

APPENDIX A: Consultation responses and Representations

Councillor Comments

Cllr Martin Tett (Little Chalfont and Amersham Common Ward)

I object strongly to this application. The land is Green Belt and the Buckinghamshire Council has a Corporate policy of protecting and maintaining the Green Belt. Another housing estate does not constitute 'exceptional circumstances'. In addition, the access and egress proposed would not be acceptable. The changes to the Burtons Lane/A404 junction would destroy much of the character of Little Chalfont's Village centre and the proposed widening of Lodge lane would lose the special character of this rural lane and its setting adjacent to the Chiltern AONB. The existing Metropolitan Railway line constitutes a clear physical and defensible Green Belt boundary and should not be breached. Should it be, then I would expect this to lead to further steady encroachment on the Green Belt in the area which is already under threat from the Hertfordshire direction. As a local member I request that this application is called in to Committee.

Cllr Emily Culverhouse (Chess Valley Ward)

I object strongly to this application. The land is Green Belt and the Buckinghamshire Council has a Corporate policy of protecting and maintaining the Green Belt. Another housing estate does not constitute 'exceptional circumstances'. In addition, the access and egress proposed would not be acceptable. The changes to the Burtons Lane/A404 junction would destroy much of the character of Little Chalfont's Village centre and the proposed widening of Lodge lane would lose the special character of this rural lane and its setting adjacent to the Chiltern AONB. The existing Metropolitan Railway line constitutes a clear physical and defensible Green Belt boundary and should not be breached. Should it be, then I would expect this to lead to further steady encroachment on the Green Belt in the area which is already under threat from the Hertfordshire direction. As a local member I request that this application is called in to Committee.

Cllr Gareth Williams (Chess Valley Ward)

Along with my fellow local Councillors, I object strongly to this application. The land is Green Belt and the Buckinghamshire Council has a Corporate policy of protecting and maintaining the Green Belt. I do not believe that the proposed development, which is not in the Local Plan, constitutes 'exceptional circumstances'. As has been noted by my colleagues, the Highways access is also completely unsuitable for a development of this scale. The changes to the Burtons Lane/A404 junction would destroy much of the character of Little Chalfont's Village centre and the proposed widening of Lodge lane would lose the special character of this rural lane and its setting adjacent to the Chiltern AONB. The existing Metropolitan Railway line constitutes a clear physical and defensible Green Belt boundary and should not be breached. Should it be, then I would expect this to lead to further steady encroachment on the Green Belt in the area which is already under threat from the Hertfordshire direction. As a local member I request that this application is called in to Committee if the officers are minded to approve.

Cllr Rachael Matthews (Little Chalfont and Amersham Common Ward)

I strongly object to this application. This land is Green Belt and Buckinghamshire Council has a corporate policy of protecting and maintaining the Green Belt. Another housing estate does not constitute exceptional circumstances. In addition, the access and egress proposed would be unacceptable. The changes to the Burtons Lane/A404 junction would destroy much of the special character of Little Chalfont's Village centre and the proposed widening of Lodge Lane would lose the special character of this rural lane and its setting adjacent to the Chiltern AONB. The existing Metropolitan Railway line constitutes a clear physical and defensible Green Belt boundary and should not be breached. Should it be, then I would expect this to lead to further steady encroachment on the Green Belt in the area which is already under threat from the Hertfordshire direction. As a local member, if officers are minded to approve this application I would like to request it to be called into committee

Cllr Joseph Baum (Chess Valley Ward)

Having reviewed the outline application in detail, there are four key reasons why I object to this application:

1. A premature and inappropriate application Many of us, myself included, accept the need to deliver new homes for local people and for future generations. However, it is also the case that Local Plans are the best means by which those homes, as well as infrastructure, facilities and much more, are delivered.

As the developer is aware, Buckinghamshire Council is currently in the process of preparing a Local Plan which will cover the entire county. This work is ongoing, with the Council stressing the need for a "brownfield first" approach. This application on the green belt is not only contrary to that approach, but it is also a premature application which does not respect the Local Plan process. This site has not benefited from the proper scrutiny which will come through the formulation of a Local Plan for Buckinghamshire.

Approving this application prior to the adoption of a Local Plan would set a dangerous precedent for our area and send a signal to developers that they do not need to respect the Local Plan process in order for them to succeed in building homes. Instead, this application (if consented) would lead to more uncontrolled and speculative applications being submitted in the county. This is bad for local communities and bad for democracy.

2. Building on the green belt is not the only option

The developer will no doubt argue that very special circumstances exist which justify the building of new homes on the green belt. This ignores, of course, the alternative sites that exist here in Little Chalfont (and the wider area) which can deliver the homes that are needed without the need to build on our precious green belt.

A number of these sites have already been put forward as part of the call for sites process, and I understand that there is the potential for others to come forward in the future. Again,

I would urge the Council to acknowledge these alternatives and uphold the "brownfield first" approach, without resorting to building on the green belt which this application asks us to do.

We have seen in Little Chalfont, not to mention our entire country, the extent to which our residents value and cherish our green spaces, and we have seen through initiatives such as the Little Chalfont Nature Park how seemingly redundant areas of land can be transformed to truly benefit a community. I do not believe that this area of green belt is worth sacrificing for housing and I do not believe that very special circumstances exist to justify this premature course of action.

3. The proposed access is, on its own, grounds for refusal

Even if one accepts the argument from the developer that the Local Plan does not matter, and even if one accepts their argument that very special circumstances exist to build on the green belt, the inescapable truth remains that the proposed access to the site is not acceptable. This is not only my conclusion, but the conclusion of independent experts commissioned by "Save Little Chalfont" community group, not to mention the many hundreds of local residents who use the roads in the village on a daily basis.

As the Independent Highways Assessment states, "Access to the site at both proposed locations are likely to be unviable as they have sightline issues. Lodge Lane and Burtons Lane are also problematic due to narrow road widths and questionable benefits of road widening. In addition, required Road Safety Auditing has not been carried out/reported."

The absence of adequate, sustainable vehicle and pedestrian access to the larger eastern part of the site, should, alone, lead to refusal of the application.

We have seen the devastation that HS2 has caused to our community, not only on the impact that this has had on our environment but also on local roads as the construction continues to move ahead. This application proposes to do the same to our community here in Little Chalfont and I believe that this would be a mistake, compromising the safety, security and connectivity that village currently enjoys.

4. The questions that cannot be answered and the uncertainty that this poses for local people

If new homes are to be delivered then residents in Little Chalfont, not to mention communities across Buckinghamshire, deserve the best - homes that are designed with character and beauty, places that are in keeping with the surrounding area and respect the landscape, developments that are designed with real quality and developers who are held to some of the highest environmental standards in the country.

This application, even at an outline stage, provides no certainty on any of those issues. As a promoter of the land, rather than the developer, this application cannot answer some of the most fundamental questions that residents in Little Chalfont need to know if this development were to come forward - who will build the new homes and what is their track record? Who will operate the care home and look after our elderly? Who will manage and

maintain the open spaces? Who will be responsible for the maintenance of the new roads?

Without clear answers to these questions, then neither existing nor future residents have any certainty about the quality of the new development.

It is clear from reviewing the representations on the Planning Portal that, despite the developer's claims that this development will be of benefit to local people, little support exists in the community for what is being proposed. Were this application to be approved, therefore, then I would urge the developer to seek a genuine programme of meaningful engagement with the local community - one that truly tries to make this development the best that it can possibly be and something that we can be proud of.

I hope, however, that this engagement is not required and that this application is refused. Thank you.

Sarah Green MP for Amersham and Chesham

I am writing on behalf of several constituents who have contacted me regarding their objections to the proposed development of up to 380 new homes in Little Chalfont known as Little Chalfont Park.

My constituents have raised with me a number of different objections to this proposed development which I include below:

- The proposed development borders an Area of Outstanding Natural Beauty and would destroy a natural dry valley and registered ancient woodlands which are valued parts of the Chiltern landscape.
- It will lead to the destruction of trees that are subject to tree preservation orders as well as the loss of wildlife.
- Local infrastructure is unable to support the increase in traffic and houses. Specifically residents are concerned the impact on schools, medical services, road safety, and parking.
- The proposed development is a disproportionate size in comparison to the existing village.
- Building the proposed development on green belt land will cause irreversible changes to the feel and character of the area.

I share their concerns, particularly the fact that this proposed development would be on the Green Belt. I appreciate I do not have locus over planning but would like to ensure that all representations of the people that live locally and object to this overdevelopment are taken into consideration. I therefore ask that these objections be registered and considered as part of any decision made regarding this development.

Parish / Town Council Comments

Little Chalfont Parish Council and Little Chalfont Community Association

08/04/22 Further comment on Highways and Access

Little Chalfont Parish Council and Community Association ask for the following comments to

be taken into account in the LPA's consideration of the "Technical Note: Response to Buckinghamshire Highways" provided by the applicant and dated 16 March 2022. Access issues are a crucial part of this planning application.

The comments below supplement but do not replace or amend the contents of our main joint objection, posted on 19 January 2022.

We remain of the view that there is no viable and sustainable road access to the development proposed, and that the proposed pedestrian/cycle access is not viable.

In their letter of 1 March 2022 the Highway Authority recommended refusal of this application. In our view the "Technical Note" contains nothing to change that recommendation, and although we consider that the application should be refused on other grounds too, we hope Buckinghamshire Council will make clear that the access proposals are unacceptable.

Please consider the following points (a) to (e), which refer to numbered sections in the "Technical Note":

- a) 3.1. Our understanding from Highways' letter of 1 March is that the viability of access points from Lodge Lane and Burtons Lane was not agreed by the Highway Authority in pre-planning discussions, is subject to supporting evidence to be provided by the applicant, and that satisfactory evidence had not been provided.
- b) 3.2 states that the current application is in outline only. However, this is not so for access, where the applicant has asked for full permission ("matters to be considered at this stage: Burtons Lane and Lodge Lane access"). It is wrong for the applicant to claim that crucial access issues raised by the Highway Authority, such as a Stage 1 and 2 Road Safety Audit, arrangements for preventing through-route movements for private vehicles between the western and eastern parts of the site, and the problems of additional traffic in the village centre, can be addressed in planning conditions and left for Reserved Matters. The applicant is trying to "have it both ways".
- c) The applicant persists (4.1 to 4.4) in claiming wrongly that the withdrawn Chiltern and South Bucks Local Plan is relevant. The applicant also presents his proposal as being for 380 dwellings, whereas it is for 540 including the proposed 100-unit retirement village and 60-bed care home. The traffic consequences of these are very significant.
- d) In view of the unresolved road safety objections to siting of the proposed new bus stops on the A404 near the Oakington Avenue junction (6.3), we would expect the LPA to refuse the application for agreement to the proposed pedestrian/cycle access there. It is surprising that the application has been made without consulting the highway authority and bus operator about bus-stop location.
- e) Nothing new has been presented to address our concerns that the above mixed pedestrian and cycle access would lead to dangerously overcrowded pavements near the proposed toucan crossing and elsewhere. The applicant has not addressed the Highway Authority's comment that "details of pedestrian trips through this access should be provided and agreed".

10/03/22



APPLICATION PL/21/4632/OA, LAND BETWEEN BURTONS LANE AND LODGE LANE LITTLE CHALFONT

OBJECTION BY LITTLE CHALFONT PARISH COUNCIL AND LITTLE CHALFONT COMMUNITY ASSOCIATION. RESPONSE TO FURTHER INFORMATION SUBMITTED BY THE APPLICANT IN FEBRUARY 2022

Thank you for Ms Peplow's letter of 10 February inviting comments on the further information submitted by the applicant.

The comments below supplement but do not replace or amend the contents of our main joint objection, posted on 19 January 2022.

Ecology

We have considered the addendum ecological information submitted by the applicant and uploaded to Buckinghamshire Council's planning portal on 8 and 9 February 2022. **The attached review of this addendum by Bioscan**, whose first review of submitted ecological information was provided as Appendix C to our objection posted on 19 January, represents our views. Bioscan's conclusions on the addendum are as follows.

4.1.1 The conclusions provided in the January 2022 Bioscan report remain unchanged. As noted in the introduction of this report, the above serves as a 'high level' review of the submitted addendum ecological information; and once the relevant information has been provided by the Applicant then the ecology reports can be subject to further detailed examination. Further, it would appear that the Applicant has not addressed the comments provided in the January 2022 Bioscan report, or the response by Buckinghamshire Council's ecology officer. Consequently, based on the information provided by the Applicant thus far, a full and robust assessment of all the submitted ecological documents cannot be made.

4.1.2 In respect of the Applicant's updated BNG report, the net gain proclaimed by the Applicant appears to be incorrect, by some margin, and on the contrary, it appears that the proposals would result in a negative situation (i.e. a considerable loss of biodiversity, quantified as approaching -18%). Such a loss would be contrary to the Environment Act 2021, and local and national policy. In order to allow for these figures to be examined further, the Applicant should supply the raw spreadsheet calculations to allow for full transparency and public scrutiny, and before any determination of the application is considered.

Highways improvement works, loss of landscape features.

We deplore the proposed additional losses of 4 trees at the Oakington Avenue and Amersham Road/Way junction, and 14 trees on the western side of Lodge Lane north of the railway bridge (page 5 of the Environmental Statement Addendum). These losses would do

further harm to the green environment of the village, and particularly to the rural, sylvan nature of Lodge Lane as a typical Chiltern country lane and border of the AONB.

Other material in the further information submitted

We have no comments to make on the rest of the additional information submitted by the applicant in February, which is already covered by the objections in our original submission. In our view the whole proposal remains completely unacceptable and should be refused.

**Little Chalfont Parish Council
Little Chalfont Community Association**

10 March 2022

ATTACHMENT: REVIEW OF SUBMITTED ADDENDUM ECOLOGICAL INFORMATION, MARCH 2022



**LAND BETWEEN BURTONS LANE AND
LODGE LANE, LITTLE CHALFONT**
Planning Reference: PL/21/4632/OA

REVIEW OF SUBMITTED ADDENDUM
ECOLOGICAL INFORMATION

March 2022

E2096R2/V1



COMMISSIONED BY:

Little Chalfont Community Association and
Little Chalfont Parish Council

**LAND BETWEEN BURTONS LANE AND LODGE LANE
LITTLE CHALFONT
BUCKINGHAMSHIRE**

Planning Reference: PL/21/4632/OA

Review of submitted addendum ecological information
(as uploaded to Buckinghamshire Council's planning portal on the 8th and 9th February 2022)

March 2022

Bioscan Report No.
E2096R2/V1

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1 INTRODUCTION

1.1 Background

1.1.1 In October 2021, Bioscan (UK) Ltd was appointed by Mr Michael Parker on behalf of Little Chalfont Community Association and Little Chalfont Parish Council, to provide an independent review of the ecological information submitted to Buckinghamshire Council (Chiltern Area) in support of outline planning application PL/21/4632/OA, for land between Lodge Lane and Burtons Lane, in Little Chalfont, Buckinghamshire, HP8 4AJ. The findings of this review were presented within a report¹ (dated January 2022), and were included in a package of documents submitted to Buckinghamshire Council by Little Chalfont Community Association and Little Chalfont Parish Council². The Bioscan report concluded that:

“...the ecological reports submitted may not accurately represent the ecological interest present on the application site and it is advised that extreme caution is applied in using it to inform decision making. The safeguards and mitigation proposals offered in the report are founded on an incomplete understanding and/or conveyance of the baseline position and cannot therefore be relied upon by decision makers as a means to avoid significant net loss of biodiversity. This is in contradiction to national and local planning policy. It is recommended that clarity be sought from the Applicant, including justification for deviations from industry standard survey methodologies, to enable a more robust impact assessment to be conducted.”

1.1.2 On the 25th January 2022, Buckinghamshire Council’s ecology officer provided a consultation response to the planning application, and summarised their response as follows:

“I have reviewed the [...] application regarding its ecological implications and we would recommend refusal owing to the biodiversity loss resulting from this development and the impacts of the development of County value habitats (ancient woodland and ‘Important’ hedgerow), County value species (barbastelle) and on other protected species”.

1.1.3 Buckinghamshire Council’s ecology officer goes on to state:

“Objection. From the information provided it is recommended that the application is refused or deferred at this stage due to the impacts on biodiversity, being contrary to NPPF and ODPM Circular 06/2005.”

1.1.4 In early February 2022, the Applicant provided additional submission documents as an addendum to the original planning application. It is understood that this addendum information was required due to minor changes to the application boundary arising from proposed highway improvements works in two locations: 1) along Lodge Lane and Church Grove; and 2) between Oakington Avenue and Amersham Road. As this modification to the application boundary occurred after the production of the original planning application documents (in November 2021), further assessments were subsequently undertaken to accommodate the latest changes to the application boundary (with these addendum documents uploaded to Buckinghamshire’s Council’s planning portal on the 8th and 9th of February 2022).

1.1.5 In February 2022, Bioscan (UK) Ltd was re-appointed by Mr Michael Parker on behalf of Little Chalfont Community Association and Little Chalfont Parish Council to review the submitted addendum ecology information.

¹ Bioscan (UK) Ltd (January 2022). Land at Former Little Chalfont Golf Course, Buckinghamshire: Review of Submitted Ecological Information (Report reference E2096R1/V1)

² Uploaded to Buckinghamshire Council’s planning portal on the 19th January 2022.

1.2 Site context

1.2.1 The application site (with recent addendum modifications) is approximately 30ha in size, and is dominated by a former golf course. The central grid reference is TQ000972. Figure 1 below provides an extract of a plan provided with the planning application identifying the application boundary (red line).

Figure 1. Application boundary (as provided with the planning application).



1.3 Submitted information

1.3.1 The submitted addendum documents relating to ecology comprise the following:

- **Environmental Statement Addendum** (Waterman I&E, February 2022)
- **Appendix 12.2A** - Preliminary Ecological Appraisal: Technical Note update (combining findings from June 2021 and January 2022) (Waterman I&E, February 2022)
- **Appendix 12.3A** - Biodiversity Net Gain Assessment (Waterman I&E, 2022)

1.3.2 As per Bioscan's January 2022 review, the veracity of the above reports, and the robustness of the data and suitability of the surveys undertaken, have been the focus of this review. Conclusions are offered on whether the submitted addendum ecological information provides an adequate level of detail on ecological matters sufficient for the Local Planning Authority (LPA) to discharge its duties to have regard to all relevant material considerations, and its statutory duties in relation to protected and 'Priority' habitats and species.



2 METHODOLOGY

2.1 Review of submitted documents

- 2.1.1 The relevant addendum documents submitted with the planning application (as listed above in paragraph 1.3.1) were given a 'high-level' review by Bioscan.
- 2.1.2 The ecology reports were reviewed and assessed for their adequacy, including in respect of any limitations to the survey methodology, the validity of the stated results, and robustness of the related assessments. This is set out at Chapter 3 of this report (below).
- 2.1.3 Statutory consultees' comments on the submission documents (including specifically those from Buckinghamshire Council's ecologist) were also reviewed where relevant to do so.

3 CRITIQUE/COMMENTS ON THE ADDENDUM ECOLOGY REPORTING

3.1 Document review process

3.1.1 The following provides a list of the reports that have been subject to review, and identifies where they appear to fall short of accepted industry-standards or where additional information is likely to be required in order for the LPA to come to an informed planning decision.

3.1.2 It should be noted that the issues and shortfalls in the survey methods, and the subsequent assessments of the ecology reports submitted originally, as highlighted in the January 2022 Bioscan report (E2096R1/V1), and by Buckinghamshire Council's ecology officer³, do not appear to have been addressed by the Applicant in their addendum reports.

3.1.3 For brevity, this section does not repeat the comments made in the previous Bioscan report, but they should nevertheless be read in tandem, with the Applicant still needing to address the identified significant shortfalls before a robust planning decision can be made by the LPA.

3.2 Environmental Statement Addendum (Waterman I&E, February 2022)

- 1) Table 12.1: It is noted that Table 12.1 only relates to Buckinghamshire Council's ecology scoping response (dated 26th August 2021) and does not address the significant shortfalls in the reporting, methodologies and subsequent assessments as outlined by Buckinghamshire Council's ecology officer and those outlined in Bioscan's January 2022 report. Nevertheless, the following highlights some points that should be addressed or clarified by the Applicant:
 - i) Bats. The report states in Table 12.1: *"Bat activity surveys were completed in 2019 and 2021 (Appendix 12.16 and 12.17, ES Volume 3 of the November 2021 ES). These surveys were completed in accordance with current best practice which took account of the assessment that the site supports moderate potential habitat for foraging and commuting bats."* As stated within Bioscan's January 2022 report, the surveys undertaken fell short of best practice set out within the Bat Conservation Trust's (BCT) Survey Guidelines (2016)⁴ due to *inter alia*: a) the level of survey work undertaken for a site considered by the Applicant to be of high value for foraging and commuting bats; b) the early curtailment of each survey visit; and c) the lack of a pre-dawn survey.
 - ii) Lighting. Further information (such as additional surveys for rarer bats, and an indicative lighting strategy) is required regarding the impacts of lighting on bats, particularly due to the presence of species such as barbastelle.
 - iii) Invertebrates. Whilst the scoping opinion stated: *"Invertebrate survey work should be considered and contribute to the retention and enhancement of the B-lines network"*, the Applicant has failed to state how the B-Lines network has been addressed or considered in the ES.
- 2) Section 12.2.1. The second paragraph in this statement states: *"No access to land containing ponds within 500m has been given to survey the suitability of the ponds for GCN"*. However, two ponds are immediately adjacent to public highways, and could have been assessed for their suitability to support great crested newts by the Applicant. This point is addressed at (4) below.

³ As provided within the ecology officer's response uploaded to the planning portal on the 26th January 2022.

⁴ Collins, J. (ed.) (2016) Bat Surveys for Professional Ecologists: Good Practice Guidelines (3rd edn). The Bat Conservation Trust, London.

- 3) Section 12.3- Bats. This section states: *“a large Oak tree is located within the Modified Grassland located at the top of Lodge Lane. The tree is in good condition and no visible signs of deterioration during the Survey in 2022. A Preliminary Roost Assessment (PRA) for bats was carried out during the survey with no potential roosting features (PRFs) seen at the time of survey. At the time of writing this report, it is assessed that the tree has a negligible bat roosting potential rating...”*. However, photographs taken of this tree by a local resident, and photographic information available via Google Street View, appear to show that the trunk of the tree is clad in ivy, with possible bat roosting features visible in the canopy. Indeed, the BCT’s Survey Guidelines⁵ states that *“A tree of sufficient size and age to contain PRFs but with none seen from the ground or features seen with only very limited roosting potential”* would fall into the ‘Low’ bat roost suitability category. On this basis, the “large oak tree” should be considered to fall within the ‘low’ category as a minimum, or within the ‘medium’ category as a precaution.
- This section goes onto state: *“No other habitat within the Site has potential for roosting bats and no trees adjacent to the Site have bat roosting potential (for example, no suitable features including rot holes, limb breaks, crevices). Therefore, the Site is considered to be not Significant for roosting bats.”* This text is misleading. As stated in the bat survey reports submitted with the original application⁶, a number of bat roosts have been noted on the site. Alternatively, the reference to ‘site’ should be changed to the ‘Highways Improvement Works area’.
- Section 12.3 also states: *“All other habitats associated with the Highways Improvements Works are suboptimal for bats. It is possible that bats may use adjacent habitat for commuting and foraging (such as hedgerow and woodland) but these habitats are unlikely to be significantly affected by the works.”* Nevertheless, the ES addendum states (on page 5) that there is a *“loss of 14no. additional trees along the western side of Lodge Lane for the shorth [sic] length of Lodge Lane north of the Chilterns/Metropolitan Railway Line and the junction of Lodge Lane with Church Grove”*. It is considered that the loss of these trees could affect foraging and commuting bats and should be assessed within the ES. Further, this statement does not meet that provided in Table 12.3122 [Note: the formatting of the Applicant’s table numbering appears to be incorrect; this should probably state ‘Table 12.3’], which states: *“Direct effects to bats are not anticipated but Indirect effects to local bat populations and their roosts may occur if there are indirect impacts to foraging and commuting habitats.”*
- 4) Section 12.3- Great Crested Newt. This section states: *“[...] Pond 5 (P5) is located approximately 140m north of the Site within the grounds of the Little Chalfont Primary School. This pond was subject to eDNA sampling in 2021 as part of the November 2021 ES and found GCN to be absent.”* However, the Applicant has failed to acknowledge the limitations to the reliability of this survey data, arising from having undertaken the sampling outside of the eDNA seasonal survey window (which falls between mid-April and June)⁷, and therefore this result cannot and should not be relied upon.
- This section goes onto state: *“No previous surveys or Habitat Suitability Index (HSI) assessments have been carried out on the ponds (apart from eDNA on P5) due to access*

⁵ Collins, J. (ed.) (2016) Bat Surveys for Professional Ecologists: Good Practice Guidelines (3rd edn). The Bat Conservation Trust, London.

⁶ Including: **Appendix 12.18** - Bat Surveys – Preliminary Bat Roost Assessment (PRA) Report – 13 and 15 Oakington Avenue & Trees Along Lodge Lane (Ridgeway Ecology Ltd, 2021) and **Appendix 12.15** - Bat Surveys – Emergence Surveys on Buildings (report reference ASW/BDBL/065/25/2021) (ASW Ecology Ltd, 2021).

⁷ Biggs, J., Ewald, N., Valentini, A., Gaboriaud, C., Griffiths, R.A., Foster, J., Wilkinson, J., Arnett, A., Williams, P. and Dunn, F. (2014). Analytical and methodological development for improved surveillance of the Great Crested Newt. Appendix 5. Technical advice note for field and laboratory sampling of great crested newt (*Triturus cristatus*) environmental DNA. Freshwater Habitats Trust, Oxford.

restrictions". However, two of the ponds are located immediately adjacent to public highways and would allow for the Applicant to undertake HSI assessments. This was confirmed by a member of the Little Chalfont Community Association who was able to view, and take photographs of, these two waterbodies. The two photographs below show Pond P1 (adjacent to the railway line) and Pond P4 (near the junction of Church Grove and Amersham Road). Based on a review of these photographs, relevant aerial photography, and Ordnance Survey maps, Bioscan undertook desk-based HSI assessments of these two ponds. Although the ideal time of year to be undertaking these assessments is generally during the spring and summer⁸, and it is preferable to view the ponds 'on the ground', the resulting scores nevertheless give an approximate suitability score for these waterbodies to support great crested newts. Entering the various parameters to the HSI 'calculator', and taking a conservative approach to scoring the various indices, the resulting score for P1 was calculated to be 0.55, with P4 returning a result of 0.58. These scores place these two waterbodies within the 'Below average' category for great crested newt suitability. However, as previously stated, the scores are based on conservative parameters being entered, and without the assessor viewing the ponds on the ground, and consequently the score may be higher. Furthermore, it is unclear why the Applicant did not undertake a HSI assessment of the pond that was accessed for the eDNA sampling (P5), especially given the limitations imposed by having undertaken that sampling outside of the optimal season.



Photograph 1: Pond P1 (photograph taken 16/02/2022).

⁸ Various dates are given by a range of publications (e.g. Oldham *et al.* (2000) states 'between May and end of September', and ARG UK (2010) states 'between March and the end of September'), but generally the assessment period falls within the time of year when newts would be in waterbodies.



Photograph 2: Pond P4 (photograph taken 15/02/2022).

- 5) Section 12.3- Reptiles. This section states: *“No records of reptiles were returned from the data search undertaken in 2021, and none were seen during the survey in 2022.”* Reptiles are generally active between March and October⁹, and therefore the likelihood that a reptile would have been encountered during a survey in January is consequently very low. Consequently, this statement either indicates a lack of basic reptile knowledge by the Applicant’s ecologist or it is an attempt to mislead the reader.
- 6) Section 12.5.1. This section states: *“The Development including the Highways Improvements Works are also expected to achieve a Biodiversity Net Gain (BNG) of at least 10%, a requirement of the Environment Act 2021 which will come into force through Regulations expected in late 2023”*. However, as detailed below, it does not appear that the development would achieve biodiversity net gain on the basis of the plans submitted.

3.3 Appendix 12.2A - Preliminary Ecological Appraisal: Technical Note update (combining findings from June 2021 and January 2022) (Waterman I&E, 8th February 2022)

- 1) This report is largely similar to the June 2021 Appendix 12.2. Preliminary Ecological Appraisal (PEA) report, a review of which is set out in the January 2022 Bioscan report (E2096R1/V1). Given that text from the update PEA is used in the ES addendum (with Bioscan providing comments on this above), no further comments are provided on this report at this stage.

3.4 Appendix 12.3A- Biodiversity Net Gain Assessment (Waterman I&E, 2022)

- 1) As per the comments in Bioscan’s January 2022 report, significantly greater clarity and transparency would be afforded to the LPA if the populated Metric 3.0 calculation tool were to be provided in full by the Applicant, along with the existing (baseline) and

⁹ Froglife (1999) Reptile survey: an introduction to planning, conducting and interpreting surveys for snake and lizard conservation. Froglife Advice Sheet 10. Froglife, Halesworth.

proposed geo-referenced plans from which the Applicant's metric is derived. In the absence of this information, the following comments are made in relation to the details provided within (or omitted from) the Applicant's 2022 Biodiversity Net Gain (BNG) report¹⁰.

