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By email only to localplanconsult@threerivers.gov.uk

My Ref.: F:\Planning\Responses\ThreeRivers

Dear Sir/Madam

Three Rivers Local Plan Regulation 18 Preferred Policy Options and Sites for Potential Allocation Consultation

Thank you for consulting the Chilterns Conservation Board on the preferred options for the Three Rivers Local Plan and its site allocations.

The Board welcomes the draft Local Plan and recognises that it sets an appropriate context for future development in the District. Our responses to the consultation questions are attached to this letter as Appendix 2. The Board is generally supportive of the content of the Plan and its strategic direction, and the Council and its officers are to be commended for the Plan's progress to date.

As a critical friend, our comments are intended to be constructive and mostly focus on enhancing the approach taken in the Plan to the conservation and enhancement of the Chilterns AONB, its setting, and the globally significant chalk streams that give the District its name.

We look forward to working with the Council and its officers on progressing the Plan to adoption.

Yours sincerely,

A handwritten signature in black ink, appearing to read "M Thomson".

Dr Matt Thomson MRTPI AoU
Planner, Chilterns Conservation Board

cc. Cllr Phil Williams, Chilterns Conservation Board representative for Three Rivers District Council



The Chilterns Area of Outstanding Natural Beauty

The Chilterns AONB was designated in 1965 for the natural beauty of its landscape and its natural and cultural heritage. In particular, it was designated to protect its special qualities which include the steep chalk escarpment with areas of flower-rich downland, woodlands, commons, tranquil valleys, the network of ancient routes, villages with their brick and flint houses, chalk streams and a rich historic environment of hillforts and chalk figures.

Chilterns Conservation Board

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

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

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

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

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

"(1) In exercising or performing any functions in relation to, or so as to affect, land in an area of outstanding natural beauty, a relevant authority shall have regard to the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty."

List of Organisations providing Nominees to the Chilterns AONB Conservation Board

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

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

Part 1 – Preferred Policy Options

Q1. Do you agree with the Council’s proposed stance of not complying with the Government’s Standard Method for calculating the District’s housing need figure (due to the constraints of the District), which means that the Council would not fully meet the residual housing target? If no, please explain why.

Yes, but the premise of this question is not correct. The Council has complied with the Government’s Standard Method and correctly uses the Standard Method figure as the starting point for determining the local plan housing requirement.

The Council’s proposed stance on assessing housing need and setting a housing requirement in the context of that identified need in paras 2.42-2.49 clearly complies with the Standard Method for calculating the District’s housing need. Para 2.44 shows that the Council has accepted the Standard Method figure of 630 homes per annum for the District (as explained in section 2 of the SW Herts Local Housing Needs Assessment, particularly table 4).

This figure has been arrived at using the Standard Method, as required in para 60 of the NPPF (now para 61, but unchanged).

The Council goes on, correctly, in accordance with paras 11 and 65 of the NPPF (now 11(b) and 66), to set a local plan housing requirement that is lower than its identified need, reflecting the designations that apply in the District, including Green Belt and AONB, where NPPF policies give “a strong reason for restricting the overall scale, type or distribution of development”.

This is a technical distinction, but an important one. If the Council was proposing not to comply with the Standard Method for calculating housing need, it would need to present and justify an alternative that meets the high bar set for such an alternative method in the NPPF. That is clearly not the case. All the Council is doing is (correctly) setting a lower housing requirement.

Where a Council’s area includes land or assets in which the NPPF requires the scale of growth to be limited it is critically important that the local plan housing requirement is set at a reasonable level. Setting an overly ambitious housing target can result in an artificial necessity to permit development that is harmful to the assets the NPPF seeks to protect if sufficient housing does not come forward on the sites identified in the local plan.

While the approach the Council has taken is correct, and is fully supported by the Chilterns Conservation Board, we are concerned that the plan itself is not currently explicit on two important points:

1. Exactly how the local plan requirement has been arrived at. Our inference is that the requirement has been determined through the process of identifying sites, and the capacity of those sites, whose development would be consistent with the NPPF and other policies of the local plan. This is an appropriate approach to take in a District that is largely affected by land or assets that the NPPF seeks to protect, and is supported, but does need explicit explanation in the plan to avoid challenge.
2. What steps have been taken to explore with other local authorities how the planned shortfall in meeting development needs might be met, under the “duty to cooperate”. This appears to have been undertaken through the joint SWHLHNA, but again needs explicit explanation in the plan to avoid challenge. It should be noted that the duty to cooperate is not a duty to

agree, and it is therefore reasonable and fully compliant with the NPPF for the Council to set a housing requirement in their local plan that is lower than the standard method figure, in order to comply with para 11(b) of the NPPF, even if agreement has not been reached as to how the shortfall in housing need may be met in neighbouring authorities.

