



Planning Committee

10.00 a.m. Wednesday 16th May 2012
The Chilterns Conservation Board office,
90 Station Road, Chinnor

Agenda

1. Apologies
2. Public Question Time
3. Declarations of Interest
4. Minutes of Previous Meeting
5. Matters Arising
6. High Speed 2 – update
7. AONB Planning Forum
8. Planning Training for Parish and Town Councils
9. Chilterns Buildings Design Awards
10. Student research project (internet land sales) – update
11. Development Plans Responses
12. Planning Applications – update
13. Any Urgent Business
14. Date of Next Meeting

Wednesday 5th September 2012 at The Chilterns Conservation Board office, 90 Station Road, Chinnor, OX39 4HA

Future meetings – **28th November 2012, 6th March and 22nd May 2013**

Item 4 Minutes of Previous Meeting

Author: Colin White Planning Officer

Lead Organisations: Chilterns Conservation Board

Resources: Budget of £520 per year for minute-taker plus staff time

Summary: Minutes of the previous meeting are attached (at Appendix 1) and need approving.

Purpose of report: To approve the Minutes of the previous meeting.

Background

1. The draft minutes from the meeting on 8th February 2012 have been previously circulated and are attached (at Appendix 1) for approval.

Recommendation

1. **That the Committee approves the minutes of its meeting which took place on 8th February 2012.**

Cllr David Barnard (North Herts District Council), Cllr Roger Emmett (Wycombe District Council), Cllr Margaret Jarrett (Hertfordshire Parish Councils) and Mike Fox (Chairman CCB as observer).

17. Public Question Time

Jeremy Elgin, Lower Waldrige Farm, gave a presentation about his wind turbine proposal. There followed a number of questions and a discussion.

18. Declarations of Interest

Cllr Chris Richards declared an interest in the public question time item (17).

19. Minutes of the previous meeting

The minutes were approved and signed by the Chairman as a true record after the following spelling corrections were made: page 4 item 4 remove “e” from ‘Dawes’ Hill so that it reads ‘Daws Hill’ and page 7 item 14 remove 2nd “f” from ‘benefitted’ so that it reads ‘benefited’.

20. Matters Arising from the minutes

1. Item 7 HS2 update - the Secretary of State appointed Board members are still considering whether they should make representations to the Secretary of State.
2. Item 9 - the Chairman and the planning officer had to date visited 8 out of the 13 local authorities in the Chilterns. Visits to 2 more have been booked, leaving 3 still to visit. It is their intention to report the key points raised during the visits to the Committee at the next meeting. Copies of the report will be circulated to the various local authorities, their councillors and officers. A date for the next Forum has not yet been set.

21. Arrangements for minute taking of the planning Committee

The minute-taker for the Planning Committee had been in post since late 2005 without any change in contract or rates of pay.

New hourly and mileage rates were proposed and should be applied from April 2012.

A revised contract would be needed arising from the changes and this would be organised by the Planning Officer after the Committee. The revised contract would also incorporate the need for an annual review.

- 1. The Committee APPROVED the revisions to the contract for the minute-taker for the Planning Committee in connection with the hourly rate, mileage rate and need for an annual review, as detailed in the report.**

22. High Speed 2 – update

The planning officer reported that on the 10th January 2012 the Secretary of State had announced that the Government planned to proceed with its proposal for HS2. The published documents had been examined and a series of changes noted. The key changes are: a longer tunnel between Old Amersham and Little Missenden on a revised alignment that takes the route very close to Shardeloes Lake, shallower cuttings, a higher viaduct near Wendover Dean. The total length of line visible will be 3.9 miles, not the 1.5

miles claimed by the Government and HS2 Ltd.

The changes to the proposal will have a significant impact on the Chilterns and the Board will need to re-examine all information prior to reporting back to the Committee.

The Board is aware of a number of legal challenges being examined. The Board will monitor progress and is aware of the need to engage with the many processes.

1. The Committee NOTED the report.

23. Planning Training for Parish and Town Councils

The Planning Officer reported that the Board had previously offered training for Parish and Town Councils (2008 and 2010). The training had been well received and it could be usefully offered again. The Committee had agreed at previous meetings that three events should be set up. The following dates were proposed: Tuesday 26th June, Thursday 28th June and Monday 2nd July.

It was suggested that the events take place in the southern, middle and northern parts of the AONB and should cover: the National Planning Policy Framework, the production of Neighbourhood Plans and the start of the AONB Management Plan review.

A Board member will welcome the attendees and chair the evening. The costs of the event to be met by charging the attendees. The expected total cost to be in the region of £180. A charge of £10 per person should generate sufficient income to cover the costs. The Planning Officer will lead on the training and will try and ensure that there is no overlap with training offered by the county associations of parish and town councils.

1. The Committee APPROVED the suggested dates for the parish and town council training events.

2. The Committee APPROVED the other arrangements for the parish and town council training events and offered suggestions for venues, topics and possible trainers.

24. Planning application for the Arla Foods proposal at Aston Clinton

Discussion of this item was brought forward as Cllr Norman had to leave the meeting. It was noted that the electricity and water supply to the site needs to be examined. The Grand Union Canal has been drained at its summit due to a lack of water, which may impact on the Arla Development.

25. Chilterns Buildings Design Awards

The Planning Officer reported that the Board has jointly offered the Awards with the Chiltern Society for many years and a refresh of the ceremony was suggested. This year's scheme is underway.

The date for the award ceremony will be 14th June 2012 in the evening. It will involve a limited number of speeches/talks, some light refreshments will be offered and the event would be limited to two hours, starting at 6.30pm.

It had been agreed that previous winners would be approached for sponsorship. This would help cover some of the costs of the ceremony.

12.00 Cllr Brian Norman left the meeting.

- 1. The Committee APPROVED the proposed changes to the Design Award ceremony and will promote the scheme widely.**

26. Proposed student research project – implications of internet land sales

The Planning Officer informed the Committee about the current position regarding the proposed student research project. Students had been approached at Oxford Brookes, but it has been difficult to get one interested in the subject and it may be necessary to approach another local university with the idea. The Planning Officer will keep members informed at future meetings.

12.05 Mike Stubbs left the meeting.

- 1. The Committee NOTED the current position in connection with the proposed student research project.**
- 2. The Committee AGREED that other educational avenues may need to be explored.**

27. Development Plans Responses

The Planning Officer informed the Committee that responses had been sent in connection with the following development plan documents: Dacorum BC Pre-submission Core Strategy; Wycombe DC Community Infrastructure Levy; Aylesbury Vale DC Growth Scenarios consultation and Central Beds Council Heath and Reach, Toddington and Barton-Le-Clay Local Area Transport Plan. All responses had been made under delegated powers.

The Planning Officer had been asked by the Chief Officer to set up a sub-group to look at the Luton Northern Bypass (M1 to A6) as mentioned in section 4.5 of the Central Beds Heath and Reach, Toddington and Barton-Le-Clay Local Area Transport Plan. The development of a Masterplan had been mentioned and the Board has requested to be involved in such a plan. Committee members were asked to inform the planning officer if they wished to be part of the sub-group. The intention is that a report is presented to the Board by the end of March.

- 1. The Committee NOTED and APPROVED the responses already made on behalf of the Board in connection with the consultation exercise on the development plan documents as detailed above.**
- 2. The Committee APPROVED the setting up of a Luton Northern Bypass sub-group.**

28. Planning Applications Update

The Planning Officer informed the Committee about the various representations that had been made in connection with planning applications, and updated the Committee on any outcomes as detailed in the report and appendix.

In the recent past potential problems with the Board's 'not commenting' response had arisen. It was therefore proposed that the previously agreed text of the standard Board's 'not commenting' letter/email should be amended to read as follows:

- Thank you for consulting the Chilterns Conservation Board in connection with the application detailed above.
- I am writing to let you know that the Chilterns Conservation Board will not be commenting on the planning application.
- The Board recommends that the decision-maker takes into account the following:
 - The Chilterns AONB Management Plan
 - The Chilterns Buildings Design Guide and Supplementary Technical Notes on Chilterns Building Materials (Flint, Brick and Roofing Materials)
 - The Environmental Guidelines for the Management of Highways in the Chilterns
 - The Board's Position Statement on Development Affecting the Setting of the Chilterns AONB

- 1. The Committee NOTED and APPROVED the responses made in connection with the applications listed in Appendix 2.**
- 2. The Committee NOTED AND APPROVED the proposed changes to the standard 'not commenting' letter/email used in response to certain planning applications.**

29. Any Urgent Business

The Planning Officer was asked about planning applications re employment and employment related development. He does not see many; he also reminded the Committee that the Board has a duty to foster the economic and social wellbeing of communities and as such support could be given for the development of new employment or retention of existing employment.

