



Report to East Area Planning Committee

Application Number:	PL/20/0999/OA
Proposal:	Outline application (all matters reserved) for the erection of 8 detached houses with associated access road and parking.
Site location:	Land to the North of Chalfont Road opposite Manor Road, Chalfont Road, Seer Green, Buckinghamshire
Applicant:	Oldfields Seer Green Ltd
Case Officer:	Emma Showan
Ward affected:	Chalfont St Giles
Parish-Town Council:	Seer Green Parish Council
Valid date:	12 May 2020
Determination date:	6 August 2021
Recommendation:	Refuse Permission

1.0 Summary & Recommendation/ Reason for Planning Committee Consideration

- 1.1 This application is submitted as an outline application for the development of the site to provide eight detached houses with associated access and parking arrangements. All matters are reserved (access, appearance, landscaping, layout and scale) and are to be determined at a later date and subject to a further application.
- 1.2 The site is located on the outskirts of the settlement of Seer Green, within the open Green Belt. There are concerns with respect to the principle of development on this site and the impact of the development on the openness of the Green Belt.
- 1.3 Councillor Butcher and Councillor Patel both requested that this application be determined by the Planning Committee, irrespective of the Officer recommendation.
- 1.4 The application is recommended for refusal.

2.0 Description of Proposed Development

- 2.1 The proposed site is located to the north-west of Chalfont Road in the open Green Belt outside of the settlement of Seer Green. To the south-west of the site, the site abuts a parcel of open land before ribbon residential development begins along the frontage of Chalfont Road. Across the road from the site, to the south-east, there is also ribbon residential development fronting Chalfont Road and a number of residential cul-de-sacs and side roads. To the north and to the west, the site abuts Oldfield's Equestrian Centre and open countryside. The site is currently free from any built-form.
- 2.2 The application is submitted as an outline application for the development of the site to provide eight detached houses with associated access and parking arrangements.
- 2.3 All matters are reserved (access, appearance, landscaping, layout and scale) and are to be determined at a later date and subject to a further application. This application mainly relates to the principle of the proposed development.
- 2.4 Nonetheless, an indicative site plan has been submitted which shows eight detached dwellings of identical appearance to be laid out in a linear arrangement with frontages onto Chalfont Road. The dwellings would be set back from the highway, behind a hedgerow, whilst an access road runs along the dwellings' frontages. Dwellings would each have two parking spaces to be laid out on hardstanding to the side and would be served by private residential gardens. A single access point onto Chalfont Road would be provided. It should be reiterated that this is only indicative.
- 2.5 The following documents have been submitted in support of the application:
 - Affordable housing form
 - Planning statement
 - Preliminary ecological appraisal
 - Surface drainage report
 - Surface water technical note
 - Transport statement

3.0 Relevant Planning History

- 3.1 CH/2015/1401/FA - Creation of vehicular access and erection of entrance gates, conditional permission.
- 3.2 CH/2015/0994/FA - Creation of a vehicular access and erection of entrance gates, withdrawn.
- 3.3 CH/2015/0632/AGN - Creation of vehicular access, refused.

4.0 Summary of Representations

- 4.1 The Parish Council has objected to the proposal and raised particular concerns with regards to: the drainage of surface water; traffic and parking; sustainability of the development; and biodiversity enhancement.
- 4.2 Thirty-four letters of objection have also been received.

5.0 Policy Considerations and Evaluation

- National Planning Policy Framework (NPPF), February 2019.
- National Design Guidance, October 2019
- Core Strategy for Chiltern District - Adopted November 2011:
- Chiltern District Local Plan adopted 1 September 1997 (including alterations adopted 29 May 2001), consolidated September 2007 and November 2011.
- Affordable Housing Supplementary Planning Document (SPD) - Adopted 21 February 2012
- Chiltern and South Bucks Community Infrastructure Levy (CIL) Charging Schedule
- Burnham Beeches Special Area of Conservation (SAC) Mitigation Strategy, March 2020
- Buckinghamshire Parking Guidance, 2015

Principle and Location of Development

Core Strategy Policies:

CS1 (The spatial strategy),

CS2 (Amount and distribution of residential development 2006-2026),

Local Plan Saved Policies:

H3 (Provision of new dwellings in the built-up areas excluded from the Green Belt (other than in accordance with Policies H2, H4 & H7)),

GB2 (Development in general in the Green Belt)

- 5.1 The application site is located in the Green Belt outside of Seer Green. Chapter 13 of the NPPF states that the Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. Paragraph 143 of the NPPF specifically states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, any other harm resulting from the proposal, is clearly outweighed by other considerations. Paragraph 145 states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt, unless the proposed development meets one of the 'exceptions' listed in Paragraph 145.

- 5.2 One of the 'exceptions' - Criterion 'E' - allows for limited infilling within villages.
- 5.3 In this instance, the site is located entirely within the Green Belt where the site is bordered on three sides by open countryside (there is ribbon residential development across the road from the application site). The site is in agricultural use and devoid of any built form.
- 5.4 It is therefore not "infilling" and the proposal would not accord with Criterion E of Paragraph 145 of the NPPF which relates to limited infilling. Limited infilling is defined in the Council's Local Development Plan Policy GB4 as 'the construction of one or two dwelling(s) in a small gap in an existing row of dwellings and other substantial buildings, which form an otherwise fully developed frontage to a road.' In this instance, although the site does have a frontage onto an existing highway, it would not be bordered by residential development along this side of Chalfont Road, instead being bordered by open land to the west and north, and an equestrian centre to the east.
- 5.5 In addition, it is considered that the site is outside of the defined boundaries of the settlement of Seer Green, given that the development would be located beyond the residential development located along the north side of Chalfont Road and would be bordered by agricultural land to the north and west and equestrian land to the east. Given that there would be open parcels of land surrounding the site, the development would fail to appear as an 'infill'. It is also not "within a village" and therefore fails Criterion E entirely. This position is supported by appeal decisions and established case law. It is therefore considered that the proposal would not accord with Criterion E and would not represent limited infilling.
- 5.6 Based on the above, as per the provisions of the NPPF and Local Plan Policy GB2, the proposal would fail to meet any of the exceptions to development as stated in Paragraph 145 of the NPPF. The proposal would therefore constitute inappropriate development. Paragraph 143 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The Applicant would therefore need to present a case for very special circumstances that cannot be replicated on other sites and which would, on balance, overcome the harm to the Green Belt and any other harm identified.
- 5.7 In addition, the Spatial Strategy for Chiltern set out in Core Strategy Policy CS1 provides the context for shaping the future of the Area. It sets out the way in which necessary development will be accommodated and sets the context for achieving the strategic objectives and provides a framework for Core Strategy Policies. The overall approach of the Spatial Strategy is to protect the Chilterns Area of Outstanding Natural Beauty and Green Belt by focusing new development on land within existing settlements not covered by those designations. The application proposes a development of eight dwellings