Additional minor note: We found the explanation of “overall levels of growth” in this section was obscured by different articulations of the numbers and the plan period. Para 2.43 explains that the plan period will be 2018-2038 (a 20 year period), while para 2.44 talks of a “15 year plan period”. The housing need is recorded here as 630 homes per year, while the SWHLHNA calculated 624 (not a significant difference, of course), and the 20-year extrapolation of that figure is given as 12,624, rather than 12,600 (again not a significant difference).

Q2. Do you think the Preferred Policy Option for meeting the Presumption in Favour of Sustainable Development is the right approach? If not please identify how the option could be changed. Should we have considered alternative options? If yes, please explain.

The approach in PPO1 is adequate, but it is difficult to see what added value this policy provides for the local plan over the content of the NPPF and the context provided by the detailed policies elsewhere in the plan.

Arguably, there is a case for revisiting the Vision and Strategic Objectives, and providing a more spatially distinctive description of the kind of place it is anticipated that Three Rivers will become as a result of the plan’s implementation. For example, a Spatial Vision could describe the intended functions of different parts of the district (different town centres, residential areas, rural areas, etc.) and their relationships, including with places outside of the district boundaries. Some aspects of this are already well-described in the strategic objectives. A strategic/spatial diagram might help readers to understand the plan’s broad aspirations.

The Chilterns Conservation Board would welcome more prominence being given to the Chilterns AONB as being an important determinant of the attractiveness of the district as a place in which to live, work and visit, along with the three globally significant chalk streams that give the district its identity. While only a small part of the Chilterns AONB currently extends into the district, the protected landscape is not just part of the district’s “network of Green Infrastructure” that is “visually attractive” (strategic objective 11) – it is a national designation deserving of “the highest status of protection” in relation to its scenic beauty (NPPF para 172, now 176). The character and natural beauty of the Chilterns landscape extends beyond the designated area, and provides a context for much of the environment of the District.

The Council will no doubt be aware of Natural England’s announcement in June 2021 of their proposal to consider extending the AONB’s boundaries. Parts of Three Rivers District are likely to be included in the area that Natural England should be looking at, especially with regard to the importance of the chalk streams in this area. The plan could usefully recognise this as designation could take place during the current plan period. We would be delighted to assist officers with appropriate wording for this section to lend the AONB and the area’s chalk streams greater prominence in the balance of considering sustainable development in the district. In our view it is vitally important that open land in the district is seen not as ‘white land’ that could accommodate future development if it is sustainable enough, but as potentially vital parts of a future extended protected landscape.

Q7. Do you think the Preferred Policy Option for Residential Design and Layout and Accessible and Adaptable Buildings is the right approach? If not please identify how the option could be changed. Should we have considered alternative options? If yes, please explain.

Preferred Policy Option 6 on residential design etc could be enhanced with reference to the Chilterns Buildings Design Guide and other design advice published by the Chilterns Conservation Board. Our design guidance provides advice on how to design developments (including non-residential development) in ways that respond to the characteristics of the Chilterns AONB and its setting, but also has applicability to all areas within the Chilterns and Thames Valley National Character Areas as a result of their underlying geology.

We suggest the addition of the following text after criterion 2 of PPO6, either continuing that paragraph or as a new criterion:

Within the Chilterns Area of Outstanding Natural Beauty and its setting, development proposals must demonstrate how they have taken the character of the area into account, with reference to the Chilterns Buildings Design Guide and other guidance published by the Chilterns Conservation Board. The council recognises that the landscape characteristics and vernacular building styles of the district even outside of the AONB are compatible with those found across the Chilterns. While strict adherence to the advice outside of the AONB will not always be appropriate or necessary, the council recommends that consideration is given to the Chilterns Buildings Design Guide for any development proposals in the district.

