

Attendance Note of Meeting

Mr Graham Winwright and Ms Shereen Ansari

Chiltern and South Bucks District Planning Department

And Phillip Plato, Richard Biddle and David Lansdowne

Of Brown Not Green Chesham Limited

At CDC Council Offices, King George V Road, Amersham

On Monday 4th December 2017 11am.

Introduction:

The meeting had originally been arranged for 27th November but was rescheduled to 4th December due to illness. The meeting had been at the invitation of Mr Graham Winwright in response to email exchanges between himself and Phillip Plato on the 7th November in response to the Councils joint committee meeting of the same date.

The following points were discussed:

1. P Plato thanked Mr Winwright for the opportunity to discuss the concerns of Brown Not Green. He explained that Brown Not Green has become a sizeable organisation with over 1800 supporters and several hundred members on its mailing list and therefore is not just represented by P Plato. It was explained that as a local Chartered Planning Surveyor he has become the mouthpiece for this organisation. Mr Winwright acknowledged this and said it is helpful to have the community engaged in the consultation process and David Lansdowne pointed out that BNG was created out of frustration by local people who felt they had not been consulted when the Green Belt plans first appeared.
2. P Plato attempted to start the meeting by enquiring whether the attempts by Slough Council to deflect 10,000 homes into the South Bucks area was the reason for Mr Winwright's team proposing that the Lye Green site for "safeguarding". Mr Winwright said that he would prefer to park that question for the moment and wanted to start discussions on a different topic as he felt that the reason for inviting BNG to meet with the Council today was for him to address what he perceived as two areas where he felt BNG had a "misunderstood" the Council.
3. Mr Winwright felt that the two areas BNG are misunderstanding are:
 - BNG's assertions about the Council's prematurity of testing Green Belt options.
 - BNG's assertions that there is sufficient brownfield land to meet housing need.
4. Mr Winwright said he would address both points by reviewing the sequence in which Council's evidence has been prepared. He explained that no decisions have been made yet and no formal recommendation has yet been made to Councillors but that the latest Preferred Green Belt Options report published in November 2017 is an indication of "*the direction of travel*" but that the Evidence Base still needs to be completed.
5. He went on to explain that there is a revision of the National Planning Policy Framework (NPPF) which is due to go out for consultation early in the new year and is hoped will be announced by the end of March. In addition there is a proposal to introduce new standard methodology for calculating Objectively Assessed Needs (OAN) and it is hoped that this will be finalised between March and May of next year too.
6. P Plato said he was aware of this but also raised the point that there has also already been clear indications from Central Government that Green Belt protection should be maintained or possibly enhanced and although impossible to predict what the NPPF will say he quoted from Chancellors autumn Budget statement which he said combined with the wording in the Housing

White Paper earlier in the year strongly suggests that there is little likelihood that Local Authorities will be encouraged to look to the Green Belt to meet their housing needs.

7. He raised the point that “*the direction of travel*” Mr Winwright refers to seems premature to all BNG members as it seems that Chiltern and South Bucks District Councils are already looking to the Green Belt to meet their housing need despite Govt advice. Mr Winwright responded by saying that he interpreted the Government statements as applying more to development control rather than development planning (namely that Local Authorities should resist development pressures coming from specific developer led applications in the Green Belt but that LPA’s would still be free to entertain Green Belt modifications when reviewing local plans.) P Plato commented that he saw little difference particularly given that the prevailing NPPF does require “*exceptional circumstances*” for Green Belt boundary modifications in Local Plans and pointed out to Mr Winwright that it is just that sort of attitude that enrages local residents as there is the appearance that the rules are applied differently when it suits the Local Authority’s end.
8. David Lansdowne made the point that the initial public consultation on the Green Belt had got people angry because so many people were unaware of what was being proposed and were shocked that land designated for Green Belt upon which it has been so hard historically to get planning consent was now so easily being reviewed to meet housing needs. Graham Winwright said it was for this reason that he welcomed the BNG input as “we are getting people involved” and it is very difficult to engage people in the consultation exercises leading up to a Local Plan review.
9. Mr Winwright said that he felt the first area of misunderstanding was the assertion suggested by BNG that the Local Authority had been premature in targeting Green Belt options. He referred to the start of the process in 2014 and explained that a HELAA (Housing and Economic Land Availability Assessment) had been drafted in 2014 and responses collated in 2015 which included a call for sites in both districts including Brownfield Land. Accordingly, Mr Winwright said that the Local Authority had not been premature in targeting Green Belt as they had been seeking to identify all development opportunities from the outset including Brownfield.
10. He went on to explain that by October 2015 the draft HELAA was identifying a potential for 4,000 dwellings to be provided from land coming forward in both districts which he explained was pitifully short of their expected Objectively Assessed Need. He went on to explain that accordingly it was not premature for the Local Authority to then start to look at the Green Belt and to identify any areas that were not performing well under the five criteria for inclusion within Green Belt designation as such areas might provide further opportunities for housing provision.
11. Mr Winwright then went on to talk about the second area where he felt BNG had misunderstood matters. He referred to the fact that the BNG message is consistent that BNG feel that Local Authority should be building on Brownfield not Greenfield with the implication that there is adequate Brownfield land to meet the housing needs of the area. He said this is misleading to the public and wrong.
12. He explained that the combined districts of Chiltern and South Bucks have an Objectively Assessed Need of 14,900 dwellings. He explained that under the duty to co-operate an agreement has been reached with Aylesbury Vale District Council for 5,750 homes to be taken by Aylesbury. This would leave an unmet requirement of 9,150 (though at the meeting he quoted the figure of £10,500) new homes which would need to be accommodated on Brownfield land. He explained that the recent consultation on the Brownfield register was in response to a more