outside of an existing settlement boundary and within the Green Belt. As such, the proposal would be contrary to the aims of the Spatial Strategy and contrary to Policy CS1 of the Core Strategy. The benefits of the scheme would need to be weighed up against this identified harm and any other harm identified.

- 5.8 Finally, it is noted that this is an outline application with all matters reserved for subsequent approval (i.e. layout, scale, appearance, access and landscaping). The application will be assessed on this basis.
- 5.9 The Development Plan comprises the Core Strategy adopted November 2011 and the Chiltern District Plan adopted 1997 in which policies have been saved. Both plans were proposed to be replaced by the Chiltern and South Bucks Local Plan 2036, however this has since been withdrawn and accordingly carries no weight. As such, this proposal will be assessed against the extant Development Plan policies and the NPPF.
- 5.10 Nonetheless, as part of the evidence base for the emerging Chiltern and South Bucks District Local Plan 2036, the Council undertook a Green Belt assessment into the strategic role of the Metropolitan Green Belt in the Chiltern and South Bucks Districts. This strategic Green Belt review assessed the parcels of land within the Green Belt within the Districts against the five purposes of the Green Belt defined by the NPPF and made recommendations as to where possible changes to Green Belt boundaries could be undertaken. Given the location of this site in the Green Belt, it is considered that the strategic Green Belt review is a material consideration in the determination of this current application.
- 5.11 To this end, it is noted that, following the outcome of the initial Green Belt assessment, this land parcel was not bought forward as a potential Green Belt exception site and it was not bought forward as part of the Green Belt Assessment Part Two or as part of the (former) Emerging Chiltern and South Bucks Districts Local Plan 2036. The Council therefore considers that this parcel of land continues to meet the purposes of the Green Belt, as set out in the NPPF.
- 5.12 Chapter 13 of the NPPF relates to the Government's protection of Green Belt land. Paragraph 134 of the NPPF sets out the five purposes of the Green Belt:
 - a) To check the unrestricted sprawl of large built-up areas;
 - b) To prevent neighbouring towns merging into one another;
 - c) To assist in safeguarding the countryside from encroachment;
 - d) To preserve the setting and special character of historic towns; and
 - e) To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
- 5.13 As part of the initial Green Belt assessment referred to above, this parcel of land was not earmarked for removal of the Green Belt. Given the location of the site, on the outskirts of the settlement of Seer Green, along the north side

of Chalfont Road where it is bordered on three sides by open land and beyond the existing residential development along this side of the road, it is clear that the development proposal would encroach into open land and fail to comply with the majority of the purposes of the Green Belt as defined by the NPPF. Although not a large built-up area, development on this site would lead to development beyond the defined settlement boundaries and it would increase urban sprawl into the surrounding open landscape. Again, although not of a large enough scale, the proposed development would extend beyond the existing settlement boundaries, and towards neighbouring towns, particularly Chalfont St Giles. It would clearly encroach into the existing countryside. Furthermore, development of this site fails to take into account the opportunities for redeveloping previously developed land in the vicinity and in the built-up areas in the locality. Therefore, it is immediately clear that the proposal would fail to ensure that this part of the Green Belt accords with its purposes, as defined by the NPPF.

- 5.14 Although this application is submitted in outline only, with all matters reserved, and therefore details of the scale, layout and appearance of the resultant development have not been provided, any development and built form on this currently open agricultural site would have a detrimental impact on openness. There would be the introduction of built-form where there is presently none and the resultant dwellings, roads, gardens etc. would extend the urban character beyond the existing settlement boundaries. No matter how modestly proportioned the resultant dwellings are, the erection of eight dwellings on a currently open site and their associated infrastructure would have both a spatial and visual impact on openness, and would change this part of the character of the Green Belt. Given the open nature of the surroundings, development of the site would also have a detrimental impact visually, on longer range views from the adjacent Green Belt land.
- 5.15 There is no doubt that the development of this site would have a harmful impact on the openness of the Green Belt and it is reiterated that this parcel of land was not earmarked for removal of the Green Belt as part of the LPA's Green Belt Assessment or as part of the Emerging Chiltern and South Bucks Districts Local Plan 2036 (now withdrawn). It has been, and remains, considered that, this site continues to meet the five purposes of the Green Belt. As is stated in Paragraph 133 of the NPPF, the Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.
- 5.16 Based on the above, and given the identified harm to the openness of the Green Belt, the development proposal can only be considered acceptable if the very special circumstances put forward by the Applicant are considered to

outweigh the identified harm to the Green Belt and any other harm identified. The case for very special circumstances will be reviewed in the conclusion section of this report.