- 2) In order to verify the Applicant's revised BNG calculation, Bioscan entered the parameters as provided within BNG report into a blank Biodiversity Metric 3.0 spreadsheet. However, despite the same figures being entered, the resulting net % change score did not exactly match that provided within the report. The errors appear to be due to the following:
 - a) within the Applicant's report for habitat creation, an area of 1.55ha is given for the modified grassland; however, the resulting habitat units delivered when entering this figure into the metric is 6.18 units, as opposed to the 6.06 units in the Applicant's report. In order for the metric to provide a figure of 6.06 units, an area of 1.51ha needs to be entered; and
 - b) in the Applicant's report for Hedgerows, the length of H4 is given as 0.136km, and entering the given length to be removed gives a resulting lost unit figure of 1.45, as opposed to the 1.37 stated in the report. In order for the metric to provide 1.37, the length retained should be entered as 0.07km.

Although these apparent errors only marginally produce a different net gain score, it highlights that they could be as yet undiscovered but more significant errors within the Applicant's BNG calculations.

- 3) One such apparent significant error noted by Bioscan was the condition assessment of the baseline modified grassland. On Page 22 of the Applicant's 2022 PEA report (Appendix 12.2A), under the section entitled 'Modified Grassland with Scattered Scrub and Scattered Trees' it states: "*The habitat [modified grassland with scattered scrub and scattered trees] is of low distinctiveness and in moderate condition.*" [our underlining]. However, within the Applicant's BNG report, this habitat is shown as being in 'poor' condition. Based on the text for this habitat within the PEA report, and the condition assessment criteria for a low distinctiveness grassland¹¹, Bioscan would agree with the assessment in the PEA report that the grassland is likely to fall within the 'moderate' condition category.
- 4) As stated in the January 2022 Bioscan report, it is difficult to envisage that the Applicant would be able to deliver the Priority habitat 'Lowland Meadow' on the site (particularly as it is likely to be the main dog-walking area for the residents of the development, with potential impacts arising from *inter alia* nutrient enrichment and trampling). Nevertheless, if the Applicant is persistent in stating that this habitat is achievable on the site then further information should be provided, in particular:
 - a) the previous/current land-use of the proposed meadow;
 - b) the plant species currently present (although the Applicant's soil report does provide some, albeit limited, information "*the [...] field is currently unoccupied and is covered in tall grass*", this is significantly insufficient to understand the current status of this field); and
 - c) the management that is proposed to enable the field to become lowland meadow.
- 5) Further, it is noted that the Applicant has stated that the proposed 'high distinctiveness' Lowland Meadow habitat would be in 'Good' condition. However, a review of the soil phosphorus levels within the relevant field, as shown in the Applicant's soil analysis report¹², would indicate that these levels are too high to warrant a 'Good' score for this habitat. The following table (Figure 2) provides the results of the soil analysis (extract taken from the Applicant's report), with the top row providing a broad copy of the soil

¹⁰ Waterman report reference: WIE15569-101-2-2-3-BNG (dated February 2022)

¹¹ Natural England (July 2021). *Biodiversity Metric 3.0: Auditing and accounting for biodiversity – Technical Supplement*

¹² Waterman Report Reference: WIE15569-112-TN-1-2-1 (dated January 2022)

parameters that are suitable for lowland neutral grassland establishment, as set out in Best Practice Guidance Note 17 (BPG N 17) published by Forest Research¹³.

Figure 2. Copy of Table 3 from the Applicant’s Soil Assessment report (dated January 2022).

Table 3: Analytical Results vs. Ideal Topsoil Characteristics for LNG

Location	pH (pH units)	Available Phosphorus (mg/l)	Organic Matter (%)	Total Nitrogen (%)
BPG N 17 Criteria	5.5-6.5	4-25	2-14	0.2-0.7
SA1	7.05	12.2	4.5	0.34
SA2	6.26	8.9	3.9	0.28
SA3	5.73	32.4	6.0	0.34

The samples were also analysed for available potassium, which is not an analyte detailed within the criteria table set out in BPG N 17 but is mentioned. Test Results are included in Appendix C.

- 6) The main body of the Applicant’s 2022 BNG report states the following in respect of the soil analysis: *“Samples were taken from three different locations [SA1, SA2, SA3 in the table above] within the area of grassland proposed to be enhanced. The findings determined that the majority of topsoil characteristics from the three locations matched or were very close to the soil parameters suitable to create Lowland Meadow habitat and therefore the enhancement is likely to be successful and the meadow thrive in this area”*. However, the Applicant has failed to highlight footnotes that accompany the criteria as provided in the source BPG N 17 document. For reference, Figure 3 below is a copy the relevant table provided within BPG N 17 (with selectively chosen figures from this table used by the Applicant in their Table 3 above).

Figure 3. Copy of Table 3 from BPG N 17¹³.

Parameter	Level
Topsoil depth	200–300 mm
Drainage	Slow
pH	Acid to slightly acid (pH 5.5–6.5)
Available phosphorus ^a	25 mg l ⁻¹ (4–12 mg l ⁻¹)
Organic matter ^b	4% [5–14%]
Total nitrogen ^b	0.2% [0.30–0.70%]

Pertinent to the Applicant’s stated ‘Good’ condition of the proposed lowland meadow (as stated in paragraph 6.4 of the Applicant’s Biodiversity Net Gain Assessment report¹⁴) is footnote ‘a’ adjacent to ‘Available phosphorus’ in the above table (Figure 3). Footnote ‘a’ states: *“Acceptable upper limit [i.e. 25 mg l⁻¹]. A level of available phosphorus of less than 10 mg kg⁻¹ is ideal to maximise floristic diversity within unimproved, semi-natural grassland communities (Marrs and Gough, 1989). While values of 11 to 25 mg kg⁻¹ have potential, expect reduced floral diversity and increased risk of competition from rank and pioneer species.”* The values from the site range from 8.9 mg l⁻¹ to 32.4 mg l⁻¹, and

¹³ Harris, P. Brearley, A. and Doick, K. (2014) Lowland neutral grassland- Creation and management in land regeneration. BPG Note 17. Forest Research.

¹⁴ Waterman report reference: WIE15569-101-2-2-3-BNG (dated February 2022)



therefore it can be expected, based on the figures provided in the footnote, that the proposed Lowland Meadow would certainly not fall within the 'Good' condition category. A realistically achievable proposed habitat and condition for the 'Lowland Meadow' field would instead be (at best) 'Other neutral grassland' in 'Moderate' condition.

- 7) Bioscan re-ran the metric based on this more realistic approach (i.e. changing the 'Poor' habitat condition for the baseline modified grassland to 'Moderate' as per (3) above; changing the proposed 2.7ha of 'lowland meadow' to 'other neutral grassland' as per (7) above; and changing the condition of this habitat from 'Good' to 'Moderate' also as per (7) above). Figure 4 below provides the result of this potentially more realistic approach.

On-site baseline	<i>Habitat units</i>	182.39
	<i>Hedgerow units</i>	11.63
	<i>River units</i>	0.00
On-site post-intervention <small>(Including habitat retention, creation & enhancement)</small>	<i>Habitat units</i>	150.12
	<i>Hedgerow units</i>	14.34
	<i>River units</i>	0.00
On-site net % change <small>(Including habitat retention, creation & enhancement)</small>	<i>Habitat units</i>	-17.69%
	<i>Hedgerow units</i>	23.28%
	<i>River units</i>	0.00%

Figure 4. Results of Bioscan re-running of the metric calculation based on more pragmatic and realistic condition parameters.

- 8) Figure 4 above indicates that the likely actual percentage biodiversity net change on the site is (at best) minus 17.69% (with the hedgerow percentage change remaining the same). However, it should be noted that the Metric indicated that Trading Rules were not satisfied using these parameters.
- 9) It should also be noted that it would appear the numbering of the proposed new hedgerows on Figure 2 (Illustrative Landscape Plan) as provided within the Applicant's BNG 2022 report appear to be incorrect (by cross-reference to Table 11 of the BNG 2022 report, and Figure 1 of the same report). Specifically, it would appear that H8 should be H9, H9=H10, and H10=H11.
- 10) Staying with hedgerows, Paragraph 4.4 of the Applicant's BNG report states: "*The retention of woodland and hedgerow habitats will maintain the green corridors throughout the Site and connectivity with the surrounding habitats and the proposed hedgerow and buffer planting will increase the connectivity throughout the Site by creating corridors between retained habitats.*" However, in contradiction to this statement, it is noted that a likely key hedgerow (H2 on Figure 1 of the Applicant's 2022 BNG report) has been identified for removal as part of the proposals. This hedgerow is highly likely to be providing a green corridor between Stonydean Wood and Netherground Spring (it is also of note here that the original ES, in Table 12.7, scopes hedgerows out of further assessment, but as H2 has been assessed as 'Important' (further to the Hedgerows Regulations 1997)¹⁵, further details are required from the Applicant to understand how hedgerows have been scoped out of further assessment). Based on the masterplan, it would appear that Stonydean Wood will become isolated from the wider landscape as a result of the proposals, which could lead to fragmentation for a range of species. Further, although Paragraph 4.4 states that the proposed hedgerows (and buffer planting) will increase connectivity through the site; the main areas of hedgerow planting are largely located adjacent to the existing woodlands, and would therefore unlikely increase

¹⁵ As stated in **Appendix 12.7** - Hedgerow Assessment Report (Ecology and Land Management, 2021)



connectivity to allow a range of species to permeate through the site and into surrounding habitats.

- 11) It should be noted that all the above calculations have been made in the absence of the full tables used by the Applicant, and the relevant plans to verify the area and length measurements. If these tables and plans were to be made available, then this would permit Bioscan to verify the results of the Metric calculations.

4 CONCLUSIONS

- 4.1.1 The conclusions provided in the January 2022 Bioscan report remain unchanged. As noted in the introduction of this report, the above serves as a 'high level' review of the submitted addendum ecological information; and once the relevant information has been provided by the Applicant then the ecology reports can be subject to further detailed examination. Further, it would appear that the Applicant has not addressed the comments provided in the January 2022 Bioscan report, or the response by Buckinghamshire Council's ecology officer¹⁶. Consequently, based on the information provided by the Applicant thus far, a full and robust assessment of all the submitted ecological documents cannot be made.
- 4.1.2 In respect of the Applicant's updated BNG report, the net gain proclaimed by the Applicant appears to be incorrect, by some margin, and on the contrary, it appears that the proposals would result in a negative situation (i.e. a considerable loss of biodiversity, quantified as approaching -18%). Such a loss would be contrary to the Environment Act 2021, and local and national policy. In order to allow for these figures to be examined further, the Applicant should supply the raw spreadsheet calculations to allow for full transparency and public scrutiny, and before any determination of the application is considered.

¹⁶ Buckinghamshire Council's ecology officer's response dated 25th January 2022.



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24/02/22 Little Chalfont Parish Council and Little Chalfont Community Association continue to object strongly to this application. The new material submitted by the applicant neither answers nor changes the objections in our submission posted on 19 January. We are considering whether to submit comments on some of the new material by the deadline of 12 March.

06/01/22 The parish council strongly objects to this application for a large development in the Green Belt. Details of the objection will be submitted separately.

19/01/22 (see next page)



Planning Application – PL/21/4632/OA

**Full approval of access proposals and demolitions,
plus outline approval for land between Burtons Lane
and Lodge Lane in Little Chalfont**

Joint Objection

Submitted by:

Little Chalfont Parish Council

and

Little Chalfont Community Association

19 January 2022

Statement

The Little Chalfont Parish Council and Little Chalfont Community Association work together on major planning applications for the village, involving the community views in formulating a response that is submitted jointly.

The Little Chalfont Community Association is involved in many community projects, and has a membership approaching 700 households, plus businesses and voluntary organisations.

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**APPLICATION PL/21/4632/OA, LAND BETWEEN BURTONS LANE AND LODGE LANE
LITTLE CHALFONT**

**OBJECTION BY LITTLE CHALFONT PARISH COUNCIL AND LITTLE CHALFONT
COMMUNITY ASSOCIATION.**

KEY POINTS

- Little Chalfont Parish Council and Little Chalfont Community Association (LCCA) object strongly. Our objection is supported by three professional studies, at appendices: A Independent Highways Assessment; B Landscape Briefing Note; and C Review of Submitted Ecological Information. We shall submit separately material on Reserved Matters. (Paras 1- 2)
- **Green Belt**
 - The applicant cites a withdrawn draft local plan in support of development in the Green Belt, but this now carries no weight. The applicant also cites the Green Belt Assessment in the evidence base for the withdrawn draft local plan, but we have shown evidence that the Assessment was flawed and unsound in its treatment of the area containing the application site. (Paras 3-10)
 - Contrary to the impression given in some of the applicant’s publicity, the site is not the same as the one proposed for development in the withdrawn local plan. The local plan site included an existing industrial area. The application site does not, so is purer Green Belt. (Para 4)
 - The proposals contravene Green Belt policies in the Adopted Local Plan, the Core Strategy and the National Planning Policy Framework (NPPF). The claimed *very special circumstances* do not outweigh the harm to the Green Belt from this proposed inappropriate development. (Paras 11-31)
 - The application site performs strongly in NPPF Green Belt purposes (b) to prevent coalescence (with Chorleywood) and (c) to safeguard the countryside from encroachment. (Paras 32-38)
 - Green Belt alongside a settlement is not weaker than other Green Belt. (Para 37)
- **AONB AND AoSC**
 - The development would harm the setting of the Chilterns Area of Outstanding Natural Beauty (AONB), which is adjacent to the site at its boundary with Lodge Lane. (Paras 39-41)
 - The site is sandwiched between the AONB to its east and an Area of Special Character (AoSC) to its west, and provides a positive setting to both. (Para 42)
- **Access and Transport**
 - The professional report at Appendix A challenges the applicant’s assertions on vehicular access and sustainable travel, provides evidence

of omissions and unjustified claims in the applicant's documentation, and recommends refusal on highways grounds. (Para 43). A separate independent study is noted at Para 44.

- The applicant's claim that an access strategy was agreed with the former county council, in relation to the withdrawn Chiltern and South Bucks draft plan, is not based on published evidence, and should be regarded as of no material significance. (Paras 45-46)
- The vehicle access proposals are unsustainable, unacceptable, and should cause refusal of the application. Harm caused by use of Lodge Lane, Church Grove East and Burtons Lane would be excessive, to those lanes, to the chalk dry valley, to the setting of the AONB, and to surrounding narrow lanes. (Paras 47-74)
- The former Bucks County Council was opposed to use of Lodge Lane as a main entrance to a development on this land. (Para 54)
- The narrow gap under the railway bridge in Lodge Lane would require a priority operating system (confirmed by the above professional report). This would be a further major obstacle to use of Lodge Lane as the main access road, and a source of air pollution from waiting vehicles. (Paras 55-56)
- Danger to the hikers and other pedestrians who use Lodge Lane would be greater than the Environmental Statement suggests. (Para 58)
- Without a direct pedestrian access to Little Chalfont centre, the development would not be sustainable. The pedestrian/cycle route proposed across a new railway bridge, to meet Oakington Avenue, would not be fit for its purpose. It would bring hazards to pedestrians, including schoolchildren. (Paras 59-62)
- Bus stops on the A404 could not be relocated near the proposed new Oakington Avenue exit for road safety reasons, some already identified in appeal decisions. (Paras 63-64)
- It is claimed that traffic flow would be restricted between the western and eastern parts of the site. The exact use of the link road between the two parts, and the capacity to enforce any restrictions, is an access issue which should be decided with the outline application. (Paras 65-68)
- Likely heavy car use by residents on the proposed development would conflict with climate change policy. (Para 69)
- Little Chalfont has no bypass. A Strategic Inter-Urban Route (A404) runs through the village centre. The development would create more traffic on the A404, worsening existing congestion, parking problems and danger to pedestrians including many children who walk through the centre to attend a large high school, crossing a busy road where there is no zebra crossing. (Paras 70-72)
- We conclude, as does the report at Appendix A, that this application should be refused on highways grounds. (paras 73-74)

- **Harm to natural environment, and pollution**
 - The professional report at Appendix B points out important omissions and failings in the applicant's Landscape Visual Impact Study (LVIA) and adds evidence to our case against inappropriate development in the Green Belt. (Paras 76-77)
 - The many high buildings proposed would worsen urbanisation in the rural environment. (Paras 20 and 80)
 - In a letter to the community the applicants stated that there would be no housing in the chalk dry valley. However, the Design and Access Statement shows that there would be extensive housing in the dry valley, and roads on the valley floor, spoiling a rare and valued Chiltern landscape feature which extends over most of the site. (Paras 81-83)
 - Buffers proposed for ancient woodland do not meet Woodland Trust standards and are inadequate. (Paras 84-85)
- **Ecology**
 - The professional report at Appendix C shows that the ecological information provided by the applicant is inadequate. The net gain in biodiversity proclaimed by the applicant appears to be incorrect, by some margin, and it appears that the proposals would result in a negative biodiversity outcome. (Para 86)
 - There would be possible overload of the existing sewage works at Maple Cross leading to further pollution of local rivers. (Para 87)
- **Infrastructure**
 - The development would harm Little Chalfont's physical and social infrastructure, which has already absorbed two large estates totalling 300 homes in recent years. It would overwhelm local services, including GPs, through an abrupt increase of at least 17% in housing. (Paras 88-90)
- **Affordable housing**
 - There is always a shortage, but Little Chalfont is relatively well supplied with housing association properties (over 450). The applicant offers affordable housing, but has not completed any legal agreement with a mechanism to secure this. (Para 91)
- **Brownfield sites**
 - 4 brownfield sites are registered now, with 2 more "possibles" in future, including a big one. (Paras 92-93)
- **Demolition**
 - The proposed demolition of certain buildings should not be permitted if the access proposals, or outline permission, are refused. (Paras 994-95)
- **Application lacks detail**
 - The application contains insufficient firm proposals. Too much scope is left for different proposals by a future owner. (Para 96)

INTRODUCTION

1. Little Chalfont Parish Council and Little Chalfont Community Association (LCCA) object strongly to this application.

Supporting documents

2. Our case below is supported by the following appendices.
 - Appendix A: an Independent Highways Assessment by Paul Mew Associates.
 - Appendix B: a Landscape Briefing Note by Michelle Bolger Expert Landscape Consultancy.
 - Appendix C: a Review of Submitted Ecological Information by Bioscan (UK).
 - Appendix D: a map showing the location of the chalk dry valley (previously appended to our response to the Regulation 19 consultation on the, since withdrawn, draft Chiltern and South Bucks Local Plan).

We shall submit a separate document with our views on reserved matters as soon as possible.

GREEN BELT AND LOCAL PLANNING POLICY

3. Harm to the Green Belt is a major objection to this application.
4. Section 7 of the Planning Statement repeatedly refers to the application site (e.g. in 7.35 and 7.36) as if it is the same as the Green Belt site proposed for development in Policy SP BP6 in the withdrawn Chiltern and South Bucks (CSB) draft local plan. The applicant's "message to the community" letter of 30 December 2021 makes the same assertion. This is not so. The SP BP6 site was about a third bigger than the application site and contained the Honours Yard industrial area. The application site does not include Honours Yard and is, therefore, much purer Green Belt, containing less than 1% built form.
5. The applicant places emphasis and weight on the site being put forward as part of policy SP BP6 in the above plan. However, it is important that at Secretary of State level the soundness of that plan was challenged and it was withdrawn.
6. The Buckinghamshire Council case officer's report on a recent application to develop a Green Belt site elsewhere in Little Chalfont, PL/20/3239/OA, stated: *Much of the Applicant's submitted Planning Statement relies on the provisions of the Chiltern and South Bucks Local Plan 2036. However, this only had an emerging status, had not been to Examination and was withdrawn by the Council in November 2020. As such the former unadopted and emerging Local Plan carries no weight.* The case officer's report of November 2021 on application PL/21/3151/OA for a development in the Green Belt at Beaconsfield, similar in size to the application site, noted that: *...the Draft Chiltern and South Bucks Local*

Plan 2036 was never examined as it was withdrawn. Therefore, the policies contained within it hold no material weight in planning decision-making.

7. In section 7.18 of the Planning Statement it is claimed that the evidence base for the withdrawn plan remains a material consideration in assessment of the site. In our Regulation 19 submission of 16 August 2019 on that plan we drew attention to two serious flaws in the evidence base relating to the Green Belt Assessment of the site.

8. First, we showed that the assessments made in that evidence of site SP BP6's contribution to the Green Belt purposes defined in the National Planning Policy Framework (NPPF) were inaccurately low, because they did not follow the methodology prescribed for the study. The same flaw was independently demonstrated by Michelle Bolger Expert Landscape Consultancy in their Site Appraisal (section 6.2.4-5) appended to our above submission. Both analyses showed that, had the methodology been followed, General Area 35 (later SP BP6) would not have been proposed for removal from the Green Belt.

9. Secondly, we referred to paragraphs 137 and 123 of the NPPF. Those sections place new emphasis on the need to protect Green Belt land and to review densities to make optimal use of the potential of each non-Green Belt site. There was also a perception in the NPPF that some brownfield sites may have been overlooked. Our submission stated that these changes to the NPPF occurred after the Council had completed its selection of sites and preferred options to meet the Objectively Assessed Need (OAN). However, there was no evidence that the Council carried out any review of those preferred options against the changes in the NPPF. That failure to reflect on the changes was, in our opinion a serious flaw in the evidence base. A review of the NPPF changes would have led to a greater contribution to the OAN from other sites and made it possible for site SP BP6 to remain in the Green Belt.

10. Buckinghamshire Council has indicated that it will not produce a new draft local plan covering Chiltern and South Bucks until about 2024, after government policy has been more clearly established following debate initiated by the white paper 'Planning for the Future'.

Adopted local plan policies: Harm to the Green Belt and to the surroundings

11. In the absence of a new adopted local plan, the local policies relevant to the present application are those saved from the Adopted Chiltern District Local Plan of 1997, principally Policies GC1 and GB2, also Policy GB30 (which refers specifically to areas of Green Belt not within the Chilterns Area of Outstanding Natural Beauty), and those in the Adopted Core Strategy for Chiltern District of November 2011, principally Policy CS1, the 'Spatial Strategy'.

General Criteria for Development.

12. Policy GC1 in the Adopted Local Plan sets out that development needs to be designed to a high standard that complies with the other policies in the Plan. Design is not just about appearance but also its relationship to its surroundings. Important criteria can be summarised as follows.

- Scale of development. Development should be in scale with its surroundings, relating well in terms of overall dimensions to all features of the townscape and landscape.
- Height. New buildings and structures should generally conform with the height of adjoining buildings and structures.
- Relationship of Development to its site. Development should relate well to the characteristics of the site on which it is to be located.

13. Our concern is that the siting, not only of residential development, but also of residential development on this scale in this location, does not relate well to its surroundings, and is inappropriate and insensitive in the landscape, the Green Belt location, and in the setting of the AONB and an Area of Special Character (AoSC).

Saved Policy GB2 in the Adopted Chiltern District Local Plan of 1997 states:

Most development in the Green Belt is inappropriate and there is a general presumption against such development. Development which is not inappropriate is set out in this Policy. Planning permission will be refused for inappropriate development in the Green Belt, but may be given for the categories of development set out in clauses (a) to (f) below.

- a) New buildings which are reasonably required for agricultural or forestry purposes. "Agriculture" has the meaning given in section 336 (1) of the Town and Country Planning Act 1990 (as amended):*
- b) New buildings to provide essential facilities for (i) outdoor sport and (ii) outdoor recreation; for (iii) cemeteries and for (iv) other uses of land which preserve the openness of the Green Belt and which do not conflict with the purposes of including land in it.*
- c) The limited extension, alteration or replacement of existing dwellings in accordance with Policies GB6, GB7, GB12, GB13 and GB15 in this Local Plan.*
- d) Limited infilling within the areas identified in Policies GB4 and GB5 in accordance with Policies GB4, GB5, GB22A and GB23 in this Local Plan.*
- e) Change of use of existing permanent and substantial buildings, in accordance with Policies GB10, GB11, GB22A and GB29.*
- f) Engineering and other operations and the making of material changes in the use of land (as distinct from buildings) which maintain openness and do not conflict with the purposes of including land in the Green Belt. The granting of planning permission is subject to other Policies in this Local plan being complied with.*

The granting of planning permission is subject to other Policies in this Local plan being complied with."

Saved Policy GB30 states:

Where development would be acceptable in accordance with other Policies in this chapter, it will be permitted if it would be well integrated into its rural setting and so conserve the scenic beauty and amenity of the landscape in the locality of the development. In addition, where considered appropriate and practicable by the Council,

the development should provide for the improvement of degraded landscape within the application site. This Policy applies to all land within the Green Belt which is not included within the Chilterns Area of Outstanding Natural Beauty, the Area of Attractive Landscape, Locally Important Landscape Areas and Parks and Gardens of Special Historic Interest

14. Objection under GB2 and GB30: harm to the Green Belt. The proposal in the application does not fall within any of the exceptions (a) to (f) in Adopted Local Plan Policy GB2 above. The proposal would introduce built form onto the greater part of the site, with a significant proportion of the site being occupied by buildings, roads and parking areas. The proposal would completely alter views across the site, resulting in the loss of the open and rural character of the site to the detriment of the character and amenity of the area. The proposal would not conserve the scenic beauty and amenity of the landscape in the locality of the development, especially that beauty and amenity in the AONB which begins at Lodge Lane, immediately adjacent to the application site. The development would be highly visible from homes in the adjacent residential roads: Burtons Lane, Loudhams Wood Lane, Village Way, Oakington Avenue and The Retreat; also from Lodge Lane and from public footpath LCF/11/1 through New Hanging Wood (AONB) opposite the proposed site entrance. The proposal is therefore contrary to policies GB2 and GB30 of the Adopted Chiltern District Local Plan of 1997.

Policy CS1, The Spatial Strategy, in the Adopted Core Strategy for Chiltern District, states:

The spatial strategy for Chiltern District aims to protect the Chilterns Area of Outstanding Natural Beauty and Green Belt by focusing new development between 2006 and 2026 on land within existing settlements not covered by those designations. The built-up areas of the most accessible of these settlements: Chesham; Amersham/Amersham-on-the-Hill; Chalfont St Peter and Little Chalfont will be the main focus for development. Limited development will take place in other villages excluded from the Green Belt, namely Chalfont St Giles; Great Missenden; Prestwood and Heath End; Holmer Green; Penn and Knotty Green; Chesham Bois and Seer Green. Some redevelopment and infilling is planned for identified developed sites in the Green Belt. Very little development is intended elsewhere.

Core Strategy note 7.4 on the Spatial Strategy states:

88% of Chiltern District (and all of its countryside) lies within the Metropolitan Green Belt. National planning policy on Green Belts aims to prevent urban sprawl by keeping land permanently open and establishes a presumption against inappropriate development on designated land. The Coalition Government has stressed the continuing importance of protecting Green Belt. The development needs of the District can be met without encroaching into undeveloped parts of the Green Belt and there are no exceptional reasons for departing from national policy. Accordingly, it is neither

necessary nor appropriate to consider large-scale building on undeveloped countryside in the Green Belt.

15. **Objection under CS1: harm to the Green Belt.** The proposal is contrary to Policy CS1, the Spatial Strategy, of the Adopted Core Strategy for Chiltern District (November 2011), which decided to focus new development on land within existing settlements which is neither Green Belt nor AONB.

Built form: harm to the Green Belt

16. The Applicant's Planning Statement seeks to argue that the site includes built form and existing development. By our reckoning the existing built form covers less than 1% of the land area of the site and therefore has no significant impact on the openness of the site. In comparison to the built form proposed in the scheme the current built form is negligible. In spatial terms the proposed development introduces a high level of built form where currently there is none.

17. The applicant stresses that a certain proportion of the development will remain open space and compares this with the proportion of proposed built form. We do not consider this comparison to be relevant. The comparison which should be made is between the proportion of open space now, and that which will remain after the development.

18. The proposed development would introduce built development into what is currently open countryside in the Green Belt. It would create a feeling of over-urbanisation in what is currently a large expanse of countryside contributing to the landscape.

19. There is no doubt that the proposal is for inappropriate development in the Green Belt. Therefore, it would fall to be considered under NPPF paragraphs 147-150 (see below).

Building Heights

20. The building heights parameter plan at 5.3 of the Design and Access Statement shows about fifteen large buildings of three, "up to three", or "up to three and a half" storeys for flats and mixed use purposes, all at the northern side of the site. This is excessive for this boundary of the urban area. Such high buildings are out of keeping with the nearby residential roads in Little Chalfont, which are characterised by bungalows and two-storey detached houses.

GREEN BELT AND NATIONAL PLANNING POLICY

Objections under the National Planning Policy Framework (NPPF), July 2021.

Green Belt boundaries

21. No existing local plan or draft local plan makes provision for changing Green Belt boundaries in Chiltern District under the procedure in NPPF paragraph 140. Therefore, the proposal to build in the Green Belt is not justifiable under paragraph 140. The Green Belt's extent cannot be altered through the approval of a planning application.