30. Date of the next meeting

Wednesday 16th May 2012 at the office of the Chilterns Conservation Board, 90 Station Rd, Chinnor commencing at 10.00 am.

Future meetings: 5th September, 28th November 2012 and the 6th March 2013.

The meeting closed 12.30

The Chairman

Date

Item 6 High Speed 2 update

Author: Colin White Planning Officer

Lead Organisation: Chilterns Conservation Board

Resources: Staff time.

Summary: Five judicial reviews have been submitted, the Wildlife Trusts have submitted a complaint to the EC, the first Community Forums have been held, a Bucks CC summit was called, the EIA Scope and Methodology report has been published for comment and the wider HS2 group continues to meet.

Purpose of report: To update the Committee about the latest developments in connection with a possible high speed rail route through the Chilterns.

Background

1. It is understood that as well as the two HS2 Action Alliance judicial reviews (SEA and Habitats Regulations and compensation), judicial reviews are also being brought by 51m (the consultation process), Heathrow Hub Limited (pushing for a different route for HS2 via Heathrow) and Aylesbury Park Golf Club (consultation). The Government is looking to have the judicial reviews heard at the same time, though they may be split as they are about different issues. It is likely that the cases will be heard later this year.
2. The Wildlife Trusts have also written with a complaint to the EC in connection with the Government's alleged failure to comply with the SEA and Habitats regulations. The case may not be dealt with immediately but it is understood that there may be some degree of urgency due to the timing of the related judicial reviews. The Board is an interested party in connection with both the judicial reviews and the complaint to the EC.
3. On 19th and 20th March the first Community Forums were held in the Chilterns at Chalfont St Giles and Wendover. These were called by HS2 and attended by a large number of people from a variety of different organisations. Two key things emerged from the meetings – the Communities felt that they needed to have their local elected representatives there (particularly District Councillors but also County as well as Parish Councillors) and that it might be sensible to have one forum for the Chilterns as the current split did not seem to be sensible. Notes of the meeting have been produced by HS2 though the next meeting date has not been published (understood to be between 11th June and 3rd July).
4. HS2 is also organising Planning and Environment Forums. The Board has asked to be present at both forums but to date no dates or other information is available in connection with either of these.
5. On 19th April an HS2 Summit was held in Aylesbury to discuss both mitigation and compensation. The Summit seemed to focus more on the mitigation and a number of useful presentations were given. The key one was that in connection with noise with

many detailed points being raised that will need to be addressed as part of any future work on the environmental impacts of HS2.

6. The Summit was held in order to coincide with the publication by HS2 Ltd of the EIA Scope and Methodology report. The public consultation period for this is from 4th April to midday on 30th May 2012. Officers of the Board have subdivided the report and are working on a response that will be circulated in draft in the next few days, in order to help local groups and others input into the process.
7. The wider Chilterns group continues to meet and provides an opportunity to discuss relevant issues. At its most recent meetings the issue of mitigation has been subject to some detailed discussions.
8. Any change in the situation will be reported to the Committee in the future.

Recommendation

1. **That the Committee notes the report.**

Item 7 AONB Planning Forum – update on visits to Local Authorities and date for next Forum

Author: Colin White Planning Officer

Lead Organisation: Chilterns Conservation Board

Resources: Staff time.

Summary: The Planning Officer and Chairman of the Committee have visited most of the Chilterns local authorities in connection with the AONB Planning Forum and some key messages have been noted. A date has been set for the next Forum meeting.

Purpose of report: To inform the Committee about the notes made of the visits to local authorities to invigorate the AONB Planning Forum, to approve the notes for circulation and to note the arrangements for the next Forum.

Background

1. Between the end of October 2011 and the middle of March 2012 the Planning Officer and Chairman of the Planning Committee (both Barbara Wallis and Bettina Kirkham) have undertaken visits to 10 of the Chilterns local authorities. Two of the remaining three Councils will be visited before the end of June and the only authority with no date yet organised is Luton Borough Council.
2. The visits have provided an opportunity to re-invigorate the Planning Forum and to exchange information and provide updates about current projects and issues.
3. The most recent AONB Planning Forum took place in November 2011 with 8 of the Chilterns local planning authorities being represented. This was a very good number and may in part be due to the prominence that was given to the visits that were being made.
4. The meetings that have taken place have emphasised that the forum represents a good opportunity to exchange views with the Board and with other local authorities but that there may be different ways forward that should be explored. The combining of the Planning and Environment Forums was suggested by some as a way forward. However, it was ultimately not considered to be appropriate. Though this may not have led to more meetings being scheduled it may have led to less interest from the key planning officers.
5. The number of meetings is causing a problem for officers as well as members. It was stressed that councillors should ideally be attending the annual Chilterns AONB Forum rather than the Planning Forum. It was thought that update information could be circulated electronically via a 'virtual' forum, allowing the meetings to get to the bottom of key issues.
6. The importance of the Board's forum meetings is accepted and the authorities have all agreed to send officers and members when able to do so. The need for officer and Member training was raised by a number of the authorities and it was stressed that the Board is happy for its Planning Officer to undertake such training. It can be tailored to the audience and if there is a particular issue to cover this can be dealt

with. It may also be possible for workshops to be organised as one way of highlighting AONB issues.

7. The 'duty to cooperate' emerging from the NPPF and Localism Act was discussed and it was recognised that the forums presented ideal opportunities to meet with neighbouring authorities to discuss common issues that may be relevant.
8. In order to try and get authorities engaged it was felt that it may be advantageous to host a future event and that if this was moved amongst the authorities it would help those that consider themselves to be more peripheral to attend. Another way would be by asking an officer to do something specific (a telephone call would be needed for this).
9. Whilst the meetings were intended as a method by which the Board's Planning Forum could be reinvigorated, some useful updates were provided about the various local authority development plans and other issues. The AONB boundary was also discussed with a request being made that any information about possible reviews be sent through to the Planning Officer.
10. Many authorities have recently been through re-organisations and these have meant that allocating issues like the AONB have not always been resolved. It was stressed that key contact officers should be known by both the Board and authority, particularly where these have changed. It was stressed that the local authority AONB contacts should be used for many issues and that these should be up to date (in some instances officers are moving on and likely to be changing).
11. Some authorities mentioned the County or District groupings of officers and Members. In some instances the attendance by the Board's Planning Officer on an annual basis would be investigated as a means by which key issues could be presented.
12. It was suggested that meetings could be organised using online survey monkey techniques and that information could be exchanged in a similar way, without it clogging up websites for example.
13. Some authorities suggested that in connection with planning applications it would be useful to have a conversation with key officers about the types of applications that the Board needs to be consulted on. Equally there will be some applications that we do not need to comment on. There may be a need to address this via a Board Planning Committee decision. At the very least a short list could be prepared that details those sorts of applications that the Board would generally not comment on. The Board's 'not commenting' letter was also discussed and it was resolved that this should change to be unequivocal.
14. Though the forum is seen as a welcome thing to have, care will be needed to make sure the agendas at future meetings are focussed and that there are not too many items to cover. An alert about the topics to be covered should be provided in advance. It should be clear what is being covered, why it is important and what we hope to get out of the meeting. Forum meetings should ideally have a set of outcomes which can be circulated after any meetings.
15. The need for involvement in some issues at an early stage was discussed with some authorities. This is invariably a useful thing to do, but the Board should not be seen as a free consultant. In some cases it was noted that it would be useful to have officer only meetings to deal with some issues.

16. The AONB Management Plan should be discussed in some detail with emerging issues being subject to close scrutiny (equestrian use for example). It might be useful to involve transport and minerals officers (more for County Councils). A suggestion was made that meetings could be themed and that cross boundary issues could be addressed (consistency of approach for example). Community Infrastructure Levy was also mentioned as something that could be discussed.
17. It is important that the notes detailed above are sent to key officers, the Cabinet Member or Portfolio Holder for Planning and the Chair of the Planning Committee at the local authorities within the Chilterns.
18. The next Planning Forum will take place on the morning of Tuesday 22nd May at Watling House (Central Bedfordshire Council Offices) in Dunstable. The Forum will start at 10.00am and finish at 1.00pm. The local authority experience of the IPC process and some grey areas in the new NPPF will be the main topics discussed. We will also try and deal with the feedback detailed above and mention the Parish and Town Council training, Management Plan review and any emerging AONB boundary issues.