Raising the quality of place making and design

Core Strategy Policies:

CS4 (Ensuring that the development is sustainable)

CS20 (Design and environmental quality)

Local Plan Saved Policies:

GC1 (Design of development)

GC4 (Landscaping throughout the district)

H11 (Distance between flank elevation(s) of a proposed multi-storey dwelling and boundary of dwelling's curtilage)

- 5.17 Seer Green is a large village situated on the southern slopes of the Chiltern Hills. There are 13th to 14th century records of Sere or La Sere manor in the area. The historic core of Seer Green is located at the junction of Orchard Road and Chalfont Road. The flint and brick parish church was built in 1846 and the village green is largely surrounded by the original pre-20th century buildings. In the early years of the Metropolitan railway, stations this far from London were seen as places for recreation, and the station was built to serve Beaconsfield Golf Club. The 1920s and 1930s saw considerable development in Seer Green, with large villa residencies built along Long Bottom Lane and Long Grove. To the north of the village, detached houses were built for middle class London commuters. The northern section of Grove Road was developed between 1955 and 1975 following a similar model of closely spaced detached houses. Since 1975 several sites have been redeveloped, and a large new development has taken place on backland in the centre of the village. This largely consists of closely spaced houses on compact building plots. Large parts of this development adopt a Radburn Layout with housing arranged around cul-de-sacs, facing public greenspace in the centre of the block.
- 5.18 Seer Green is thus unusual as it has largely developed from the “outside in”, with the original core, a northern extension and the southern sections built first, and the central sections infilled later. It is a clustered settlement, with a looped street pattern creating several very large blocks, with the reminder infilled with a dendritic street and block pattern.
- 5.19 The northern edge, where the application site is located on Chalfont Road, has various residential cul-de-sacs to the SE but is open on the NW side of the street, creating a gap between the edge of the village and Oldefields Equestrian Centre. The development peters out along the NW side of the street, creating a semi-rural character, with no pavement and the last two houses being set back behind treed frontages. This then leads to the application site, which is rural in appearance, consisting of an open

field/paddock, behind a rural hedge. The character of this side of the street is very different to the SE side, which is more residential in character, with a pavement and the houses being more visible.

- 5.20 As this application is submitted in outline only, with all matters reserved, details of the appearance, means of access, landscaping, layout and scale are reserved for subsequent approval. Nonetheless, an indicative site plan has been submitted as part of this application which shows the creation of a linear development of eight detached dwellings which would be set back from the highway, along a private access drive, and which would be accessed via a single access point onto Chalfont Road.
- 5.21 The proposed development would thus create a row of dwellings along the street. Although all matters are reserved for subsequent approval, this is a necessity of the layout, given the shape of the site. Therefore it would extend the built form of the village northwards along the road, beyond the semi-rural section described above. It would create a linear row, as ribbon development out of the village. This contrasts sharply with the historical development and the resulting present character of the village as a nucleated and clustered settlement. As such it is not considered that the proposal would be sympathetic to the layout or block pattern of the village. A ribbon development extending out of the village would close off the gap between the village and the nearby farm, thus losing the character of this semi-rural part of the street. As such, it is considered the proposal would adversely affect the appearance of the area and would not be sympathetic to the character of the village.
- 5.22 Furthermore, the indicative layout provided shows a double ended cul-de-sac which, again, would be necessity for the final layout, given the shape of the site. This would be untypical of the wider village layout and would result in cars parking in prominent locations around the turning heads, as they are poorly designed. Thus, it is likely to appear as a car dominated environment, further harming the character of the area.

Environmental issues

Core Strategy Policies:

CS4 (Ensuring that development is sustainable)

CS20 (Design and environmental quality)

CS24 (Biodiversity)

Local Plan Saved Policies:

GC4 (Landscaping)

- 5.23 Section 99 of the ODPM Circular 06/2005 which accompanies the NPPF states that it is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established

before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision.

- 5.24 To this end, the Applicant has submitted a Preliminary Ecological Appraisal which is being reviewed by the Council's Ecology Consultant. The conclusions of this will be reported verbally at the Planning Committee meeting.
- 5.25 In addition, the site is located within the 5.6 km zone circling Burnham Beeches Special Area of Conservation (SAC). Due to the increase in dwellings on this site, it is considered that the proposal would likely result in increasing recreation pressure on the SAC and so mitigation measures are considered necessary to rule out the adverse effects on the integrity of the SAC. To this end, in line with the guidance from Natural England, the Applicant would need to make a financial contribution towards the Burnham Beeches Access Management Scheme or any subsequent scheme that replaces this. This financial contribution can be secured by way of a legal agreement. However, no such Agreement has been completed and therefore there is no method of securing the contribution. Objections are therefore raised.
- 5.26 With respect to landscaping, it is noted that landscaping is to be determined at the reserved matters stage and so no details have been submitted for assessment as part of this outline application. Nonetheless, there are concerns that the intrusion of the development into the landscape would have a negative impact on the local rural landscape character of the area. Development on this site would result in urban encroachment into this parcel of land, beyond the existing settlement boundaries. It is unlikely that an acceptable landscaping scheme could be implemented on site that overcomes the harm caused by the erection of eight dwellings on this site which would erode the rural landscape character and open setting of this part of Seer Green, in an important rural transition zone northwards out of the village.

Flooding and drainage

Core Strategy Policy:

CS4 (Ensuring that development is sustainable)

Local Plan Saved Policy:

GC10 (Protection from flooding in the areas as defined on the Proposals Map and)

- 5.27 The application site is located in Flood Zone 1, however concerns have been raised by the Parish Council and numerous third parties in relation to local flooding. The SuDS Officer has reviewed the submitted drainage information and confirmed that the applicant has completed infiltration rate testing of the site to confirm the suitability of infiltration as a means of surface water disposal. They have removed their previous objection to the proposal, subject to compliance with conditions, in the event that planning permission is granted.