Inappropriate development

22. NPPF paragraphs 147 and 148 state:

147. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

148. 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, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

23. Paragraphs 149 and 150 then list types of building and other activities which are exceptions, not considered inappropriate, to the above policy. The applicant's proposal does not match any of these exceptions, as the Planning Statement acknowledges at section 7.5.

No 'very special circumstances'

24. The applicant's case under the NPPF must thus rest on whether 'very special circumstances' can be identified to justify inappropriate development on the site.

25. We are not aware of any comprehensive, up-to-date, report on the housing requirement in Buckinghamshire, of the kind which will be needed for preparation of the next local plan. We understand from paragraph 6.21 of the case officer's report on application PL/21/3151/OA that the Council is in the process of updating the 5 year housing supply position statement in the light of the adoption of the Vale of Aylesbury Local Plan, and to incorporate the most up to date housing delivery data. The case officer continues: "*As such it is considered that this dilutes the weight can be attributed to the delivery of housing as a benefit of the scheme. It is considered that housing delivery is a benefit that can be attributed moderate weight.*" We assume that this statement would also apply to the present application. There is no evidence that the local need for new housing in Little Chalfont is exceptional enough to amount to very special circumstances. While we acknowledge a general need for affordable housing, Little Chalfont is relatively well supplied with low-cost housing through housing associations. (See below under Affordable Housing).

26. Furthermore, it is not the case that generic factors, such as housing need, can be applied as exceptional circumstances without consideration of the circumstances at individual sites. Paragraph 51 of Mr Justice Hay's judgment of 24 March 2015 in the Calverton case shows that the nature and extent of harm to a particular Green Belt site should be 'grappled with'.

27. Very Special Circumstances will not exist unless the potential harm to the Green Belt (by virtue of the development being inappropriate) and any other harm (landscape, highways and biodiversity) is clearly outweighed by other considerations.

28. Housing need does not justify development in the Green Belt in and of itself. The applicant accepts that the proposed development is, by definition, inappropriate development in the Green Belt. We consider the harm to the openness of the Green Belt *significant*, not *moderate to limited*. We consider the impact on the Green Belt purposes significantly worse than 'moderate'.

29. The majority of the benefits of the proposal are in terms of delivering housing and those benefits do not outweigh the harm to the Green Belt and the other harm to the locality as set out within this submission.

30. When considering this application, the local planning authority should ensure that substantial weight is given to any harm to the Green Belt. That harm is identified in the paragraphs above. The harm identified is that which introduces a scheme of residential development into the Green Belt. The scheme does not preserve the purposes of maintaining Green Belt land. The harm will be both in terms of spatial and visual harm to the openness of the Green Belt. It does not satisfy any of the exceptions to development in the Green Belt set out in the NPPF. The harm to the Green Belt and its openness is significant.

31. The appended professional studies set out the harm in relation to landscape, highways and ecology. The harm which would be caused by this development is not only in Green Belt terms.

Green Belt Purposes

32. It is stated in the Applicant's planning statement that the overall contribution of the site to the Green Belt purposes is moderate. We do not accept that view and consider that the contribution the site makes to the Green Belt is being 'played down' and under-valued in the application.

33. Paragraph 137 of the NPPF of July 2021 sets out that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open, and that the essential characteristics of Green Belts are their openness and their permanence. The proposed site consists almost entirely of open Green Belt, containing less than 1% built form.

34. The application site meets strongly the Green Belt purposes in paragraph 138 of the NPPF as follows.

35. Purpose (b) *"To prevent neighbouring towns merging into one another"*. The site constitutes an important part of the Green Belt separating Little Chalfont from Chorleywood. There is no housing directly between the site and Chorleywood except for Lodge Farm. It is also important to note that the housing to the south of the site on Long Walk and Lodge Lane is designated on the Adopted Local Plan Policies Map as 'Rows of Dwellings in the Green Belt'. The limitations on development imposed by that designation mean that the area south of the site also fulfils a role under Purpose (b). Outline application 20/0898/OUT to Three Rivers District Council for a development at Green Street, west of Chorleywood, already threatens to urbanise further Green Belt between Chorleywood and Little Chalfont, and the proposal in PL/21/4632/OA would worsen this. Therefore, Buckinghamshire Council should take account of Three Rivers application 20/0898/OUT in considering PL/21/4632/OA in relation to NPPF paragraph 138 Purpose (b).

36. Purpose (c) *"To assist in safeguarding the countryside from encroachment"*. The site performs strongly because it contains less than 1% built form, is closely linked to the wider Green Belt, and provides openness and tranquillity close to the centre of Little Chalfont. The proposal would destroy the site's role under purpose (c) and would damage the setting of the wider Green Belt.

37. The NPPF does not distinguish between different categories of Green Belt but treats all Green Belt as the same. It would be false to suggest that Green Belt adjacent to a settlement is somehow less valuable than other Green Belt. On the contrary, it provides a firm boundary to residential development and is a particular amenity for the many who have views across it, as do residents of Burtons Lane, Loudhams Wood Lane, Village Way, Oakington Avenue and The Retreat, as well as walkers in Lodge Lane and local Public Rights of Way (PROW). Moreover, the logical consequence of such a false idea is that all Green Belt would be gradually but inevitably eroded away.

38. The applicant over-emphasises the existing built form on the site and downplays the character of the site and its performance against the purposes of including land within the Green Belt. The whole application site should remain Green Belt without further development.

CHILTERNES AREA OF OUTSTANDING NATURAL BEAUTY (AONB)

39. The site is in the setting of the AONB, which begins immediately adjacent to the site at its boundary with Lodge Lane. Development of the site would:

- Harm both the setting of the AONB and views from the AONB by removing the buffer of open land that separates the AONB from Little Chalfont, and which provides an appropriate setting for the AONB through the continuity of landscape character across the AONB boundary into the application site. See the attached professional report at Appendix B.
- Buildings proposed on the site, especially those three storeys high, would damage the view from the AONB. Contrary to the claim in sections 7.45 to 7.49 of the Planning Statement, the estate and its tall buildings would be highly visible from AONB land near the site entrance in Lodge Lane, including the popular PROW path LCF/11/1 through New Hanging Wood towards Chenies.
- Harm the character of Lodge Lane, a quiet, rural lane characteristic of the Chilterns AONB, by widening, by the lane's close proximity to the development, also by noise and pollution from increased traffic from the larger, busier, eastern part of the site, which it is proposed would include the retirement village, the care home, and possibly a school.
- Result in the loss of an attractive, rural landscape which contributes positively to the setting of Little Chalfont, the AONB and the wider countryside.

40. Policy LSQ1 in the Adopted Local Plan set out clearly that the primary objective is to conserve and enhance the natural beauty of the landscape. Conservation and enhancement of the AONB is key, and, where development is not consistent with these objectives, permission should be refused unless there are very exceptional circumstances that outweigh those landscape objectives.

41. The criteria set out in policy LSQ1 point directly to what needs to be assessed as to whether a development meets the test of conservation and enhancement. These include the size, scale, siting and design of the development in relation to existing screening vegetation and landscape features with particular reference to screening effects. The high buildings proposed in the application would be

visible from the AONB above existing screening. Most of the development would be visible from Lodge Lane and the nearby PROW in the AONB.

AREA OF SPECIAL CHARACTER (AoSC)

42. The site is sandwiched between the AONB to its east and an Area of Special Character (Burtons Lane to Doggetts Wood Lane) to its west. The AoSC appears on the Adopted Local Plan Policies Map as an 'Established Residential Area of Special Character' under Saved Policy H4. The characteristics of the application site are consistent with those found within the AONB, and supportive of both the AONB and the AoSC, providing a positive setting for both.

ACCESS AND TRANSPORT

Proposed access roads

43. We ask the LPA to consider the Independent Highways Assessment report by Paul Mew and Associates at Appendix A, which draws attention to serious omissions and incorrect statements in the applicant's Transport Statement and Framework Travel Plan, as well as to the inadequacy of the Framework Construction Traffic Management Plan which is for Reserved Matters. The report provides overwhelming evidence to challenge the applicant's assertions that *'Safe and suitable vehicular access to the proposed development will be provided from Lodge Lane and Burtons Lane'* and that *'the site is accessible by sustainable modes of travel including foot, cycle and public transport'*. The report's conclusions are as follows.

5.2 Assessment of the Transport Statement submitted in support of the application concludes that the site has limited access to sustainable transport with a poor levels of local bus services, pedestrian links that are not lit during hours of darkness and rail services that are at an extended walk distance. In addition, analysis of personal injury accident data has not considered the most recent 5 year period and has not fully assessed pedestrian and cyclist injury accidents.

5.3 Access to the site at both proposed locations are likely to be unviable as they have sightline issues. Lodge Lane and Burtons Lane are also problematic due to narrow road widths and questionable benefits of road widening. In addition, required Road Safety Auditing has not been carried out / reported.

5.4 The impact of anticipated increases in vehicular activity cannot be fully assessed as questions remain over trip generation forecasts, the assignment / distribution of these to the local road network, and the over estimation of the use of sustainable modes of transport. A series of thorough / robust Travel Plans would be required across all proposed land uses, not just residential, to achieve a reduction in car based trips.

5.5 The Framework Construction Traffic Management Plan should contain a greater level of detail for the proposed scheme such than an informed decision can be taken by highways / planning officers. This should include an assessment of the impact of construction traffic on the village centre which is already subject

to congestion and parking issues. The provision of detailed construction information should not wholly be deferred to post consent condition discharge.

5.6 In conclusion, the proposed development should not be permitted on highways grounds.

44. We also draw the LPA's attention to a highly relevant study, covering, in particular, Lodge Lane and Church Grove East, submitted independently as an objection by a local resident, Mr Kamran Haider, who is a professional transport consultant.
45. It is claimed in 4.3 of the applicant's Transport Statement that *"A safe and suitable access strategy for the site was agreed during pre-planning discussions with Buckinghamshire County Council (BCC) for a larger potential development than that proposed"*. This appears to relate to discussions mentioned in a letter of 21 February 2020 from CBRE to the Inspectors appointed to conduct the Examination in Public of the draft CSB draft local plan, discussions said to have taken place in July 2018 and June 2019. Prolonged attempts by the parish council to obtain details of these discussions from Buckinghamshire Council were refused. Our understanding from the replies received was that only preliminary discussions had taken place, and that detailed design drawings had not been provided to the Highways Authority to enable them to test the position. A subsequent request for the documents relating to these meetings, made by a local resident under the Environmental Information Regulations, was refused on grounds of confidentiality.
46. In our view, since the above discussions were held with a council since abolished, on a draft plan subsequently withdrawn, and since no minutes, report or other details of the meetings have ever been published, the applicant's claim that an access strategy was agreed should be regarded as of no material planning significance whatsoever.
47. Policy TR2 of the Adopted Local Plan sets out clear principles if planning permission is to be granted. Those can be summarised as:
 - Satisfactory access onto the existing highway network. Where possible access should be taken from the lowest category road. In general access will not be permitted onto the primary road network.
 - The Highway Network in the vicinity of the development should have the capacity to accept the additional flow of traffic generated by the development without significantly exacerbating any existing overloading or other traffic-related problems.
 - Traffic of excessive volume, size or weight will not be accepted on unsuitable roads, including rural lanes or in conservation areas or residential areas.
 - Standards of road safety for all users should be at a minimum maintained and, where appropriate, improved.

Burttons Lane

48. An entrance to the site where proposed, on the floor of a highly visible part of the chalk dry valley, a valued Chiltern landscape feature, would be unacceptable on environmental grounds. It is also questionable whether an access could be placed on the narrow floor of the dry valley with adequate braking distances (particularly in icy conditions) on the steep slopes at both sides.

49. The following local traffic problems would be caused by an entrance in Burttons Lane. To access the M25 and Rickmansworth, residents of the western part of the development would use the very narrow section of Burttons Lane east of the site, towards Lodge Lane (for the A404) or Chorleywood, or they would take Burttons Lane to the A404 in the village centre, adding to the heavy congestion which already affects the junctions there. To access the A413, often regarded as the best route to London, rather than travel three sides of a square via the village centre and Cokes Lane, drivers would use the very narrow eastern section of Burttons Lane and then the single-track residential Roughwood Lane – which is completely unsuitable for such traffic.

Lodge Lane and Church Grove East.

50. Lodge Lane, and Church Grove East, which connects Lodge Lane to the A404, are the borders of the AONB and form an important part of its setting. Both are narrow, with limited vision in places, and have no footways. Church Grove West, which provides a longer alternative route from Lodge Lane to the A404, also has a very narrow section without footways.

51. The proposed widening of Lodge Lane would change its quiet rural nature, as would the additional traffic from its use as the access to the larger part of the site, with the associated noise and pollution. No traffic survey appears to have been carried out to assist in measuring these effects.

52. The proposed widening of Church Grove East would presumably take place on the eastern (AONB) side of road to avoid harm to the houses on the western side and verges.

53. The Chilterns Conservation Board has described Lodge Lane as *“a very attractive sunken lane, characteristic of the Chilterns AONB woodland and unsuitable for additional traffic or upgrade.”* During preparation of the former Chiltern and South Bucks Local Plan, the Chilterns Conservation Board expressed concern that *“.....development would add traffic and air pollution to the AONB at Lodge Lane (and wider)”*.

54. The former Buckinghamshire County Council said, in response to the Green Belt Preferred Options Consultation of Oct 2016, that development on the land between Lodge Lane and Burttons Lane was *“unlikely to be supported by the Highway Authority unless a suitable access can be achieved from Burttons Lane”*. Because of the present applicant’s claim that traffic flow between the western and eastern parts of the development would be restricted to *“bus and sustainable transport”* (Transport Statement 4.8) and emergency vehicles, no exit to Burttons Lane is intended serve the larger eastern part of the development. We would expect the

Highway Authority of Buckinghamshire Council to maintain the objection of its predecessor to the use of Lodge Lane as a primary entrance.

55. The railway bridge in Lodge Lane between the A404 and the site entrance has a clearance of only 3.96m, so tall vehicles and machinery could not pass.

56. The bridge already acts as a traffic pinch point, which would become more serious if the carriageway nearby is widened to take more traffic. The carriageway under the bridge is 6.1m wide. A 0.5m median strip is usually required adjacent to a vertical surface alongside a carriageway. This would reduce the width under the bridge to 5.1m, which, as the professional report at Appendix A confirms, would require some form of priority operating system with vehicles from one direction being required to give way to vehicles approaching from the other direction. This would cause substantial delay and inconvenience at busy times, increased air pollution from waiting vehicles (dispersing slowly in this sheltered dip), and would be a further major drawback to use of Lodge Lane as the main access.

57. In addition, long steep slopes in Lodge Lane both north and south of the proposed site entrance can be impassable in frozen conditions and could prevent vehicle access, including emergency vehicles.

Increased risk to hikers and pedestrians using Lodge Lane

58. The Environmental Statement (ES) describes Lodge Lane as a road without footways used by pedestrians, and rightly expects serious adverse effects from much increased traffic, including increased fear and intimidation for pedestrians. However, this would be worse than suggested, because the ES wrongly assumes that desired access to the PROW network is mainly near, or south of, the site entrance in Lodge Lane (so could be accessed from the village across the proposed railway bridge and through the development). It is true that there is a popular PROW access there (LCF/11/1), but the most popular PROWs are in the Chess Valley off Stoney Lane, meaning that the number of walkers who now head north up Lodge Lane and Church Grove East to reach those PROWs would be increased by walkers from the new development. Pedestrian use of those lanes would increase even more if the bus stops on the A404 remained where they are now (see below). The proposed pedestrian path across the railway would do nothing to mitigate these flows, which would face substantial deterioration in pedestrian safety.

Pedestrian footway between the site and the village centre

59. Without a direct pedestrian access to the village centre the proposed development would not be sustainable. Pedestrian use of Lodge Lane to reach the village centre from the site is not viable (too long, no footway or lighting, long steep hill), and a route from the Burtons Lane exit in the west would be too long to serve the larger eastern part of the site as its primary pedestrian access. Consequently, it is proposed that the primary pedestrian access would be via a new railway bridge and Oakington Avenue. For the road safety reasons given below it is unlikely that bus-stops could be sited near this exit, which would greatly reduce its convenience for pedestrians.

60. Busy use of the proposed railway bridge pedestrian/cycle route at peak times would create danger and inconvenience for the many schoolchildren and their parents, sometimes with prams or toddlers, who use the narrow A404 pavements and/or the present zebra crossing (proposed to become a toucan crossing) to access the primary school in Oakington Avenue from the centre and other parts of the village. The mingling of cyclists and pedestrians on footways near the toucan crossing could also cause danger.

61. Furthermore, if a school was provided on the proposed development, the Oakington Avenue exit from the path across the railway bridge would become the unauthorised drop-off point for children not resident on the development. There is no space for such parking on Oakington Avenue, and the drop-off traffic would create additional congestion, with hazard for children walking to the existing school and poorer local air quality caused by exhaust fumes.

62. For the above reasons the proposed railway bridge path to Oakington Avenue would not be fit for its purpose. Therefore, given the problems of Lodge Lane, Church Grove and Burtons Lane outlined above, there is no viable means of direct pedestrian access between the proposed site and the village centre. In our view this renders the proposed development unsustainable in modern planning conditions, where the limitation of car use is most important.

Access to bus-stops, consequences for Lodge Lane and Church Grove East

63. Neither Lodge Lane nor Church Grove East has any pedestrian footway. Church Grove West lacks a footway on its narrowest section. The applicant proposes moving the present bus-stops on the A404 to positions close to the western end of Oakington Avenue, to be convenient for pedestrians walking to and from the proposed new footway across the railway. However, it does not appear that a stop for westbound buses could be sited west of the Oakington Avenue junction without severe risk to road safety – see the Appeals Inspector’s reports on two refused applications for a domestic vehicle entrance in that section of the A 404 (application CH/2017/2197/FA, appeal ref APP/X0415/W/18/3203607; and application PL/20/0689/FA, appeal ref: APP/X0415/D/20/3253104). A new westbound bus stop placed east of the Oakington Avenue junction would be on a sharply curving part of the A404 with limited vision, creating a hazard. It would also be necessary to construct an access path, and the bus-stop itself, on an old and popular ‘green space’ tended by local residents, who value it as recreational space and a visual amenity. Bushes and trees on that space would have to be destroyed to provide pedestrian access to the bus-stop. Therefore, it appears unlikely that any bus-stop could be placed in a position to make the footway across the railway convenient for access to buses. We are surprised that, before making the application, the applicant did not consult the bus operators and the highway safety authority to establish whether new bus stop positions could be agreed.

64. If the bus-stops had to remain where they are now, at the junction of Church Grove West with the A404, it would be necessary to provide pedestrian footways on Lodge Lane and Church Grove, and street lighting on Lodge Lane, meaning that the

widening would need to be much greater and do more environmental harm. The long distance from the site entrance and the steep hill would also be a strong deterrent to much use for access to bus stops.

Link Road

65. The shape of the proposed development site includes a narrow pinch point alongside the ancient Stonydean Wood. Within the pinch point a link road is shown in the drawings. The proposal accepts, presumably for reasons of landscape and ancient woodland protection, that it should not be possible for vehicles, except, it is claimed, “bus and sustainable transport” and emergency vehicles, to cross between the eastern and western parts of the site on the link road. There is insufficient detail provided in the application on exactly what and when vehicles would be allowed to use the link road between the site’s proposed access points, and no indication of how any restricted use would be enforced. If the proposed restriction could be enforced, this would mean that traffic from the western part would have only one entrance/exit, via Burtons Lane, and traffic from the much larger eastern part would have only one entrance/exit, via Lodge Lane.

66. The professional report at Appendix A foresees (section 2.30) that *“It is inevitable that any access control (gate / barrier / bollard) will be breached and that through vehicular traffic will result.”*

67. There is no room at this pinch point for a 50m buffer zone, which The Woodland Trust advises should be maintained both in the construction phase and for after-uses that generate significant disturbance. With only the proposed 30m buffer zone, it is likely that both the development of, and any excessive use of, the link road would cause significant and permanent damage to Stonydean Wood. This would be contrary to NPPF paragraph 180 c) which requires refusal of developments which would result in the loss or deterioration of irreplaceable ancient woodland.

68. In the absence of evidence of appropriate protection of Stonydean Wood alone, the request for formal approval of the proposed vehicular access(es) to the site should be refused.

Car use and sustainability

69. There is no evidence that residents at the site would make significant use of a pedestrian and cycle access to the village outside peak commuter hours, even if a viable one could be created. Residents now living at the same distance from the centre tend to use their cars when shopping in the village. See also paragraphs 2.7, 2.18 and 2.45 to 2.48 of the professional report at Appendix A. The NPPF (paragraph 8 c)) identifies an overarching environmental objective which includes *“...mitigating and adapting to climate change, including moving to a low carbon economy.”* The high car use we would expect by residents on the proposed site would not serve that objective.

Traffic congestion and danger to pedestrians in the village centre

70. Traffic on the A404 would be increased by the proposed development. Little Chalfont is unique among the Chiltern District “main settlements for growth” identified in Core Strategy Policy CS2 (Amersham, Chesham, Chalfont St Peter and Little Chalfont) in having no bypass round its centre. Therefore, increased congestion on the A404, a Strategic Inter-Urban Route which passes through the village centre and shopping area, would reduce the amenity of the centre more directly than such main road congestion would do in other local communities. This would include worsening of the already chronic queuing problem on the A404 for entry to the village’s main shopping precinct on Chenies Parade.

71. Congestion on the village centre section of the A404 will increase further when the development of 309 homes is opened at Newland Park, off the B4442 (planning permission CH/2014/1964/FA), the residents of which are expected to use Chalfont and Latimer Station for commuting at Transport for London prices rather than pay the higher prices on Chiltern Rail from Gerrards Cross. The resulting new vehicle flow from the Cokes Lane/A404 junction will meet traffic emerging onto the A404 from Burtons Lane, 30 metres further east on the way to the station. There will inevitably be yet more congestion on the A404 from other developments in the area, such as those proposed at Chorleywood.

72. The applicant has reviewed highway capacity and has, therefore, focussed on car movements. No thought appears to have been given to the additional conflicts in the village centre between motorised vehicles and vulnerable road users - pedestrians and cyclists. No mitigation has been proposed to assist pedestrians. Increased congestion in the village centre would create significant additional danger, for example, to the many pupils who walk from the railway station, or from homes eastwards, to Dr Challoner’s High School for Girls (1140 pupils) crossing Cokes Lane at its junction with the A404 where there is no zebra crossing.

ACCESS AND TRANSPORT: Conclusion

73. The absence of adequate, sustainable vehicle and pedestrian access to the larger eastern part of the site, as demonstrated above, should, alone, lead to refusal of the application. The above objections to an access in Burtons Lane, and to the proposed pedestrian/cycle route across the railway, strengthen the case for refusal on access grounds. As explained above, the use of the link road between the two parts of the site should also be determined as an access issue.

74. **As the attached professional report concludes, the proposed development should be refused on highways grounds.**

CONSERVATION OF THE NATURAL ENVIRONMENT AND ECOLOGY

75. The proposal would cause substantial damage to the natural environment.

Landscape

76. We ask the LPA to consider the report at Appendix B by Michelle Bolger Expert Landscape Consultancy. The report provides strong additional evidence for our objection to inappropriate development in the Green Belt, and identifies

important failings in the application, including omissions in the applicant's Landscape Visual Impact Assessment (LVIA) which:-

- fails to recognise the Burtons Lane - Doggetts Wood Lane Area of Special Character (AoSC), the presence of which would worsen the impact of the development;
- fails to assess whether the development would achieve the Vision or the Guidelines set by the Landscape Assessment 2011 for Landscape Capacity Assessment (LCA) 18.3 (it would not);
- fails to identify the true extent of the chalk dry valley, which extends over nearly the whole site;
- fails to describe the impact on Lodge Lane.

77. The report concludes as follows.

44. The development would adversely impact landscape and visual receptors identified as being sensitive to change and would not achieve the Landscape Guidelines for LCA 18.3. The overall effect upon the local landscape, which includes the AONB and the Burtons Lane to Doggetts Wood Lane AoSC and their settings, would be moderate/major adverse, and significant. The proposals overall would not protect nor enhance a valued landscape contrary to paragraph 174 of the NPPF.

45. The development would result in moderate adverse, and significant effects on the visual amenity of people using Lodge Lane and Burtons Lane and people using a public right of way within the AONB.

46. The development would also have an adverse spatial and visual impact on the openness of the Green Belt and conflict with one of the purposes of including land within the Green Belt contrary to paragraphs 137 and 138 of the NPPF.

78. The proposal fails to address adequately the issues in NPPF Section 15 (Conserving and Enhancing the Natural Environment), including those in paragraph 174 a) and b), under both of which it is important to take account of the typical Chiltern character and beauty of the site, chalk dry valley, ancient woodland and deeply rural landscape providing priority habitat in the setting of the AONB.

79. As shown at Appendix B (paragraph 22), the site is a 'valued landscape' in respect of NPPF paragraph 174 a). The site's valued characteristics will not be retained, let alone enhanced, if they are surrounded by development. It is wrong to claim that green infrastructure improvements and the limitation of damage by landscape buffers would fully compensate for the removal of large areas of unspoilt, open land which currently acts as an important Green Corridor. The overall effect within this area of land must be negative.

80. As explained under 'Building Heights' above, the proposed buildings three storeys high would radically urbanise the appearance of the site, and undermine attempts, much vaunted in the applicant's publicity, to preserve a "green landscape and environment."

The Chalk Dry Valley

81. In their “message to the community” letter of 30 December the applicants stated *“We understand the importance of the dry valley. That is why there will be no housing in it.”* This claim is incorrect, as the proposal is to build extensively on the slopes of the dry valley.

82. Both the photo at <https://houseprices.io/lab/lidar/map?ref=SU99569721> and the map at Appendix D, show that the dry valley extends over nearly the whole site. The Parameter Plan on page 90 of the Design and Access Statement shows clearly that it is proposed to build housing extensively on the northern slope of the dry valley in both the eastern and western parts of the site, that a road entrance will occupy the floor of the valley at the western end, and that the link road between the two parts of the development will be on the valley floor. Even if other parts of the narrow valley floor are left open as proposed, the result will not leave anything recognisable as a rural chalk dry valley, which is such a valued feature of the Chiltern countryside and rare in the world.

83. While the Design and Access Statement states that the setting of the dry valley is to be retained and enhanced, this is not possible at the same time as the replacement of fields within the valley with development.

Ancient Woodland

84. A 30m buffer, inadequate in our view, is proposed to protect the site’s ancient woodland. The Woodland Trust recommends that, *“as a precautionary principle, a minimum 50 metre buffer should be maintained between a development and the ancient woodland, including through the construction phase, unless the applicant can demonstrate very clearly how a smaller buffer would suffice. A larger buffer may be required for particularly significant engineering operations, or for after-uses that generate significant disturbance.”*

85. No evidence has been produced that a smaller buffer would suffice, particularly to protect the ancient woodland at Stonydean Wood from the road proposed to link the two sections of the site, both during construction and if, thereafter, the use of that link road cannot be strictly limited to public service vehicles.

Ecology

86. Here we can do no better than quote the conclusions of the professional study by Bioscan (UK) Ltd, at Appendix C.

4.1.1 As noted in the introduction of this report, the above serves as a ‘high level’ review of the submitted ecological information; and once the relevant information has been provided then the ecology reports can be subject to further detailed examination. However, it should be noted that based on the information provided, a full and robust assessment of the submitted ecological documents cannot be made.

4.1.2 Currently, it is considered that due to the paucity of detailed ecological information, and with many of the ecological surveys not appearing to meet industry-standard guidelines/guidance (as outlined above), that this has implications on the

veracity of the impact assessment conclusions offered by the Applicant to the extent that it would be unsafe to apportion the conclusions made to any weight in planning determination.

4.1.3 It should be noted that the presence of scarce and declining 'Priority' species and habitats is material to the discharge of the biodiversity duty imposed on public authorities by the NERC Act 2006, and therefore the omissions outlined above are significant for the robustness of the determination process in a legal sense. There are also significant information gaps in relation to European protected species which fall short of the expectations enshrined in incumbent planning practice guidance and further go to the matter of legal robustness. These shortfalls are particularly acute in respect of bats. It is consequently recommended that the LPA request more detailed ecological information before a planning decision is made.

4.1.4 The Bioscan review of the Biodiversity Net Gain report highlights that the net gain proclaimed by the Applicant appears to be incorrect, by some margin, and on the contrary, it appears that the proposals would result in a negative situation (i.e. a considerable loss of biodiversity, quantified as approaching -40%). Such a loss would be contrary to the Environment Act 2021, and local and national policy. In order to allow for these figures to be examined further, the Applicant should supply the raw spreadsheet calculations to allow for full transparency and public scrutiny, and before any determination of the application is considered.

4.1.5 In conclusion, the ecological reports submitted may not accurately represent the ecological interest present on the application site and it is advised that extreme caution is applied in using it to inform decision making. The safeguards and mitigation proposals offered in the report are founded on an incomplete understanding and/or conveyance of the baseline position and cannot therefore be relied upon by decision makers as a means to avoid significant net loss of biodiversity. This is in contradiction to national and local planning policy. It is recommended that clarity be sought from the Applicant, including justification for deviations from industry standard survey methodologies, to enable a more robust impact assessment to be conducted.