Recommendations

1. **That the Committee notes the report.**
2. **That the notes of the meetings with local authorities as detailed in paragraphs 2 to 16 above are approved and circulated to those detailed in paragraph 17.**
3. **That the Committee notes the arrangements for the next Planning Forum.**

Item 8 Planning Training for Parish and Town Councils

Author: Colin White Planning Officer

Lead Organisation: Chilterns Conservation Board

Resources: Budget of £200 and staff time.

Summary: The Board's planning training for Parish and Town Councils has been organised and promoted and bookings are being taken. To ensure a good take up Members are asked to continue the promotion where possible.

Purpose of report: To inform the Committee about the latest position in connection with the Parish and Town Council training for summer 2012 and to seek the Committee's help in the continuing promotion.

Background

1. The Committee previously agreed the following three dates for this year's Planning Training for Parish and Town Councils: Tuesday 26th June, Thursday 28th June and Monday 2nd July. The events will take place at Ballinger (Memorial Hall), Markyate (Village Hall) and Woodcote (Village Hall) respectively.
2. At the start of May a promotional flyer and booking form was sent out to Parish and Town Councils in the AONB and the County Associations of local councils and bookings are being taken now. A £15 charge is being made with one extra free place being given for those Parish or Town Councils that have financially contributed to the Board's work. The charge reflects the need to try and recoup as much of the likely overall cost as possible.
3. The events will include information about recent planning reforms including the Localism Act, Neighbourhood Planning and the National Planning Policy Framework (NPPF). It is intended that the Government's localism aspirations will be discussed. This should also highlight what is meant by localism. For Neighbourhood Planning it will be stressed that this is not a weapon for thwarting development. A mythical place will be used to undertake an exercise in Neighbourhood Planning. Some of the key relevant issues arising from the NPPF will also be highlighted.
4. The training events will be led by the Board's Planning Officer and Mike Stubbs. The events will also involve local authority planning officers and representatives of communities involved in Neighbourhood Planning. Board Members have agreed to welcome people to the events and to give an introduction to each of the events.
5. The two hour session will be interactive with presentations kept to a minimum and lots of time for questions and discussion. Key messages will be delivered at the end of the session.
6. In order to encourage as many Parish and Town Councils as possible to attend it would be useful if members of the Committee continued to promote the events as widely as possible. The pdf flyer can be used for this.

Recommendations

- 1. That the Committee notes the updated details for the Parish and Town Council training events.**
- 2. That the Committee promotes the events as widely as possible.**

Item 9 Chilterns Buildings Design Awards

Author: Colin White Planning Officer

Lead Organisation: Chilterns Conservation Board

Resources: Budget of £1,500 and staff time

Summary: Judging has taken place for this year's Awards and the Ceremony is being organised.

Purpose of report: To inform the Committee about the details for the Design Awards ceremony.

Background

1. Work was previously undertaken by The Chiltern Society to refresh the address list of architects used to promote the annual Chilterns Buildings Design awards. Despite this hard work eleven entries were received. This is one more than last year and may still be a reflection of the previous slow down in the construction industry. Despite a low number the quality of entries remains high.
2. The judges for the Design awards were able to visit a short list of seven of the entries to this year's scheme on Friday 4th May. After a long discussion it was resolved that the following awards would be made: an overall winner; two highly commended awards; one commended award and one special commendation.
3. The awards will be formally announced and given out at a special ceremony which will take place on the evening of Thursday 14th June at The Dairy, Restore Hope Latimer at Latimer Park near Chesham. Invitations will be sent out shortly.
4. The ceremony will involve a limited number of introductory speeches before the awards are made. Light refreshments will be provided and the event will be limited to about 2 hours (starting at 6.30pm for 7.00pm and concluding by 8.30pm).

Recommendations

1. **That the Committee notes the arrangements for the Design Awards ceremony.**
2. **That any Member wishing to attend the ceremony informs the Planning Officer as soon as possible.**

Item 10 **Proposed student research project – implications of internet land sales**

Author: Colin White Planning Officer

Lead Organisation: Chilterns Conservation Board

Resources: Staff time.

Summary: The student research project to investigate the implications of internet land sales has been undertaken and is in the process of being written up.

Purpose of report: To inform the Committee about progress with a student research project to assess the implications of the sub-division of plots of land which are then sold on to numerous individuals.

Background

1. The Committee has previously approved the setting up of a student research project to investigate the implications for the landscape of the AONB of internet land sales.
2. A student in the Department of Planning and Real Estate at Oxford Brookes University had agreed to undertake the project. A number of site visits are understood to have been made and it is known that meetings have taken place with local authority planning officers whilst others have been approached for information in connection with some of the more historic sites.
3. It is understood that the project is due for completion by about the middle of May. The Planning Officer has requested some key highlights and these will be provided as a verbal update at the Committee meeting.
4. Once received the written version of the project should be available for the Committee to view and the key conclusions will be reported at a later meeting.

Recommendation

1. **That the Committee notes the current position in connection with the student research project.**

Item 11 Development Plans Responses

Author: Colin White Planning Officer

Lead Organisations: Chilterns Conservation Board

Resources: Staff time.

Summary: Responses have been sent in connection with the public consultation exercises on the following development plan documents: **Bucks Rural Affairs Group** Rural Strategy Issues Paper; **DCMS** relaxing the restrictions on the deployment of overhead telecommunications lines; **Three Rivers DC** Development Management Policies Pre-Submission Consultation; **South Oxfordshire DC** Core Strategy Main Modifications; **Central Beds Council** Development Strategy Issues and Options; **North Herts DC** Core Strategy New Housing Growth Targets; **London Luton Airport Limited** (owner) Luton Airport expansion proposals; **Great Missenden Parish** Village Design Statement; **London Luton Airport Operations Limited** (operator) Luton Airport expansion proposals; **South Oxfordshire DC** Core Strategy comments following publication of NPPF; .

Purpose of report: To inform the Committee about, and approve, the responses that have been made under delegated powers in connection with the development plan documents as listed.

Background

The following paragraphs detail the responses that have already been drafted and sent in connection with the public consultation exercises on the development plan documents as listed.

Bucks Rural Affairs Group Rural Strategy Issues Paper

1. While the strategy is comprehensive, the Board considers it may be worth providing guidance relating to how the 5 different themes relate. Such guidance might refer to two pieces of work that have come out of last year's Natural Environment White Paper - the Ecosystem Services Approach and National Ecosystem Assessment.
2. Ecosystem Services seeks to identify the importance and value of land from all different aspects, namely:
 1. 'Provisioning Services' -including food, wood and fuel production but also fresh water;
 2. 'Regulating services' -climate, flood, disease & water purification;
 3. 'Cultural services' -aesthetic, spiritual, educational, recreational, and
 4. 'Supporting services' -biodiversity, soil and nutrients.
3. The Government's National Ecosystem Assessment seeks to recognise the multi-functional value of land in monetary terms.

4. Such terminology can, however, be cumbersome. The new Local Nature Partnership for Buckinghamshire has adopted the more user friendly term – Natural Benefits.
5. The Board also considers that there will also be a need to reflect current and emerging planning policy at all levels (national, county and district).
6. The feedback that has thus far been provided, via the conference and the documents we have been sent, has shown the importance of the natural environment. It is key that this is covered properly in the Rural Strategy and that the AONB, and the conservation and enhancement of its natural beauty (the purpose of the AONB and its Board), are detailed, though it will be clearly addressed primarily by other means such as the AONB Management Plan.
7. We would also like to ensure that the Board's other purpose of increasing the understanding and enjoyment of the special qualities of the area and its duty to foster the economic and social well-being of communities in the AONB are also mentioned if possible.
8. It is not clear from the structure where our interests would happily sit (they don't all fit under 'conservation and biodiversity' under 2.4 'sustainable communities'). We think that there may be a degree of repetition arising from the current structure.
9. We would like to see the AONB and the Countryside and Rights of Way Act 2000 Section 85 and 87 duties and purposes (see above) articulated as part of section 2.4 and would be grateful if we could be kept informed about and consulted on future versions of the strategy.

DCMS consultation: Relaxing the restrictions on the deployment of overhead telecommunications lines

10. The Board welcomes the Government's intention to improve the country's high speed broadband network because such communication can be vital for the operation and success of some rural businesses. However, whilst the Board supports the principle of providing high speed broadband to rural areas, we believe that it is in the greater long term public interest to conserve and enhance our natural and historic assets by placing both communication and power cables underground, particularly within National Parks and Areas of Outstanding Natural Beauty and their settings. It is encouraging that Government supports this through its actions.
11. The Board considers that the Section 85 duty mentioned above applies to both DCMS and telecommunications code systems operators. The duty appears to be recognised by DCMS when referring to the continuing need for planning applications to be submitted for poles and wires within AONBs (see paragraph 3.5 of Section 1). The requirement to apply to a local planning authority to determine whether prior approval is needed also remains (paragraph 2.3 of Section 2). This provides the Board with some comfort. However, the consultation document mentions that the provision of broadband in rural areas may be regarded by the operators as 'not economically viable' and the change to Regulation 4 brings in a financial test (see 1A[a]) which is not normally a planning consideration. This is a worrying development particularly as AONBs are invariably rural in nature and the cost of provision may be higher. This is compounded because whilst paragraph 3.4 of Section 1 states that 'new overhead infrastructure can only be erected if existing

infrastructure cannot be shared' this is not borne out in the revisions to the regulations which then also introduce the financial test detailed above as an alternative.