Amenity of existing and future residents

Local Plan Saved Policies:

GC3 (Protection of amenities)

H12 (Private residential garden areas)

- 5.28 As the application is submitted in outline only, with scale, appearance and siting to be determined at a later stage, it is not possible to assess fully the impact of the development on neighbouring amenities. Nonetheless, taking into account the site's relationship to neighbouring properties, and given the separation between the site and neighbouring properties, it is concluded that a scheme could be erected at the development site that is not overbearing to neighbouring properties. Furthermore, there is sufficient space within the site to orientate and layout dwellings in such a manner so as to ensure that there is no unacceptable degree of intrusion into neighbouring properties. The use of obscure glazing where appropriate, can also prevent intrusion and overlooking into and between the proposed dwellings on site. There is adequate space on site to maintain sufficient separation between the proposed dwellings and existing neighbouring properties (which are located at a sufficient distance away from the application site).
- 5.29 Local Plan Policy H12 relates to private residential garden areas throughout the District. It states that throughout the District, the Council will expect private garden areas to be included which conform to the following criteria as appropriate for the type of dwelling proposed. If the criteria are not met, planning permission will be refused. Each new house should have a private garden area adequate for and appropriate to the size, design and amount of living accommodation proposed. The general standard expected will be a minimum rear garden depth of about 15 metres, except in the following situations: a) where average garden lengths in the vicinity of the development site are significantly more than 15 metres, the garden lengths of the proposed houses should be similar to those in the surrounding area; b) where average garden lengths in the vicinity of the development site are significantly less than 15 metres, the garden lengths of the proposed houses should be similar to those in the surrounding area; and c) in cases where adequate private amenity space exists within the application site or where the rear site boundary abuts a public bridleway or footpath, an open field, open countryside, a recreation ground or a play field, a reduced garden depth may be acceptable.
- 5.30 As layout is a reserved matter, the submitted plans are indicative only. Nonetheless, it is considered that given the likely type and size of property to be provided, adequate amenity space could be provided for future occupiers of the development given the size of the site. It is further noted that the site lies adjacent to open countryside and public footpaths and bridleways. These would all provide additional levels of visual amenity for future occupiers,

ensuring that the development meets with the requirements of Local Plan Policies H12 and GC3, and the aims of the NPPF.

- 5.31 The site is sufficient to accommodate space for waste vehicles and waste and recycling receptacles at each property. The Waste Officer would require the submission of vehicle tracking plans showing a waste/recycling vehicle entering the site in a forward gear and completing a turn, as part of an application for reserved matters, in the event that planning permission is granted at outline stage. Details of waste and recycling bin storage would also be required.

Transport matters and parking

Core Strategy Policies:

CS25 (Dealing with the impact of new development on the transport network)

CS26 (Requirements of new development)

Local Plan Saved Policies:

TR2 (Highway aspects of planning applications)

TR3 (Access and road layout)

TR11 (Provision of off-street parking for developments)

TR15 (Design of parking areas)

Buckinghamshire Parking Guidance, 2015

- 5.32 Access to the site would be via an access point onto Chalfont Road. This has been reviewed by the Highway Officer who has confirmed that adequate visibility splays are achievable within land under the control of the Applicant or within land under the control of the Highway Authority. They have also confirmed that the access point can be widened to allow for the simultaneous two-way flow of vehicles alongside pedestrians/cyclists in this location. The Highway Officer has raised no objection to the scheme, subject to compliance with conditions and a Section 106 contribution towards bus service upgrades and rest features in the highway extent – should planning permission be granted. However, no such Legal Agreement has been completed and there is no mechanism to secure this contribution. Objections are therefore raised.
- 5.33 The Buckinghamshire Parking Guidance SPD sets out the residential car parking standards for development sites of up to ten dwellings. For dwellings in this location, three or four-bedroom units would require the provision of three car parking spaces per dwelling. As the application has been submitted in outline only, it is not possible to ascertain the precise number of parking spaces required to serve the development. However, based on the indicative plans and supporting information, it is likely that three parking spaces will be required per residential unit. The submitted indicative layout plan only shows with provision of two parking spaces per unit, with no additional parking for visitors/trades people. There would therefore be a deficiency on site of eight parking spaces which could result in overspill parking and harm to users of the adjacent highway. Nonetheless, given the size of the site, and the fact that the

appearance and layout of the dwellings units have not been agreed, it is considered that adequate parking can be provided, by way of additional forecourt parking or the provision of integral garages, in order to meet with the requirements set out in the Council's parking standards. This could be provided at the reserved matters stage, in the event that this outline planning application is approved.

6.0 Weighing and balancing of issues / Overall Assessment

- 6.1 The site is located in the Green Belt. Paragraph 133 of the NPPF states that the Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 144 of the NPPF states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, any other harm resulting from the proposal, is clearly outweighed by other considerations.
- 6.2 The above assessment sets out that the proposal would constitute inappropriate development and would result in harm to the openness of the Green Belt. The harm identified carries significant weight.
- 6.3 To this end the Applicant has put forward a case for 'very special circumstances'. This is summarised below:
 - The relative position to the existing settlement
 - The need for housing and the dearth of provision in Seer Green
 - Provision of two units of affordable housing
 - The minimal intervention in the street scene
 - The opportunity for improvements to the character of the site
 - The opportunity to produce biodiversity enhancements
- 6.4 Each of the points will be assessed in turn before a conclusion is reached as to whether the very special circumstances are sufficient to outweigh the harm identified.
- 6.5 The Applicant considers that the relative position of the site to the existing settlement is a merit of the proposal. The Council however considers that this carries no weight, as the harm to the character of the area resulting from this site being developed directly conflicts with this argument. The application site does not border other residential development and it clearly falls outside of the settlement boundaries of Seer Green. Although the site would be within walking distance from Seer Green and its settlement infrastructure, this is not

considered to be sufficient to outweigh the harm to the Green Belt resulting from the fact that the site is not connected by built form to other residential development along this side of Chalfont Road. There is also no pavement on this side of the street. The harm from the encroachment into the Green Belt beyond the settlement boundaries is considered to be significant. No justification has been provided as to why this site was chosen over others. Further, development such as this could easily be replicated on other Green Belt sites on the periphery of Seer Green, or in the wider area, so it is not special to this site.