Further information about the Guidance can be found here:

<https://www.chilternsaonb.org/conservation-board/planning-development/buildings-design-guidance.html>. (Please note that our website is currently under review, so do check the latest address for this with us before publication).

Q16. Do you think the Preferred Policy Option for Flood Risk and Water Resources is the right approach? If not please identify how the option could be changed. Should we have considered alternative options? If yes, please explain.

The Chilterns Conservation Board strongly supports the principles being promoted through Preferred Policy Option 15, and consider that it currently provides an adequate approach to the issues it seeks to address. We note that the suite of policies here is more enlightened and effective than in many local plans. Even so, it could be enhanced.

Watercourses – specifically the three globally significant chalk streams of the Colne, Gade and Chess – define the identity of Three Rivers District. In our view the positive management and conservation of these watercourses, along with the Grand Union Canal and the chalk aquifer, deserves to be celebrated, and particularly to be considered separately from the more negative associations of flooding and waste-water management. Doing so would also make this section less complicated (and note also the overlaps with other policies highlighted subsequently in our response).

The Chilterns Conservation Board considers that, given its name and its wealth of these watercourses, Three Rivers District Council could aspire to be a beacon of best practice for the conservation and management of chalk streams and we would be delighted to work with you on developing policy further in this area to enhance/replace current paragraph (n) of the policy. A reasonable starting point could be the adopted policy in the Wycombe Delivery and Site Allocations Plan (adopted in 2013, reviewed in 2019, and now part of the development plan for Buckinghamshire Council), which can be downloaded [here](#). Policy DM15 of that plan is reproduced here as a basis for discussion.

POLICY DM15 PROTECTION AND ENHANCEMENT OF RIVER AND STREAM CORRIDORS

1. Planning permission will only be granted for development proposals which would not have an adverse impact on the functions and setting of any watercourse and its associated corridor.
2. Development should seek to conserve and enhance the biodiversity, landscape and recreational value of the watercourse and its corridor through good design.
3. Opportunities for de-culverting of watercourses should be actively pursued. Planning permission will only be granted for proposals which do not involve the culverting of watercourses and which do not prejudice future opportunities for de-culverting (including on sites specifically identified in High Wycombe town centre).
4. Development proposals adjacent to or containing a watercourse should provide or retain a 10m buffer between the top of the river bank and the development, and include a long term landscape and ecological management plan for this buffer.

Our understanding of chalk streams, their benefits and the pressures they are under from development has developed since 2013, and the context in Three Rivers (which also includes the Grand Union Canal) will be different from that in Wycombe, so this policy would need to be adapted to fit.

Note that there is overlap between criterion (2)(n) of this PPO and (2)(a) of PPO19 (Green and Blue Infrastructure).

Q18. Do you think the Preferred Policy Option for Ground Conditions, Contamination and Pollution is the right approach? If not please identify how the option could be changed. Should we have considered alternative options? If yes, please explain.

The Chilterns Conservation Board generally supports Preferred Policy Option 17.

We consider that the policy could be enhanced by specific reference to the impacts of (especially) noise and light pollution on the tranquillity of the Chilterns AONB, and that careful attention should be paid to these issues within the AONB and its setting.

In this respect, we recommend the following two changes to the policy itself:

- Replace (5)(b) with “Have an unacceptable adverse impact on the Chilterns AONB or its setting, or other countryside areas of tranquillity which are important for wildlife and countryside recreation; or”, and
- Add a new criterion (9): “Development that adds to light pollution in the Chilterns AONB or its setting will be resisted. The Council will actively seek opportunities to remove or replace existing inappropriate external lighting in and close to the Chilterns AONB in order to restore dark skies at night.”

Q20. Do you think the Preferred Policy Option for Green and Blue Infrastructure is the right approach? If not please identify how the option could be changed. Should we have considered alternative options? If yes, please explain.

The Chilterns Conservation Board broadly supports this policy, and in particular commends the focus on the connections between the different elements of green and blue infrastructure under paragraph (2) and the treatment of the whole as a network which includes cultural heritage and scenic beauty as well as biodiversity and natural capital.