12. Paragraph 2.5 of Section 2 recognises that some pole development may be necessary in order to have better connectivity. At the same time communities felt that 'full consultation' should take place for such installations. The Board concurs with the view that full consultation should take place and also considers that any proposal should include a thorough assessment of all alternatives (including undergrounding) that have been considered and dismissed.
13. Full consultation has been interpreted by DCMS as applying only to the directly affected communities by requiring consultations only with 'relevant councils and qualifying bodies'. Qualifying bodies are defined in Section 61E of the 1990 Town and Country Planning Act as 'a parish council or an organisation or body designated as a neighbourhood forum, authorised for the purposes of a neighbourhood development order to act in relation to a neighbourhood area as a result of Section 61F'. The various AONB management bodies (Conservation Boards, Joint Partnerships and Joint Committees for example) are not included here and would not therefore be consulted on any proposals within their areas as a matter of course. The Board therefore considers that AONB management bodies (in all their forms) should be included as part of any consultation within an AONB or its setting. This would require an amendment to the amended regulation.
14. The Board considers that it will be difficult to challenge any proposal based on its commercial viability or otherwise and thinks that this element (1A[a]) should be removed from the revisions that have been published as it introduces something that is not normally a planning consideration.
15. The Board considers that some of the wider benefits of placing cables underground have not been properly addressed as part of the preparation of the revised regulations. Such benefits include not just reduced landscape impacts but also the fact that underground cables are not vulnerable to the weather, tree damage or vehicular damage for example.
16. Paragraph 3.7 in Section 3 states that 'telegraph poles and other overhead infrastructure is a common and often necessary feature across the landscape'. The Board considers that this statement is ill thought out. We consider that telegraph and other utility poles and pylons are generally intrusive, incongruous and inappropriate features in the landscape.

Three Rivers DC Development Management Policies Pre-Submission Consultation

17. The Board supports the following policies as drafted – DM1 (residential design and layout), DM3 (the historic built environment), DM6 (biodiversity, trees, woodlands and landscaping), DM9 (contamination and pollution control), DM14 (telecommunications) and DM15 (residential moorings).
18. Policy DM 7 (landscape character) – although this policy is supported the Board considers that it would be useful to add reference to the 'type' or 'form' of development in the first bullet point under the Chilterns AONB part, because in some instances the siting, design or external appearance do not address the likely implications of some types of development. The Board particularly welcomes the

references to the Chilterns Buildings Design Guide and Supplementary Technical Notes on local building materials.

19. Policy DM8 (flood risk and water resources) – the Board supports this policy. However, it is considered that reference could usefully be made to the use of water meters within the measures to be incorporated to ensure efficient use of water resources.
20. Policy DM 11 (open space, sport and recreation facilities and children’s play space) – the Board supports this policy as drafted and particularly welcomes the reference to resisting development on commons.

South Oxfordshire DC Core Strategy Main Modifications

21. Main Modification 61 is concerned with paragraph 10.9. The modification seeks to increase the allocation for Henley to 450 homes if it proves to be possible to ‘identify suitable land free of constraints in the circumstances then pertaining’. At the same time the revised text allows for windfalls to be taken into account if any early planning permissions may need to be granted on land included in the September 2011 capacity study before adoption of the Site Allocations DPD (SADPD). Having identified a cap to growth at 400 dwellings it seems perverse that this should then immediately be relaxed to allocate a further 50 dwellings without any material change in circumstances (in need or constraints). The Board is not aware that the identified need in Henley has increased during the course of the examination or that the constraints have lessened. The Board therefore considers that the original figure of 400 dwellings should remain. The Board suggests that the following text is deleted from the modification – ‘However, in light of the level of need in Henley, the SADPD will explore the possibility of easing the capped growth of the town by allocating up to 50 additional dwellings (i.e. total of 450) if it proves to be possible to identify suitable land free of constraints in the circumstances then pertaining’. The revision would make the Core Strategy sound because it would then be justified by evidence that is available.
22. The modifications also allow for windfalls to come forward and be deducted from any allocation. The Board considers that the principle of allowing windfalls to be taken account of through the granting of early planning permissions would almost certainly result in early planning applications on most, if not all, sites that were subject to the September 2011 capacity study. This would pre-empt the SADPD and is not an effective way of planning growth at Henley. The Core Strategy details that sites identified through the SADPD in Henley will not come forward before 2017. The Board considers that this allows sufficient time for the Council to have adopted the SADPD prior to the need for the submission of any applications on allocated sites. The Board is particularly concerned about this issue because many of the sites that were considered in the September 2011 capacity study were not unconstrained and in many cases the study found that much more detailed work would be required to assess the likely impacts, through landscape and visual impact assessments for example. No text is suggested that would allay this concern. The Board therefore suggests that the last sentence of paragraph 10.9 is deleted. However, if the modification is to remain then text should be added to ensure the proper and effective planning of the area. The Board suggests that the final sentence of paragraph 10.9 should be deleted and considers that if the modification allowing

windfalls to be taken account of remains then the following (or something similar) should be added at the end of paragraph 10.9, to read: 'In all such cases planning applications should be accompanied by thorough landscape and visual impact assessments and any other study or information suggested by the September 2011 capacity study.' The Board considers that this change would ensure that the Strategy is effective.

23. Main Modification 80 is concerned with Policy CSR 1 (housing in villages). Whilst the Board generally supports this modification it considers that the change that has been made does not fully reflect the policy detailed in PPS7. In particular paragraph 21 of PPS7 states that planning policies should support development necessary to facilitate the economic and social well-being of AONBs and their communities, including the provision of 'adequate housing to meet identified **local** needs'. The text in the modification does not include the word 'local' and the Board considers that to be consistent with national policy this word should be added. Therefore, add the word 'local' before 'needs' in the final line of the second paragraph of the text as modified.

Central Beds Council Development Strategy Issues and Options

24. The issues and options stage involved the production of a discussion paper which was subject to a period of consultation during which a number of stakeholder meetings were held. The Board was represented at one of these. The consultation response was submitted via an online questionnaire.
25. Q3 Vision and objectives – regarding the Chilterns AONB, whatever level of growth is likely to be proposed, the Council should exercise its statutory duty to conserve and enhance the natural beauty of the Chilterns AONB and should take full account of its setting.
26. Q4 Which housing growth target is most suitable – low/medium level of growth (22,000 homes) as it would reflect the rates of house building that have historically occurred and because it will not require more land to be identified, it will have less impact on the countryside and it would place less strain on existing infrastructure and services. See below for further detail.
27. Q6 and Q9 (housing and employment growth). The Chilterns Conservation Board does not support a particular level of growth. The Chilterns Conservation Board has statutory duties to conserve and enhance the natural beauty of the Chilterns Area of Outstanding Natural Beauty (AONB) and to increase the understanding and enjoyment by the public of the special qualities of the AONB. Any development should reflect the purpose of the AONB which is to conserve and enhance the natural beauty of the area. Local Planning Authorities should also fulfil their statutory duty of regard to the purpose of the AONB (Section 85 of the Countryside and Rights of Way Act 2000).
28. Q7 Please select which jobs growth target you think is most suitable for the future of Central Bedfordshire – medium, because this provides choice and flexibility, it will have less impact on the countryside, it reflects national economic conditions and would be at the top end of growth that could be delivered. See further information above.

29. Questions that relate to the location of new housing and employment have not been answered as questionnaire only provides for a single option answer, whereas the Council should consider a mix of options which could include elements of all of the options.

North Herts DC Core Strategy New Housing Growth Targets

30. The Council favours a level of 7,000 dwellings which would deliver the District's needs for affordable housing as well as enabling the Council to exceed its overall level of need for housing. The Chilterns Conservation Board does not support a particular level of growth, although would not object to the Council's preferred option. The Chilterns Conservation Board has statutory duties to conserve and enhance the natural beauty of the Chilterns Area of Outstanding Natural Beauty (AONB) and to increase the understanding and enjoyment by the public of the special qualities of the AONB. Any development that may ultimately be proposed should reflect the purpose of the AONB which is to conserve and enhance the natural beauty of the area. The Council should also fulfil its statutory duty of regard to the purpose of the AONB (Section 85 of the Countryside and Rights of Way Act 2000).