recent Government regulation and in view of his previous comments about the fact that Brownfield land had been considered when preparing the HELAA in 2014/15, he did not feel that it was accurate for BNG to be claiming that the Local Authority had not been looking at Brownfield sites first.

13. He went on to say that the recent Brownfield consultation for the register had only revealed 14 new brownfield sites across both districts which even assuming a building density of 40 homes per hectare this would only produce another 700 dwellings and as some of these sites are in the Green Belt, that sort of density is an unlikely expectation. Accordingly he concluded by saying that there simply is not sufficient Brownfield land to meet the housing needs of the area and that any housing requirement over 9,500 is inevitably going to require a review of the Green Belt.
14. On this point P Plato responded by saying that he appreciated what Mr Winwright was saying but questioned why some Brownfield proposals and in respect of Chesham the most notable relates to the Chesham Masterplan by Chesham Renaissance CIC did not appear, to be included in the potential housing supply. Accordingly, P Plato asked whether the Council & Chesham Masterplan were indeed looking at the same sites.
15. Graham Winwright said they are and suggested that there is an element of double counting as all of the sites that have been earmarked by the Chesham Masterplan are already in HELAA. However, Phillip Plato said that there appears to be a significantly more optimistic estimate of dwellings that could be provided from comments made about the Chesham Masterplan than some of those densities of development being suggested by the Local Authority in the HELAA on these sites and Mr Winwright agreed. However, he said that there are certain things that he cannot agree with in the Chesham Masterplan and that there are areas of “conflict”. He quoted Watermeadow car park as one example where the Council could not support the development being proposed by Chesham Masterplan simply because it is in the floodplain. Richard Biddle said but if the housing is elevated the flood risk is mitigated to which Mr Winwright said that then renders the proposal unviable.
16. He also said that there are other differences relating to transport and the Chesham Masterplan’s proposals to relocate some employment land sites to outside of the town which he warned, might possibly be onto the very Green Belt that BNG are seeking to protect.
17. Phillip Plato then referred to the Green Belt assessment methodology in the interests of moving the discussions forward. He expressed concerns on behalf of BNG about the Green Belt assessment process. He questioned whether the Part One Appraisal had been applying a consistent methodology and why sites in a similar area, sometimes involving the same land but just considered as larger parcels were getting significantly different scores against the five criteria for being included within Green Belt designation.
18. Mr Winwright explained that the Part One Assessment had been undertaken by ARUP as an independent third party consultant operating under the guidance of a steering group of planning officers within the Council.
19. Phillip Plato said that it appeared as though the Part 1 Assessment had been written with certain preconceptions in mind to justify certain sites being moved forward and he went on to say that Part Two Assessment which he has only seen in draft, appears to have only been written by Officers from Chiltern and South Bucks District Councils.