We would welcome recognition in this policy of the particular status of the Chilterns AONB as benefitting from the “highest status of protection” under the NPPF, and not simply another piece of

green infrastructure. We would recommend including a note in the supporting text to the policy explaining the potential for the boundary of the AONB to be extended during the plan period, in line with Natural England’s announcement on 24 July this year.

We note the overlap between this PPO and criterion (n) of PPO15. Our suggestion for enhancing PPO15 with regard to the protection and enhancement of the area’s chalk streams and other watercourses could alternatively be placed alongside this PPO, or the watercourse element of the two PPOs be rationalised in some other way. We would be delighted to assist with appropriate wording.

Consideration might be given in paragraph (3) to contributions being made to the enhancement or restoration of existing green and blue infrastructure (including making it safe and accessible) as well as the provision of new infrastructure. The long-term protection provided by AONB designation makes enhancements here particularly good investments. Note that the council is subject to a duty under section 85 of the Countryside and Rights of Way Act 2000 to have regard to enhancement as much as to protection of the AONB and developer contributions present an excellent opportunity to pursue that duty.

Q21. Do you think the Preferred Policy Option for Landscape Character is the right approach? If not please identify how the option could be changed. Should we have considered alternative options? If yes, please explain.

The Chilterns Conservation Board strongly supports the inclusion in the plan of a suite of policies relating to landscape character, and particularly the inclusion of a specific policy relating to the Chilterns AONB, which is clearly based on our published model local plan policy.

We consider that the policy could be enhanced, and strongly recommend that the council considers the inclusion of our model local plan policy in full (the policy and justification can be downloaded [here](#) – some of the references in this document require updating).

The particular additional benefits of the full model policy include:

- Application to the setting of the AONB, and not just development “within” the designated area.*
- Reference to the tranquillity of the area, which links to the plan’s other policies on noise and light pollution.
- Reference to the economic and social (as well as environmental) well-being of the area and to development that is desirable for the understanding and enjoyment of the AONB.
- Requiring compliance with the Chilterns Buildings Design Guide (and other guidance), rather than merely having regard to it.

It is increasingly important that all local authorities across the Chilterns should present a consistent approach to planning policy across the AONB and its setting, and we therefore strongly recommend inclusion of the full model policy as presented.

* Note that the 2021 update of the NPPF now expects that “development within [AONBs’] setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.” It is clear that government is more serious now than previously about managing the impact of development in the setting of AONBs, so it is important to reflect this in the local plan.

We would strongly recommend including a note in the supporting text to the policy explaining the potential for the boundary of the AONB to be extended during the plan period, in line with Natural England’s announcement on 24 July this year.

With regard to para 10.16, we suggest considering the point made in response to Q7 above that the Chilterns Building Design Guide could have relevance outside of the designated AONB and its immediate (current) setting, including in the district's other character areas or landscape regions, which have a similar underlying geology and vernacular heritage.

Minor note: The policy and supporting text makes reference to the 'Landscape Regions' defined in the Hertfordshire County Council landscape assessment. It might be beneficial to explain how these three regions relate to the three National Character Areas (Chilterns, Northern Thames Basin and Thames Valley).

Q22. Do you think the Preferred Policy Option for Biodiversity, Trees, Woodlands and Landscaping is the right approach? If not please identify how the option could be changed. Should we have considered alternative options? If yes, please explain. The Chilterns Conservation Board strongly supports PPO21 on Biodiversity, Trees, Woodlands and Landscaping.

The policy might be enhanced by making explicit reference to:

- The particular need to pay special attention to conservation and enhancement of habitats etc in the Chilterns AONB and its setting;
- The importance of locally distinctive species in new planting/landscaping, especially in the Chilterns AONB and its setting;
- The particular biodiversity potential of the area's chalk streams and the canal (including their potential as wildlife corridors); and/or
- Advice on landscaping and planting that is included in the Chilterns Buildings Design Guide.

Q24. Do you think the Preferred Policy Option for Local Distinctiveness and Place Shaping is the right approach? If not please identify how the option could be changed. Should we have considered alternative options? If yes, please explain.

The Chilterns Conservation Board generally supports PPO23 on Local Distinctiveness.

In common with our response to Q7 above, this policy could also be enhanced with reference to the Chilterns Buildings Design Guide and other design advice published by the Chilterns Conservation Board. Our design guidance provides advice on how to design developments (including non-residential development) in ways that respond to the characteristics of the Chilterns AONB and its setting, but also has applicability to all areas within the Chilterns and Thames Valley National Character Areas as a result of their underlying geology.