- 6.6 In terms of the need for housing in Seer Green, the Council does not dispute that there is an unmet housing need within the area and that the Council does not have a five-year housing land supply (it currently stands at 4.18 years). Whilst the provision of additional housing attracts significant weight, the modest supply of just eight dwellings makes this only carry limited weight. It is considered that the level of units proposed would not make a significant contribution to the unmet housing need so as to weigh significantly in favour of the development. Furthermore, the Applicant has not demonstrated that this type of proposal or dwelling is required in Seer Green and thus providing further justification for the proposal in this location.
- 6.7 Two units of affordable housing would be provided. This too carries limited weight. The two units would provide affordable accommodation in an area where there is a shortage of such provision, however, again, two units is not considered to be substantial enough to outweigh the identified harm to the Green Belt.
- 6.8 The Applicant states that there would be minimal intervention in the street scene. Officers wholly dispute this, given the harm to the character of the area identified above, and therefore this carries no weight whatsoever. The site is currently open agricultural land with no built form. It is fronted by a rural hedgerow. It is characteristic of the wider agricultural land and contributes to the rural character of the area, especially as it is part of an important transition zone out of the village, in a gap between the edge of the settlement and the nearby farm. Development of the site by way of the erection of eight detached dwellings, an access road and the associated infrastructure that would come, along with the urbanisation of the site, would change the appearance of the site from the street scene and would change the character of the site. Although a hedgerow would be retained along the front boundary, the dwellings and parked cars would still be visible, thus changing the character and appearance of the site from the public realm.
- 6.9 The Applicant also states that the proposal would result in the opportunity for improvements to the character of the site. Officers strongly dispute this somewhat spurious point. The site currently comprises open countryside

which is entirely appropriate for the Green Belt location. Residential development that does not meet one of the exceptions to development in the NPPF, and inappropriate development is not considered to improve the rural character of the site. Consequently this carries no weight whatsoever.

- 6.10 The proposal is stated to result in the opportunity to produce biodiversity enhancements. However, the biodiversity improvements would result in the need to secure a biodiversity net gain, having first potentially harmed ecology as a result of urbanising the rural site and removing areas of hedgerow to facilitate an access of an appropriate width. This is again a somewhat spurious point, as clearly an urban development would not result in a biodiversity enhancement over a rural field and hedgerow.
- 6.11 To conclude, government guidance set out in the NPPF is clear that inappropriate development should not be approved except in very special circumstances. Very special circumstances will not exist unless the harm unless potential harm to the Green Belt by reason of inappropriateness, and any other harm is clearly outweighed by other considerations. In this instance it is considered that the proposal would not comply with any of the exceptions to development as set out in Paragraph 145 of the NPPF. At the same time, the case for very special circumstances is considered to be extremely weak, and these arguments could easily be replicated on many other sites in the Green Belt. As such, it is considered that in this instance there are no very special circumstances sufficient to outweigh the harm caused to the Green Belt by the reason of inappropriateness and the other harm identified. The NPPF is clear in that protection of the Green Belt provides a clear reason for refusing development and in this instance other harm has also been identified. The presumption in favour of sustainable development in Paragraph 11 of the NPPF is therefore not engaged, and this application is recommended for refusal.
- 6.12 In determining the planning application, section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. In addition, Section 143 of the Localism Act amends Section 70 of the Town and Country Planning Act relating to the determination of planning applications and states that in dealing with planning applications, the authority shall have regard to:
- a. Provision of the development plan insofar as they are material,
 - b. Any local finance considerations, so far as they are material to the application (such as CIL if applicable), and,
 - c. Any other material considerations
- 6.13 As set out above it is considered that the proposed development would fail to accord with the development plan policies and provisions of the NPPF.

6.14 Local Planning Authorities, when making decisions of a strategic nature, must have due regard, through the Equalities Act, to reducing the inequalities which may result from socio-economic disadvantage. In this instance, it is not considered that this proposal would disadvantage any sector of society to a harmful extent.

7.0 Working with the applicant / agent

7.1 In accordance with paragraph 38 of the NPPF (2019) the Council approaches decision-taking in a positive and creative way, taking a proactive approach to development proposals focused on solutions and work proactively with applicants to secure developments.

7.2 In this instance, the proposal did not accord with the Development Plan and given the strong objections in principle, no material considerations existed that would outweigh the harm identified. It was not considered that any amendments would have made the application acceptable, so it has been recommended for refusal on the basis of the original submission.

8.0 Recommendation:

Refuse permission for the following reasons:-

1. Within the Green Belt, most new development is considered to be inappropriate and there is a general presumption against such development. Development which is not inappropriate is set out in Local Plan Policy GB2 and the National Planning Policy Framework. A residential scheme of the type proposed within the open Green Belt is inappropriate development which, by definition, is harmful to the Green Belt. Furthermore, the introduction of a residential development comprising eight dwellings would result in a loss of openness which is an essential characteristic of the Green Belt. It would also fail to safeguard the countryside from encroachment and to check the unrestricted sprawl of the built up area to which it adjoins which are two of the main purposes of the Green Belt. No very special circumstances exist that are sufficient to outweigh the harm caused to the Green Belt by the reason of inappropriateness and other harm identified. As such, the proposal is contrary to Policy GB2 of the Adopted Chiltern Local Plan 1997 (including alterations adopted May 2001) Consolidated September 2007 & November 2011 and the National Planning Policy Framework, 2019.
2. Seer Green is a clustered settlement, with a looped street pattern infilled with a dendritic street and block pattern. The northern edge, where the application site is located, is open on the NW side of the street, creating a gap between the edge of the village and the nearby equestrian farm. The development tapers out along the NW side of the street, creating a semi-rural character, leading to the application site, which is rural in appearance, consisting of an open field behind a rural hedge. The

proposed development would create a linear row of dwellings, extending the built form of the village northwards as a ribbon development out of the village. This contrasts sharply with the historical development and the resulting present character of the village as a nucleated and clustered settlement. The proposal would therefore not be sympathetic to the layout or block pattern of the village. It would close off the gap between the village and the nearby farm, thus losing the character of this semi-rural transition zone out of the village. Furthermore, the indicative layout shows a double ended cul-de-sac which would be overly suburban and untypical of the wider village layout, resulting in a car dominated environment, further harming the character of the area. As such, the proposal would adversely affect the appearance of the area and would not be sympathetic to the character of the village. The proposal is therefore contrary to Policy GC1 of the Adopted Chiltern Local Plan 1997 (including alterations adopted May 2001) Consolidated September 2007 & November 2011, Policy CS20 of the Core Strategy for Chiltern District - Adopted November 2011, and the National Planning Policy Framework, 2019.