London Luton Airport Limited (owner) Luton Airport expansion proposals

31. Thank you for the opportunity to comment at this stage in the development of the plans that are being prepared on behalf of the London Luton Airport Limited (LLAL). As we understand it the proposal is for an expansion of passenger numbers from 9 million passengers per annum (mppa) to 18 mppa by 2024/2025.
32. As detailed in the information that we have seen, this would appear to involve extending the taxiways within the existing curtilage of the airport and building additional terminal buildings and multi-storey car parking.
33. If the aircraft type were to remain as at present, the number of aircraft movements would roughly double. We understand that the size of aircraft is generally increasing. This would mean that such an increase in passenger numbers could be catered for by an increase in aircraft movements which would not double the present number. However, such an increase would nonetheless be very significant. Furthermore, larger aircraft are noisier so the detrimental impacts that are likely to arise are more than likely to be the same.
34. The Chilterns Conservation Board has statutory duties to conserve and enhance the natural beauty of the Chilterns Area of Outstanding Natural Beauty (AONB) and to increase the understanding and enjoyment by the public of the special qualities of the AONB.
35. The Board considers that LLAL is failing in its statutory duty of regard to the purpose of the AONB (to conserve and enhance the natural beauty of the area, Section 85 of the Countryside and Rights of Way Act 2000).
36. The Board therefore opposes the expansion plans for the following reasons:
1. The Board considers that the proposals are premature because they have not been incorporated into a national aviation strategy and we understand that this is not due to be published until later this year.

2. The Board is concerned that with such short timescales between initial consultation and the submission of a planning application no account will be taken of any feedback given.
3. The public consultation material is hard to access, poorly produced, very difficult to read and will lead to lack of engagement.
4. The Board is not convinced that the expansion would be taken forward in an environmentally sensitive and sustainable way and, despite being a statutory body, has yet to have sight of the Scoping Report that is required in connection with the production of an Environmental Impact Assessment (EIA).
5. The Board is extremely concerned about the likely impacts of overflying aircraft, especially at night, on the tranquillity and enjoyment of the Chilterns AONB, and this should clearly be fully assessed as part of the Scoping and EIA process.
6. The Board is also concerned about the likely noise impacts arising from the increase in the number of taxiing aircraft.
7. The Board is concerned about the likely impact of new buildings (terminal buildings and multi-storey car parks) on the surrounding landscape which includes the Chilterns AONB and its setting.
8. The Board is concerned about the likely impacts on traffic flows on roads within the AONB arising from the traffic associated with additional passengers.
9. The Board is concerned about the likely development pressures for new housing for example to cater for increases in the number of employees.
10. Despite the recent adoption of the Airport Noise Action Plan (2010 to 2015) the Board considers that there is no clear commitment from LLAL towards effective noise and environmental controls and the Board considers that restrictions should be put in place to significantly reduce the number and frequency of night time flights.
11. In connection with this issue the Board understands that Heathrow, Gatwick and Stansted all have strict night noise controls with Government setting limits on noise emissions and aircraft movement numbers. We understand that London City has a night and weekend curfew. The Board is aware that there are no such limits placed upon LLA and we therefore consider that stringent limits on night flights should be introduced to protect the local environment and to provide people with certainty. In addition, we consider that these should reflect the limits imposed by Government at the other three major south east airports.
12. Any future planning application should be treated by the applicant as an opportunity to seek significant improvements and mitigation to the noise impact environment created by the airport. The Board will expect any such planning application to contain a comprehensive analysis of the future noise implications of the growth proposals and to be proactive in coming forward with positive proposals for improvements and mitigation. These proposals should include the imposition of night flight limitations consistent with those at Heathrow, Gatwick and Stansted. The Board would expect such limitations to be imposed through a Government body, which would be independent of the airport owner or operator, in order to ensure that environmental concerns are not biased by, and/or offset, commercial gains.

13. The Board would be grateful if it could be involved in the discussions or consultation about any revisions to the existing Night Noise Policy.
14. The Board does not accept that noise levels will decrease because a significant increase in the number of flights by larger aircraft would mean that there would be a significant increase in the frequency of flights leading to a significant decrease in the intervening quiet periods. As a result average noise levels are likely to rise.
15. The Board considers that any expansion plans must be developed in the light of existing operational constraints. These include the proximity of Heathrow airspace and the Bovingdon stack, as well as possible route changes affecting Luton Airport. In addition, the future mix of aircraft and type of flight (for example passenger, corporate or cargo) also need to be taken account of.
16. In addition, the Board understand that NATS has plans to substantially review the structure of the airspace in the south east of England. This may involve changes to the Bovingdon stack which, with other things, may result in changes to departure and arrival routes at Luton Airport. It is not clear to what extent the proposed growth has taken such factors into account.
37. The Board would welcome the opportunity to discuss its representation with LLAL and would also like to ensure that it is closely involved in the implementation of the Noise Action Plan's key action to 'assess the impact of London Luton Airport traffic on the Chilterns AONB and explore potential for operational improvements'.
38. We would be grateful if we could be consulted formally at later stages. We will no doubt comment more fully as the development plans are progressed to the planning application stage.

Great Missenden Parish Village Design Statement

39. Page 3 final line – the Board has yet to produce its planning policy guidelines and we would suggest that the following be deleted 'Chilterns Conservation Board's Planning Guidelines' and replaced by something along the following lines: 'Chilterns Conservation Board's AONB Management Plan, the Chilterns Buildings Design Guide and the supplementary technical notes on Chilterns building materials (flint, brick and roofing materials) as well as any relevant future publications'.
40. At some point between paragraphs 6.10 and 6.13 it would be useful to mention the fact that development within the AONB should conserve or enhance its natural beauty.
41. The Board suggests that it would be useful to refer to the need to comply with the Chilterns Buildings Design Guide as part of the introduction to the Building Guidelines on page 22.
42. The Board suggests that the first bullet point in paragraph 7.3 concerning construction materials (flint) could usefully be extended by repeating the point previously made about the need to ensure that any flint work is hand crafted (second paragraph on page 21). It would also be useful to refer here to the need to comply with the Board's supplementary technical note on Chilterns Flint. Similarly, reference could be made to the Board's supplementary technical note on Chilterns Brick in the second bullet point.

43. The Board suggests that paragraph 7.4 concerning roofing materials could usefully be extended by referring to the need to comply with the Board's supplementary technical note on Chilterns Roofing Materials.
44. For Prestwood and Ballinger and South Heath the Board considers that it would be appropriate to refer to the applicability of the principles outlined for Great Missenden. It appears that, as drafted, the only principles that apply are those detailed in paragraph 7.10 to 7.18.
45. Paragraph 7.12 seems to suggest that developments should be small scale and incorporate different styles and materials. This can often lead to developments that are suburban and out of keeping with the AONB. The Board considers that it may be more appropriate to delete 'all of differing styles and materials to be' and replace this with 'whilst utilising styles and materials that are' .. in keeping with the village.
46. Paragraph 7.13 suggests that landscaping is important to screen properties. The Board considers that landscaping should only ever be seen as an improvement to a site not as a method of screening something. Trees and hedges will help integrate a development into its surroundings. The Board suggests that paragraph 7.13 could be reworded as follows: 'Landscaping is of particular importance and will help to soften developments and integrate them into their surroundings'.
47. The Board considers that, as Great Missenden is wholly within the AONB, the second sentence of the final paragraph on page 26 should be changed. This relates to open spaces between buildings providing a strong visual connection to surrounding countryside and currently reads 'connection with the AONB which surrounds Great Missenden'. The Board considers that this should be deleted and replaced with the following to read: 'connection with the wider AONB within which Great Missenden sits'.
48. A similar point arises with the last sentence on page 27 which mentions rights of way that lead into 'the surrounding' AONB. The Board considers that 'surrounding' should be deleted and replaced by 'wider'.
49. The second bullet point of paragraph 8.2 again suggests that planting should be used to screen new structures. As previously stated, the Board considers that landscaping/planting should only ever be seen as an improvement to a site not as a method of screening something. The Board suggests that the following is deleted: 'Planting should be used to screen new structures' and replace by text to read as follows: 'Landscaping is of particular importance and will help to soften developments and integrate them into their surroundings'.
50. Under section 9 (highways and traffic) the Board considers that it would be useful to add a reference to the need to take account of the following publication: Environmental Guidelines for the Management of Highways in the Chilterns. This has been prepared in conjunction with all the Highway Authorities within the AONB.