SEWAGE

87. The proposed development would increase usage of the Maple Cross Sewage Treatment Works and increase the risk of foul water discharges into local rivers. We understand that the Maple Cross STW had 83 such spills over 1110 hours in 2020. The LPA is asked to consider how close to capacity this STW is running, and take account of this important issue in consideration of the outline application.

HARM TO AMENITY THROUGH DISPROPORTIONATE GROWTH

88. Little Chalfont, now about 2800 households, is by far the smallest of the four settlements listed in policy CS2 of the Chiltern Core Strategy of 2011 as "major settlements for growth". Nevertheless, since that time Little Chalfont has had to absorb, in addition to normal windfall growth, about 300 new dwellings on two large new estates at Turners Field/Old Mill Place and Harvard Grange, completed in 2017.

These put further strain on already overloaded infrastructure and contributed to the traffic and parking chaos which often prevails in the village centre.

89. The development now proposed of up to 480 households plus a care home and other staffed facilities is disproportionate to the present population size and infrastructure of Little Chalfont, so would damage amenity for all residents. The proposed growth would mean at least a 17% increase in housing stock. The social consequences of such an abrupt and disproportionate step-change in urbanisation would conflict with policy statements in the Chiltern Core Strategy including the “Key Spatial Issue” *How to maintain and improve the high quality environment of our towns, villages and countryside.*

90. A retirement village and care home, as proposed, would need to be accompanied by a significant increase in medical care from the local GP services. It appears unlikely that Little Chalfont surgery could expand any further, or St Giles surgery in Chalfont St Giles. The two practices in Chorleywood are under Hertfordshire Health authority and therefore would not take on the significant increase in workload required across the border in Buckinghamshire. With the current shortage of GPs it seems very unlikely that a new GP could be found to set up in practice on or near the application site.

AFFORDABLE HOUSING

91. Although there is always a shortage of affordable housing, Little Chalfont is relatively well provided with housing association properties. We are aware of at least 464 - the total of the numbers supplied to us by housing associations operating in the village, although one association with properties at Turners Field or Old Mill Place has not replied to our enquiry. The two new estates referred to above both brought new affordable housing. We note that although the applicant proposes 40% affordable housing, no suitable and completed legal agreement, with a mechanism to secure the provision of this affordable housing, is included in the application.

BROWNFIELD SITES

92. We acknowledge that there is pressure nationally to find space for more housing, and that the council may lack a five-year land supply for that purpose. In this context we draw attention to the following. There are four sites in Little Chalfont on the Council’s current brownfield register. The parish council is considering listing two more in response to the latest call for brownfield sites, as follows:

- The site in Chalfont Station Road where planning permission CH/2017/2090/FA was given for office units and ten flats.
- It is known that GE Healthcare intends to dispose of its 8.9 hectare industrial site at The Grove Centre, Little Chalfont, which is being decommissioned. We understand that decommissioning is likely to be complete by 2030, when the land could become available. Some may become available earlier. The site is close to the centre of Little Chalfont and has direct access onto the A404. Although now designated for employment use, with the agreement of Buckinghamshire Council and GE Healthcare the land could be made available for housing early in the period of the council’s forthcoming new local plan.

93. It is our view that no more large housing estates can be built in Little Chalfont without severe damage to local amenity and already overloaded infrastructure. However, if such development has to occur, we would prefer it to be on a brownfield site such as the Grove Centre. It would be better to await this brownfield opportunity than to permit, now, the destruction of a piece of beautiful and almost virgin Green Belt in Little Chalfont.

DEMOLITION

94. The Planning Statement states that “Some of the buildings on site are now unusable, inefficient and in a poor state of repair.” This description does not apply to:

- the two bungalows in Oakington Avenue, a sought-after location close to the popular and over-subscribed Little Chalfont Primary School; nor
- to the Homestead Farm residential building, a unique, albeit not listed, arts and craft period building which is very visible along all of Burtons Lane.

95. If either the detailed consent to the proposed access points in Burtons Lane and Lodge Lane, or the requested outline planning permission, is refused, the demolition of these buildings, and the consequent reduction in bat roosting possibilities, would not be justified and should also be refused.

RISK OF CHANGE TO THE PROPOSALS IN THE APPLICATION

96. As we have made clear above, we object to the access details proposed for formal approval. While we understand that the remainder of the outline planning application will not have the detail of a final application, in our view insufficient firm detail is given of the key development parameters. Many aspects are prefaced with the words “illustrative” and “indicative”, meaning that very little would be fixed apart from the proposed access routes. In the unfortunate event that the application should be permitted, wording on page 13 of the Design and Access Statement suggests that some conditions may be imposed at the discretion of the council specifying what, if any, of the features “illustrated” should be adopted inside the development. However, this approach leaves open the possibility that, if the site were to be sold on with the planning permission now sought, a future owner might seek to change in a final application any feature not previously specified by the council. Therefore proposals might be put forward significantly different from those the public have been led to expect. **On these grounds alone the application should be refused.**

CONCLUSION

We consider that our objections, summarised in the Key Points at the head of this submission and then set out in detail, show that this application should be refused, to protect the Green Belt, to prevent two completely unsuitable roads being used for access, and to prevent other harm to the environment, amenity, and infrastructure of our village and its surroundings. We ask Buckinghamshire Council to refuse the application.

19 January 2022



Planning Application – PL/21/4632/OA

Land between Burtons Lane and Lodge Lane in Little Chalfont

Appendix A

Independent Highways Assessment

Paul Mew Associates

Supporting the objection by:

Little Chalfont Parish Council

and

Little Chalfont Community Association

19 January 2022

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PAUL MEW ASSOCIATES
TRAFFIC CONSULTANTS

LITTLE CHALFONT COMMUNITY ASSOCIATION &
LITTLE CHALFONT PARISH COUNCIL

LITTLE CHALFONT GOLF CLUB, LODGE LANE AND ADJACENT
LAND TO THE SOUTH INCLUDING HOMESTEAD, BURTONS
LANE, LITTLE CHALFONT, BUCKINGHAMSHIRE, HP8 4AJ

INDEPENDENT HIGHWAYS ASSESSMENT

January 2022

Contents

- 1.0 INTRODUCTION
- 2.0 TRANSPORT STATEMENT
- 3.0 FRAMEWORK TRAVEL PLAN
- 4.0 FRAMEWORK CONSTRUCTION TRAFFIC MANAGEMENT PLAN
- 5.0 SUMMARY & CONCLUSIONS

I.0 INTRODUCTION

I.1 Paul Mew Associates have been appointed by the Little Chalfont Community Association & Little Chalfont Parish Council to carry out an independent audit of the transport implications of the proposed development of Little Chalfont Golf Club, Lodge Lane and adjacent land to the south including Homestead, Burtons Lane, Little Chalfont, Buckinghamshire, HP8 4AJ.

I.2 The proposed development that has been submitted to Buckinghamshire Council under Planning Ref: PL/21/4632/OA is for the;

“demolition of all existing buildings and the erection of residential dwellings including affordable housing, custom build (Use Class C3), retirement homes and care home (Use Class C2), new vehicular access point off Burtons Lane, improvements to existing Lodge Lane access including works to Lodge Lane and Church Grove, new pedestrian and cycle access at Oakington Avenue including construction of new pedestrian and cycle bridge and associated highway works, a local centre including a community building (Use Classes E(a)(b)(e), F2(b)), land safeguarded for educational use (Use Classes E(f) and F1(a)), public open space and associated infrastructure (matters to be considered at this stage: Burtons Lane and Lodge Lane access).”

I.3 The Transport Assessment submitted by the applicant includes a more ‘quantitative’ description of the proposed land uses, comprising of:

...380 residential units (Use Class C3), up to 100 Bed Retirement Living (Use Class C2), up to 60 Bed Care Home (Use Class C2), land safeguarding for a IFE primary school and nursery, up to 1,000m² community hub and associated infrastructure delivery including road, cycle, landscaping, reprofiling and bridge link to Oakington Avenue.

I.4 This Independent Highways Assessment has examined the Transport Statement, Framework Travel Plan and Framework Construction Traffic Management Plan submitted in support of the application. A site visit has also been carried out by Paul Mew Associates to assess the site and the potential impact of the proposed development on local conditions.

I.5 The findings of this assessment are set out in the following chapters on a document by document basis, and in the order of contents of each document.

2.0 TRANSPORT STATEMENT

- 2.1 This chapter assesses the Transport Statement submitted in support of the application. It should be noted that the document is entitled Transport Statement but within the document it is referred to as a Transport Assessment. The Department for Transport's guidance on the preparation of Transport Statements and Transport Assessments makes clear that Transport Statements are for small developments which are expected to generate relatively low numbers of trips or traffic flows, with minor transport impacts. As such, the document should have been entitled Transport Assessment. Additionally, the title page of the Transport Statement sets out that the proposed development is 'residential'. It would have been more accurate to describe the development as 'mixed use' as in addition to 380 dwellings, the scheme proposed retirement dwellings, a care home, a IFE primary school and a community hub.

Chapter 1. Introduction

- 2.2 The introduction includes the statement that '*Safe and suitable vehicular access to the proposed development will be provided from Lodge Lane and Burtons Lane*'. There is no evidence in the Transport Statement, or in the application, that the required Road Safety Audit and Non-Motorised User Audit processes have been carried out. Stage 1 Road Safety Audits and Non-Motorised User Audits should have been carried out for any new or amended road junctions to assess the safety implications of changes for motorists, pedestrians, cyclists and other non-motorised users. Until such audits are carried out, the assertion that 'safe' vehicle access will be provided should be rescinded.
- 2.3 The assertion that '*the site is accessible by sustainable modes of travel including foot, cycle and public transport*' is questioned as discussed in more detail later in this chapter.

Chapter 2. Transport Policy Context

- 2.4 Chapter 2 of the Transport Statement presents a review of relevant planning policy and with respect to local, regional, and national guidance. It does not however set out how the proposed development complies with these policy requirements, with the exception of parking standards.

Chapter 3. Existing Transport Network

- 2.5 Para 3.6 of the Transport Statement sets out that Lodge Lane is circa 4.8m wide. It does not mention that the road is largely provided in a 'cutting / gully' with steep banks rising on either side and that vegetation / soil encroaches on either side of the tarmac surface – all of which would reduce the effective width of the road. Para 3.6 also does not mention that the railway bridge has a height clearance of 13'0' (3.96m) or that Lodge Lane has sections of considerable gradient of up to 9% (1:11) which could pose safety issues for large vehicles and / or in icy conditions. There are no footways or street lighting on Lodge Lane.

- 2.6 Paragraph 3.6 of the Transport Statement sets out that Burtons Lane is partially lit and provided with footways, while Paragraph 2.2 of the Design & Access Statement claims the footpath from the Burtons Lane entrance to the village centre is 1.5 to 2m wide. Assessment of the section of Burtons Lane adjacent to the site and north to the A404 (a distance of circa 630m) reveals there are just 2 lamp columns. As such during hours of darkness the majority of the footway to the north would be unlit. In addition, the footway is only 1m wide at some points and not in a good state of repair with edges crumbling. The footway is also subject to reduced natural surveillance. Taken in conjunction, the above factors would lead to a reduced feeling of safety for pedestrians.
- 2.7 The Transport Statement presents no data on existing traffic flows on Lodge Lane, Burtons Lane or indeed any other local road. It would have been expected that, as a minimum, automatic traffic count data had been collected / reported so that vehicle speed data could be used to confirm / assess sightline requirements.
- 2.8 Paragraph 3.7 of the Transport Statement, part of the Sustainable Transport Accessibility section, includes the statement that '*Most people will walk to destination that is less than one mile (Planning for Walking, 2015)*'. A quick internet search shows a contradictory assessment from The Independent newspaper (14/06/18) which sets out that a survey in 2018 revealed that "*In a study of 2,000 adults, 40 per cent admitted they would not be willing to walk more than a mile to get somewhere, opting for an alternative form of transport instead*". As such, the other claims made about how far people are willing to walk or cycle in this paragraph and Paragraphs 3.12 to 3.14 of the Transport Statement need to be taken with a degree of scepticism.
- 2.9 A walk catchment figure has been prepared and presented at Appendix A, but it is not clear if the isochrones reflect the current situation, or the proposed development whereby a new pedestrian / cycle bridge link across the railway line will be provided. For example, Oakington Avenue which is to the north of the railway line is shown as being a 10 minute walk from the centre of the site, but at present there is no direct pedestrian route – the walk route via Lodge Lane or Burtons Lane is likely to exceed 10 minutes. As such the walk catchment figure may present an overly optimistic view of the site pedestrian accessibility. It is also noted that Para's 3.12 and 3.13 refer to Drawing 140207/SK1 within Appendix A, but Appendix A only includes a single drawing entitled Figure 3.2 and that the drawing shows local facilities (district centre, community library, primary school, high school, GP surgery and station). These facilities are not shown on the walk catchment map, neither does it show the site boundary. An explicit assessment of road traffic accidents involving pedestrian casualties is not presented.
- 2.10 The Transport Statement does not include any assessment of accessible access to the site for wheelchair users or for those with reduced mobility.
- 2.11 With regards cycle access while Burtons Lane may form part of a local cycle route, the Transport Statement does not mention the gradient on Burtons Lane which may affect how realistic cycle use would be for users of the new development. Neither is an explicit assessment of road traffic accidents involving cyclists

- presented. The use of Lodge Lane by cyclists, given the road's width and the volume of development traffic forecast to use it, could lead to road safety issues.
- 2.12 The Public Transport section of Chapter 3 states that the centre of the site is within 500m of Chalfont and Latimer Station. It should be noted that this is an 'as the crow flies' distance. The minimum walk distance without the proposed new railway bridge is 1.3km, while with the new railway bridge it would be around 700m. Hence, the 500m claim is misleading.
- 2.13 Paragraph 3.19 suggests there are approximately 10 rail services an hour in each direction, which would total 20 services. Assessment of Chiltern Railways and Transport for London timetables shows that during the peak hour (08:00-09:00) there are a total of 15 rail and underground services. During off peak hours, the number of services is lower than this.
- 2.14 The provision of local bus services is poor with just 2 services available at a walk distance of around 700m (with the new footbridge) or 1.3km without, and with service frequencies of just 1 per hour or 1 every 2 hours with limited / no services at weekends.
- 2.15 There is no assessment of step free access at Chalfont and Latimer Station or for local bus services for wheelchair users or for those with reduced mobility.
- 2.16 The Census data presented in Table 3.3 is for journeys to work and will reflect the fact that many local people will commute in to London by rail / underground with 25% of journeys to work being made by this mode. The data does not show how non-journeys to work are made, such as trips to / from school, shopping trips or leisure / travel trips. This would be likely to account for a significant number of trips per day which are unlikely to be made by rail and more likely to be made by car.
- 2.17 The road safety assessment includes what is stated to be the last available 5 year period (2015 to 2019). At the time the Transport Statement was prepared the most recent available Crashmap 5 year period was 2016 to 2020. Map extracts showing the location of road traffic accidents involving pedestrians and cyclists should have been shown.
- 2.18 The summary presented at the end of Chapter 3 suggests that *'the site is extremely accessible by a variety of alternative modes of transport that have the potential to reduce reliance upon the private car, with currently 82% of local residents traveling to work by alternative modes.'*
- 2.19 This claim is contested on the basis of the arguments set out above. The claim that 82% of local residents travel to work by modes of transport other than car is incorrect and misleading. Table 3.3 of the Transport Statement shows that 66% of people in the area travel to work by car (as car driver or passenger), which means that those that travel by modes other than the car account for 34% - not 82%.

Chapter 4. Proposed Development

- 2.20 Paragraph 4.3 of Transport Statement sets out that “*a safe and suitable access strategy for the site was agreed during pre-planning discussions with Buckinghamshire County Council for a larger potential development than that proposed*”. This appears to relate to discussions mentioned in a letter of 21/02/20 from CBRE to the Inspectors appointed to conduct the Examination in Public of the draft CSB draft local plan, said to have taken place in July 2018 and June 2019. It has been reported to Paul Mew Associates that prolonged attempts by the Parish Council to obtain details of these discussions from Buckinghamshire Council were refused, but it is believed that only preliminary discussions had taken place, and that detailed design drawings had not been provided to the Highways Authority to enable them to assess the proposals.
- 2.21 A subsequent request for the documents relating to these meetings, made by a local resident under the Environmental Information Regulations, was refused on grounds of confidentiality. It is suggested that as these discussions were held with a council since abolished, on a draft plan subsequently withdrawn, and since no minutes, report or other details of the meetings were published, the applicant’s claim that an access strategy was agreed should carry no material planning significance.
- 2.22 The proposed access from Lodge Lane will be provided by means of an amended / widened priority junction at the location to the former golf club and will serve the eastern part of the site. Sightlines of 2.4m x 120m are shown but the assessment to the north does not appear to take in to consideration the railway bridge and gradient to the road which rises significantly, such that the railway bridge could obscure the sightline to the north. Indeed, there is no mention of sightlines or visibility assessments in the text of the report. The only reference to visibility assessment is in Appendix H, but again no explanation as to why sightlines of 120m have been assessed.
- 2.23 The sightline figures also present swept path analysis for a large refuse vehicle of height 3.76m approaching / leaving the site to / from the north. It should be noted that the railway bridge to the north has a height clearance of 3.96m.
- 2.24 Proposed widening of Lodge Lane from 4.8m to 5.5m will lead to a considerable loss of local habitat. The road under the railway bridge does appear also to be subject to road widening but it is questioned as to how much additional effective width would realistically be achieved at this location. The site visit revealed that at present the wall-to-wall width of the over-bridge is 6.1m. Allowing for a 0.5m ‘verge’ on either side leaves only circa 5m for the two-way running lane which would require some form of priority operating system with vehicles from one direction being required to give way to vehicles approaching from the other direction.
- 2.25 Access to the south via Lodge Lane, for onward connection to the B4442 and A413, is narrow with single lane only sections with passing places and considerable gradient issues.

- 2.26 It should be noted that during previous consultations for potential development on this site, it was made clear that a substantive access onto Lodge Lane would not be supported by the highway authority - *“Unlikely to be supported by the Highway Authority unless a suitable access can be achieved from Burton’s Lane, as there are likely to be issues with visibility onto Lodge Lane and the width of Lodge Lane itself. Will require Transport Assessment.”* (page 31 of the Post Preferred Green Belt Options Consultation November 2017).
- 2.27 The proposed access from Burtons Lane will be provided by means of a new priority junction to the south of the existing access to Homestead and will serve the western part of the site. Burtons Lane is a narrow two-way single carriageway road with a width of only around 5m, operating with a speed limit of 30mph in the vicinity of the site. There is a broad verge and footway on the eastern side of Burtons Lane adjacent to the site.
- 2.28 Burtons Lane has a blind crest when looking to the south on leaving the site which is due to the fact that the site is in a dry valley that runs east west down the middle of the site. The site visit suggested that this crest to the south could limit visibility to the south. The Transport Statement makes no mention of the crest to the south and its impact on achievable sightlines. Again, there is no mention of sightlines or visibility assessments in the text of the report with regards the proposed Burtons Lane access. The only reference to visibility assessment is in Appendix J, but again no explanation as to why sightlines of 90m have been assessed. Speed surveys should have been carried out to confirm sightline requirements.
- 2.29 Although not ‘all purpose trunk roads’, Lodge Lane and Burtons Lane would be relied on by the development for access / connector roads to local amenities and the wider local road network. As such, general design guidelines set out in Design Manual for Roads and Bridges: CD 127 Cross-sections and Headrooms should be considered. For rural all purpose roads CD 127 suggests lane widths of 3.65m such that a two way road would have a carriageway width of 7.3m. The circa 5.0m width of Lodge Lane and Burtons Lane are considerably less than this design standard.
- 2.30 In addition, CD 127 suggests the minimum (maintained) headroom for bridge structures should be 5.03m plus an additional clearance relating to the ‘sag’ curve radius, which would be required at this location due the road gradients either side of the bridge. The current height clearance of 3.96m on Lodge Lane, again is considerably less than this design standard. It should also be noted that the gradients on Lodge Lane either side of the proposed site access are subject to ice / snow as Lodge Lane is not part of Buckinghamshire Councils winter gritting list.
- 2.31 The Transport Statement sets out that while the vehicle accesses on Lodge Lane and Burtons Lane will be linked, through traffic will be limited to bus and sustainable transport with no access provided for other vehicular traffic. No detail is provided as to how this control will operate. It is inevitable that any access control (gate / barrier / bollard) will be breached and that through vehicular traffic will result.

- 2.32 The proposed servicing strategy and accompanying service vehicle swept path analysis (Appendix M) suggests that refuse vehicles would be able to travel between the two access points. The Transport Statement has previously set out that through traffic will be limited to bus and sustainable transport.
- 2.33 There is no evidence that Road Safety Audits have been carried out for the proposed site access junctions or the internal road layout. Given that full planning consent is being sought for access as part of the outline application, Road Safety Audits for the proposed vehicular accesses should have been supplied.
- 2.34 With the pedestrian / cycle access section of Chapter 4 it is proposed to convert the existing zebra crossing on Amersham Road to a toucan crossing. There is no evidence to confirm that the amended junction meets the design requirements for toucan crossing facilities or that a Road Safety Audit has been carried out for this proposed change.
- 2.35 It is also proposed that the existing Oakington Avenue / Amersham Road junction will be relocated approximately five metres to the east. There is no evidence that a Road Safety Audit has been carried out for this proposed change.
- 2.36 There is no proposal to provide a footway or street lighting on Lodge Lane. Taken in conjunction with the gradient of the road towards the village centre, the use of Lodge Lane by residents of the proposed scheme to access bus stops on Amersham Road (to the west of Church Grove) would raise significant road safety issues.
- 2.37 The proposal includes the provision of a new pedestrian / cycle bridge over the railway linking to the western end of Oakington Avenue. At peak times, this could lead to considerable numbers of pedestrians accessing the narrow footways on Oakington Avenue with up to 150 additional pedestrian / cycle trips during the AM peak hour according to the Transport Statement. These numbers would include parents with prams / toddlers / scooters heading to / from school. Additional vehicular traffic could also be present at this location as parents drop-off or pick-up children attending the new school. The Transport Statement makes no mention of these issues, nor does it present a 'pedestrian level of comfort' assessment for the footway at this location.
- 2.38 The present bus stops on eastern section of the A404 are situated at the two junctions with Church Grove; 680m to 930m from the site centre via the new footbridge and hence inconvenient for site users. The applicant proposes moving the bus stops closer to the new pedestrian bridge location with the westbound bus stop on the hill west of the junction with Oakington Avenue, approximately where there is currently a temporary dropped kerb and entrance to a building site in the rear garden of No.1 Oakington Avenue. Applications to have the temporary entrance made permanent have twice been refused at appeal on road safety grounds (Application Ref: CH/2017/2197/FA, Appeal Ref APP/X0415/W/18/3203607; and Application Ref: PL/20/0689/FA, Appeal Ref: APP/X0415/D/20/3253104). Therefore, the proposed new bus stop location, near a radar trap installed because of accident risk, does not appear suitable.

- 2.39 The alternative relocated westbound bus stop would be placed east of the Oakington Avenue junction on a curved section of the A404 which could lead to forward sightlines issues for cars wanting to overtake a bus waiting at the new bus stop. It would also be necessary to construct an access path, and the bus-stop itself, on an established and popular 'green space' owned by Buckinghamshire Council and tended by local residents, who value it as recreational space and a visual amenity. Bushes and trees on that space would have to be removed to provide pedestrian access to the bus-stop. Therefore, it appears unlikely that any bus-stop could be placed in a position to make the footway across the railway convenient for access to buses.
- 2.40 Local residents have reported that prior to Covid-19 the 487 space car park at Chalfont and Latimer Station was full on most weekdays before 09:00 with standing room only on peak hour services to London. The 'full car parks situation' is expected to return over time. The proposed development would lead to additional car journeys to drop off/pick up commuters at the station, additional stress on car parking and on crowded commuter services. It is also noted that Chalfont and Latimer Station is used by many people who do not live in Little Chalfont but from other settlements, mostly to the north, to keep down their rail travel costs. If parking numbers were increased, it could potentially attract even more cars that would add to the morning rush hour traffic.

Chapter 5. Highway Baseline Conditions

- 2.41 Chapter 5 of the Transport Statement sets out the assessment of current local junction performance for 5 local junctions agreed with the Highways Authority. All 5 junctions assessed are on Amersham Road to the north of the site, which would appear to reflect the supposition that most vehicle trips to / from the site will route to / from Little Chalfont centre which is located to the north of the site.
- 2.42 Turning count data used in the assessments dates from 2017 with updates being discounted due to the effect of Covid-19.
- 2.43 The results suggest that 4 of the 5 junctions assessed were operating satisfactorily but that the mini-roundabout junction of A404 Amersham Road / B4442 Cokes Lane had capacity, delay and 'level of service' issues.
- 2.44 In the current situation, the junction of Burtons Lane with Amersham Road (Chalfont Station Road) operates as a priority T-junction. There are existing "Keep Clear" markings on the junction to facilitate vehicles turning into and out of Burtons Lane. The presence of these markings indicates that there is an existing issue with vehicles queuing back from the Cokes Lane mini-roundabout to the west blocking Burtons Lane. This is supported by local observations which confirm that these junctions become congested during peak periods.
- 2.45 The same general assessment applies to the junctions with background flows growthed to the future year of 2026.

Chapter 6. Vehicle Trip Generation and Traffic Distribution

- 2.46 Chapter 6 initially presents details of TRICS database trip generation forecasts for the proposed development with relevant extracts from the TRICS database included at Appendix Q. It is noted that no explanation is provided as to how TRICS sites have been selected and why they consider them to represent the proposed development. TRICS sites selected should reflect factors such as location, local population, car ownership and public transport and parking provision.
- 2.47 For example, 4 of the 8 'mixed houses and flats' sites for private residential land uses are located in Greater London, while another 3 are located on the edge of city centres / large conurbation centres. In these type of locations, public and other sustainable transport provision is likely to be significantly better than at the proposed development site. This would have the effect of under-estimating vehicle trip rates.
- 2.48 With regards the proposed IFE primary school, the assessment assumes that 50% of trips will be to / from the proposed residential development, but there is no assessment to demonstrate that the proposed residential development population would include the commensurate number of primary school aged children.
- 2.49 Census 'work destination' data has been assumed to assign development trips to the local road network. These proportions have also been applied to school trips which are unlikely to accurately reflect actual school trip origins / routings. In addition, the trip generations from the various land uses will also have included non-work trips, (again including school trips) which have been assumed to have the same origins / destinations / routings as 'journey to work' trips.
- 2.50 The proposed development would have two vehicular access points;
- On to Burtons Lane serving 110 residential units which would need to accommodate 51 vehicle trips in the AM peak hour, 44 in the PM peak hour and 435 over the 12 hour period from 07:00 to 19:00, and,
 - On to Lodge Lane, serving the 271 residential units, a 100 dwelling retirement development, a 60 bed care home and a IFE primary school which would need to accommodate 221 vehicle trips in the AM peak hour, 139 in the PM peak hour and 1,651 over the 12 hour period from 07:00 to 19:00.
- 2.51 Lodge Lane, Burtons Lane, and the proposed vehicle accesses on them are not considered to be suitable to accommodate the level of vehicle trips forecast to be generated by the development. As set out earlier in this chapter, Lodge Lane and Burtons Lane are of restricted widths, 4.8m and circa 5m respectively and even with the widening of Lodge Lane to 5.5m a width restriction at the railway bridge will remain. In addition, there are potential sightline issues at each location due to gradients / level differences. On Lodge Lane, with flows of 1,651 per day there is no discussion over the provision of a right turn ghost island facility in line with general supposition that such facilities are required where flows on the minor arm (site access road) are greater than 500 per day. No such facility is proposed, or even discussed.

- 2.52 The Transport Statement then applies resulting additional flows to the junctions studied and assesses the impact. As set out above there are concerns over the validity / suitability of the trip generation assessment and the assignment / distribution of these flows to local junctions.
- 2.53 Despite this, the junction assessment shows that the mini-roundabout junction of A404 Amersham Road / B4442 Cokes Lane would have significant capacity, delay and 'level of service' issues on multiple junction arms in morning and evening peak periods. Additionally, the A404 Amersham Road / Burtons Lane junction would have delay and 'level of service' issues for the stream of traffic from Burtons Lane to A404 Amersham Road (east). These would result from additional flows from the proposed development's Burtons Lane access.
- 2.54 As a result of additional flows from the proposed development's Lodge Lane access, the junction of A404 Amersham Road / Church Grove / Stoney Lane staggered junction, would have significant capacity, delay and 'level of service' issues on the Stony Lane arm.
- 2.55 While Chapter 6 of the Transport Statement assesses the impact of the proposed development on key local junctions, it does not mention the general impact of such a development on Little Chalfont itself. Congestion on the local road network already leads to the extensive use of 'rat-runs' such as Elizabeth Avenue, to avoid the A404, and illicit use of private roads such as Long Walk. With additional traffic from the development, the use of these and other 'rat-runs' is only likely to increase.
- 2.56 In 2019 average daily traffic flows on Amersham Road (DfT Count Point 47084 north of Elizabeth Avenue) were 14,262. The proposed development has been forecast to generate 1,651 vehicle trips per day – most of which would route via the A404 and which would equate to a 12% increase in vehicle trips. Similarly, in 2019 average daily traffic flows on Burtons Lane (DfT Count Point 951825 north of Long Walk) were 1,802. The proposed development has been forecast to generate 435 vehicle trips per day on Burtons Lane, which would equate to a 24% increase in vehicle trips. Such increases in flows are not insignificant.
- 2.57 The impact of the proposed development also needs to be taken in consideration with the consented development of 309 homes at Newland Park, off the B4442 (planning permission CH/2014/1964/FA) and other proposed developments at Chorleywood, all of which will lead to increased traffic on the A404 through Little Chalfont.
- 2.58 It is noted that Little Chalfont is alone among the Chiltern District "main settlements for growth" identified in Core Strategy Policy CS2 (Amersham, Chesham, Chalfont St Peter and Little Chalfont) in having no bypass around its centre. Therefore, increased congestion on the A404 (a Strategic Inter-Urban Route) which passes through the village centre and shopping area, would have a more direct effect in reducing the amenity of the centre. This would include, in particular, worsening of the already chronic queuing problem on the A404 for entry to the village's main shopping precinct on Chenies Parade.