We suggest the addition of the following text after criterion 2 of PPO23, either continuing that paragraph or as a new criterion:

Within the Chilterns Area of Outstanding Natural Beauty and its setting, development proposals must demonstrate how they have taken the character of the area into account, with reference to the Chilterns Buildings Design Guide and other guidance published by the Chilterns Conservation Board. The council recognises that the landscape characteristics and vernacular building styles of the district even outside of the AONB are compatible with those found across the Chilterns. While strict adherence to the advice will not always be appropriate or necessary, the council recommends that consideration is given to the Chilterns Buildings Design Guide for any development proposals in the district.

Further information about the Guidance can be found here:

<https://www.chilternsaonb.org/conservation-board/planning-development/buildings-design->

[guidance.html](#). (Please note that our website is currently under review, so do check the latest address for this with us before publication).

Note: “Place shaping” (as used in PPO23) and “place making” are terms that are often confused. This policy refers to “place making” (or “placemaking”/“place-making”), which is basically the same as urban design – the practice of designing the physical appearance and layout of places (rather than individual buildings) that work for people and the environment. Place-shaping, on the other hand, has a specific meaning, defined by Sir Michael Lyons in his review of local government as “the creative use of powers and influence to promote the general well-being of a community and its citizens”. The policy would be improved either by using the term “place-making”, or (preferably) avoiding either of these nasty bits of jargon at all.

Q26. Do you think the Preferred Policy Option for Heritage and the Historic Environment is the right approach? If not please identify how the option could be changed. Should we have considered alternative options? If yes, please explain.

The Chilterns Conservation Board supports the approach taken to the historic environment in the local plan.

On a very technical note, there appears to be an issue with the plan’s treatment of “non-designated heritage assets” with regard to “archaeology” in para (2) of the policy, plus paras 11.32 and 11.60. Strictly speaking, the term “non-designated heritage assets” (NDHAs) does not mean “heritage assets that have not been designated”, but, somewhat counter-intuitively, refers to assets that are not formally designated under national or international legislation, but *have been specifically identified by a plan-making body* through processes such as a local heritage list, local or neighbourhood plan, conservation area appraisal or planning application. Assets on your list of Locally Important Buildings will be NDHAs, as will the unregistered parks and gardens (assuming these are listed in the plan and/or shown on the policies map. However, as far as we can tell, the “19 sites of known archaeological significance” are only recorded on the Hertfordshire HER, and so may not technically be NDHAs. This may be remedied by listing those sites in the local plan and/or showing them on the policies map. We recommend referring to Historic England’s [advice note 7](#) (updated in January 2021).

Q30. Do you think the Preferred Policy Option for Waterways is the right approach? If not please identify how the option could be changed. Should we have considered alternative options? If yes, please explain.

The Chilterns Conservation Board supports the principles behind this policy, insofar as it relates to development affecting the Grand Union Canal and moorings on that waterway. We consider that application of this policy to all waterways, with chalk streams mentioned in the preamble, is problematic and confusing, particularly in relation to the overlap with PPOs 15 and 19. If there are stretches of the chalk streams and/or lakes associated with them that are suitable for navigation, these may need to be explicitly recognised in the policy. The CCB is not convinced that the chalk streams should generally be considered appropriate locations for new moorings and riverside development such as marinas.

Q31. Do you think the Preferred Policy Option for Broadband and Electronic Communications is the right approach? If not please identify how the option could be changed. Should we have considered alternative options? If yes, please explain.

The Chilterns Conservation Board supports this policy, and considers that it could be enhanced by reference to the need to take particular care with regard to the design of new infrastructure in the AONB and its setting. Reference could be made to our Position Statement on the cumulative impacts of development on the AONB (available [here](#)).

Appendices

The Chilterns Conservation Board consider that Appendix 1 Design Criteria would be enhanced by reference to the Chilterns AONB Buildings Design Guide and other technical advice published by the Board, reflecting our comments made in relation to Q7 and Q24. We recommend insertion of the following text.