3. The application site is located within 5.6km of the internationally designated Burnham Beeches Special Area of Conservation (SAC). Recreation within Burnham Beeches has resulted in an adverse impact on the health of the site. New evidence has demonstrated that new housing within 5.6km of the Burnham Beeches Special Area of Conservation (SAC) can be expected to result in an increase in recreation pressure which would adversely impact upon the conservation objective of the SAC. The proposal would be likely to have a significant effect on the SAC, either alone or in combination with other plans and projects due to the fact that it would not be providing or making an appropriate contribution towards acceptable avoidance and mitigation measures. As such, the proposal is contrary to CS24 of the Core Strategy for Chiltern District - Adopted November 2011, The Conservation of Habitats and Species Regulations 2017 (as amended), and the National Planning Policy Framework, 2019.
4. Policy CS31 of the Core Strategy sets out that infrastructure requirements arising as a consequence of development should be satisfactorily addressed as part of the planning application process. In this respect, a financial contribution to provide additional transport services to meet local demand and highway improvements will be required, however, no legal agreement has been completed as part of the application to secure these required financial contributions. There are therefore no mechanisms to provide the required contributions to local infrastructure and the application is contrary to Policy CS31 of the Core Strategy for Chiltern District (Adopted November 2011).

APPENDIX A: Consultation Responses and Representations

Consultation Responses:

Ecology Officer: The site is within the impact risk zone to assess planning applications for likely impacts on Burnham Beeches SAC, as it comprises a residential development with a total net gain in residential units within 5.6km of the boundary of the SAC. Burnham Beeches SAC Strategic Access Management and Monitoring Strategy Supplementary Planning Document (SPD) states that an appropriate assessment and mitigation measures need to be provided, to avoid adverse effects on the integrity of the SAC from cumulative impacts of development.

Hodgemoor Woods SSSI is located c. 750m to the north of the application site. The proposals are not expected to have any impact on this site.

The application site comprises of an improved grassland field which is bounded by a native, species-rich hedgerow on the south-east boundary and a line of trees on the south-west boundary.

The south-eastern boundary hedgerow is a Habitat of Principal Importance. A Hedgerow survey against the Hedgerow Regulations (1997) to assess if the hedgerow qualifies as 'important' was not carried out. However the hedgerow is species-rich, and an assessment should be carried out to determine if it qualifies as an important hedgerow. Part of the hedgerow will be removed for access under the proposed plans.

In line with current planning policy (NPPF, 2019) net gains for biodiversity must be delivered. A Defra Biodiversity Metric 3.0 or Biodiversity Impact Assessment (BIA) must be undertaken in order to transparently demonstrate how the outline application is capable of delivering a net gain for habitats on site. The loss of the area of grassland habitat cannot be compensated by gains from linear habitats (hedgerows) as indicated, and must be compensated by gains in areas of habitats (for example, wildflower grassland, SuDs designed for biodiversity, native scrub and trees etc). The results of the metric may require changes to the submitted Site Plan. Recommendations for the creation of habitats should be integrated into the design to maximise outputs for biodiversity.

The PEAR and Site Plan includes potential opportunities for new tree, shrub, grassland creation and wildlife habitat. Once the BIA has been completed and the Site Plan amended accordingly, then net gains for biodiversity could be secured via a suitably worded planning condition requiring a Landscape and Ecology Management Plan (LEMP) to be submitted at reserved matters stage. The LEMP will detail planting schedules and secure long-term management and monitoring of the site.

Protected and notable species:

There are no known water bodies within 500m of the application site and I agree that great crested newts are unlikely to be present on site.

At present, the grassland is heavily grazed and comprises a short sward, which is unlikely to support reptiles. I agree that reptiles are unlikely to be affected by the proposals. Should the 3 of 5 management of the grassland change in future and allowed to grow long/tussocky, a further assessment and reptile survey may be required.

No evidence of badger was present on site or within 30m of the site where access was allowed. However the habitats on site provide suitable habitat for badger foraging and sett building.

The hedgerows and trees on the site boundaries provide suitable habitat for nesting birds. Due to the proposed removal of part of the hedgerow for the access road, vegetation removal work should be timed to avoid the nesting bird season (March to September), or if this is not possible, a nesting bird check be undertaken by a suitably qualified ecologist. There is one tree with low bat roost potential which has been identified within the southeastern hedgerow. The tree is expected to be retained within the development. However should the tree require removal, mitigation measures including soft-felling techniques will be required.

A suitable condition should be attached to secure a Construction Environmental Management Plan (CEMP) at the reserved matters stage. Specifically the CEMP should ensure details of species and hedgerow and tree protection measures and protected and notable species (including bats, hedgehog, badger, nesting birds) during all phases of the construction works. This is to ensure that any development is conducted in an appropriately sensitive manner.

The habitat enhancements proposed in the PEAR within the proposed residential development includes bat boxes, bird boxes and hedgehog shelters and 13cm hedgehog holes in fencing/walls. The habitat enhancements are welcomed and should be incorporated into any detailed design of development within the Landscape and Ecological Management Plan (LEMP).

Any external lighting scheme must be sensitively designed in line with the recommendations of the report to avoid the hedgerow and woodland habitats around the boundaries of the site to avoid impacting on bat foraging/commuting routes.

Amphibian friendly gully pots set away 10cm from the kerb or inset 'wildlife kerbs' should be included on the new roads within the development to avoid amphibian deaths from being trapped in any road gullies. Amphibian ladders are a last resort, as they require maintenance and removal prior to cleaning the gully pots. We would firstly recommend the provision of 'wildlife kerbs', dropped kerbs or drains 10cm away from edge of kerb to mitigate deaths, prior to consideration of use of ladders. The details should be included within the LEMP.

Biodiversity Net Gain (BNG) is an approach to development that leaves biodiversity in a better state than before. BNG protects existing habitats and ensures lost or degraded habitats are compensated for by restoring or creating habitats that are of greater value. This development needs to demonstrate measurable net gains for biodiversity and the following evidence submitted.

Environmental Health Officer: The historical maps indicate that the site has had an agricultural use, inferred by the presence of field boundaries on the map for the 1874-1891 epoch, the site remains undeveloped on the map for the 1960 -1976 epoch, which is the last available map. The current use of the site is described as a horse paddock.