- 2.59 A significant number of children who attend schools in Little Chalfont, such as Dr Challoner' School and accessed from Cokes Lane, travel to and from the village by rail. There is one zebra crossing on Amersham Road (Chalfont Station Road) west of Station Approach, and an informal crossing facility on Amersham Road (Chalfont Station Road) to the east of Burtons Lane. There are no pedestrian crossing facilities on Burtons Lane and only an informal crossing facility on Cokes Lane for access to Dr Challoner' School. The increase in traffic through the centre of Little Chalfont would give rise to increased road safety concerns for children attending local schools who have to cross roads in the centre of the village.
- 2.60 It is also noted that to route to the M25 (for onward connection to London) residents of the development would use the narrow Burtons Lane or Lodge Lane south and on to Burtons Lane east via Chorleywood, or route north then on to the A404 in the village centre, adding to the heavy congestion which already affects the junctions there. To access the A413, residents would route south via the narrow Burtons Lane or Lodge Lane to the single-track Roughwood Lane, which would not be suitable for such increased traffic flow.

Chapter 7. Mitigation

- 2.61 The Mitigation chapter of the Transport Statement sets out that Lodge Lane will be widened to 5.5m to accommodate the increase in vehicular movements along this length of road generated as a result of the proposals. As discussed above, due to the steep slopes that rise from either side of much of Lodge Lane, it is questioned how effective any road widening would be along with the environmental impact, and practicality of such widening. There is also the issue of the effective width of the road as it passes under the railway bridge which would require some form of priority operating system with vehicles from one direction being required to give way to vehicles approaching from the other direction. There is no evidence that a Road Safety Audit has been presented for these proposed junction amendments. Finally, there are no proposals to provide footways or street lighting on Lodge Lane which would help mitigate road safety concerns over pedestrians using Lodge Lane.
- 2.62 No mitigation measures are proposed for the A404 Amersham Road / Church Grove / Stoney Lane staggered junction.
- 2.63 Mitigation as a result of increased flows on Burtons Lane include widening Burtons Lane to 2 lanes on approach to the A404 Amersham Road, but no evidence is provided to support this statement and again there is no evidence that a Road Safety Audit has been presented for these proposed junction amendments.
- 2.64 With regards the A404 Amersham Road (Chalfont Station Road) / White Lion Road / B4442 Cokes Lane mini-roundabout, mitigation comprises widening the Amersham Road (Chalfont Station Road) and Cokes Lane approaches of the junction. While this would reduce the impact of the development, capacity, delay and 'level of service' issues would still be significant. The RFC's (ratios of flows to capacity) on all 3 arms would be over 0.92 in the AM peak, with the A404 Amersham Road (Chalfont Station Road) and Cokes Lane operating with RFCs

of 0.98. At this level, it only takes minimal additional flows to result in the junction 'breaking down' - minimal additional flows that could result from alternative trip generation and assignment / distribution assessments. Again, there is no evidence that a Road Safety Audit has been presented for these proposed junction amendments.

Chapter 8. Sustainable Transport Trips

- 2.65 Chapter 8 of the Transport Statement includes a table showing the number of forecast trips that would be made to / from the site by a range of sustainable modes. The issue with this assessment is that it is based on Census 'journey to work' data, which will skew the results to rail / underground as many local residents will commute to London by these modes.
- 2.66 The assessment does not consider non-work trips. Residents of the new scheme are unlikely to use rail / underground for school, shopping, leisure or personal business to the same extent at work commuting trips. As such, it is likely that there would be fewer sustainable trips than suggested and hence more car based trips. Additional car based trips and the impact they could have on local junctions / roads have been discussed above.

Chapter 9. Promoting Smarter Choices via Travel Plans

- 2.67 The Framework Travel Plan submitted in support of the scheme is discussed in the following chapter.

Chapter 10. Summary and Conclusions

- 2.68 Chapter 10 of the Transport Statement concludes that:
- *The site benefits from access to a sustainable transport network that provides alternatives to the private car;*
 - *An analysis of personal injury accident data records has identified that the local highway network is not subject to an abnormally high accident rate;*
 - *Appropriate provision will be made for access, parking and servicing in accordance with relevant guidance and standards;*
 - *The anticipated increases in vehicular and non-vehicular activity will not lead to a severe impact upon the local transport networks; and,*
 - *The use of more sustainable modes of transport will be actively encouraged by operating a Residential Travel Plan.*
- 2.69 In contrast, this Independent Highways Assessment suggests;
- The site has limited access to sustainable transport with a poor levels of local bus services, pedestrian links that are not lit during hours of darkness and rail services that are at an extended walk distance;
 - An analysis of personal injury accident data has not considered the most recent 5 year period and has not fully assessed pedestrian and cyclist injury accidents;
 - Access to the site at both proposed locations are likely to have sightline issues, while access routes on Lodge Lane and Burtons Lane are problematic

- due to narrow road widths and questionable benefits of road widening. In addition, required Road Safety Auditing has not been carried out / reported
- The impact of anticipated increases in vehicular activity cannot be fully assessed as questions remain over trip generation forecasts, the assignment / distribution of these to the local road network, and the over estimation of the use of sustainable modes of transport.
 - A series of thorough / robust Travel Plans would be required across all proposed land uses, not just residential, to achieve a reduction in car based trips.

3.0 FRAMEWORK TRAVEL PLAN

Title Page & Chapter 1. Introduction

- 3.1 The title page of the Framework Travel Plan sets out that the proposed development is 'residential'. It would have been more accurate to describe the development as 'mixed use' as in addition to 380 dwellings, the scheme proposed retirement dwellings, a care home, a IFE primary school and a community hub. Similarly, the Objectives of the Travel Plan only relate to 'residents' but should also include retirement dwelling residents along with staff of the care home and community hub. It is set out that the primary school would operate their own school travel plan.
- 3.2 'Hard' measures proposed to support the travel plan include access from Burtons Lane for cyclists and pedestrians and the new pedestrian / cycle footbridge over the railway line. As discussed in the preceding chapter, pedestrian access via Burtons Lane would not be encouraged by poor street lighting, lack of natural surveillance and gradient issues. The new footbridge could result in congestion at Oakington Avenue.

Chapter 3. Sustainable Travel

- 3.3 Chapter 3 of the Framework Travel Plan presents an assessment of baseline sustainable transport, copied from the Transport Statement. As such, the comments on the sustainable transport section of the Transport Statement detailed in the preceding chapter of this Independent Highways Assessment apply equally to the Framework Travel Plan, as duplicated below.
- 3.4 Para 3.1 of the Framework Travel Plan includes the statement that '*Most people will walk to destination that is less than one mile (Planning for Walking, 2015)*'. A quick internet search shows a contradictory assessment from The Independent newspaper (14/06/18) which sets out that a survey in 2018 revealed that "*In a study of 2,000 adults, 40 per cent admitted they would not be willing to walk more than a mile to get somewhere, opting for an alternative form of transport instead*". As such, the other claims made about how far people are willing to walk or cycle in this paragraph and other paragraphs of the Framework Travel Plan need to be taken with a degree of scepticism.
- 3.5 A walk catchment figure has been prepared and presented at Appendix A, but it is not clear if the isochrones reflect the current or proposed development. For example, Oakington Avenue which is to the north of the railway line is shown as being a 10 minute walk from the centre of the site, but at present there is no direct pedestrian route – the walk route via Lodge Lane or Burtons Lane is likely to exceed 10 minutes. As such the walk catchment figure may present an overly optimistic view of the site pedestrian accessibility. It is also noted that Para's 3.7 and 3.8 refer to Drawing I40207/SK1 within Appendix A, but Appendix A only includes a single drawing entitled Figure 3.2 and that the drawing shows local facilities (district centre, community library, primary school, high school, GP surgery and station). These facilities are not shown on the walk catchment map, neither does it show the site boundary.

- 3.6 The Framework Travel Plan does not include any assessment of accessible access to the site for wheelchair users or for those with reduced mobility.
- 3.7 With regards cycle access while Burtons Lane may form part of a local cycle route, the Framework Travel Plan does not mention the gradient on Burtons Lane which may affect how realistic cycle use would be for users of the new development. Neither is an explicit assessment of road traffic accidents involving cyclists presented.
- 3.8 The Public Transport section of Chapter 3 states that the centre of the site is within 500m of Chalfont and Latimer Station. It should be noted that this is an 'as the crow flies' distance. The minimum walk distance without the proposed new railway bridge is 1.3km, while with the new railway bridge it would be around 700m. Hence, the 500m claim is misleading.
- 3.9 Paragraph 3.13 suggests there are approximately 10 rail services an hour in each direction, which would total 20 services. Assessment of Chiltern Railways and Transport for London timetables shows that during the peak hour (08:00-09:00) there are a total of 15 rail and underground services. During off peak hours, the number of serviced is lower than this.
- 3.10 The provision of local bus services is poor with just 2 services available at a walk distance of around 700m (with the new footbridge) or 1.3km without, and with service frequencies of just 1 per hour or 1 every 2 hours with limited / no services at weekends.
- 3.11 There is no assessment of step free access at Chalfont and Latimer Station or for local bus services for wheelchair users or for those with reduced mobility.

Chapter 4. Management and Administration

- 3.12 Details relating to the management and administration of the Travel Plan should relate to retirement dwelling residents and staff of the care home and community hub as well as residents of the proposed 'general' housing.

Chapter 5. Measures

- 3.13 Details relating to the Travel Plan's measures should relate to retirement dwelling residents and staff of the care home and community hub as well as residents of the proposed 'general' housing.

Chapter 6. Indicative Targets

- 3.14 The used of Census 'method of travel to work' data does not necessarily reflect the modes of transport used for non-work trips such as school, shopping, leisure or personal business trips. It is acknowledged that actual / site specific targets will be set once initial data collection has been carried out.

- 3.15 Targets of the Travel Plan include achieving increased usage of car-clubs. However, there has been no mention of car club facilities in the Travel Plan up to this point and it is noted that the nearest existing car-club facility is 4 miles away at Chalfont St Peter and as such would not be of practical use of residents of staff at the proposed development. If it is suggested that a car club facility is provided on-site, this would be subject to a feasibility study by car club operators as to whether such a proposition would be financially viable. Given that most, if not all residents of the proposed scheme will own a car, it is questioned as to how effective a car club facility would be.
- 3.16 Targets should also relate to retirement dwelling residents and staff of the care home and community hub as well as residents of the proposed 'general' housing.

Chapter 7. Monitoring and Review

- 3.17 It is set out in Chapter 7 that the Travel Plan will be monitored once 80% occupancy has been reached and then on the third and fifth anniversary of the initial survey.
- 3.18 It is usual / common practice that additional monitoring and reporting is carried out on the first anniversary of the initial survey.
- 3.19 Monitoring and review should also relate to retirement dwelling residents and staff of the care home and community hub as well as residents of the proposed 'general' housing.
- 3.20 In summary, the levels of sustainable travel available to the site are not considered to be as good as the Travel Plan would suggest. The Travel Plan should apply to all users that travel to and from the site, not just residents of the proposed 'general' housing.

4.0 FRAMEWORK CONSTRUCTION TRAFFIC MANAGEMENT PLAN

- 4.1 A Framework Construction Traffic Management Plan sets out initial details of how construction traffic for a development will be managed so as to ensure that the impact of construction work on local residents, other sensitive receptors and the immediate highway is kept to a minimum and that appropriate controls are identified should they be necessary. The applicant sets out that as the construction phase of the development has not, at this point, been finalised, details provide should be considered as interim.

Chapter 2. Construction Site Location

- 4.2 Chapter 2 of the Framework Construction Traffic Management Plan is an extract of the Existing Transport Network chapter of the Transport Statement. No additional information is provided as to the suitability of the local road network to accommodate construction traffic.
- 4.3 As such the comments provided earlier in this Independent Highways Assessment are equally applicable, as reproduced below.
- 4.4 Para 2.5 of the Framework Construction Traffic Management Plan sets out that Lodge Lane is circa 4.8m wide. It does not mention that the road is largely provided in a 'cutting / gully' with steep banks rising on either side and that vegetation / soil encroaches on either side of the tarmac surface – all of which would reduce the effective width of the road. Para 2.5 also does not mention that Lodge Lane has sections of considerable gradient of up to 9% (1:11) which could pose safety issues for large construction vehicles and / or in icy conditions.
- 4.5 Para 2.5 of the Framework Construction Traffic Management Plan also sets out that Burtons Lane is partially lit and provided with footways. Assessment of the section of Burtons Lane adjacent to the site and north to the A404 (a distance of circa 630m) reveal there are just 2 lamp columns. As such during hours of darkness the majority of the footway to the north would be unlit.

Chapter 4. Work and Programme

- 4.6 While it is acknowledged that the construction phase of the development has not, at this point, been finalised, the Work and Programme section of the Framework Construction Traffic Management Plan should provide some information of the phases of construction, what tasks would be carried out in each phase and the number and type of construction vehicles likely to visit the site for each task / phase. As discussed below, routing of construction vehicles to / from the site over the 5 year project duration will include the A404 Chalfont Station Road, which is already subject to congestion, particularly adjacent to the village's main shopping area on Chenies Parade. Some level of detail of these matters should have been provided at this stage to allow planning / highways officers and local residents to assess the general impact of construction traffic on local roads, residents and amenity.

- 4.7 Further to the point above regarding the lack of information on the number of construction vehicles likely to visit the site and impact on the A404 Chalfont Station Road adjacent to Chenies Parade, it should also be considered that construction workers are likely to visit the village's main shopping area during the day to purchase food / beverages, which will generate additional vehicle trips and increase parking demand to the detriment of existing visitors to and residents of the village.

Chapter 5. Traffic and Transport

- 4.8 A number of the 'Initiatives to Minimise Travel' would not in reality appear to be credible measures to reduce travel. Construction workers are unlikely to travel by public transport and it is likely that unlimited construction worker parking will be accommodated on site.
- 4.9 The type of construction vehicles that will visit the site will be more extensive than shown with heavy plant, low-loaders and mobile cranes likely to also require access. Given that the primary construction route access is subject to a 3.96m height restriction, vehicle details should have included vehicle heights.
- 4.10 HGV deliveries should avoid periods when children are travelling to and from local schools. Para 5.8 of the Framework Construction Traffic Management Plan sets out that the morning period of 07:00 to 09:00 will be avoided, but the afternoon HGV ban period of 16:00-19:00 does not cover the end of the day for local schools. For example, Dr Challoner's High School where the school day ends at 15:35.
- 4.11 Road sweeping to keep the highway adjacent to the site access clear of mud and debris should be carried out as a matter of course and not at the request of Buckinghamshire Council.
- 4.12 It is stated that '*All HGV construction traffic will be instructed to access the site via the A404 from the A413 Amersham bypass and junction 18 of the M25 at Chorleywood... All deliveries will use Lodge Lane except for the occasional delivery over 13 feet in height which will access the site from Burtons Lane.*'
- 4.13 From this statement it appears that the primary construction site access will be via Lodge Lane, which as discussed above is a narrow, steep road with a low railway bridge, steep embankments on either side and which is not part of the local winter gritting network.
- 4.14 As there are no details, even preliminary, as to the number and heights of construction vehicles that will visit the site, it is not possible to assess how many vehicles may be required to travel via Burtons Lane. No details are provided of measures to ensure that over-height vehicles do not attempt to access the site via Lodge Lane which could lead to Lodge Lane being blocked or damage to the railway bridge. No details have been provided to suggest that Network Rail have been informed of the construction proposals.

Chapter 7. Monitoring Vehicle Movements

- 4.15 The Monitoring Strategy section of the Framework Construction Traffic Management Plan sets out that '*the number of vehicles visiting the site will be low*'. This statement is questioned as the scale of the proposed development is considerable. Previously with the Framework Construction Traffic Management Plan it was stated that details such as this were not known at this time.
- 4.16 In summary, it is considered that even at this early stage, the Framework Construction Traffic Management Plan should contain a greater level of detail for the proposed scheme such that an informed decision can be taken by highways / planning officers. The provision of detailed construction information should not wholly be deferred to post consent condition discharge.

5.0 SUMMARY & CONCLUSIONS

- 5.1 The proposed development of Little Chalfont Golf Club, Lodge Lane and adjacent land to the south including Homestead, Burtons Lane, Little Chalfont, Buckinghamshire, HP8 4AJ would provide 380 residential units (Use Class C3), up to 100 Bed Retirement Living (Use Class C2), up to 60 Bed Care Home (Use Class C2), land safeguarding for a IFE primary school and nursery, up to 1,000m² community hub and associated infrastructure delivery including road, cycle, landscaping, reprofiling and bridge link to Oakington Avenue.
- 5.2 Assessment of the Transport Statement submitted in support of the application concludes that the site has limited access to sustainable transport with a poor levels of local bus services, pedestrian links that are not lit during hours of darkness and rail services that are at an extended walk distance. In addition, analysis of personal injury accident data has not considered the most recent 5 year period and has not fully assessed pedestrian and cyclist injury accidents.
- 5.3 Access to the site at both proposed locations are likely to be unviable as they have sightline issues. Lodge Lane and Burtons Lane are also problematic due to narrow road widths and questionable benefits of road widening. In addition, required Road Safety Auditing has not been carried out / reported.
- 5.4 The impact of anticipated increases in vehicular activity cannot be fully assessed as questions remain over trip generation forecasts, the assignment / distribution of these to the local road network, and the over estimation of the use of sustainable modes of transport. A series of thorough / robust Travel Plans would be required across all proposed land uses, not just residential, to achieve a reduction in car based trips.
- 5.5 The Framework Construction Traffic Management Plan should contain a greater level of detail for the proposed scheme such that an informed decision can be taken by highways / planning officers. This should include an assessment of the impact of construction traffic on the village centre which is already subject to congestion and parking issues. The provision of detailed construction information should not wholly be deferred to post consent condition discharge.
- 5.6 In conclusion, the proposed development should not be permitted on highways grounds.



Planning Application – PL/21/4632/OA

Land between Burtons Lane and Lodge Lane in Little Chalfont

Appendix B

Review of Landscape and Visual Impacts

Michelle Bolger Expert Landscape Consultancy.

Supporting the objection by:

Little Chalfont Parish Council

and

Little Chalfont Community Association

19 January 2022

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Landscape Briefing Note 1

Project: 1116 Land South East of Little Chalfont
Date: 18th January 2022
Purpose: Review of application PL/21/4632/OA
Reference: 1116 BN01 Land South East of Little Chalfont 220118.docx
Author: John Jeffcock CMLI

Introduction

1. Michelle Bolger Expert Landscape Consultancy (MBELC) has been instructed jointly by the Little Chalfont Community Association and Little Chalfont Parish Council to review the landscape and visual impacts of outline application ref: PL/21/4632/OA. The application, submitted by Biddulph (Buckinghamshire) Ltd to Buckinghamshire Council, is for residential development on 29 hectares of land east of Little Chalfont (site). The site is bound by Lodge Lane to the east and Burtons Lane to the west. Vehicle access from these roads is proposed and for determination as part of the application.
2. The application is supported by an Environmental Statement (ES) which includes a chapter on landscape and visual impacts and appendices prepared by Barton Wilmore; referred to hereafter as the LVIA (ES Chapter 13 and Appendices 13.1-13.10).
3. This review considers the landscape and visual impacts of the application. As the site is located within the Green Belt (GB), this review also considers the impact of the proposals on GB openness and GB purposes. Figures intended to supplement those within the applicant's ES are included as Appendix 1 to this Note.
4. This review has been prepared by a Chartered Member of the Landscape Institute in accordance with the principles established by Guidelines for Landscape and Visual Impact Assessment, Third Edition, 2013. The author has visited the area surrounding the site.

Landscape Character Context

5. The site comprises an area of grassland previously used as a golf course, and pastoral fields and woodland south and west of the former golf course. The site occupies the western part of a dry chalk valley (the valley) immediately west of where the valley is intersected by Lodge Lane (Figures 1 & 2). The valley east of Lodge Lane is within the Chilterns Area of Outstanding Natural Beauty (the AONB) and Lodge Lane forms the boundary to the AONB. The site is outside the AONB, but it features a mosaic of woodland and grassland which complements that found in the adjacent AONB. Dry chalk valleys are also a characteristic of the AONB¹.
6. Similarities in landscape character east and west of Lodge Lane are reflected in the fact that both the site and the valley east of Lodge Lane (within the AONB) are within the same landscape character area (LCA); LCA 18.3 Little Chalfont Rolling Farmland² (Figure 3) as identified in the Chiltern District Landscape Character Assessment, October 2011. The vision for this LCA is *'To conserve and enhance the woodland, farmland and historic parkland which is retained between settlements and which contributes to the rural, peaceful character of Little Chalfont Rolling Farmland'*.³ Landscape and visual sensitivities within this landscape include⁴:
 - *'The open farmland and woodland cover (large areas of ancient woodland) which provides enclosure, a backdrop to views and biodiversity value.*
 - *The rural farmed and wooded character of the landscape occurring between the settlement of Little Chalfont and Chorley Wood/ Rickmansworth.* (The site is part of this landscape).
 - *Lanes/roads through open farmland or enclosed by woodland which retain a rural character'*.
7. Within the site are two Ancient Woodlands at Netherground Spring and Stoneydean Wood, and part of a third woodland known as Loudham's Wood (Figures 4 & 5). Netherground Spring is a continuation of the beech woodland found within the AONB, where wooded landscapes are an identified special quality⁵. Woodland within the site contributes to the sense of enclosure within the chalk valley and has resulted in a landscape which is representative of the *'secret corners'* described in the AONB Management Plan⁶. It also provides a treed backdrop to the

¹ Chilterns AONB Management Plan 2019-2024 Page 13

² Chiltern District Landscape Character Assessment, October 2011

³ Chiltern District Landscape Character Assessment, October 2011 Page 95

⁴ Chiltern District Landscape Character Assessment, October 2011 Page 95

⁵ Chilterns AONB Management Plan 2019-2024 Pages 10 & 11

⁶ Chilterns AONB Management Plan 2019-2024 Pages 10 & 11

village, including from within the Burtons Lane to Doggetts Wood Lane Area of Special Character which abuts the western site boundary (Figure 4). This townscape area is recognised for its distinctive low-density pattern and mature vegetation, and its character is identified as being '*particularly vulnerable to change*'⁷. A large part of the Burtons Lane to Doggetts Wood Lane Area of Special Character is designated in the Chiltern District Local Plan as an Established Residential Area of Special Character (Policy H4), and the policy is saved (Figure 4).

8. Lodge Lane forms the eastern site boundary and has a narrow width with sunken treed sides which give it a rural character. It is representative of the sunken lanes which are identified as a special quality of the Chilterns AONB⁸. The lane is also representative of one of the 'landscape and visual sensitivities' of LCA 18.3 (see above). Historically it formed part of the route between the Latimer House Estate (a Registered Park and Garden on the northern side of Chess Valley) and the main road to Chalfont St Giles. Today it joins the same road (B4442) to Chalfont St Giles but the route north has been interrupted by the busy A404.
9. The northern boundary of the site is formed by the railway which is a strong settlement boundary. The railway lies on embankment east of Lodge Lane and is in cutting west of the Lane. The western boundary of the site is formed by a combination of residential property boundaries along Village Way, Loudhams Wood Lane and Burtons Lane. Both Village Way and Loudhams Wood Lane are private roads. Built development on these surrounding roads has mostly avoided the mid/lower slopes of the valley in which the site is located and there is limited existing development on land below 115m (Figure 2). The fact that the lower slopes of the valley have remained undeveloped means that an appreciation of a rural dry chalk valley - an attractive landscape characteristic, consistent with the nearby AONB - can be experienced in views from the edge of the village e.g. , Burtons Lane (LVIA Viewpoint 2).
10. The southern site boundary runs along the edge of a small business estate known as Honours Yard. Honours Yard is encircled by woodland which minimises its presence within the landscape (Figure 5). Activities at Honours Yard are at times noisy, and this noise detracts from the otherwise peaceful nature of Lodge Lane/ New Hanging Wood. The southern boundary continues through Loudhams Wood and along a field boundary parallel to Long Walk. Central and eastern parts of Long Walk are outside of the defined Built Up Area and are washed over by the Green Belt. A lack of footways, kerbs and other highway infrastructure e.g. , street lighting gives Long Walk a distinctive and informal character. It is also framed by mature trees and vegetation which assists in integrating the properties into their rural context.

⁷ Chiltern & South Bucks District Councils Chiltern and South Bucks Townscape Character Study Part 3, 2017, Para 2.2.21

⁸ Chilterns AONB Management Plan 2019-2024 Pages 10 & 11

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11. Existing buildings within the site include the former golf course clubhouse and buildings at Homestead Farm which include a residential dwelling. In 2017 an application to demolish a barn and erect three detached dwellings at Homestead Farm was dismissed at appeal, due to harm to the Green Belt and to the character and appearance of the area. Barn conversions for residential use have since been approved, as permitted developments, at Homestead Farm, but these have not been implemented.

Landscape Value

12. The following assessment of landscape value is based on the factors and indicators identified in Table 1 of the Landscape Institute's Technical Guidance Note (TGN 2/21) ***Assessing landscape value outside national designations***.⁹
13. Natural heritage: Woodlands within the site and nearby are identified as Priority Habitats (Deciduous Woodland). Stoneydean Wood, Netherground Spring, and New Hanging Wood are Ancient Woodland (Figure 4). The site and land to the east are within the Impact Risk Zone to the Frogmore Meadows Site of Special Scientific Interest (SSSI). Medium/high
14. Cultural heritage: The site adjoins Burtons Lane which is part of the Burtons Lane to Doggetts Wood Lane Area of Special Character. Two Grade II listed buildings are found at Loudhams along Burton Lane (Figure 4). Medium/high
15. Landscape condition: The landscape structure appears to be in a good condition. Medium/high
16. Associations: No known associations.
17. Distinctiveness: The local landscape is representative of the description of LCA 18.3 Little Chalfont. Almost all the key characteristics are displayed within the site or its immediate context. The 'strength of character' of LCA 18.3 is 'moderate' Medium/high
18. Recreational: There is no public access to the site. Burtons Lane is part of National Cycle Network Route 30. Public footpaths around Little Chalfont include Footpath (Fp) LCF/11/1 which runs from Lodge Lane through New Hanging Wood and Old Hanging Wood to the historic Manor of Chenies. Fp LCF/9/1 runs between New Road and Long Walk. Medium

⁹ Technical Guidance Note 02/21 Assessing landscape value outside national designations, Landscape Institute

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19. Perceptual (scenic): The mosaic of farmland and woodland within a valley landform is an attractive feature visible from the edge of Little Chalfont. Woodland within the site provides an attractive treed backdrop to the village from Oakington Ave and Burtons Lane. Detractors include buildings at Honours Yard and the security fencing which secures the vehicle entrance into the former golf club. Medium
 20. Perceptual (Wildness and tranquillity): Woodland within the site enhances the valley's sense of enclosure and has resulted in a landscape which is representative of the 'secret corners' described in the AONB Management Plan. Activity at Honours Yard and passing trains disrupt tranquillity. Medium
 21. Functional: The site is sandwiched between the AONB to its east and an Area of Special Character to its west. The site provides a positive setting to both. The characteristics of the site are consistent with those found within the AONB. They are also supportive of both the AONB and the Burtons Lane to Doggetts Wood Lane Area of Special Character. high
 22. Overall, the value of the local landscape including the site is considered to be high due to the presence of the AONB and an Area of Special Character within the local landscape and the site's role in providing a positive and coherent setting to these areas. The local landscape is a valued landscape for the purposes of paragraph 174(a) of the National Planning Policy Framework, July 2021 (NPPF).
 23. The LVIA submitted with the application does not include a specific receptor for local landscape character. However, it does include LCA 18.3 as a receptor, and the value of this area, which includes the site and its local context is assessed in the LVIA as high¹⁰.