Within the Chilterns Area of Outstanding Natural Beauty and its setting, development proposals must demonstrate how they have taken the character of the area into account, with reference to the Chilterns Buildings Design Guide and other guidance published by the Chilterns Conservation Board. The council recognises that the landscape characteristics and vernacular building styles of the district even outside of the AONB are compatible with those found across the Chilterns. While strict adherence to the advice outside of the AONB will not always be appropriate or necessary, the council recommends that consideration is given to the Chilterns Buildings Design Guide for any development proposals in the district.

Further information about the Guidance can be found here:

<https://www.chilternsaonb.org/conservation-board/planning-development/buildings-design-guidance.html>. (Please note that our website is currently under review, so do check the latest address for this with us before publication).

Including such a statement prominently in Appendix 1 could obviate the need to do so in other parts of the plan that refer to this Appendix for guidance on design, although short references to the Design Guide elsewhere in the plan would also be welcome.

References to the Chilterns Buildings Design Guide in Appendix 2 as providing a basis for design in the Green Belt both where this overlaps with the AONB and its setting, and elsewhere, would also be welcome.

Part 2 - Sites for Potential Allocation

General note:

It would have been beneficial to readers of the consultation documents if the allocation maps provided, including the interactive online map, had been able to show assets of relevance to the consideration of each proposal, including the extent of designated areas such as the Chilterns AONB and the Green Belt.

Q1. Do you think the Proposed Policy for Housing Allocations is the right approach? If not please identify how the proposed policy could be changed.

The Chilterns Conservation Board does not agree that the proposed policy for housing allocations is the right approach. Our response to Q1 of Part 1 of this consultation is also of relevance, in particular with regard to the need for explicit explanation of the means by which the local plan housing requirement was determined, and the application of the duty to cooperate.

Justification for overall quantum of development

Para 2.1 states that “National planning policy requires that the District meets objectively assessed needs for housing (OAN), including any unmet needs from neighbouring authorities where it is practical to do so and is consistent with achieving sustainable development.” This statement is not an accurate summary of the NPPF policy.

The NPPF’s flagship “presumption in favour of sustainable development” policy, at paragraph 11(b), clearly states that plans should meet objectively assessed needs for housing (and other uses) unless “the application of policies in this Framework that protect areas or assets of particular importance

provides a strong reason for restricting the overall scale, type or distribution of development in the plan area". Footnote 6 (now footnote 7) identifies which NPPF policies this refers to, and these include both AONB and Green Belt. Between them, these designations cover almost all of the district outside of the existing built-up areas, and it is therefore correct that the local plan proposes a lower housing requirement than is suggested by the application of the standard method for assessing local housing need (see also our response to Q1 in Part 1 of the consultation).

The Chilterns Conservation Board supports this approach. However, we consider it should be made explicit in the plan's supporting text at para 2.1. Without such an explicit reference, the plan does not give a robust justification for reducing the plan's housing requirement below the standard method figure, and this may be challenged during public examination, resulting in the setting of an arbitrarily higher housing requirement figure which could result in harmful impacts to the Chilterns AONB and its setting.

Site selection process

It is correct that the council has gone on to assess the potential capacity of sites across the district to accommodate housing (and other) development needs. Where such sites are affected by an NPPF footnote 6 (now 7) asset, the principle of its development, the mix of uses and the site's capacity will be influenced by application of the relevant policy.

The plan itself does not set out any criteria that justify the selection of the sites listed, nor the rejection of the sites in Appendix 2, which would appear to be an important omission.

The Chilterns Conservation Board is pleased to note that, as far as we can tell (see also our "General note" above), the local plan does not propose to allocate any development sites within the designated AONB. Some sites are within the setting of the AONB, including some that are adjacent to the designated area boundary.

We object to the fact that the information included alongside each selected site (as defined in para 2.8) does not include an assessment of the site's relationship with the AONB (which has been included for the Green Belt) and that none of the sites include site-specific requirements/measures relating to their proximity to the AONB. We request that all sites considered to be in the setting of the AONB, especially those adjacent to its boundary, should be explicitly required to take a landscape-led approach to their design, and to conform with the advice of the Chilterns Buildings Design Guide and our other published advice. Please note that taking a landscape-led approach to the detailed design of a site in the AONB or in its setting could affect the capacity and range of uses appropriate on the site, and this should be recognised in the relevant policy proposal.