London Luton Airport Operations Limited (operator) Luton Airport expansion proposals

51. The Chilterns Conservation Board is concerned about the future use of Luton Airport, particularly arising from the overflying of aircraft over the AONB, and its setting, both

during the day and at night. The Board has had no direct contact from either the Airport owners or operators and as a statutory body with responsibility for the management of the AONB which is immediately adjacent to the airport we would have expected to be involved in discussions on the expansion of the airport and its likely impacts.

52. Despite not being directly consulted the Board would still like to take the opportunity to comment at this stage in the development of the plans that are being prepared on behalf of the London Luton Airport Operations Limited (LLAOL). As we understand it the proposal is for an expansion of passenger numbers from about 9 million passengers per annum (mppa) to 15-16 mppa by about 2028.
53. As detailed in the information that we have seen, this would appear to principally involve extending the taxiways within the existing curtilage of the airport and extending terminal buildings and car parking.
54. If the aircraft type were to remain as at present, the number of aircraft movements would roughly double. We understand that the size of aircraft is generally increasing. This would mean that such an increase in passenger numbers could be catered for by an increase in aircraft movements which would not double the present number. However, such an increase would nonetheless be very significant. Furthermore, larger aircraft are noisier so the detrimental impacts that are likely to arise are more than likely to be the same.
55. The Chilterns Conservation Board has statutory duties to conserve and enhance the natural beauty of the Chilterns Area of Outstanding Natural Beauty (AONB) and to increase the understanding and enjoyment by the public of the special qualities of the AONB.
56. The Board considers that LLAOL is failing in its statutory duty of regard to the purpose of the AONB (to conserve and enhance the natural beauty of the area, Section 85 of the Countryside and Rights of Way Act 2000).
57. The Board therefore opposes the expansion plans for the following reasons:
 1. The Board considers that the proposals are premature because they have not been incorporated into a national aviation strategy and we understand that this is not due to be published until later this year.
 2. The Board is concerned that with such short timescales between initial consultation and the submission of a planning application (in May) no account will be taken of any feedback given.
 3. The public consultation material is hard to access, poorly produced, very difficult to read and will lead to lack of engagement.
 4. The Board is not convinced that the expansion would be taken forward in an environmentally sensitive and sustainable way and, despite being a statutory body, has yet to have sight of the Scoping Report that is required in connection with the production of an Environmental Impact Assessment (EIA). As part of the scoping for the EIA the statutory Chilterns AONB Management Plan should clearly be referred to alongside the Board's Position Statement on Development Affecting the Setting of the AONB (attached).
 5. The Board is extremely concerned about the likely impacts of overflying aircraft, especially at night, on the tranquillity and enjoyment of the Chilterns AONB, and

this should clearly be fully assessed as part of the Scoping and EIA process prior to any planning application being made. In addition, the EIA should also address landscape and visual effects arising from the use of the airport and the proposed extended taxiways especially because there will be a huge number of aircraft that, when they are not on the ground, would be clearly visible from many miles around. Even when on the ground aircraft are visible from many areas including the Chilterns AONB.

6. The likely effects on the Chilterns AONB should also be considered as part of the EIA. The Board considers that the impacts on the AONB and its enjoyment should be subject to specific detailed consideration as part of the EIA because it is clearly a sensitive receptor. For potential noise impacts the Chilterns AONB should again be subject to specific detailed consideration outside the normal confines of L_{Aeq} assessments. In addition, the impacts of night noise should also be fully considered and should include assessments from within the AONB and its setting.
7. The Board is also concerned about the likely noise impacts arising from the increase in the number of taxiing aircraft.
8. The Board is concerned about the likely impact of new buildings on the surrounding landscape which includes the Chilterns AONB and its setting.
9. The Board is concerned about the likely impacts on traffic flows on roads within the AONB arising from the traffic associated with additional passengers.
10. The Board is concerned about the likely development pressures for new housing for example to cater for increases in the number of employees.
11. Despite the recent adoption of the Airport Noise Action Plan (2010 to 2015) the Board considers that there is no clear commitment from LLAOL towards effective noise and environmental controls and the Board considers that restrictions should be put in place to significantly reduce the number and frequency of night time flights.
12. In connection with this issue the Board understands that Heathrow, Gatwick and Stansted all have strict night noise controls with Government setting limits on noise emissions and aircraft movement numbers. We understand that London City has a night and weekend curfew. The Board is aware that there are no such limits placed upon LLA and we therefore consider that stringent limits on the number of night flights should be introduced to protect the local environment and to provide people with certainty. In addition, we consider that these should reflect the limits imposed by Government at the other three major south east airports.
13. Any future planning application should be treated by the applicant as an opportunity to seek significant improvements and mitigation to the noise impact environment created by the airport. The Board will expect any such planning application to contain a comprehensive analysis of the future noise implications of the growth proposals and to be proactive in coming forward with positive proposals for improvements and mitigation. These proposals should include the imposition of night flight limitations consistent with those at Heathrow, Gatwick and Stansted. The Board would expect such limitations to be imposed through a Government body, which would be independent of the airport owner or operator,

in order to ensure that environmental concerns are not biased by, and/or offset, commercial gains.

14. The Board would be grateful if it could be involved in the discussions or consultation about any revisions to the existing Night Noise Policy.
15. The Board does not accept that noise levels will decrease because a significant increase in the number of flights by larger aircraft would mean that there would be a significant increase in the frequency of flights leading to a significant decrease in the intervening quiet periods. As a result average noise levels are likely to rise.
16. The Board considers that any expansion plans must be developed in the light of existing operational constraints. These include the proximity of Heathrow airspace and the Bovingdon stack, as well as possible route changes affecting Luton Airport. In addition, the future mix of aircraft and type of flight (for example passenger, corporate or cargo) also need to be taken account of.
17. In addition, the Board understand that NATS has plans to substantially review the structure of the airspace in the south east of England. This may involve changes to the Bovingdon stack which, with other things, may result in changes to departure and arrival routes at Luton Airport. It is not clear to what extent the proposed growth has taken such factors into account.
58. The Board would welcome the opportunity to discuss its representation with LLAOL and would also like to ensure that it is closely involved in the implementation of the Noise Action Plan's key action to 'assess the impact of London Luton Airport traffic on the Chilterns AONB and explore potential for operational improvements'.
59. We would be grateful if we could be consulted formally at later stages. We will no doubt comment more fully as the development plans are progressed to the planning application stage.

Comments on the SODC Core Strategy following publication of the National Planning Policy Framework

60. The Chilterns Conservation Board has made comments at various stages in the production of the South Oxfordshire District Council Core strategy and is grateful for the opportunity to comment at this stage on matters arising from the publication of the National Planning Policy Framework.
61. One of the issues that had been addressed by modifications to the Core Strategy, and which had significant consequences for the AONBs within South Oxfordshire, was that of a windfall allowance. The modifications sought the removal of references to the provision of 1051 dwellings through unallocated sites (towns 550 and larger villages 501) and the consequent redistribution of that figure (along with other amendments to the calculations) to other areas including a large number to larger villages which increased from 501 to 740 and then to 1154 (with at least 500 in the Central Oxfordshire area) through the various iterations of the Core Strategy.
62. The Board considers that the publication of the final version of the National Planning Policy Framework allows the Council the opportunity to revisit the issue of the inclusion of an allowance for windfalls. In fact, paragraph 48 states that 'local

planning authorities may make an allowance for windfall sites in the five-year supply if they have compelling evidence that such sites have consistently become available in the local area and will continue to provide a reliable source of supply. Any allowance should be realistic having regard to the Strategic Housing Land Availability Assessment, historic windfall delivery rates and expected future trends, and should not include residential gardens'. Inclusion of a windfall figure in the Submission Core Strategy was a clear demonstration of the availability of such sites and the figure provided had been suitably discounted in order to be realistic and robust.

63. The Board therefore considers that the Core Strategy should be further modified by the removal of those modifications that sought deletion of the references to unallocated sites. Furthermore, the housing figures used in the Core Strategy should be examined once again in order to ensure that they are as up to date as possible and so that the figure used as a windfall allowance is both robust and deliverable.

Recommendation

1. **That the Committee notes and approves the responses already made on behalf of the Board in connection with the consultation exercises on the development plan documents detailed above.**

Item 12 Planning Applications Update

Author: Colin White Planning Officer

Lead Organisations: Chilterns Conservation Board

Resources: Staff time.

Summary: Representations have been made regarding a number of planning applications and appeals and a number of previous cases have been determined.

Purpose of report: To inform the Committee about the various representations that have been made in connection with planning applications and appeals and to update the Committee on any outcomes.