Landscape Effects

24. The proposed development would replace the area of grassland and pastoral fields within the dry chalk valley with residential development. This would remove open land that acts as a buffer between the AONB and Little Chalfont (Burtons Lane/Loudhams Wood Lane/Village Way). It would also remove open land which provides an appropriate setting for both the AONB and Little Chalfont. This setting is particularly effective with regard to the AONB because of the continuity of landscape character across the AONB boundary.

¹⁰ ES Appendix 13.7 Table of Landscape Effects

-
25. Although woodland within the site is to be protected as part of the proposals, the characteristic mosaic of woodland and farmland which complements the AONB would be lost. Whilst the Design and Access Statement (DAS) submitted with the application states that the setting of the dry valley is to be retained and enhanced¹¹, this is not possible at the same time as the replacement of fields within the valley with development. Development within the site would extend to the bottom of the valley, below 110m, and the legibility of a rural dry chalk valley from locations such as Burtons Lane would be lost.
26. The vehicle access from Lodge Lane would be in the location of the existing access to the former golf club. To accommodate an increase in vehicle movements, Lodge Lane would be widened from 4.8m width to 5.5m. This widening would occur between the site access and the A404. Widening of the lane would require the construction of a retaining wall up to 2m tall along the western bank of the lane. These works would be focused on the section of lane north of the railway bridge, which, like all of Lodge Lane adjacent to the development site, currently has a strong rural character. Although it is proposed to grow vegetation on the retaining wall, it will still read as a distinctly engineered element which in combination with the widening of the road and the increase in traffic, would have a harmful urbanising effect on an intrinsically rural feature of the AONB. This aspect of the proposal would therefore harm a good example of one of the AONB's special qualities.
27. Previous representations by Natural England on the now withdrawn Local Plan identify Lodge Lane as '*a good example of an AONB laneway*' and state that it '*should not be altered as part of this development*'¹² [referring to the previous draft allocation site BP6]. The Chilterns Conservation Board also raised the potential impacts on this Lane in their representations on the withdrawn Local Plan, stating that '*Lodge Lane is very scenic rural lane in the Chilterns AONB. Any access or highway 'improvements' to Lodge Lane (eg widening, straightening, signage, traffic lights, street lighting) could harm the AONB, and the Chilterns Conservation Board would be likely to object*'.¹³
28. The proposed vehicle access from Burtons Lane would require the removal of a mature sycamore tree (T38) and would open up views across the western parts of the development. The replacement of an attractive, rural valley landscape with a housing development would harm the setting of the Burtons Lane to Doggetts Wood Lane Area of Special Character (AoSC). The AoSC's low-density pattern and treed character are highly distinctive and vulnerable to change. The DAS states that the average density across the site would be 49 dwellings per

¹¹ Design and Access Statement November 2021 Page 87

¹² POREp0227

¹³ POLate005

hectare¹⁴. This is considerably higher than the density of neighbouring parts of Little Chalfont and would be incongruous with the Burtons Lane to Doggetts Wood Lane AoSC.

29. Overall, development of the site would be contrary to the strategy and vision set out in the Landscape Assessment 2011 for LCA 18.3 as it would not conserve and enhance the woodland and farmland *'which contributes to the rural, peaceful character of Little Chalfont Rolling Farmland'*. The development would also affect landscape and visual receptors identified as being sensitive to change, including:

- *'The open farmland and woodland cover (large areas of ancient woodland) which provides enclosure, a backdrop to views and biodiversity value.*
- *The rural farmed and wooded character of the landscape occurring between the settlement of Little Chalfont and Chorley Wood/ Rickmansworth.*
- *Lanes/roads through open farmland or enclosed by woodland which retain a rural character'*.¹⁵

30. The development would result in an adverse change to the baseline situation and would not achieve the Landscape Guidelines for LCA 18.3, as it would not:

- *'Conserve and manage the mosaic of woodland and farmland which is key to retaining a rural character between settlements.*
- *Conserve the character of rural roads.*
- *Seek to avoid further expansion of settlement which leads to suburbanisation along roads'*.¹⁶

31. Additional impacts include those to the fabric of the landscape, and specifically the proposals to remove 69 *'arboricultural features'* i.e., individual trees and tree groups to facilitate the development.¹⁷

¹⁴ Design and Access Statement November 2021 Page 137

¹⁵ Chiltern District Landscape Character Assessment, October 2011 Page 95

¹⁶ Chiltern District Landscape Character Assessment, October 2011 Page 95

¹⁷ Arboricultural Impact Assessment November 2021 Page 1

32. Considering the impacts above, the magnitude of change to the local landscape, which includes the AONB and its setting, would be medium. The susceptibility of this landscape to the change proposed is also medium. The overall sensitivity of the local landscape to the changes proposed (the combination of the judgments about value and susceptibility) is medium/high. With a medium magnitude of change the overall effect upon the local landscape, which includes the AONB and its setting, would be moderate/major adverse. This is a significant effect for the purposes of the EIA Regulations¹⁸.

Visual Effects

33. People on Lodge Lane and Burtons Lane, some of whom are likely to be walkers, would be most affected by this development (medium sensitivity). The replacement of views into the dry chalk valley with a residential development, and the urbanisation of Lodge Lane, would result in a medium magnitude of change. The effects on the views and visual amenity of these viewing audiences would be moderate adverse, and therefore significant
34. Trees east of the site would filter visibility of the development for people using Fp LCF/11/1 within the AONB (high sensitivity). In wintertime, views of the development would be possible and, lighting from the development itself and the headlights of moving vehicles would be noticeable at night, at this otherwise unlit location. The magnitude of change would be small/medium and the effects on the views and visual amenity of these viewing audiences would be moderate adverse, and therefore significant.

Impacts on the Green Belt

35. The site is located within the Green Belt. Openness is one of the essential characteristics of Green Belt. The government's Planning Practice Guidance (PPG) identifies relevant matters to be taken into account when considering a proposal's impact upon green belt openness. Relevant points from the PPG include¹⁹:

- *'openness is capable of having both spatial and visual aspects - in other words, the visual impact of the proposal may be relevant, as could its volume'*
- *'the degree of activity likely to be generated, such as traffic generation'*

¹⁸ The ES considers effects of moderate and major to be significant (para 2.33).

¹⁹ Planning Practice Guidance, Paragraph: 001 Reference ID: 64-001-20190722

-
36. Regarding the spatial strand of the first point above, the proposal would result in the demolition of eight small buildings and the replacement of open grassland and fields with built development where previously there was none. The area proposed to be occupied by new buildings amounts to approximately 10 hectares. The volume of this amount of built development would be significantly greater than that associated with the existing eight buildings on site.
37. The proposal would also have an adverse visual impact upon the openness of the Green Belt. The visual appearance of openness would be harmed by:
- New buildings which would replace views across open pasture.
 - The increased degree of activity which would be generated.
38. The current appearance of openness, particularly in the winter months, would be impacted in views from Burtons Lane (LVIA Viewpoint 12) and Lodge Lane (LVIA Viewpoint 2). It is also likely during winter that the development would impact on the appearance of openness in views from Village Way (LVIA Viewpoint 10), Loudhams Wood Lane, and Long Walk (LVIA Viewpoint 14). In this regard, the development also represents an encroachment into the countryside.
39. Overall, the proposals would have an adverse spatial and visual impact on the openness of the Green Belt and conflict with one of the purposes of including land within the Green Belt contrary to paragraphs 137 and 138 of the NPPF. The applicant's Planning Statement states that for the purposes of the NPPF, the development represents inappropriate development in the Green Belt²⁰.

Comments on the Submitted LVIA

40. We disagree with the conclusions of the LVIA, and in particular the finding that the residual effects of the development on the landscape character of LCA 18.3, and the site, would be minor beneficial and moderate beneficial respectively. It is hard to understand how replacing a locally characteristic and valued landscape feature with built development could result in beneficial impacts.

²⁰ Planning Statement, Paragraph 7.5

41. Methodological issues and omissions from the LVIA have led to an underestimation of effects.

Key omissions include:

- A failure to consider the Chiltern and South Bucks Townscape Character Study Part 3, November 2017, prepared by Chris Blandford Associates on behalf of Chiltern & South Bucks District Councils²¹. Having failed to consider this study, the LVIA has not identified that the north-western parts of the site adjoin the Burtons Lane to Doggetts Wood Lane AoSC. Nor does it identify the conclusions of the study with regard to the vulnerability of this area to change '*as a result of its distinctive low density pattern of detached and semi-detached houses ... set within large garden plots associated with mature vegetation*'.²²
- Having failed to identify the Burtons Lane to Doggetts Wood Lane AoSC or its specific characteristics and vulnerabilities, the LVIA incorrectly concludes that the development would '*be a continuation of similar residential development along the eastern edge of Little Chalfont*'²³ and that the '*Development would contribute positively to the built form in the immediate vicinity of the Site*'²⁴. The development would not respect the form or density of the nearby AoSC which is vulnerable to change, because it would include a more urban type and density of development than that which is found in the AoSC. The applicant's Indicative Density Plan indicates that the highest density areas (between 55-65 DPH) would be located immediately next to the AoSC along Loudhams Wood Lane and Village Way. At least some of this development is expected to be in the form of blocks of flats.
- Although the LVIA quotes the Vision and Landscape Guidelines set by the Landscape Assessment 2011 for LCA 18.3 it has failed to assess whether or not the development would achieve the Vision or the Guidelines. As outlined above, the development would not achieve the Vision for LCA 18.3 as it would not conserve and enhance the woodland and farmland '*which contributes to the rural, peaceful character of Little Chalfont Rolling Farmland*'. It would also not achieve Landscape Guidelines, as set out above.

²¹ The LVIA refers to Policy CS21 and the 'Established Residential Areas of Special Character'. These areas were identified as part of the Chiltern District Local Plan adopted in 1997 with alterations in 2001/2004. The Chiltern and South Bucks Townscape Character Study Part 3 is the most recent townscape character assessment (prepared for the emerging local plan) and the Burtons Lane to Doggetts Wood Lane Area of Special Character covers a different area to the Established Residential Areas of Special Character identified in the adopted Local Plan.

²² Chiltern & South Bucks District Councils Chiltern and South Bucks Townscape Character Study Part 3, 2017, Para 2.2.21

²³ ES Appendix 13.7: Table of Landscape Effects

²⁴ ES Paragraph 13.175

-
- The LVIA fails to properly describe the relationship between the site and the dry chalk valley in which it is located. As a result, it has failed to properly describe the impacts on the valley and its contribution to local landscape character. The LVIA inappropriately divides the site between ‘plateau areas’ and a separate ‘dry chalk valley’²⁵ which it implies is restricted to the lowest part of the site/valley. However, the entire site is part of the dry chalk valley and contributes to its legibility as such (Figure 2). Having failed to accurately identify the extent of the valley and the impacts on it, the LVIA concludes that ‘*Construction activities on Site would alter site levels in localised areas on the plateau areas away from the dry chalk valley*’²⁶ and that the ‘*landform of the dry chalk valley would be retained*’.²⁷ As outlined above, the proposals include development within the bottom of the valley, below 110m, and the legibility of a rural dry chalk valley from locations such as Burtons Lane would be lost.

Comments on the Submitted Visualisations

42. The LVIA includes wireline visualisations from four viewpoints. We have been unable to find an explanation for the choice of these locations. Unhelpfully, all the viewpoints are from locations where changes resulting from the proposals are unlikely to be noticeable. It is therefore unclear why these viewpoints were selected. Visualisations should have been prepared from locations where changes resulting from the development would be visible e.g., from Lodge Lane, Burtons Lane and Long Walk.
43. The visualisations have been presented as wide panoramas at A3 with a note that they should be printed at A0. This is impractical. A single frame presented at A3 would have captured the site. This approach to presenting the visualisations would have provided a more practical and accessible representation of the proposed development, in accordance with principle established in TGN 06/19 *Visual Representation of Development Proposals* prepared by the Landscape Institute (September 2019).

²⁵ ES Paragraph 13.149

²⁶ ES Paragraph 13.149

²⁷ ES Paragraph 13.171

Conclusion

44. The development would adversely impact landscape and visual receptors identified as being sensitive to change and would not achieve the Landscape Guidelines for LCA 18.3. The overall effect upon the local landscape, which includes the AONB and the Burtons Lane to Doggetts Wood Lane AoSC and their settings, would be moderate/major adverse, and significant. The proposals overall would not protect nor enhance a valued landscape contrary to paragraph 174 of the NPPF.
45. The development would result in moderate adverse, and significant effects on the visual amenity of people using Lodge Lane and Burtons Lane and people using a public right of way within the AONB.
46. The development would also have an adverse spatial and visual impact on the openness of the Green Belt and conflict with one of the purposes of including land within the Green Belt contrary to paragraphs 137 and 138 of the NPPF.

Appendix 1: Figures

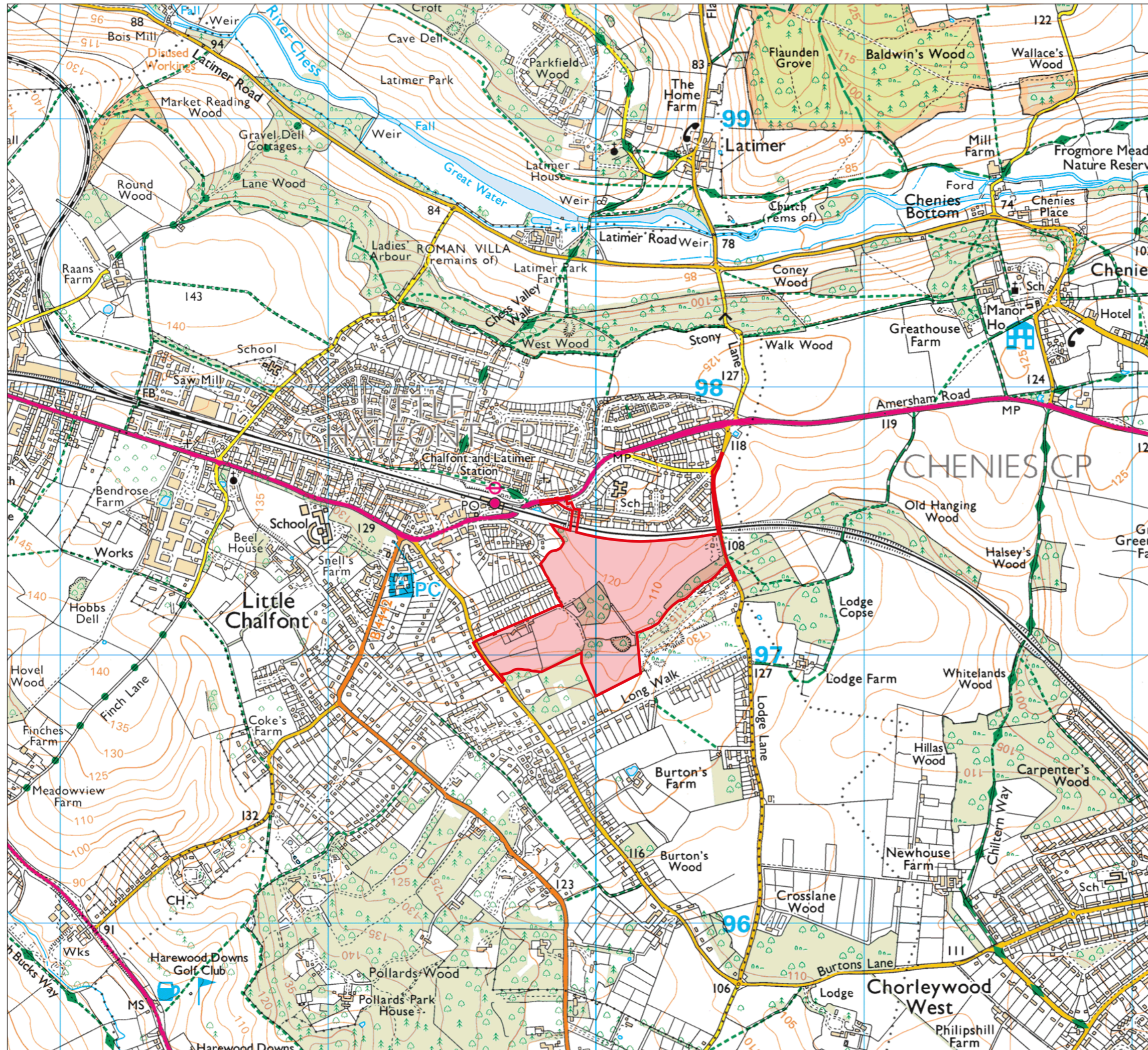


FIGURE 1
Site Location



PROJECT
1116
Little Chalfont

CLIENT
Little Chalfont Community Association & Little Chalfont Parish Council

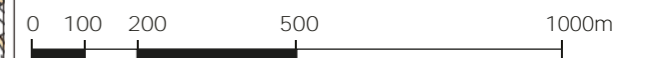
DATE
January 2022

Legend

 Site

NOTES

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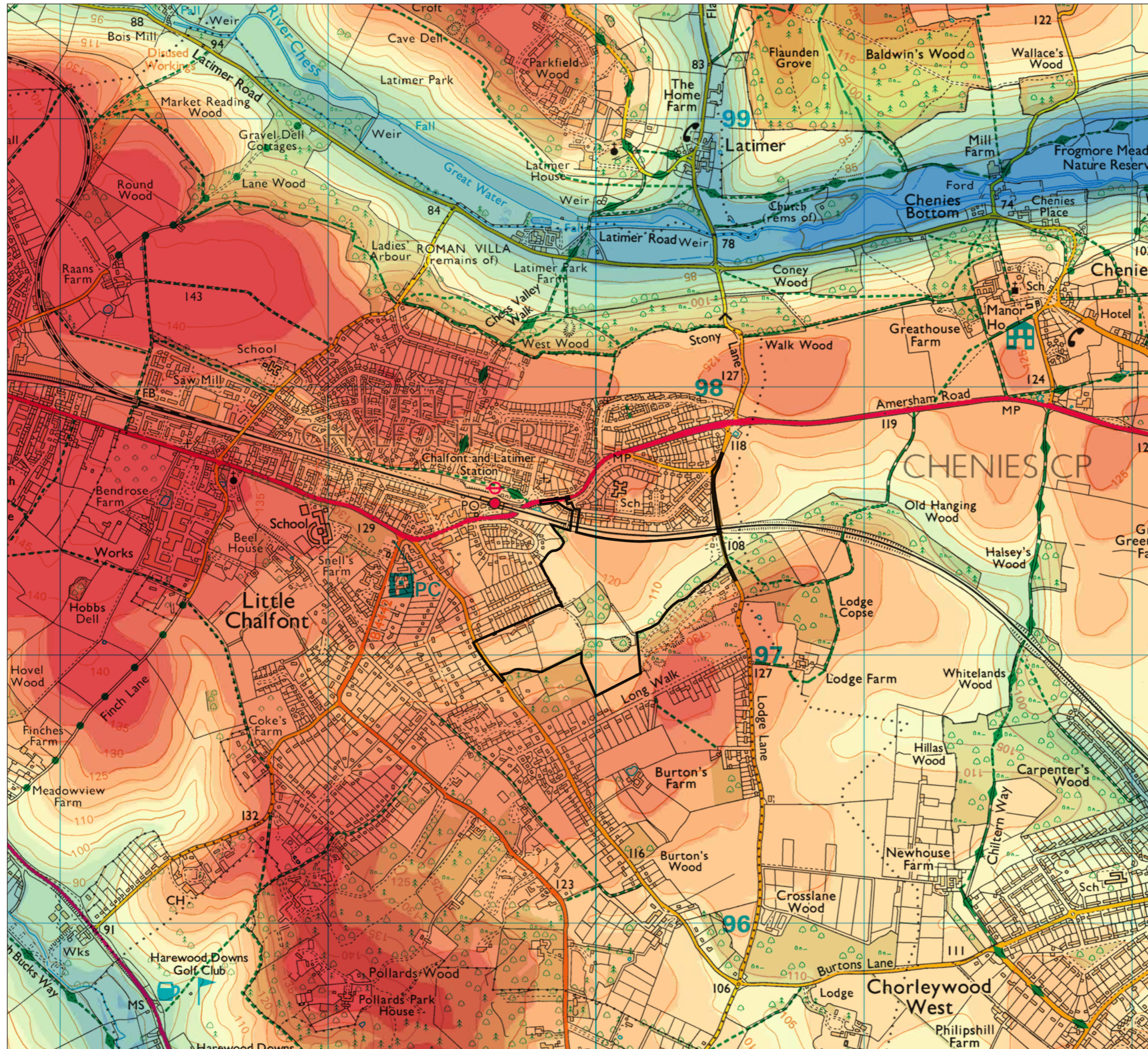


FIGURE 2
Topography





PROJECT
1116
Little Chalfont

CLIENT
Little Chalfont Community Association & Little Chalfont Parish Council

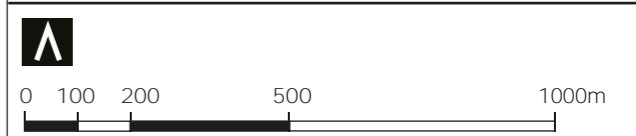
DATE
January 2022

Legend

-  Site
-  70m AOD
140+m AOD

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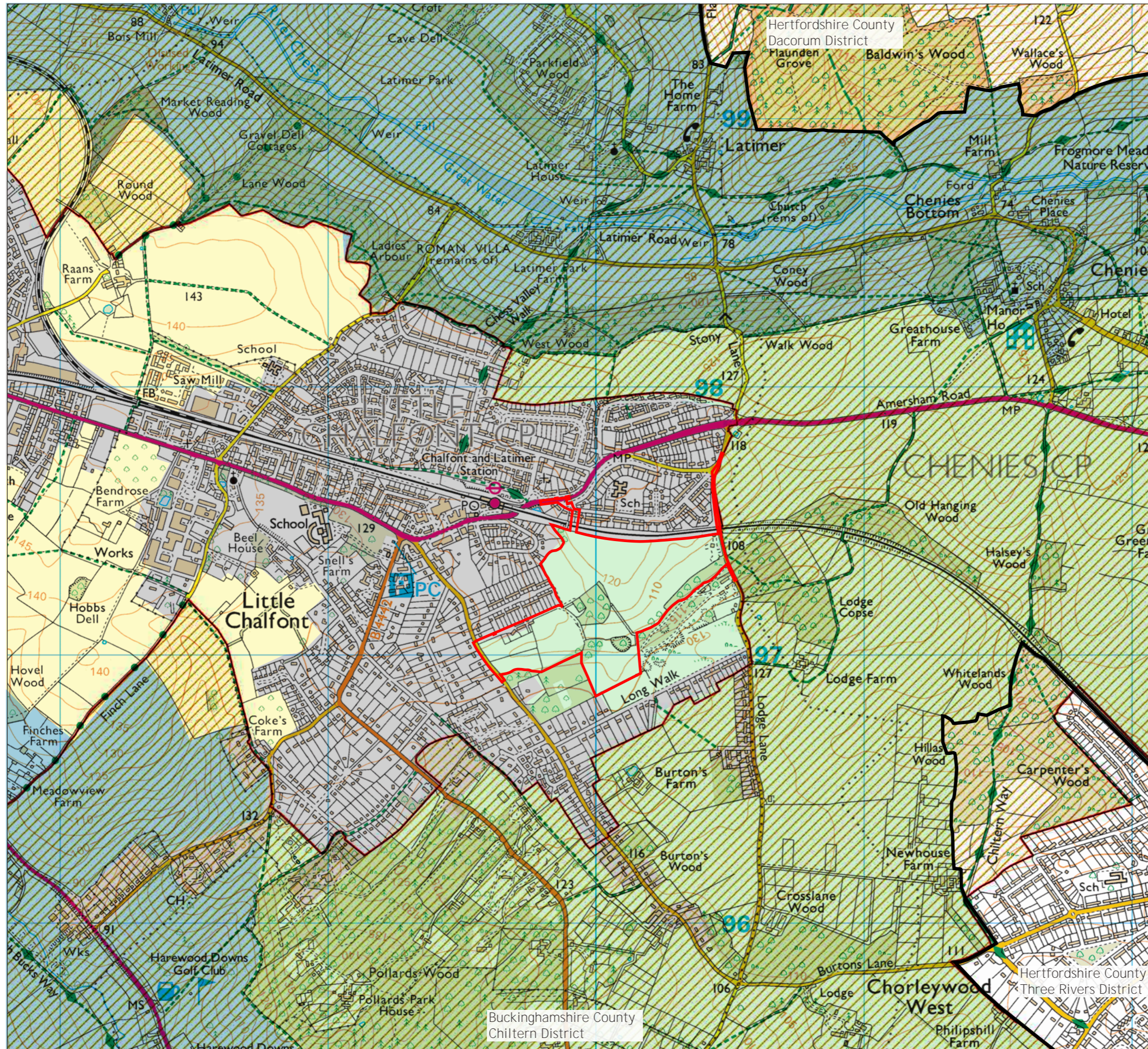


FIGURE 3
Landscape Character Areas






PROJECT
1116
Little Chalfont

CLIENT
Little Chalfont Community Association & Little Chalfont Parish Council

DATE
January 2022

Legend

-  Site
-  County/District Boundary
-  Chilterns Area of Outstanding Natural Beauty (AONB)

Chiltern District Landscape Character Assessment, 2011
Landscape Character Type (LCT)
Landscape Character Areas (LCA)

-  LCT 13: Chalk River Valley
LCA 13.6: Chess
-  LCT 16: Settled Plateau
LCA 16.4: Hyde Heath
-  LCT 18: Rolling Farmland
LCA 18.3: Little Chalfont
-  Settlement

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0 100 200 500 1000m

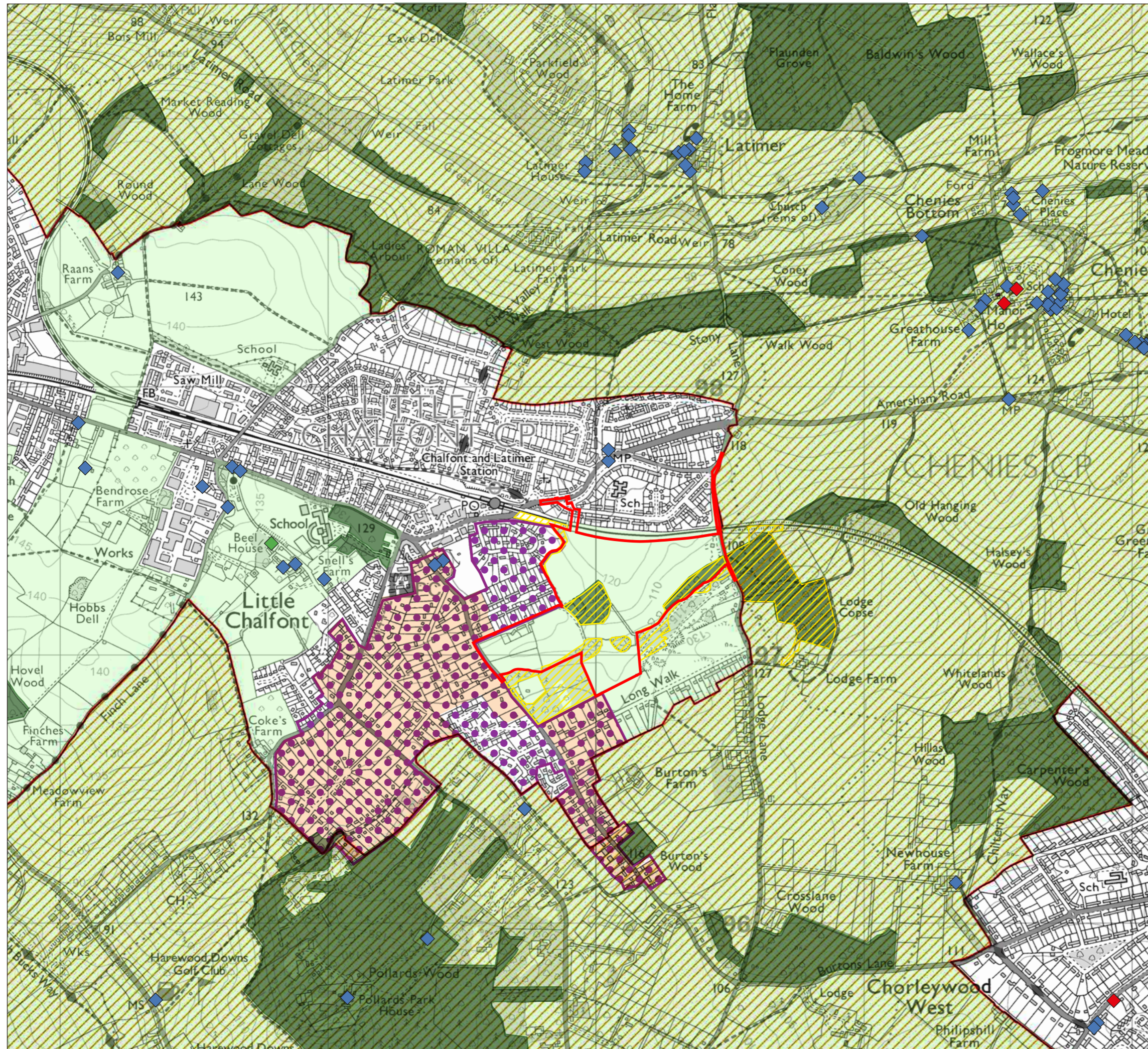


FIGURE 4
Designations









PROJECT
1116
Little Chalfont




CLIENT
Little Chalfont Community Association & Little Chalfont Parish Council

DATE
January 2022

Legend

-  Site
-  London Green Belt
-  Land covered by Policy H4 of Adopted Local Plan (Residential Areas of Special Character)
-  Ancient Woodland
-  Priority Habitat within site and immediate surroundings - Deciduous Woodland
-  Chilterns Area of Outstanding Natural Beauty (AONB)

Listed Buildings

-  Grade I
-  Grade II*
-  Grade II

Chiltern & South Bucks Townscape Character Study, 2017

-  Burtons Lane to Doggetts Wood Lane Area of Special Character

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FIGURE 5
Aerial Photograph



PROJECT
1116
Little Chalfont

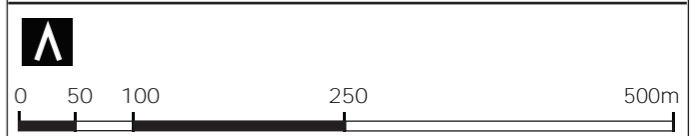
CLIENT
Little Chalfont Community Association & Little
Chalfont Parish Council

DATE
January 2022

Legend

 Site

NOTES
Aerial photograph from Bing Maps





Planning Application – PL/21/4632/OA

Land between Burtons Lane and Lodge Lane in Little Chalfont

Appendix C

Review of Submitted Ecological Information

Bioscan (UK).