We also suggest that as policy proposals are developed for each site, consideration is given to including specific requirements for addressing impacts on or improving the environment of the district's chalk streams, where these run through or adjacent to the development site.

Note that Natural England's announcement in June 2021 that it will explore a boundary extension to the Chilterns AONB should not be taken, at this stage, as a reason to either delay or reconsider development sites proposed in this plan. The Chilterns Conservation Board recognises the importance of councils maintaining up-to-date development plans that identify sufficient land to meet local needs (subject to NPPF para 11(b) as noted above). The anticipated timescale for assessing any potential extensions to the AONB and formally designating those areas is almost certainly going to be longer than the process of preparing and adopting the Three Rivers Local Plan, although it is likely that designation will occur during the plan period, and hence the potential for an extended AONB should be stated in the plan, as we have suggested elsewhere. It would be inappropriate at this stage to speculate on the areas that could be designated as AONB as a means by which to prevent the

allocation of sites in this plan. Our informal view at this stage is that the sites currently proposed would not prejudice the potential to extend the AONB in Three Rivers District, but we reserve our right to express a contrary view should the council be persuaded to allocate additional or alternative greenfield development sites of a significant scale.

Lack of a spatial strategy

In a small district with limited unconstrained development opportunities and where most opportunities are more-or-less equally accessible, such is the case in Three Rivers, the individual circumstances of specific sites may be more relevant to their selection and allocation than a strategic area-based selection process, such as is common in many larger council areas, directing most growth to the larger towns and restricting development in more inaccessible rural areas. It is therefore understandable that neither the Part 1 local plan, nor this Allocations plan, currently provide a policy dictating a spatial development strategy or settlement hierarchy (other than for retail).

However, the June 2021 update to the NPPF now requires (in paragraph 11(a)) that “all plans should promote a sustainable pattern of development that seeks to: meet the development needs of their area; align growth and infrastructure; improve the environment; mitigate climate change (including by making effective use of land in urban areas) and adapt to its effects”.

We recommend that the plan is amended to include a spatial development policy for the selection of development sites that accords with the new principle of NPPF para 11(a). In our view this policy should seek explicitly to favour development sites that are within or on the edge of existing settlements with a range of services and facilities, and specifically to direct development away from the AONB and its setting (other than within or strongly related to existing built-up areas), and apply high standards for location and design in its setting, consistent with new NPPF para 176.

Individual sites

The Chilterns Conservation Board does not intend to comment on each individual site (i.e. respond to Qs 2-79) at this stage. As noted above, we welcome the fact that the plan does not allocate any development sites within the AONB (as far as we can tell, given the limitations of the mapping provided with the consultation documents).

We request that the detailed proposals for any sites in the AONB or its setting (including any additional sites identified as the plan moves forward) should include requirements:

- to take a landscape-led approach to their design informed by a landscape and visual impact assessment;
- to conform with the advice of the Chilterns Buildings Design Guide and our other published advice; and
- recognise that the detailed design of a site in the AONB or in its setting could affect the capacity and range of uses appropriate on the site, which may affect whether the development is considered to be ‘major development’ in the AONB (NPPF para 172 (now 177) and footnote 55 (now 60)).

We consider that this probably applies to the following sites:

- CFS72 – Solesbridge Lane, Chorleywood. While small in scale, this currently greenfield site is directly adjacent to the AONB boundary and requires sensitive treatment.
- ACFS1 – Heath House, Chorleywood. We recognise that the site is brownfield and mostly surrounded by other buildings, and design will already be influenced by nearby heritage assets. This is a prominent site, though, and could be an exemplary Chilterns Buildings Design Guide project.

- EOS12.2 and 12.3 – Maple Cross. Both these sites are significant greenfield sites that have the potential to be highly visible from the AONB at Newland Park outside of the district boundaries. A visual impact assessment should be sought as part of the justification for including these sites in the plan.
- GT2 – Gypsy and Travellers' site, Fir Trees, Sarratt. This site is recognised as being located within other built development, so its development is not likely to have a significant impact on the AONB's setting, but reference to the Chilterns Buildings Design Guide for any permanent structures would be welcome.

We also request that sites which include or are adjacent to any of the district's chalk streams should include specific policy requirements to mitigate impacts and/or enhance the stream's environment.

We have not had the capacity to identify which sites this should apply to.