Background

1. Last year the Board was consulted on 171 applications and has responded to all of these. There were 36 formal representations (3 support and 33 objections).
2. The applications that resulted in formal representations included:

Support

- car park extension for a pub at Cadsden (refused), variation of conditions at brickworks (not yet decided) and car park and access at Nuffield Place (approved)

Objections

- 426 ground mounted PV panels at Harpsden (approved)
- Relocation of Peppard CE Primary School (approved)
- 2Mw wind turbine at Aylesbury (approved at appeal)
- 4 dwellings at Peppard Common (refused)
- Two mobile homes two touring caravans, hardstanding and day room, next to RAF Walters Ash (refused and being taken to appeal)
- The Arla Foods proposals at Aston Clinton (all applications not called in and approved)
- An agricultural workers dwelling at The Lee (refused)
- 115 dwellings at Woodcote (refused)
- Equestrian development at Skirmett (withdrawn)
- 13 pitch travelling showpeople site at Chalfont St Giles (refused)
- Astro turf pitch, fencing and floodlights at Berkhamsted (withdrawn)
- Waste transfer station at Amersham (not yet decided)
- Retention of access, gates and trackway at Bix (refused)
- Redevelopment of sheltered housing site at Goring (withdrawn)
- Demolition of existing dwelling and erection of replacement at Great Missenden (refused)
- Wind turbine and solar pv array at Tring (refused)
- Proposed gypsy site at Dagnall (not yet decided)
- 19 affordable homes at Goring (not yet decided)

- Demolition of existing and erection of replacement buildings for private equestrian use at Benson (refused)
 - Detached garage, gates, piers and walls at Heath End, Berkhamsted (refused)
 - Variation of condition (landscaping) at Crowmarsh Gifford (not yet decided)
 - Redevelopment of site to provide retail units and flats at High Street, Great Missenden (withdrawn)
 - Revised description of development and amended plans at Newland Park (not yet decided)
 - Winery, Pump Lane North, Marlow Bottom (withdrawn)
 - Front extension at Ballinger Grove (refused)
 - Extension to sand and gravel quarry at Caversham Quarry (not yet decided)
 - Wind turbine adjacent to Jewsons at Hyde End (refused)
 - Non-floodlit hockey pitch and athletics track at Berkhamsted (not yet decided)
 - Pony sanctuary near Chesham (approved)
 - Front extension at Ballinger Grove (approved)
 - Static and touring caravans for gypsy use at Wooburn Moor (not yet decided)
 - Three dwellings at Peppard Hill (not yet decided)
 - New access road at High Heavens (not yet decided)
3. Thus far 25 of the applications have been determined with 18 being in line with the Board's comments (72%) and 7 not in line.
4. Since the 1st April this year the Board has been consulted on 16 applications and has responded to 11 of these. There have been 3 formal representations (3 objections).
5. The applications that have resulted in formal representations in 2012/13 include:

Objections

- Major development east of Aylesbury (not yet decided)
 - Redevelopment of sheltered housing site at Goring (not yet decided)
 - Stables, barn and hardstanding at Ibstone (not yet decided)
6. The outstanding formal representations are detailed in Appendix 2, and where decisions have been made by the local planning authorities these are detailed.

Recommendation

1. **That the Committee notes and approves the responses made in connection with the applications listed in Appendix 2.**

APPENDIX 2

Location	LPA	Development	Ref. No.	Status	AONB Planning Officer's Response	Date
Meadhams Farm Brickworks	BCC	Variation of conditions	CH/2011/60006/BCC	Pending	Support - Based on the need to continue to provide good quality local building materials into the future. Development conforms to AONB Management Plan (policies D3 and D4). The Board would be concerned if inappropriate waste was to be deposited in the voids that will be left and trusts that, should permission be granted, this will be adequately conditioned to ensure that it is carefully screened, closely monitored and involves totally inert waste due to the fact that the site is in close proximity to the River Chess and sits on the chalk aquifer.	28.09.11
County Highways Depot, London Road, Amersham	BCC	Waste Transfer Station and associated developments	CH/2011/60005/BCC	Pending	Object – the proposal would involve a very large building and another smaller building as well as other buildings and structures which would be more visible and have a greater impact on the landscape, the design and materials of the buildings are out of keeping with the AONB and do not accord with the Buildings Design Guide, there would be a significant amount of traffic associated with the site and the depot, the former use of the site is landfill and this may cause problems with construction, the lighting proposed has no detail but would cause a significant increase in light when taken with the neighbouring site, there would be a significant amount of 3m high fencing and acoustic barriers (much associated with a bund up to 2m high), screening appears to want to hide the development, great care is needed in connection with the water environment (River Misbourne and aquifer) and proposal would be contrary to the	18.10.11

					purposes of the AONB and its Management Plan, PPS7 and SE Plan policy C3.	
High Heavens Waste Site, Clay Lane Booker	BCC	New access road	CC12/9002/CM	Pending	Object – development neither conserves nor enhances the natural beauty of the AONB and is contrary to the AONB Management Plan and development plan for the area, the road would be additional to highway improvements already considered as part of an application that is likely to be approved shortly and there is no overriding need and no special circumstances that would require an additional road (applicant refers to the road as an alternative despite the fact that it would be used by HGVs whilst the existing road would be used by cars and other light vehicles).	27.04.12
Caversham Quarry, Sonning Eye	Oxon CC	Quarry extension	MW.0158/1	Pending	Object – although outside the AONB the site is within its setting and is clearly visible from the Thames valley sides. The development would involve mineral extraction and site restoration with inert waste over a considerable period of time. There would be lorry movements on roads that lead into the AONB. The LVIA has not taken proper account of the need to consider the setting of the AONB.	26.01.12
Quarrendon Fields, Bicester Road, Aylesbury	AVDC	2Mw wind turbine	10/00136/A PP	Appeal allowed 19.03.12 –	Object - 2Mw wind turbine that would be 149m to blade tip and 113.5m to the hub. Contrary to the assertions made in the environmental statement the Board considers that the proposal would represent a significant vertical visual intrusion into the landscape of the Vale of Aylesbury and would be significantly taller than the County Hall building (approximately twice the height) and would be much more obvious due to the movement associated with the turbine blades. The consideration that has been given to the impacts on the setting and enjoyment of the Chilterns	27.05.11

					AONB suggests that any impacts will be neutral. The Board does not agree with this assessment and therefore objects to the development as a result. The Board considers that the development would neither conserve nor enhance the natural beauty of the AONB, would have a detrimental impact on the setting of the AONB and that it would be dominant in views both from and to the AONB.	
Hampden Fields, between Wendover Road and Aston Clinton Road, Weston Turville	AVDC	Mixed use development including 3,200 dwellings, 120 bed care home, park and ride site, 10ha of employment land, local centre, Green Infrastructure and open space (amongst other things)	12/00605/A OP	Pending	Object – lack of building designs means a full assessment of the proposal is difficult, particularly as some elements may be up to 15m high (or higher), the development would lead to the loss of a strategic green gap between Aylesbury and Weston Turville, the proposal is likely to lead to detrimental impacts on the setting of the AONB due to the effects on views of the Vale of Aylesbury from within the AONB and effects on views of the AONB from within and beyond the application site, the proposed development is on previously undeveloped land and is unallocated for development, whilst recognising that the proposal would have significant effects on views from the AONB these are dismissed, views of the AONB are not considered in any detail, no illustrative material is provided to show how the proposed development would appear, the proposal is not in accordance with the Development Plan and the Chilterns AONB Management Plan, the applicant should be requested to provide sufficient detail to show the visual impact of the development once completed and should permission be granted then conditions should be imposed requiring landscaping to mitigate the adverse impacts and details of building materials to be provided.	30.04.12