The proposed development site has had an agricultural use. There are associated risks from landfilling, storage and use of fuels, fertilisers, pesticides and herbicides, asbestos containing materials in buildings and other activities as outlined in the Department of Environment Industry Profiles.

Residential developments are considered to be sensitive end uses. The proposed development will introduce private gardens and potentially critical receptors.

Based on this, the contaminated land condition is recommended on this and any subsequent applications for the site.

Highway Officer: Chalfont Road is a 'C' class road which in this location is subject to a speed restriction of 30mph. Proposals seek outline planning consent with all matters reserved for the erection of 8(no) 4-bed detached houses with associated access road and parking. I am aware that this section of land was under consideration as part of the HELAA (Housing Employment Land Availability Assessment), however was not included for assessment past the initial stage.

When considering trip generation, I would expect a dwelling in this location to generate in the region of 4-6 vehicular movements (two-way) per day, and as such in total, I would expect the development as a whole to generate in the region of 32 – 48 vehicular movements (two-way) in total. I can confirm that the Local Highway Network in the vicinity of the site is capable of accommodating this level of vehicular movements.

As Chalfont Road is subject to a speed restriction of 30mph, visibility splays of 2.4m x 43m are applicable, commensurate with current Manual for Streets guidance. Having reviewed the submitted plans, I can confirm that these splays are achievable within land under the control of the applicant or within land under the control of the Highway Authority. The existing access point is to be widened to 4.8m, which I can confirm is acceptable and would allow for the simultaneous two-way flow of vehicles alongside pedestrians/cyclists in this location.

In terms of sustainability, a bus stop is located immediately outside the site, linking Seer Green to Beaconsfield and Uxbridge. Having spoken to colleagues in Passenger Transport, this stop does not meet accessibility requirements and as such will need to be upgraded as part of a Section 106 agreement. The site is within reasonable walking distance to local amenities and public transport opportunities.

Mindful of the above, this application is acceptable in Highway terms.

Natural England: Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development. Due to new evidence coming to light as part of the evidence base for the emerging Chiltern and South Bucks Local Plan, Natural England recognises that new housing within 5.6km of the internationally designated Burnham Beeches Special Area of Conservation (SAC) can be expected to result in an increase in recreation pressure.

The 5.6km zone proposed within Policy DM NP3 of the emerging Chiltern and South Bucks Local Plan represents the core area around the SAC where increases in the number of residential properties will require Habitats Regulations Assessment. Mitigation measures will be necessary to rule out adverse effects on the integrity of the SAC from the cumulative impacts of development.

SuDS Officer: Following the LLFA's previous consultee response on 4th June 2020, the applicant has completed infiltration rate testing of the site to confirm the suitability of infiltration as a means of surface water disposal.

The LLFA removes our objection to the above proposals, subject to compliance with conditions.

Representations:

Parish Council: We write to express our opposition to the Outline Application regarding a possible development of eight detached houses. A similar arrangement was proposed under a pre-application enquiry (your reference CH/2018/40029/IQL). The proposal was then for six dwellings. The pre-application enquiry advised that the proposed site plan had its merits but rejected the proposal as inappropriate development in the Green Belt. The new outline application has increased the number of houses to be built to eight.

Prior to 2018, application No.CH/1191/84 of 21 June 1984 for the development for residential purposes with access from Chalfont Road on OS plots 5436 and 7229 at Chalfont Road, Seer Green, was also rejected.

We also understand that this area of land was rejected for possible development at Stage 1 of the HELAA under the emerging Chiltern & South Bucks Local Plan.

With regard to the content of the Outline Application, our observations include, but are not limited to, the following in particular:

1. Drainage of surface water:

This is a major concern. Last winter, this area of Chalfont Road was so badly flooded for over 9 weeks that it had to be closed as it was impassable. This closure seriously impacted nearby businesses and the emergency services. Nearby Rawlings Lane and Bottom Lane also experienced similar flooding issues. In the course of investigations into why the drainage appeared to be failing, it appeared that some of the owners of the flooded fields adjacent to the road were draining excess surface water illegally into the important drainage ditches along this stretch of road which overwhelmed the gullies and bore holes. The landowners have been served with enforcement orders to cease this activity but the issues are ongoing. The area struggles with a high water table and houses in Howard Crescent that also back on to this area of land experienced flooding in their gardens. The proposed surface water treatment for the proposed houses states that the development 'will seek at least 50% attenuation of surface water' by means of drainage into two swales. At the same time, the Planning Statement recognises that the development will render most of the land surface impermeable. We are deeply concerned that these houses will exacerbate an already serious problem with their inability to cope with all the surface water.

2. Traffic and parking:

This proposed development is situated opposite Manor Road and almost opposite the entrance to Park Place, which leads to Seer Green's Recreation Ground. The Recreation Ground is heavily used, particularly by families with young children (there is a Montessori Pre-School within the Recreation Ground), dog walkers and older members of our community in addition to allotment holders and users of the Scout Hut. The plan for the development envisages two parking spaces for each 4-bedroom house, plus 12 additional 'visitor' parking spaces 'if necessary'. If operating at full capacity, the increase of traffic entering and exiting the development, especially at peak times with limited vision splay, would, in our view, constitute a danger to oncoming traffic (accelerating out of the village) and unwary pedestrians. At present, the entrance to the land is used possibly twice a day by one or two farm vehicles. Furthermore, there is no mention of access for emergency vehicles or waste collection vehicles; it follows that if all the 12 'visitor' parking spaces are used, there would be no room for turning circles for such emergency and waste collection vehicles.

3. Sustainable development:
Emphasis has been placed on the Architects' view that Seer Green is a 'sustainable development area', but as Buckinghamshire Council is well aware, the village has recently lost valuable community and commercial assets and our local businesses are small and limited. With one small parade of village shops, our residents need to go further afield for all requirements, be it shopping, Post Office, medical, dental etc.
4. Biodiversity enhancement:
The Planning Statement draws attention to the development enhancing the biodiversity of the site; however, this biodiversity enhancement simply takes the form of protecting existing hedgerows and possibly further planting if necessary, (which would be expected) and the installation of bird boxes.

