation on a revised National Planning Policy Framework (NPPF), and outlines some early thoughts regarding the way in which it is proposed to prepare a response.

The NPPF

2. The NPPF sets out the government's planning policy on most terrestrial matters (significant exceptions include policy on national infrastructure), including in relation to National Landscapes. Whilst the NPPF has been revised many times since it was first issued in 2012, the current consultation makes some significant changes to national planning policy, and warrants close scrutiny.
3. The potential impact of the draft NPPF is reflected in the sheer volume of consultation material. The consultation comprises:
 - The [draft NPPF](#) itself (125 pages)
 - A related [consultation document](#) (123 pages), which asks 225 questions, and includes three further consultations (the relevance of which to National Landscapes is yet to be determined), relating to:
 - Data centres and onsite energy generation
 - Viability: standardised inputs in viability assessment
 - Reforming site thresholds (introducing a new category of 'medium' development).

Content of the consultation

4. The most obvious change in the draft NPPF is the formal split between plan-making and decision-making policies. Whilst a distinction between the different types of policy is apparent in the current (December 2024) and previous NPPFs, the draft puts all policies into one category or the other, with little flexibility. It will be important to determine whether or not all policy of relevance to the Chilterns National Landscape is retained in this restructuring.
5. A further change in relation to the structure and presentation of the NPPF is the addition of three new chapters (drawn for the most part from existing policy), and the division of the chapters into various sections:
 - Procedural policies
 - Sustainable development
 - Delivering homes and supporting growth
 - Creating high quality, sustainable places
 - Conserving and enhancing the environment.

Policies are now clearly presented as such, and numbered.

6. As one of the section headings suggests, the overall emphasis is on supporting growth, and policy is noticeably more robust in this regard, with clear requirements for

development proposals to be approved. This will be a particular area of focus in our assessment.

7. It is within the context of the strengthening of pro-growth policy that assessment must be made of policy directly affecting the National Landscape (its strength is such that it is likely to affect the interpretation and application of all other policy). One area of interest is the inclusion of reference to chalk streams in draft Policy P3: Living Conditions and Pollution, and in Policy N1: Identifying Environmental Opportunities and Safeguards.
8. Other changes of relevance (still to be fully assessed) include those explicitly referring to National Landscapes. Some elements of policy are unchanged (given some of the existing issues with policy, the team will look into the scope for suggesting improvements), but there are also a number of additions and deletions, including:
 - Plan-making Policy N1: Identifying Environmental Opportunities and Safeguards specifically requires development plans to be informed by Protected Landscape Management Plans. This is something we should support, since it was a recommendation of the Glover Landscapes Review and is something that CCB has previously sought.
 - Decision-making Policy N4: Protected Landscapes:
 - The policy now assigns ‘substantial’ rather than ‘great’ weight to conserving and enhancing the ‘natural beauty’ (previously ‘landscape and scenic beauty’) of National Landscapes. This is a significant change to the current hierarchy of weight to be applied to different factors and applies across the NPPF.
 - Explicit reference is now made to statutory purposes and special qualities.
 - The reference to refusing proposals for major development in protected landscapes has been transformed into ‘should only be supported if’ (where a new factor to be considered is the supply of minerals).
 - The reference to protected landscapes having ‘the highest status of protection’ has been omitted.
 - The conservation and enhancement of wildlife and cultural heritage is no longer referred to as an important consideration in National Landscapes (though the additional weight to be given to them in National Parks and the Broads is retained).
 - The reference to development in the setting of protected landscapes has been omitted, and the current setting policy now applied only to development within protected landscapes (‘should be sensitively located and designed’).

The potential impact of these changes has yet to be assessed, and initial discussions with other National Landscape teams and the NLA suggests that there are differing interpretations and opinions. There is therefore much to assess within the draft NPPF, and the policies of direct relevance to National Landscapes are only the beginning.

Next Steps

9. The consultation was launched on 16 December, and closes on 10 March. The Planning Team will be working on a detailed assessment of the proposals and their implications. A decision needs to be made on whether to submit a CCB response, to contribute to a NLA (or possibly joint NLA and National Parks) response, or a hybrid of the two approaches. Officers will keep Planning Committee members (or members of its possible successor ‘Panel’) updated, and seek input on key matters or decisions as appropriate.

Recommendations

1. That the Committee **NOTES** the contents of this paper.