Supporting the objection by:

Little Chalfont Parish Council

and

Little Chalfont Community Association

19 January 2022

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**LAND BETWEEN BURTONS LANE AND
LODGE LANE, LITTLE CHALFONT**

Planning Reference: PL/21/4632/OA

REVIEW OF SUBMITTED ECOLOGICAL INFORMATION

JANUARY 2022

E2096R1/V1



COMMISSIONED BY:

Little Chalfont Community Association and Little Chalfont Parish Council

**LAND BETWEEN BURTONS LANE AND LODGE LANE
LITTLE CHALFONT
BUCKINGHAMSHIRE**

Planning Reference: PL/21/4632/OA

Review of submitted ecological information

January 2022

Bioscan Report No.
E2096R1/V1

BIOSCAN (UK) Ltd
The Old Parlour
Little Baldon Farm
Little Baldon
Oxford OX44 9PU

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E-mail: bioscan@bioscanuk.com



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2	METHODOLOGY	4
3	CRITIQUE/COMMENTS ON THE SUBMITTED ECOLOGICAL REPORTING	5
4	CONCLUSIONS	24

1 INTRODUCTION

1.1 Background

1.1.1 Bioscan (UK) Ltd was appointed by Mr Michael Parker on behalf of Little Chalfont Community Association and Little Chalfont Parish Council to provide an independent review of the ecological information submitted to Buckinghamshire Council (Chiltern Area) in support of outline planning application PL/21/4632/OA, for land between Lodge Lane and Burtons Lane, in Little Chalfont, Buckinghamshire, HP8 4AJ.

1.1.2 The description of the application is:

“Outline application for the demolition of all existing buildings and the erection of residential dwellings including affordable housing, custom build (Use Class C3), retirement homes and care home (Use Class C2), new vehicular access point off Burtons Lane, improvements to existing Lodge Lane access including works to Lodge Lane and Church Grove, new pedestrian and cycle access at Oakington Avenue including construction of new pedestrian and cycle bridge and associated highway works, a local centre including a community building (Use Classes E(a)(b)(e), F2(b)), land safeguarded for educational use (Use Classes E(f) and F1(a)), public open space and associated infrastructure (matters to be considered at this stage: Burtons Lane and Lodge Lane access).”¹.

1.1.3 The application site is approximately 30ha in size, and is dominated by a former golf course. The central grid reference is TQ000972. Figure 1 below provides an extract of a plan provided with the planning application identifying the application boundary (red line).

Figure 1. Application boundary (as provided with the planning application).



¹ Available via:
<https://pa.chilternandsouthbucks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=R3JPUKESL0Z00>

1.2 Submitted information

1.2.1 The planning application submission documents included an Environmental Impact Assessment (EIA) Environmental Statement (ES) chapter on ecology, with supporting technical appendices comprising ecology reports prepared by a number of ecological consultancies. These reports, their authors, year of publication, and reference number (where this has been provided), comprise the following:

- **Environmental Statement** – ES Chapter 12 - Ecology (Waterman I&E, 2021)
- **Appendix 12.1** - Preliminary Ecological Appraisal (Waterman Infrastructure & Environment Ltd, 2019)
- **Appendix 12.2** - Update Preliminary Ecological Appraisal (Waterman I&E, 2021)
- **Appendix 12.3** - Biodiversity Net Gain (BNG) (Waterman I&E, 2021)
- **Appendix 12.4** - National Vegetation Classification (NVC) Survey Report (Griffin Ecology Ltd, 2019)
- **Appendix 12.5** - National Vegetation Classification (NVC) Survey Report (Griffin Ecology Ltd, 2021)
- **Appendix 12.6** - Hedgerow Assessment Report (Ecology and Land Management, 2019)
- **Appendix 12.7** - Hedgerow Assessment Report (Ecology and Land Management, 2021)
- **Appendix 12.8** - Bat Surveys – Preliminary Bat Roost Assessment (PRA) Report – Buildings (report reference ASW/BBL/001/23/2019) (ASW Ecology Ltd, 2019)
- **Appendix 12.9** - Bat Surveys – Preliminary Bat Roost Assessment (PRA) Report – Buildings (report reference ASW/BBL/062/25/2021) (ASW Ecology Ltd, 2021)
- **Appendix 12.10** - Bat Surveys – Preliminary Bat Roost Assessment (PRA) Report – Trees (Sylvatica Ecology Ltd, 2019)
- **Appendix 12.11** - Bat Surveys – Preliminary Bat Roost Assessment (PRA) Report – Trees (Sylvatica Ecology Ltd, 2021)
- **Appendix 12.12** - Bat Surveys – Preliminary Bat Roost Assessment (PRA) Report – Railway Bridge (report reference ASW/BBL/026/23/2019) (ASW Ecology Ltd, 2019)
- **Appendix 12.13** - Bat Surveys – Preliminary Bat Roost Assessment (PRA) Report – Railway Bridge (report reference ASW/BBL/014/25/2021) (ASW Ecology Ltd, 2021)
- **Appendix 12.14** - Bat Surveys – Emergence Surveys on Buildings (report reference ASW/SHP/037/23/2019) (ASW Ecology Ltd, 2019)
- **Appendix 12.15** - Bat Surveys – Emergence Surveys on Buildings (report reference ASW/BDBL/065/25/2021) (ASW Ecology Ltd, 2021)
- **Appendix 12.16** - Bat Surveys – Transect surveys, static surveys, emergence/re-entry surveys and trapping surveys (Ridgeway Ecology Ltd, 2019)
- **Appendix 12.17** - Bat Surveys – Activity and Static Detector Surveys (Ridgeway Ecology Ltd, 2021)
- **Appendix 12.18** - Bat Surveys – Preliminary Bat Roost Assessment (PRA) Report – 13 and 15 Oakington Avenue & Trees Along Lodge Lane (Ridgeway Ecology Ltd, 2021)
- **Appendix 12.19** - Breeding Bird Survey Report (report reference ASW/BBL/039/23/2019) (ASW Ecology Ltd, 2019)
- **Appendix 12.20** - Breeding Bird Survey Report (report reference ASW/BBL/088/25/2021) (ASW Ecology Ltd, 2021)
- **Appendix 12.21** - Dormouse Survey Report (Don MacPherson, 2019)
- **Appendix 12.22** - Dormouse Survey Report (Don MacPherson, 2021)
- **Appendix 12.23** - Badger Survey Report (report reference ASW/BBL/025/23/2019) (ASW Ecology Ltd, 2019) [CONFIDENTIAL]
- **Appendix 12.24** - Little Chalfont Technical Note – Badger Survey (report reference WIE15569-101-TN-5-1-4-BS) (Waterman I&E, 2020) [CONFIDENTIAL]



- **Appendix 12.25** - Badger Survey Report (ASW Ecology Ltd, 2021) [CONFIDENTIAL]
- **Appendix 12.26** - Reptile and Terrestrial Amphibian Report (report reference ASW/BBL/034/23/2019) (ASW Ecology Ltd, 2019)
- **Appendix 12.27** - Reptile and Terrestrial Amphibian Report (report reference ASW/BBL/036/25/2021) (ASW Ecology Ltd, 2021)
- **Appendix 12.28** - Great Crested Newt eDNA Report (ADAS, 2021)
- **Appendix 12.29** - Little Chalfont: A Preliminary Invertebrate Assessment (Richard A. Jones, 2019)
- **Appendix 12.30** - Little Chalfont: A Follow-up Invertebrate Assessment (Richard A. Jones, 2021)

1.2.2 The veracity of the above reports, and the robustness of the data and suitability of the surveys undertaken, have been the focus of this review. Conclusions are offered on whether the submitted ecological information provides an adequate level of detail on ecological matters sufficient for the Local Planning Authority (LPA) to discharge its duties to have regard to all relevant material considerations, and its statutory duties in relation to protected and 'Priority' habitats and species.

2 METHODOLOGY

2.1 Review of submitted documents

- 2.1.1 The relevant documents submitted with the planning application were given a 'high-level' review by Bioscan, with particular attention focused on the supporting technical ecology reports (as listed above in paragraph 1.2.1).
- 2.1.2 Each of the ecology reports was reviewed and assessed for its adequacy, including in respect of any limitations to the survey methodology, the validity of the stated results, and robustness of the related assessments. This is set out at Chapter 3 of this report (below).
- 2.1.3 Statutory consultees' comments on the project's Environmental Impact Assessment (EIA) scoping report² (including specifically those from Buckinghamshire Council's ecologist) were also reviewed.

2.2 Data search

- 2.2.1 Independently of the above, a desk-based data trawl exercise was conducted using readily available information sources. This included the on-line 'MAGIC' database managed by Natural England³, in order to source data relating to statutory designations, important habitats, agri-environment schemes and European protected species licences.
- 2.2.2 Further background information of relevance was searched for on the NBN Atlas⁴.

² Waterman Infrastructure & Environment Limited (July 2021). *Area South East of Little Chalfont: Request for a Scoping Opinion*.

³ MAGIC (Multi-Agency Geographic Information for the Countryside) website. Sourced from:

<http://magic.defra.gov.uk/MagicMap.aspx>

⁴ National Biodiversity Network (NBN). *NBN Atlas*. Via: <https://nbnatlas.org/>

3 CRITIQUE/COMMENTS ON THE ECOLOGY REPORTING

3.1 Document review process

3.1.1 The following provides a list of the reports that have been subject to review, and identifies where they appear to fall short of accepted industry-standards or where additional information is likely to be required in order for the LPA to come to an informed planning decision. In view of the large number of reports, and to keep this report as succinct as possible (and to avoid repetition), and to aid in cross-comparison with the original reports, the comments are numbered, and where reports have been updated, the most recent version has been commented on.

3.1.2 As a general point, some documents have been issued as low-resolution copies which are not text-searchable. In the interests of transparency and accessibility to all, it is recommended that the Applicant provides higher resolution text-searchable versions of all documents.

3.2 Appendix 12.1 and 12.2 - Update Preliminary Ecological Appraisal (PEA) – Waterman, 2019 and 2021

- 1) Appendix 12.1, Section 3, paragraphs 3.47-3.48, and the top line of Table 8 (reproduced below), appear to present the sum total of all the preliminary survey and assessment work for great crested newt. For clarity, the Applicant should provide a map showing the locations of the four identified off-site waterbodies, and confirm which of these was subject to eDNA sampling (noting that the ES chapter on ecology references not four, but five ponds; and also states that *“Due to a change in survey area in August/September 2021 distances of ponds do not correlate to what has previously been stated within the PEA reports.”*). Further comments on the survey and assessment work for great crested newt are presented below under the heading of ‘Appendix 12.28’.

Table 8: Potential Important Ecological Features Anticipated to be Affected by the Development

Potential Important Ecological Feature	Category of Importance	Rationale	Potential Effect Pathway	Requirement for Further Ecological Assessment
Amphibians	Legal protection, S41 (certain species)	The Site supports potential terrestrial habitat for amphibians (including GCN). Four ponds located within 500m of the Site have suitable terrestrial habitat connectivity to the Site.	Damage, destroy or obstruct access to any breeding or resting place used by GCN. Disturb, harm or kill GCN.	Yes – Further assessment in the form of environmental DNA (eDNA) analysis of each pond (pending access). Based on the results of these surveys, further survey work may be required in the form of presence/likely absence surveys and population size class assessments.

- 2) Appendix 12.1, Section 3, paragraphs 3.1-3.5 (page 15): Although it is acknowledged that the LPA may choose to redact information relating to badgers for reasons of animal welfare, that information should not be restricted by the Applicant who has a duty to provide this information to the LPA. General information regarding the badger sett should therefore be provided for completeness (e.g. is the sett still present and active? What is its status?)



- 3) Appendix 12.2, Section 3: The Applicant has made comments about the condition of various habitats which appear to correspond with the technical documents supporting the now superseded DEFRA Biodiversity Metric 2.0^{5 6}. The Applicant should assess each habitat against the current technical note⁷, and revise the condition information used to inform the BNG report (Appendix 12.3) accordingly.

3.3 Appendix 12.3 - Biodiversity Net Gain (BNG) Report – Waterman, 2021

- 1) Significantly greater clarity and transparency would be afforded to the LPA if the populated Metric 3.0 calculation tool were to be provided in full by the Applicant. In the absence of that information, the following comments are made in relation to the details provided within (or omitted from) the BNG report.
- 2) Paragraph 2.5: It would appear that c.20 trees are proposed to be removed from the margins of Lodge Lane, and therefore, more refined habitat categorisation (or re-categorisation) should be carried out (rather than identifying this area as ‘Urban-developed land; sealed surface’).
- 3) Paragraph 3.9, Table 4: For Hedgerow H4, the distinctiveness category for this hedgerow appears to be incorrect. It should be placed in the ‘High’ category (this high distinctiveness is also stated in the ES (paragraph 12.49)). Entering this ‘High’ value gives a greater unit score (12.75 as opposed to the stated 11.37).
- 4) As stated within the review of the 2021 PEA at 3.2 above, it would appear that an old and now outdated technical note document has been used to assess the condition of each habitat on the site (with this information then used in the Applicant’s BNG calculation). The criteria that should be used for Metric 3.0 is provided in ‘Biodiversity Metric 3.0: Auditing and accounting for biodiversity – User Guide’ (2021). Consequently, there are likely to be significant flaws in the Applicant’s BNG calculations.
- 5) In order to verify the Applicant’s BNG calculation, Bioscan entered the parameters as provided within BNG report into a blank Biodiversity Metric 3.0 spreadsheet. However, despite the same figures being entered, the resulting net % change score did not match that provided within the report by a significant margin (and this is without factoring in the errors outlined above (items 2 to 4). Bioscan calculated that the percentage change was a large negative figure (-30.83%); significantly different to that provided in the Applicant’s report (+25.21%). As the full Metric calculations were not provided by the Applicant it was not possible to determine where the discrepancies had occurred to result in such a significant difference. Table 1 below provides the result of Bioscan’s Metric calculation based on the habitat areas and hedgerows lengths provided in the Applicant’s report.

On-site baseline	<i>Habitat units</i>	134.45
	<i>Hedgerow units</i>	11.37
	<i>River units</i>	0.00
On-site post-intervention (Including habitat retention, creation & enhancement)	<i>Habitat units</i>	92.99
	<i>Hedgerow units</i>	13.70
	<i>River units</i>	0.00
On-site net % change (Including habitat retention, creation & enhancement)	<i>Habitat units</i>	-30.83%
	<i>Hedgerow units</i>	20.41%
	<i>River units</i>	0.00%

Table 1. Results of Bioscan re-running of the metric calculation based on the areas of habitat in the Applicant’s BNG report.

⁵ E.g. by reference to bare ground being less than 10%

⁶ Natural England (July 2019). *Biodiversity Metric 2.0: Auditing and accounting for biodiversity - Technical Supplement*

⁷ Natural England (July 2021). *Biodiversity Metric 3.0: Auditing and accounting for biodiversity - User Guide*

- 6) As the raw tables from the Biodiversity Metric Excel file were not provided by the Applicant in the report (which thus reduces the transparency of the Applicant’s BNG process), Bioscan attempted to work out where this significant discrepancy in the calculation arose. By carefully reviewing the numbers and habitats, it was eventually determined that the error appears to lie in the Applicant’s calculations. By process of elimination, the error appears to be the result of the Applicant double-counting the 6.17ha of proposed ‘Other neutral grassland’ (which is stated in the ‘Site Habitat Creation’ table of the Metric). If this area and habitat is *also* included within the ‘Site Habitat Enhancement’ table, then the resulting figure is near identical to that provided by the Applicant. Table 2 below provides the result of the BNG calculation if the 6.17ha of ‘Other neutral grassland’ is erroneously included in *both* the Habitat Creation and Habitat Enhancement tables in the metric.

On-site baseline	<i>Habitat units</i>	134.45
	<i>Hedgerow units</i>	11.37
	<i>River units</i>	0.00
On-site post-intervention <small>(Including habitat retention, creation & enhancement)</small>	<i>Habitat units</i>	168.35
	<i>Hedgerow units</i>	13.70
	<i>River units</i>	0.00
On-site net % change <small>(Including habitat retention, creation & enhancement)</small>	<i>Habitat units</i>	25.22%
	<i>Hedgerow units</i>	20.41%
	<i>River units</i>	0.00%

Table 2. Results of Bioscan re-running of the metric calculation based on counting the area of ‘Other neutral grassland’ in both the Habitat Creation and Habitat Enhancement tables.

- 7) Double-counting areas of proposed habitat will artificially inflate the percentage change of biodiversity net gain on a site (and results in the following error message being raised in the BNG calculator tool: “*Check Areas – Area of development footprint and habitat creation exceeds the area of habitats lost*”). To highlight, habitats proposed at the completion of a development can only be entered into the post-construction calculations once (either into the retained, enhanced or created categories). They should not be entered twice.
- 8) In an attempt to understand the likely BNG score for the site, Bioscan re-ran the Metric calculation based on: (a) placing the area of ‘Other neutral grassland’ into the metric once; and (b) entering the correct habitat distinctiveness for Hedgerow H4. In respect of the former point, it is considered more likely that the ‘Other neutral grassland’ would be an enhancement (by converting the existing modified grassland) rather than removing the existing grassland and then creating new neutral grassland. Consequently, Bioscan removed the area and habitat of the proposed ‘Other neutral grassland’ in the Habitat Creation table, and placed it into the Habitat Enhancement table. Table 3 below provides the result of the re-running of the calculation.

On-site baseline	Habitat units	134.45
	Hedgerow units	12.75
	River units	0.00
On-site post-intervention (Including habitat retention, creation & enhancement)	Habitat units	101.17
	Hedgerow units	14.11
	River units	0.00
On-site net % change (Including habitat retention, creation & enhancement)	Habitat units	-24.75%
	Hedgerow units	10.63%
	River units	0.00%

Table 3. Results of Bioscan re-running of the metric calculation based on only counting the area of ‘Other neutral grassland’ once in the metric (in the Habitat Enhancement table), and using the correct habitat distinctiveness for Hedgerow H4.

- 9) Table 3 above indicates that the likely actual percentage biodiversity net change on the site is minus 24.75%, with the hedgerow percentage change reducing to plus 10.63%.
- 10) Further to the above, reviewing some of the condition parameters in the BNG report, it would appear that some elements in the Applicant’s BNG report have been underplayed (in respect of the existing habitats), whilst other elements the opposite has occurred (in respect of the proposed habitats). The following are examples of where this appears to have occurred:
 - i. As outlined above (item 5), the condition scores for the habitats are likely to be incorrect, and based on: (a) a review of the relevant 3.0 Metric User Guide; (b) the 2019 and 2021 PEAs; (c) the hedgerow reports (2019 and 2021); and (d) the site photographs, that the grassland would more likely meet the ‘Moderate’ condition score.
 - ii. Paragraph 4.9 states that the proposed Priority ‘Lowland Meadow’ (High distinctiveness habitat) “*would be expected to achieve an assumed ‘Good’ condition score in 15 years.*” However, it is difficult to envisage that the Applicant would be able to deliver this Priority habitat on the site, and even if this were achievable, that it would reach a ‘Good’ score when it is likely to be the main dog-walking area for the residents of the development. It is considered that a more pragmatic and realistic habitat would be ‘other neutral grassland’ with a realistic condition score of, at best, ‘Fairly Good’. Nevertheless, for the purposes of re-running the calculation (see below), ‘Lowland Meadow’ has been retained within the Metric, but with a condition of ‘Fairly Good’.
- 11) Taking the Metric calculation as used to produce Table 3 above (i.e. taking into account the probable miscalculations by the Applicant), but based on the two revised condition assessments (as outlined in points i and ii above) then the resulting score would be a negative figure of -38.89% for the habitat units, and +9.27% for the hedgerow units. It should be noted, that the Metric calculation has been based on the post-intervention habitats being created/enhanced at the point of construction even though this is considered unlikely (if any habitats to be created/enhanced were to be delayed after the time of construction then the figure in habitat units would be further reduced). Table 4 provides these results as provided by the Metric.
- 12) It should be noted that all the above calculations have been made in the absence of the full tables used by the Applicant. If these were to be made available, then Bioscan would be able to verify the results of the Metric calculations.

On-site baseline	<i>Habitat units</i>	161.06
	<i>Hedgerow units</i>	12.75
	<i>River units</i>	0.00
On-site post-intervention (Including habitat retention, creation & enhancement)	<i>Habitat units</i>	98.42
	<i>Hedgerow units</i>	13.94
	<i>River units</i>	0.00
On-site net % change (Including habitat retention, creation & enhancement)	<i>Habitat units</i>	-38.89%
	<i>Hedgerow units</i>	9.27%
	<i>River units</i>	0.00%

Table 4. Results of Bioscan re-running of the metric calculation based on more pragmatic and realistic condition parameters.

3.4 Appendix 12.4 and 12.5 - National Vegetation Classification (NVC) Survey Report – Griffin Ecology Ltd, 2019 & 2021

- 1) As the site was visited twice by an experienced botanist, it is regrettable that the NVC survey focussed entirely on the woodland, and the grassland (the habitat that will be most extensively impacted by the development) was not subject to such a survey or any other detailed botanical survey effort, particularly as the intensive management regime of the golf course appears to have reduced (and thus potentially allowing plant species of interest that were previously suppressed to become evident). Indeed the 2019 hedgerow report states that field scabious, hoary plantain and tormentil were found on the site (the two former species are indicators of calcareous grassland, whilst the latter is an acid grassland indicator species). The comments that follow this relate solely to the woodlands.
- 2) A map identifying the on-site woodlands would have been helpful in the 2021 report, particularly given some ambiguity in the text. For example, Section 4, Second Paragraph: references to “Quarry pit W3” which appears to be a typo for ‘W2’; however, clarification from the Applicant is required to confirm.
- 3) Section 4, Paragraph 5: A review of MAGIC indicates that all of the wooded areas on the site appear to have been identified as occurring on the Priority Habitat Inventory ‘Deciduous Woodland’ by Natural England. See Figure 2 below.

Figure 2. Areas identified by MAGIC as occurring on the Priority Habitat Inventory ‘Deciduous Woodland’ habitat (in green)



- 4) By reference to Figure 1 above, all wooded areas may potentially meet the definition for a Deciduous Woodland Priority Habitat type, and the Applicant should therefore clarify how the conclusion that only W1, W2 and W5 would qualify was reached, by specific reference to the relevant Priority habitat definition/s.

3.5 Appendix 12.8 - Bat Surveys – Preliminary Bat Roost Assessment (PRA) Report – Buildings (Clubhouse and Stores)- ASW/BBL/001/23/2019 – ASW Ecology Ltd, 2019

- 1) The 2019 Preliminary Ecological Appraisal was undertaken in the same month as the bat building inspection undertaken as part of this report. The former report stated that the Clubhouse was assessed to be of ‘Moderate’ bat roost suitability, whilst the latter stated it was ‘Low’. Greater clarity is required from the Applicant to understand how the surveyors came to these differing assessments.

3.6 Appendix 12.9 - Bat Surveys – Preliminary Bat Roost Assessment (PRA) Report – Buildings (Clubhouse and Stores)- ASW/BBL/062/25/2021 – ASW Ecology Ltd, 2021

- 1) The 2019 bat inspection report noted that the structure known as ‘Stores’ was assessed to be of ‘Moderate’ bat roosting potential; however, in this 2021 report it is assessed as ‘Low’. Further information from the Applicant is required to understand why this structure has been downgraded.
- 2) It is unclear which structures were surveyed on the dates provided in the report. Clarification is also required from the Applicant regarding which structure was surveyed during each visit.
- 3) The 2019 Homestead Farm bat report (Appendix 12.4) stated under limitations that the roof voids of the Farmhouse were not accessed/inspected. It is not clear from the 2021 report whether these voids were accessed and inspected in 2021 (no mention of lack of access is made in the constraints section in this report). This is of particular relevance given the presence of bat roosts in this structure.

3.7 Appendix 12.10 - Bat Surveys – Preliminary Bat Roost Assessment (PRA) Report – Trees – Sylvatica Ecology Ltd, 2019

- 1) For robustness and transparency, the Applicant should provide bat roost assessment information for all trees on the site, and which of these are proposed to be removed.
- 2) In Table 2 it states that pipistrelle droppings were found in one tree, but it is unclear which pipistrelle species was present, and how this identification was reached. To provide the LPA with reassurance that the droppings do not belong to a rarer species with potentially similar looking droppings (e.g. whiskered, Alcahoie or Brandt’s bat) these droppings should be subject to DNA analysis to confirm the species present.

3.8 Appendix 12.11 - Bat Surveys – Preliminary Bat Roost Assessment (PRA) Report – Trees – Sylvatica Ecology Ltd, 2021

- 1) Under section 2.1 it states that: *“All of the trees within the redline boundary of the site were previously checked for the potential to support roosting bats...”*. It is unclear where the information on this assessment is presented.
- 2) It is noted from aerial photographs that an area of what appears to be mature trees is located in the north-western corner of the site (near to the bridge over the railway line). The Applicant should confirm whether these trees were assessed for their bat roosting potential and/or if they were subject to an aerial/climbed inspection.
- 3) Further, confirmation is required from the Applicant to understand if the trees adjacent to Lodge Lane were subject to an aerial tree climbing exercise.
- 4) Based on aerial photographs, there appear to be mature trees between the residential properties and the railway line, and between the railway line and the site boundary. It is unclear whether these trees have been assessed for their bat roost suitability. The Applicant should provide such information.

3.9 Appendix 12.12 - Bat Surveys – Preliminary Bat Roost Assessment (PRA) Report – Railway Bridge - ASW/BBL/026/23/2019 – ASW Ecology Ltd, 2019

- 1) The Applicant should confirm how the existing railway bridge will be affected by the development.
- 2) Section 5.1: This section states: *“It would be possible to assess if any bats are emerging from the bridge structure during the Spring to Autumn months including any bat swarming behaviour during late Summer to the Autumn.”* Given that there were opportunities to carry out such surveys between 2019 and 2021, justification is required from the Applicant why these surveys were not undertaken.

3.10 Appendix 12.13 - Bat Surveys – Preliminary Bat Roost Assessment (PRA) Report – Railway Bridge - ASW/BBL/014/25/2021 – ASW Ecology Ltd, 2021

- 1) Section 4.1: This states that *“that the bridge still has no obvious bat roosting potential.”* The Applicant should clarify this statement given that the structure could not be accessed in its entirety, and in the absence of emergence/re-entry bat survey results.
- 2) It is difficult to ascertain how the overall bat roosting grading of the railway bridge was given as ‘NIL’ given that the bridge could not be fully accessed and assessed (*“This assessment was though again very much restricted by the lack of access to the interior of the stated bridge and to the northern side, so had to be undertaken from the application side of the railway fenceline.”*). Due to the lack of access, it would have been expected that dusk emergence and/or dawn re-entry bat surveys would have been conducted to gain further information on the possible use of the bridge by bats. Therefore, it is considered that a more appropriate bat roosting grading would be ‘Precautionary moderate’ or similar.
- 3) Given the lack of suitable survey information, the Applicant should demonstrate that the level of bat mitigation is appropriate.