Conclusion:

Seer Green Parish Council feels strongly that the 2018 decision from Chiltern District Council was correct and that the rejection of this land for possible development (Stage 1 of the HELAA) was justified. The parcel of land is still in the Green Belt, which is the overriding consideration, and we feel that if this application were to be approved, this would give rise to further creeping incursions in the Green Belt to the detriment of our village, which prides itself on its individual character in a beautiful setting. Equally, the Council does not feel that the Applicant has made any sort of credible case to have the Green Belt restrictions lifted for their proposed development and has not demonstrated any 'exceptional circumstances' that would validate their Outline Application.

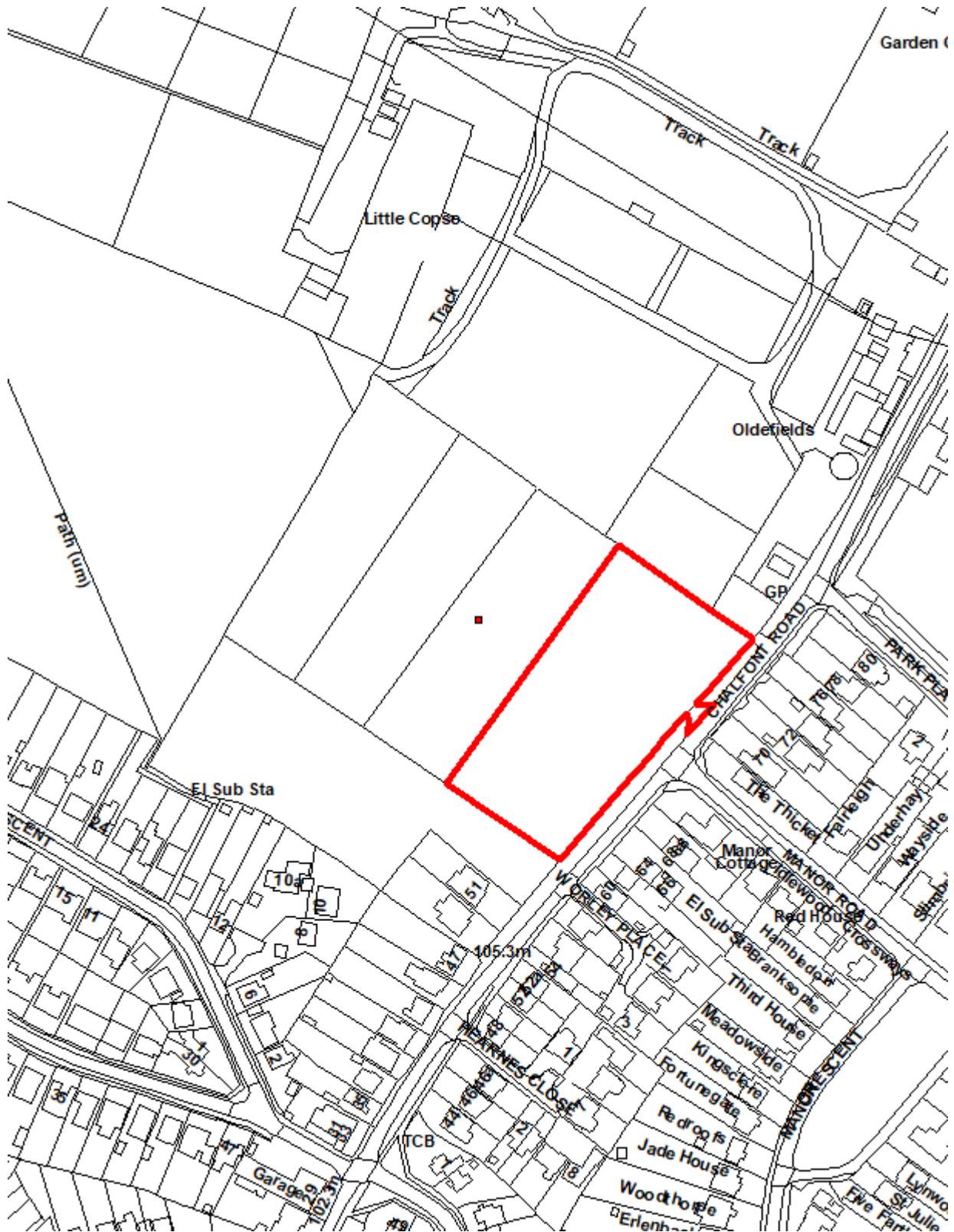
In addition, 34 letters of objection received which are summarised below:

- Site is located in the open Green Belt
- Site was rejected for development at Stage 1 of the HELAA
- Inappropriate development
- Overdevelopment
- Out of character with village
- Impact on ecology, wildlife and trees
- Impact on Burnham Beeches SAC
- No provision of visitor parking
- Unacceptable intensification of junction
- Local facilities limited and stretched
- Noise, light and air pollution
- Loss of view
- Overbearing
- Site regularly floods
- Concern that that it would set a precedent
- Wilton Park will provide local housing
- Dwellings unaffordable to local people
- No acceptable justification
- Not sustainable
- Inadequate and incorrect supporting documents
- Conditions of CH/2015/1401/FA for a new access have not been complied with

Objection from the Beaconsfield Society on the following grounds:

- Development is on previously undeveloped agricultural land located in the Green Belt.
- Lack of parking for eight number, four-bedroom dwelling units.
- Poor and congested access to the new dwellings.
- Creates a dangerous access onto Chalfont Road.
- Loss of trees and other vegetation.
- Loss of wildlife habitat.
- In an area that floods to the point of closing Chalfont Road on occasion.
- Over development of the site.
- Out of character with the surrounding area.
- Site is not identified in the Local Plan for development.
- Local Planning Policy EP3 indicates proposals will be permitted where their scale, layout, siting, height, design, external materials and use are compatible with the character and amenities of the site, adjoining development and the locality in general. This application is not in compliance.

APPENDIX B: Site Location Plan



Do not scale – this map is indicative only

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