20. Mr Winwright said is correct and the final Part Two Assessment is hopefully due to be published by the end of December 2017 though he stressed this publication date is subject to a separate publication of a wider strategic Green Belt Assessment which is also awaited and therefore it would be premature to publish the final Part Two Assessment until that strategic review is completed.
21. Phillip Plato commented further he had noted criticisms by ARAP in the annex to the draft Part Two Assessment highlighting the very facts that he had alluded to previously namely that Objectively Assessed Need was appearing to be the sole justification or exceptional circumstances to warrant some of these sites being removed from Green Belt designation and he noted that ARAP were highlighting to Chiltern & Souths Bucks Councils that need alone is not sufficient to justify exceptional circumstance. Mr Winwright agreed but pointed out that the Part Two Assessment is still only in draft.
22. With regards to need, Mr Winwright also commented that if the new national methodology is adopted as currently drafted he anticipates housing need to rise by a further 1400 to approximately 16,300.
23. Phillip Plato again expressed his frustration over the Green Belt assessment. He explained that he and many members of BNG did not understand how it was that an issue like flooding could appear to exclude a Brownfield location like Watermeadow from further consideration but the same concern is not sufficient to stop a Green Belt site being considered for development such as at Lye Green where the field does flood and in view of the topography of the town the water will flow downhill from any development further adding to strain on the towns drainage and flooding in the town itself.
24. Mr Winwright explained that all locations will be subject to viability assessment but equally before any site can be developed there must also be a development brief which in the case of Lye Green would require a sustainable drainage system to be incorporated. Phillip enquired who would pay for that and Mr Winwright explained it would be the developer. Phillip Plato expressed his scepticism given that there is a stated objective of trying to provide 40% affordable housing on the Lye Green site which constrains the developer's ability to fund such expensive infrastructure. If development can ONLY be facilitated by other expensive infrastructure or design requirements paid for by the developer he felt there is a very real risk that the developers and their legal advisors will chip away at all these other important infrastructure considerations and the community's worst fears will be realised. He said that the very same argument that Mr Winwright had raised recently about viability at Watermeadow would be recited by Lye Green developers with the risk that vital infrastructure would not be delivered.
25. Mr Plato highlighted the fact that many members of BNG are extremely concerned about the strain on infrastructure within the town particularly relating to water treatment and mains drainage and he said it is all well and good asking developers to fund expensive drainage systems but if they are either not viable or impractical there is a danger that inappropriate development will result. Mr Winwright said that on this matter BNG are asking for details about something that won't be agreed until very near the end of the process.
26. Phillip Plato then asked about the effects of the duty to co-operate with other local authorities. He mentioned that there had already been reference to the duty to co-operate with Aylesbury but has been concerned about what he has heard about Slough. Specifically, a requirement to put 10,000 homes from Slough into South Bucks. Graham Winwright said discussions are

ongoing and there is a statutory requirement to co-operate with adjacent authorities but he highlighted it is a duty to co-operate not a duty to capitulate and he felt sure that an Inspector would agree that it was unfair for Slough to make such a requirement particularly when he felt there were other areas in the Slough district and other neighbouring authorities to the west where housing could be accommodated. He suggested that the Slough discussions would NOT further add to housing needs significantly in Chiltern & South Bucks.

27. Phillip Plato then made an enquiry about Dacorum where he knows they are currently starting their Regulation 18 consultation too. He asked specifically whether there is a duty to co-operate with Dacorum and whether Dacorum will be looking to displace housing needs into Chiltern or visa versa.
28. Mr Winwright explained that Dacorum is part of Hertfordshire and although there is a duty to co-operate it has been agreed that Dacorum has a different functional market area to Buckinghamshire and hence why Aylesbury have taken the amount of housing it has from the Chiltern area.
29. Phillip Plato asked specifically whether there may be opportunities for Chiltern to displace some of its housing needs into Dacorum given the proximity of the Bovingdon airfield which although Green Belt, is still previously developed land and being so close to the boundary with Chiltern may provide an opportunity. Mr Winwright said that discussions are ongoing but he did not anticipate a significant scope for displacing housing from Chiltern to Dacorum for the aforementioned reason of differing functional economic market area (FEMA).
30. Phillip Plato asked Mr Winwright why the Lye Green site specifically, is being safeguarded (as opposed to being proposed for development) in the Plan period. Mr Winwright explained that there are concerns about deliverability though he said they are in discussions with the land owners and was aware that the principle land owner still does not wish to release more areas of land other than those already under option to a house builder. However, he said that situation may change. Mr Plato said that it sounds like they are waiting for Mr Mash to die and Mr Winwright said that is not what they are hoping for.
31. He went on to say that another reason why the land is only being safeguarded is that there are concerns about traffic generation. He acknowledged that the site will generate traffic and further work and evidence needs to be gathered before the site could be brought forward for development.
32. He said another reason for safeguarding was concerns about air quality. The aforementioned comments about traffic generation are likely to result in a further degradation of air quality locally and he said would be necessary to commission a further report to confirm this. Mr Richard Biddle interjected and found it astonishing that the Council felt the need to spend tax payers money writing a report confirming what common sense would already confirm, namely that more traffic generated from the site will result in degradation in air quality.
33. Mr Winwright offered little explanation other than saying they have to do such reports but he said that the Council are hoping a report will reveal in the longer term certainly about improved air quality as one gets beyond the Emerging Plan period (2036) given the move to electric cars may mean that there is a "tipping point" whereby extra traffic will beyond a certain date, not generate worsening air quality.

34. Mr Plato asked Mr Winwright if there were any other reasons why the site should be safeguarded and Mr Winwright said that he felt "he had said enough".