Valley View, Hemel Hempstead Road, Dagnall	CBC	Proposed gypsy site (5 caravans)	CB/11/0380 7/FULL	Pending	Object – very limited amounts of detail in the application, no information about scale and appearance of buildings on the site, development would have materially greater impact on the AONB than any currently approved development, current and proposed hedge includes species not appropriate in the AONB, application is very similar to a recently refused and dismissed on appeal application that would have involved less development on the site and the development would neither conserve nor enhance the natural beauty of the AONB.	29.11.11
Newland Park, Gorelands Lane, Chalfont St Giles	CDC	Redevelopment of site to provide 326 dwellings, fitness and sports facilities and energy / recycling centre	CH/2010/09 76/FA	Pending	Object – (see copied information sent out for full details) the Board does not object to the principle of the proposal and a redevelopment of parts of the site would bring about enhancement of the AONB if undertaken in the most sensitive manner, using the best designs and most appropriate materials. There are elements of detail the Board objects to including: the design and materials for various buildings (both parkland dwellings and apartment blocks), the lack of provision of solar pv and solar hot water, provision of extra lighting (particularly in association with the playing pitches), the lack of provision of affordable housing, lack of facilities such as shops and employment and lack of public transport provision thus leading to significant amounts of car traffic on minor local roads and the likely impacts of large numbers of lorries on the same roads during construction (to bring materials in and take spoil away). Revisions to design – object – the revisions do not address the Board’s concerns, in fact despite the changes to the appearance the buildings are all	03.11.10 24.01.12

					taller and more bulky, also object to inclusion of basements in some buildings (spoil issue) and other objections remain from previous response.	
Ballinger Grove, Village Road, Ballinger	CDC	Proposed certificate of lawful development for two storey extension	CH/2012/0182/SA	Approved – 03.04.12	Object – the proposal (which is virtually identical to a previous case which was refused) would involve the loss of a gabled and bow fronted façade with a really imposing doorway and its replacement with an extension that does not have the same character. Alterations and renovations could be achieved in other ways. Any development should be proportionate, sympathetic and in keeping with the original building taking account of its context. Though the building is not listed it appears to be an important local heritage asset and should be investigated as such. As a precaution any changes should not be allowed for the time being. The case is similar to another one that was recently not allowed by the Council.	21.02.12
Adjacent to Jewsons building supplies, Chesham Road, Hyde End	CDC	Freestanding wind turbine	CH/2011/1943/FA	Refused – 02.04.12	Object – at more than 19m high the turbine would represent a bulky vertical structure that would be visible in views from the wider landscape despite the presence of screening vegetation, the proposal is contrary to local and national planning policy, no landscape and visual impact assessment has been submitted, the turbine would be idle for much of the time based on its location and the fact that the site is surrounded by mature trees up to 20m high and the proposal fails to conserve or enhance the natural beauty of the AONB.	22.02.12
Buslins Lane, Chartridge	CDC	Change of use of land to pony sanctuary, 3 single field shelters, 1 double field	CH/2011/1995/FA	Approved – 05.04.12	Object – development has all taken place and is in use (5 horses seen on site visit) and has had a detrimental impact on the natural beauty of the AONB, the whole site is clearly visible from a number of public rights of way in the area, the paths are well used and the development will have	09.03.12

		shelter and 1 double field stable			a detrimental impact on the enjoyment of users of the AONB, the development neither conserves nor enhances the natural beauty of the AONB and is considered to be contrary to the AONB Management Plan and national and local planning policy. Application ought to be refused and enforcement action instigated in order to remove the development and ensure that the land is returned to its former condition.	
Kitcheners Field, Berkhamsted	DBC	Astroturf pitch, fence and floodlights	4/00875/11/ MFA	Withdrawn – 03.02.12	Object – the Board wonders if there are more appropriate sites, the use of the pitch would result in an increase in traffic on local roads, particularly if community use outside school hours were to be permitted, the application stresses the community use with the inference that the proposal is more about meeting a community need than meeting a school need, both the fencing and the 8 lighting columns with 22 fittings (up to 6 metres tall if retracted and 15 metres tall when in use) would be particularly intrusive features in the landscape and little account, if any, has been taken of the potential impacts, the use of the lighting would introduce an alien feature into this part of the AONB which would detrimentally affect the tranquillity of the AONB and would be exacerbated by the extended hours that are proposed, the resulting glare and reflection, particularly when wet or foggy weather occurs, would also exacerbate the detrimental impacts. The use of the lights will almost certainly have detrimental impacts on biodiversity, the construction of the fence is also likely to have detrimental impacts on wildlife because it will introduce an obstruction into a presently open area. The application proposes perimeter landscaping and ‘enhanced planting’	06.10.11

					adjacent to the footpath that runs immediately adjacent to the site. The Board considers that this appears to be a method by which some of the elements of the proposal could be hidden but equally considers that planting alongside the footpath would lead to a greater sense of enclosure and would therefore have a detrimental impact on users of the right of way. It is difficult to see how the detrimental impacts of the planning application could be resolved without removing the fence and lights completely from the proposal. A lower fence using a more appropriate design and different materials may be more acceptable. The development would neither conserve nor enhance the natural beauty of the AONB and would not increase the understanding and enjoyment of the special qualities of the AONB.	
Kitcheners Field, Berkhamsted	DBC	All-weather hockey pitch, fence and landscaping	4/02338/11/MFA	Pending	Object – The Council will be aware of the Board’s previous objections made in connection with a recent application. The current application is apparently for the same development as the previous application apart from one element of detail – floodlights. The current application does not detail any floodlights and the Board welcomes this change. However, the Board’s previous objections did not relate solely to floodlights. Therefore, the Chilterns Conservation Board objects to the current planning application for the following reasons: The Board wonders if there are not more appropriate sites, the use of the pitch would result in an increase in traffic on local roads, particularly if community use outside school hours were to be permitted (though this is not detailed). The fencing (which would be 3 or 4 metres high with a close	22.02.12

					<p>mesh appearance) would be a particularly intrusive feature in the landscape and little account, if any, has been taken of the potential impacts. The construction of the fence is likely to have detrimental impacts on wildlife because it will introduce an obstruction into a presently open area.</p> <p>The application proposes landscaping and other planting adjacent to the footpath that runs immediately adjacent to the site. The Board considers that this appears to be a method by which some of the elements of the proposal could be hidden but equally considers that planting alongside the footpath would lead to a greater sense of enclosure and would therefore have a detrimental impact on users of the right of way. The Board objects to the lack of detail and in particular cross-sectional drawings in connection with the area of cut in the north eastern corner of the hockey pitch in particular. Such an operation is likely to lead to the need to remove a significant amount of material as well as the need to provide retaining walls. These operations would have a detrimental impact on the natural beauty of the Chilterns AONB.</p> <p>The Board also objects to the lack of a landscape and visual impact assessment and notes that the information on the Council's website that purports to be a design and access statement does not appear to cover the issues that we would have expected to be addressed.</p> <p>The Board notes that section 13 of the design and access statement states that a long jump and triple jump track and pit would be provided. No other details of this proposal are provided and this</p>	
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					<p>should be included as a matter of urgency. It is difficult to see how the detrimental impacts of the planning application could be resolved without removing the fencing and engineered cut area completely from the proposal. A lower fence using a more appropriate design and different materials would be more acceptable (wooden post and wire with an associated hedge for example) but it is understood that the purpose of the fence is to keep balls within the playing area. The pitch itself could be relocated to an area that would not require significant amounts of cut (and possibly fill).</p> <p>Based on the information received and knowledge of the site and surroundings the Board considers that the development would neither conserve nor enhance the natural beauty of the AONB and that it would not increase the understanding and enjoyment of the special qualities of the AONB. The proposal is therefore considered to be contrary to both local and national planning policy and the Board considers that the application should be refused.</p>	
Leys Stable Cottage, Old Bix Road, Bix	SODC	Retention of access, gates and trackway to stable yard	P11/E1039/RET-11	Refused – 01.02.12	<p>Object – the development that has taken place (removal of large section of hedge and bank, construction of access with hard surfacing, kerbing and gates and trackway) has had a significant detrimental impact on the AONB, there have been detrimental impacts on the character of the land and its users, the development does not conserve or enhance the natural beauty of the AONB and does not increase the understanding and enjoyment of the special qualities of the AONB, the development does not comply with planning policies or the AONB Management Plan, the</p>	18.10.11

					addressed by further changes or carefully worded and monitored conditions.	
Blenheim Riding Centre, Benson	SODC	Demolition of existing and replacement with new buildings for private equestrian training and breeding centre	P11/W1881	Refused – 15.02.12	Object – lack of information by which to judge the application, the documents provided are inadequate and do not show how the application meets the AONB tests (conserve and enhance the natural beauty), a thorough landscape and visual impact assessment should be undertaken, proposed buildings would be bigger and more prominent than present buildings and occupy more of the site such that a landscaping scheme would not be possible, the proposal neither conserves nor enhances the natural beauty of the AONB and should be refused.	18.01.12
Betts Farm, Old Reading Road, Crowmarsh Gifford	SODC	Variation of condition 2 (soft and hard landscaping of P11/W0190)	P11/W1965	Pending	Object – the proposal would lead to a huge decrease in both the number of trees and the number of shrubs provided as part of the approved development which in turn would mean that the development would be much more prominent in the landscape to the detriment of the natural beauty of the AONB. The original condition was imposed presumably following discussion and was not appealed against. It should therefore be implemented.	20.01.12