35. He concluded by saying that work is ongoing and referred to a sustainability appraisal for the Green Belt Preferred Options by Lepus produced in September 2017. He said this sustainability appraisal plus future viability appraisals and other ongoing evidence work may yet reveal that the site is deliverable but equally it may conclude it is not. Similarly further work on sustainability, viability and other aspects of the evidence base may conclude that the site should continue to be safeguarded or that it might remain in the Green Belt. However, he again repeated that there is a "direction of travel" the Council are moving towards and he hoped that the information he has provided to BNG today will save them "wasting their money" on a barrister.
36. Phillip Plato referred to the sustainability appraisal by Lepus and thanked Mr Winwright for raising it because he felt this again pointed to concerns about methodology. He pointed to serious concerns in the Lepus Report relating to sustainability and quoted various extracts including the observation that the Lye Green site is *"close to the Chilterns AONB potentially adversely affecting the setting of the AONB"*. He highlighted that unlike many other Green Belt sites where the public have limited access to the land, the Lye Green site is recognised by Lepus as a location where *"several public footpaths traverse this option, the views from which may be adversely affected by development"*.
37. Mr Plato went on to highlight the fact the Lepus report on the Lye Green site refers to a significant loss of green infrastructure (GI) *"resulting in a reduction in the natural air filtering qualities and some of the carbon sink in the local area"*. Mr Plato highlighted that Lepus suggested that greenhouse gas emissions could increase significantly and also that Lepus highlighted that the extent of the risk from surface water run off is *"currently not known"*.
38. Mr Plato also pointed out the Lepus report on sustainability refers to the land having an agricultural land classification of 3. (Though it is not stated if it is grade 3 a or 3b) Mr Plato said that the landowner feels that the quality of land is higher than that and in any event Lepus report states that the site is believed to have clay mineral deposits which could be seen as a valuable asset for the area. Ms Ansari commented that the County Council, who are the mineral authority for the area, have expressed no reservations about this.
39. Mr Plato said that the Lepus report on sustainability referred to the Chesham Air Quality Management Area and he highlighted the fact that a recent decision involving Gladman Developments and the Secretary of State and CPRE (Kent) earlier this year reinforced the importance of air quality in planning matters and Mr Plato pointed out that Lepus refer to further road congestion exacerbating the existing air pollution again reinforcing Richard Biddle's point querying why another air quality assessment is needed?
40. Mr Plato said that there are many other comments about the sustainability of this site reported by Lepus which makes one wonder why the Lye Green site continues to be under consideration for safeguarding or removal from Green Belt designation.
41. Although Mr Plato felt many facts recited by Lepus should indicate the Lye Green site is not sustainable, he concluded by highlighting one fact he takes issue with in the Lepus Report. Namely, that proximity to health services is optimistically reported to be just 1 kilometre from the Gladstone Road doctor's surgery in Chesham. Phillip Plato said he has measured this digitally and when one measures the various routes from the site the distance is more like 1.8

kilometres. Mr Winwright thanked Mr Plato for that observation and said that needed to be checked but he did suggest to Mr Plato that the Lepus report should be further reviewed by BNG as he felt there is a separate section dealing with how all the aforementioned concerns Mr Plato had recited would be mitigated, avoided or addressed. Mr Plato said that he would review that further.

42. David Lansdowne asked whether the County Council have responded to the request indicated by Chiltern and South Bucks in the post preferred Green Belt Options Report of November 2017 for further information from Bucks Country Council about their concerns. Mr Winwright's said that he is not aware of a response from them at this time.

43. Mr Winwright said that he hoped that today's meeting had helped BNG to understand some of the facts and he hoped had offered some reassurance. Mr Plato said that certainly some facts had emerged but he didn't feel that he had heard anything today that was reassuring or going to change the widespread view of the community that this much loved area of Green Belt is inappropriate for the type of development proposed and is in an unsustainable location and will cause harm to the wider town. Mr Winwright said that that is not an unusual response and he understood the position.

44. Mr Winwright then raised a number of concerns about information that appears on the BNG website and which in light of the aforementioned discussion he felt could now be shown as inaccurate and which he hoped BNG would correct. Specifically,

- He referred to the need to update links to the current position to reflect the latest documents in the Evidence Base.
- He also suggested that comments that Aylesbury Vale's agreement to take the housing that they have from the Chiltern area is clearly not sufficient to offset the need for looking at Green Belt.
- He reminded Mr Plato that the deliverability of Brownfield Land will not in itself meet the housing needs and that there is an element of double counting with the Chesham Masterplan.
- He also said that he was concerned at comments that Chilterns and Bucks were not following national guidance.

45. The meeting then concluded with an agreement that both parties would endeavour to stay in touch. Mr Winwright said that with so many objectors throughout the wider district it is not possible to always engage in meetings such as the one today but if there are any further questions he is happy to take them by email. He also offered to proof read any announcements that BNG may wish to make on our website in future.

Mr Plato, Mr Biddle and Mr Lansdowne thanked him for his time and said they would consider everything he has said.

46. The meeting concluded after 1 hour 20 minutes.