3.11 Appendix 12.14 - Bat Surveys – Emergence Surveys on Buildings - ASW/SHP/037/23/2019 – ASW Ecology Ltd, 2019

- 1) Section 2.1: The Bat Conservation Trust’s Survey Guidelines⁸ state that for a building with moderate bat roost suitability (as has been assessed to be the case for some of the structures) that: *“One dusk emergence and a separate dawn re-entry survey”* should be conducted to be confident that no bat roosts are present. Justification is required from the Applicant to understand why only emergence surveys were undertaken (it should be highlighted that surveys undertaken in 2021 did encounter bat roosts within one of the buildings).
- 2) Section 4.1: This states that *“Bats were clearly roosting at some distance at either buildings or trees at Homestead Farm”*. It is unclear from this sentence whether bat roosts were noted away from this part of the site, or if instead the inference is that no roosting was encountered on the site at all during these surveys.
- 3) It is unclear which structures were surveyed during each visit. The Applicant should provide a plan showing these structures, the location of the surveyors and each surveyor’s coverage of the structures, to aid in understanding whether the surveys were sufficiently comprehensive and robust.
- 4) Section 3.1: For robustness, the Applicant should provide further information regarding the survey timings (e.g. when did the survey visits commence and end?)
- 5) Based on the photographs the bat roosting potential of the House (Building 1) appears to be downplayed in the report. Based on the age of the building, the presence of hanging tiles, the presence of gaps under the ridge tiles, and its location adjacent to suitable bat foraging areas, it would be expected that the structure is of at least moderate suitability (rather than the assessed ‘Low’ in the report). In fact, the 2019 PEA states that this structure is of ‘High’ bat roost suitability. Furthermore, the report is unclear on the comprehensiveness of the internal bat inspection. The report states that: *“There was no access permission into the remaining roof voids at the main house but many of the lofts have been already converted it was noted.”* The Applicant should confirm whether there are any roof voids suitable to be utilised by roosting bats, and if so, why were these not inspected.
- 6) Section 4.1: This states that: *“The bat roosting potential of the nine buildings at Homestead Farm were identified as being between Nil to Moderate/High”*; however, no mention of ‘High’ is made in the table provided at section 3.2. The Applicant should confirm which structure is assessed as ‘Moderate/High’.

3.12 Appendix 12.15 - Bat Surveys – Emergence Surveys on Buildings - ASW/BDBL/065/25/2021 – ASW Ecology Ltd, 2021

- 1) Section 2.1: As stated above, the BCT survey guidelines state that for a building with moderate roost suitability: *“One dusk emergence and a separate dawn re-entry survey”* should be carried out to have confidence that no bat roosts are present. Justification is required from the Applicant to understand why the surveys do not accord with the industry-standard survey guidelines.
- 2) Section 3.1: The Applicant should provide further information regarding the survey timings to aid the LPA in understanding whether the surveys meet the timing requirements as provided in the BCT guidelines (e.g. the timings of the commencement and completion of the survey visits).

⁸ Collins, J. (ed.) (2016) Bat Surveys for Professional Ecologists: Good Practice Guidelines (3rd edn). The Bat Conservation Trust, London.

- 3) Greater transparency from the Applicant is required to understand which structures were surveyed on which dates. Furthermore, a plan showing the structures and the location of the surveyors, and their coverage, would aid in understanding whether the surveys were sufficiently comprehensive to comply with best practice guidance.

3.13 Appendix 12.16 - Bat Surveys – Transect surveys, static surveys, emergence/re-entry surveys and trapping surveys– Ridgeway Ecology Ltd, 2019

- 1) Section 3.2.5: This section states: *“Barbastelles were encountered in the woodland at the eastern end of the site in April, in the woodland in the centre of the site in May and along the woodland edge in the western part of the site in August. It is likely that the sites woodland is of low significance for this species.”* Justification from the Applicant is required to understand how it was assessed that the woodland on the site is of low significance for barbastelle.
- 2) Section 2.3.4: Additional justification is required from the Applicant to understand why the one bat trapping survey was considered suitable/acceptable, especially given the known barbastelle use of the site and the possibility of the presence of Bechstein’s bat. Indeed, the BCT survey guidelines state in respect of this latter species: *“To determine the presence/likely absence of Bechstein’s bat on a site, the lure and net/harp trap method should be used and trapping surveys conducted for a minimum of six trap nights over the active bat season”*.
- 3) Justification is required to understand why Stonydean Wood was not covered by the transect surveys given the significant indirect impacts that are likely to occur. Conversely, it is noted that there is a lack of coverage of the more open aspects of the site during the static detector survey element (e.g. almost the entire north-western quarter of the site was not covered, and this is where a large proportion of the housing is proposed).

3.14 Appendix 12.17 - Bat Surveys – Activity and Static Detector Surveys – Ridgeway Ecology Ltd, 2021

- 1) Section 2.3.1: Although the woodland habitats are not proposed for development, impacts on these features (such as lighting) would nonetheless likely arise as a consequence of the development. Therefore, the entirety of the site should be considered for its bat foraging habitat. Indeed the 2019 PEA states: *“The scattered trees, scrub, tall ruderal, hedgerows and woodlands and semi-improved grassland offer potential for commuting and foraging bats. Given the extent of this habitat, lack of artificial lighting and the connectivity with suitable habitats in the surrounding areas, the Site is assessed to be of **high** foraging and commuting value for bats.”* (Our emphasis). In accordance with the BCT survey guidelines, a site of high value for bats requires two surveys a month to be undertaken (which is also the recommendation in the 2019 PEA). Greater justification is required from the Applicant to understand the rationale behind the level of transect survey work undertaken on the site (particularly given the high numbers of barbastelle records for the site).
- 2) Section 2.3.1: The BCT survey guidelines states that the recommended start and end times for bat activity surveys are as follows: *“Start time- ‘Sunset’, End time- ‘2-3 hours’.”* With a footnote for ‘Sunset’ stating *“Adjust to earlier if in darker habitats such as woodland...”*. Reviewing the timings of the surveys in the report the surveys commenced around sunset, but were concluded around 90 minutes after sunset. The report stated that the length of the surveys (one and half hours) *‘was considered adequate as the majority of woodland bats emerge early.’* Given the statement in the BCT survey

guidelines, justification is required to understand why the surveys were not commenced earlier than sunset given the potential for early-emergence from roosts under the canopy cover of the on-site woodlands, and why each survey visit was curtailed prior to that recommended in the BCT survey guidelines.

- 3) Section 2.3.1: Given that there were two surveyors on the site during each survey visit, and that the survey could have been continued until two hours after sunset (as per the BCT survey guidelines), it would have been expected that the transects would have included: (a) more comprehensive coverage of Stonydean Wood at the centre of the site (especially given the likely significant indirect impacts on this feature as a result of the development, and the presence of barbastelle bats); (b) greater coverage of the hedgerow linking Stonydean Wood to the woodland to the south-east (with this habitat link proposed to be removed according to the masterplan); and (c) greater coverage of Lodge Lane (a tree-lined road where c.20 trees are proposed to be removed). Justification from the Applicant is required to understand why these significant habitat features were not subject to greater survey coverage.
- 4) Section 2.3.2: For a site of moderate suitability habitat for bats, the BCT survey guidelines state in respect of transect surveys: *“One survey visit per month (April to October) in appropriate weather conditions for bats. At least one of the surveys should comprise dusk and pre-dawn (or dusk to dawn) within one 24-hour period.”* No pre-dawn bat surveys appear to have been undertaken, therefore justification is required to understand why the BCT survey guidelines were again not followed (pre-dawn surveys can also be very useful in recording bat roosting/swarming).
- 5) Section 2.3.2: In this section it is stated: *“Calls were analysed and identified to species using Anabat Insight software and BatSound v4.40”*. Additional information is required to understand how the calls were analysed- manually or using the AutoID function in Anabat Insight. If the latter, it calls into question the results obtained as AutoID is not always reliable. Details should also be provided in respect of potential limitations of the survey equipment used, particularly with regards the ability of the bat detectors to pick up calls from quieter bat species (e.g. *Myotis* sp. bats and barbastelle).
- 6) Section 3.2.3: It is notable that relatively high numbers of barbastelle were recorded on the site. The report appears to downplay the site’s importance for this Annex II species. Section 3.2.3 states that: *“The majority of the encounters occurred quite late after sunset (5-6 hours), which is around 2 hours before sunrise in July, indicating that bats are not roosting within these areas but are passing through and/or foraging”*. However, a study undertaken in southern England in 2012⁹ found that the mean time of final return to day roosts for barbastelles was highly variable but they returned consistently well before sunrise (194 ± 59.1 minutes). These timings would meet the stated timings in the report and therefore it is considered that barbastelle roosts on the site cannot be ruled out. It would be useful for the Applicant to provide a graph (as per Figure 30) of the frequency of the barbastelle calls relative to sunrise to aid in providing further information on the potential for roosting by this species on the site. Use of an analysis tool such as that provided by the ‘Ecobat’¹⁰ service may also be beneficial; as this tool offers a standardised means of analysis that could assist in identifying where the timing of first/last bat calls could indicate the presence of a nearby roost.
- 7) In respect of the automated bat detectors, it is surprising that Stonydean Wood did not receive greater survey coverage, given the known usage of the site by barbastelle and

⁹ Zeale, M.R.K., Davidson-Watts, I. & Jones, G. (2012) Home Range Use and Habitat Selection by Barbastelle Bats (*Barbastella barbastellus*): Implications for Conservation. *Journal of Mammalogy*, 93 (4):1110-1118.

¹⁰ The Mammal Society (2017). *Ecobat tool*. Available from: <http://www.ecobat.org.uk/>. Ecobat is a web-based tool supporting evidence-based decision-making by offering a standardised method of interpreting bat activity data.

the potential for impacts (e.g. lighting from the development) to arise (albeit indirectly) as a result of the proposals.

- 8) No assessment of the importance of bat assemblage on the site has been provided in this report. It is therefore recommended that the Applicant provides such an assessment (e.g. using the methodology suggested by Wray *et al.*¹¹ or emerging best practice guidance published by CIEEM¹²). Although the ES states that the site is of local value for all foraging and commuting bats (except barbastelle), no rationale or assessment has been provided to understand how this valuation was reached.
- 9) Section 4.2: Given the presence of species sensitive to lighting (e.g. barbastelle) it is recommended that an outline lighting scheme is provided with the application in order that the potential impacts of the scheme on light-sensitive bat species can be adequately assessed.
- 10) Section 4.2: The Applicant refers to measures to improve foraging opportunities for bats in this section of the report. An illustrated plan should be provided to demonstrate how these will be incorporated within the scheme.

3.15 Appendix 12.18 - Bat Surveys – Preliminary Bat Roost Assessment (PRA) Report – 13 and 15 Oakington Avenue & Trees Along Lodge Lane - Ridgeway Ecology Ltd, 2021

- 1) In the BCT guidelines it states that “Where [...] evidence of bats is found during a preliminary roost assessment, then further surveys (such as [...] roost characterisation surveys) are likely to be necessary if impacts on the roosting habitat are predicted”. The guidelines go on to state “Roost characterisation surveys include emergence/re-entry surveys. They also include the collection of information about the physical characteristics of the roost and surrounding area. The aim of these surveys is to [...] ascertain the features and characteristics of the roost (for example size, perching points, aspect, orientation, temperature, humidity, lighting) and the surrounding area (for example proximity of vegetation to exit points, availability of foraging areas locally) that are important. All of this information can then be used to assess the potential impacts of the proposed developments activity and design suitable mitigation and monitoring strategies. For example, information on roost characteristics may be required to inform the construction of a like-for-like replacement roost where the original roost will be lost. This information is essential when applying for planning permission or an EPS licence.” However, no emergence/re-entry surveys have been undertaken of 13 and 15 Oakington Avenue, and therefore a robust assessment of the status of the roosts cannot be made.
- 2) Consequently, it cannot be fully ascertained if the stated mitigation is appropriate for the bat roosting status of these structures, and whether it would be sufficient for the Favourable Conservation Status of the relevant species to be maintained. Nevertheless, reviewing the Bat Mitigation Guidelines¹³ in respect of the level of mitigation required, it states that for ‘Maternity sites of common species’ (as has been reported), the mitigation/ compensation required is: “Timing constraints. More or less like-for-like replacement. Bats not to be left without a roost and must be given time to find the replacement. Monitoring for 2 years preferred”. Based on the stated mitigation in the report, it is questionable that the measures stated provide like-for-like replacement (i.e. under hanging tiles). Further, no indications on timings are provided to offer the LPA reassurance that the bats would not be left without a roost at any point in the

¹¹ Wray, S., Wells, D., Long, E. and Mitchell-Jones, T. (2010). *Valuing Bats in Ecological Impact Assessment*. In Practice. CIEEM.

¹² CIEEM (June 2021). *Bat Mitigation Guidelines: A guide to impacts assessment, mitigation and compensation for developments affecting bats. Beta version.*

¹³ Mitchell-Jones, A.J. (2004). *Bat Mitigation Guidelines*. English Nature, Peterborough.

programme. Finally, it is uncertain how the Applicant will ensure the long-term retention of the replacement bat roosting features, especially as the new roosts appear to be proposed on private dwelling houses.

- 3) Due to the absence of roost characterisation surveys, it is difficult to understand how the planning application would meet Paragraph 99 of Circular 06/2005 which states: *“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. The need to ensure ecological surveys are carried out should therefore only be left to coverage under planning conditions in exceptional circumstances, with the result that the surveys are carried out after planning permission has been granted.”*
- 4) It is noted that the report states that the site could be registered under the Bat Low Impact Class Licence (BLICL) scheme; however, this scheme cannot be applied in this situation as it does not cover the destruction of maternity roosts.

3.16 Appendix (12.19 and) 12.20 - Breeding Bird Survey Report – ASW/BBL/088/25/2021 - ASW Ecology Ltd, 2021

- 1) Given the presence of potentially suitable habitat on the site, and given the relatively high number of survey visits conducted, it would have been prudent for the Applicant to have carried out at least one dusk survey to understand if the site is used by crepuscular bird species such as barn owl.
- 2) Section 2.2: This section states that the *“survey was [...] undertaken to determine breeding bird status and the number of active territories at the application site.”* However, the report does not readily supply the breeding status of each species, or the number of active territories. In order to aid in coming to an informed assessment of the breeding birds on the site, the Applicant should provide a simple table providing each species, the assessed number of territories and their breeding status, along with the conservation status/Species of Principal Importance¹⁴ status.
- 3) Section 2.2: The section states: *“The main constraint to the bird survey is that this investigation could not be undertaken during the Winter or the Autumn period, due to the commissioning of this new study.”* Given that the first breeding bird survey was undertaken in 2019, there has been ample scope to undertake such surveys during the subsequent winter and autumn periods, and this does not adequately explain why the application is data deficient in this respect.
- 4) Section 3: Given the habitats present, along with the site’s location, the number of individuals recorded for some species is considered to be lower than would be expected (e.g. three singing male wrens and one singing song thrush in May).
- 5) It is notable that this report does not provide an assessment of the breeding birds of the site. Greater information is required in order to aid in coming to an informed assessment regarding the potential impacts of the proposals onto breeding birds. It would be prudent for the Applicant to provide information regarding whether there are areas of the site that are more species diverse or support Birds of Conservation Concern species or Species of Principal Importance¹⁵ and whether they areas been retained as part of the scheme.) Further, although the ES states that the site is of less than local value for birds (except red kite), no rationale or assessment has been provided to understand how this valuation was reached.

¹⁴ Further to Section 41 of the Natural Environment and Rural Communities (NERC) Act (2006).

¹⁵ Further to Section 41 of the Natural Environment and Rural Communities (NERC) Act (2006).

3.17 Appendix (12.21 and) 12.22 - Dormouse Survey Report - Don MacPherson, 2021

- 1) The 2021 report (and the 2019 document) does not contain sufficient detail to permit the LPA to determine whether the surveys were undertaken in accordance with industry-standard guidelines (in this case the Dormouse Conservation Handbook¹⁶). Specifically, the following information is required before an informed assessment of these surveys can be undertaken:
 - i) A map of the locations of the nest tubes to understand where these were distributed across the site.
 - ii) The number of nest tubes deployed.
 - iii) The dates of each survey visit.
 - iv) The date of tube deployment; and
 - v) The date of tube collection (it is noted that the 2021 report states that the survey was complete in September, but no date is provided. This month is typically fruitful in finding dormice. If the tubes were not deployed for the entire month, the month should not be included within the index of probability score.)

3.18 Appendix 12.23, 12.24 and 12.25 – Badger Survey Reports

- 1) These reports have not been included within the supporting documents for this planning application as available for on the Buckinghamshire Council website, and therefore no review of these documents has been conducted.
- 2) However, it is noted that the PEA (Appendix 12.1, paragraph 3.5, page 15) describes potential setts that could not be accessed for survey, and given that the PEA also (paragraph 5.14) refers to a badger ‘hibernation season’ (in respect of a species that does not hibernate), it is recommended that caution be exercised in any review of these confidential documents.

3.19 Appendix (12.26 and) 12.27 - Reptile and Terrestrial Amphibian Report - ASW/BBL/036/25/2021 – ASW Ecology Ltd, 2021

- 1) The 2021 report (and the 2019 document) does not contain sufficient detail to permit the LPA to determine whether surveys were undertaken in accordance with industry-standard guidelines. Specifically, the following information is required before an informed assessment can be undertaken:
 - i. The date of refugia deployment to understand the number of days the refugia were left to bed in.
 - ii. The start and end time of each survey visit, and the start and end temperatures.
 - iii. A map of the locations of each refugia to understand their distribution across the site.
 - iv. The density of refugia (per hectare) across the site
- 2) It is considered that it would have been prudent to have undertaken some of the visits during the afternoon in order to capture different parts of the day (rather than just morning visits).
- 3) The stated temperatures, which include surveys undertaken even at 8°C, are below the range suitable for surveying for reptiles. Although reptiles were found during some of these surveys, it is reasonable to expect that they would have been found in greater numbers during more suitable weather conditions.

¹⁶ Bright, P., Morris, P. and Mitchell-Jones, T. (2006). *The Dormouse Conservation Handbook, 2nd Edition*. English Nature, Peterborough.

- 4) As stated in the report, the site is becoming more suitable for reptiles, and therefore depending on when the works commence an update survey is likely to be required to ensure the receptor site/s is sufficient to accommodate more reptiles.
- 5) Very little information is provided regarding the reptile receptor site/s. The Applicant should provide sufficient information to enable the LPA to assess whether this is deliverable on the site (or off-site), the condition of the habitats, and to confirm whether there is a reptile population already present within the identified receptor/s.

3.20 Appendix 12.28 - Great Crested Newt Survey Report – ADAS, 2021

- 1) The top line of Appendix 12.1 Table 8 (reproduced at 3.2 above states a requirement for: *“Further assessment in the form of environmental DNA (eDNA) analysis of each pond (pending access)”* but this eDNA survey information appears to be missing for four of the five ponds identified.
- 2) The Appendix 12.28 survey report comprises a generic two-page lab print-out describing the results of eDNA analysis for one (unidentified) pond, with no contextual information. However, by reference to baseline survey information embedded in the ES chapter itself (as reproduced below), it is assumed that the eDNA result relates to pond P5 alone. For clarity, the Applicant should provide a map showing the locations of the five identified off-site waterbodies and confirm which of these was subject to eDNA sampling, especially in view of the stated limitation that *“Due to a change in survey area in August/September 2021 distances of ponds do not correlate to what has previously been stated within the PEA reports.”*

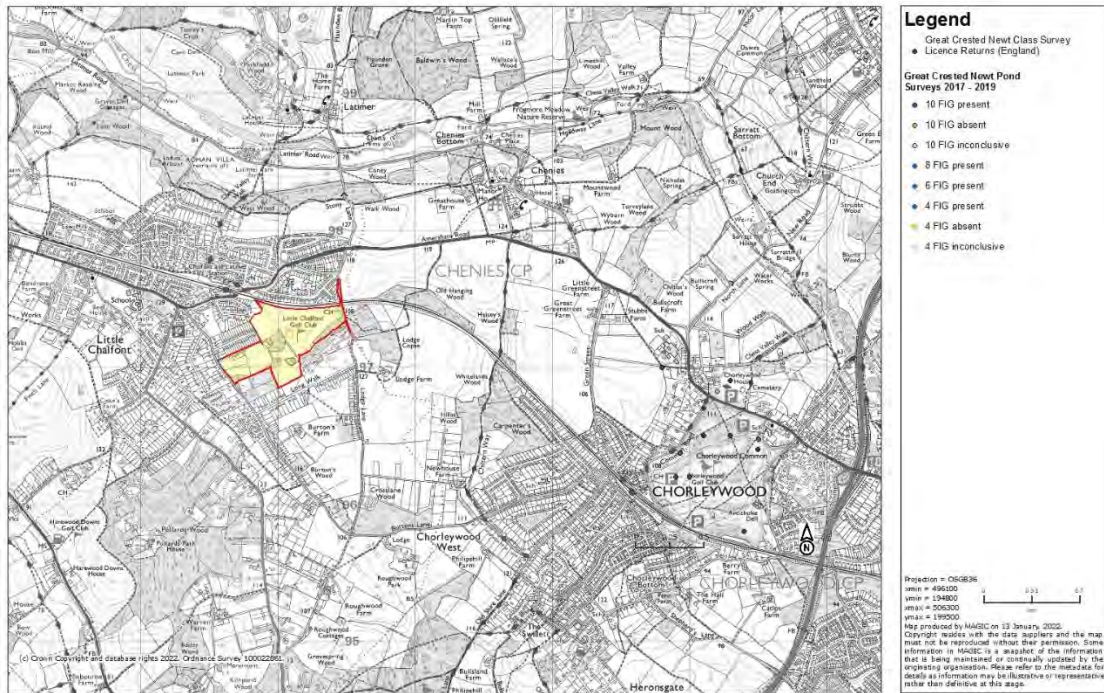
12.131. Ponds P1, P2, P3 and P4 (see **Figure 12.1, Appendix 12.2**) could not be surveyed (see limitations section) but pond P5 located at the school approximately 150m north of the Site was surveyed by ADAS as part of this assessment. Although no Habitat Suitability Index (HSI) surveys were undertaken at the ponds (again see limitation sections), an eDNA assessment of pond P5 was carried out in July 2021 with a negative result.

- 3) The limitations section of the ES states that *“All four of these ponds could not be surveyed due to access restrictions in 2019 and 2021”* and the assessment is therefore data deficient in respect of great crested newt. Government planning practice guidance¹⁷ states that *“The presence of a protected species is a material consideration when a planning authority is considering a development proposal that, if carried out, would be likely to result in harm to the species or its habitat... 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.”*
- 4) Whilst it is acknowledged that sometimes access cannot always be secured to off-site land, in those situations it is best practice to undertake an assessment as far as possible based on the information available, and application of the precautionary principle. This may include: (a) undertaking a more comprehensive desk study, with reference to data freely available via the NBN Atlas and survey information such as that presented within the MAGIC extract at Figure 3 below, (b) preparing a Habitat Suitability Index (HSI) assessment based upon information gleaned about off-site ponds as viewed from roads, public rights of way and aerial photographs, (c) supplying written evidence that access permission has been refused for every year in which surveys were attempted, and (d) making a ‘worst case’ assessment by application of the precautionary principle.

¹⁷ ODPM, (16 August 2005). *Government Circular: Biodiversity & Geological Conservation – Statutory obligations and their impact within the planning system*. Paragraphs 98-99. https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/7692/147570.pdf

- 5) By reference to the extract at Figure 3 below, great crested newts have been found in numerous ponds over multiple years at the nearby Chorleywood golf course. Whilst these ponds are more than 500m from the site and therefore outside of the scope of the Applicant's current surveys, this data is nonetheless provided here to demonstrate that great crested newts are present locally, being apparently confirmed as present in almost all ponds that were subject to survey. It is therefore reasonable to expect that this species may be present in many other ponds locally, including those adjacent to the site.

Figure 3. Extract from MAGIC showing numerous records for GCN on nearby Chorleywood golf course



- 6) By reference to ES paragraph 12.2 *“The eDNA surveys were undertaken outside of the optimal survey period with the receipt date shown as the 5th of July 2021 within the survey results report (Appendix 12.28). The eDNA of GCN only lasts approximately 20 days within a pond, therefore, water samples must be taken in the optimal season (mid-April and late-June) to determine presence or absence and it is possible due to the timing of survey that presence of GCN could have been missed within this pond.”* The Applicant therefore acknowledges that for the sole pond where the survey was undertaken, the timing renders the results unreliable.
- 7) In summary, whilst the applicant stated that *“suitable terrestrial habitat (including hibernation opportunities) is present on Site... with suitable terrestrial connectivity with no significant barriers to dispersal existing between off-site ponds and the Site”*, four out of five ponds have been completely omitted from any form of survey, the eDNA sampling undertaken for a single pond is unreliable due to the July survey date, no Habitat Suitability Index (HSI) assessment has been undertaken for any pond, and no surveys have been undertaken using conventional/traditional methods¹⁸. As such, any conclusions drawn in respect of great crested newt cannot be considered robust or reliable.

¹⁸ Noting that egg-searching and netting could readily be undertaken alongside eDNA sampling visits.

3.21 Environmental Statement - Chapter 12 - Ecology - Waterman, 2021

- 1) Paragraph 12.5 states: *“After the assessments detailed in this Environmental Statement (ES) were carried out, the red line boundary for the purposes of the planning application was extended slightly to include a series of highways improvements works along Lodge Lane and Church Grove, as well as improvements to the junction between Oakington Avenue and Amersham Way/Road.”* Due to the apparent significant amount of tree removal along Lodge Lane (c.20 trees), the possibility of impacts on dormice and bats cannot be ruled out (especially as this area was not surveyed).
- 2) Paragraph 12.92: This states: *“No bat swarming, or hibernation surveys have been carried out on Site to date and it is not known whether there are any structures/ buildings suitable for these types of roosts located within the Site”*. Given the bat survey work undertaken on the site, it is unclear why such surveys have not been carried out, if they have been identified as potentially necessary.
- 3) Paragraph 12.93: This states: *“Although only half of the survey effort was carried out for advanced survey techniques in 2019. Due to the findings from the single nights survey, it was considered by the surveyor that no update surveys using these techniques would be carried out in 2021.”* Clarification as to how this assessment was reached should be provided, with an explanation as to why a reduced survey effort was applied in 2019 and in 2021. Due to the number of barbastelle records noted on the site, plus the possibility of Bechstein’s bat, it would be reasonable to expect that *more* survey effort should have been employed, rather than instead falling short of the best practice standards.
- 4) Paragraph 12.1 [Note: at this point the paragraph numbering in the Ecology Chapter of the ES changes/has been reformatted, and consequently some paragraph numbers appear twice]. This paragraph states: *“Due to a change in survey area in August/September 2021 distances of ponds do not correlate to what has previously been stated within the PEA reports.”* The Applicant should provide the revised distances for avoidance of doubt.
- 5) Paragraph 12.1 and 12.2: More clarity is needed here; on the one hand the text states that the four waterbodies could not be surveyed due to access restrictions in 2021, but paragraph 12.2 states *“eDNA surveys were undertaken”* in 2021 [emphasis to highlight that ‘surveys’ is stated as plural]. Further, it is unclear which waterbodies were surveyed, and if any were surveyed, it would be useful for Habitat Suitability Index information to be provided. Finally, four waterbodies are referred to in this paragraph, whilst Paragraph 12.131 mentions five waterbodies. Refer also to comments made at 3.20 above in respect of Appendix 12.28.
- 6) Paragraph 12.20: The hedgerow survey identified field scabious, hoary plantain and tormentil with this possibly indicating that the site is of higher ecological interest than has been stated in this paragraph.
- 7) Paragraph 12.32-12.44: No information regarding whether these woodlands meet the relevant Priority habitat criteria (e.g. “Broadleaved, Mixed & Yew Woodland”) has been provided. It should be noted that MAGIC identifies nearly all of the wooded areas on the site as the Priority Habitat ‘Deciduous Woodland’. As these wooded areas have been identified as Priority Habitat, they would also be Habitats of Principal Importance (HPI)¹⁹. Consequently, in order for the LPA to fully discharge its biodiversity duty in respect of this habitat, further information from the Applicant is required.
- 8) Paragraph 12.45-12.52: As part of a robust assessment, the Applicant should assess whether any of the site’s hedgerows meet the criteria for the Priority Habitat ‘Hedgerows’.

¹⁹ Further to Section 41 of the Natural Environment and Rural Communities (NERC) Act (2006).

- 9) Paragraph 12.60- Table 12.4: Although it is noted that the table states that the status of B1 (the former Clubhouse) has been reduced from Moderate to Low; the 2019 PEA report states that this structure is of 'Moderate Potential' with the 2021 PEA report stating: "*The building B1-B14 are still present on Site and have not deteriorated or changed significantly to result in a change in bat roosting potential*". Therefore, justification and confirmation is required regarding the bat roost suitability of this structure. Also, for transparency and ease of reference, it would have been prudent for the Applicant to have included reference to the common pipistrelle roost recorded within B6.
- 10) Paragraph 12.84: Justification is required as to why the BCT survey guidelines were not followed, and why only emergence surveys were undertaken. It is not clear whether additional bat roosts may have been found if guidance-compliant surveys had been undertaken.
- 11) Paragraph 12.93: A study undertaken in southern England in 2012 found that the mean time of final return to day roosts for barbastelles was highly variable but they returned consistently well before sunrise (194 ± 59.1 minutes, or around three hours plus or minus an hour). These timings would meet the stated timings in the report and therefore it is considered that barbastelle roosts on the site cannot be ruled out.
- 12) Paragraph 12.96: The Applicant should provide information regarding the value of the site for bats (e.g. using the methodology suggested by Wray *et al.*²⁰ or emerging guidance from CIEEM²¹).
- 13) Paragraph 12.131: Although this paragraph implies that Figure 12.1 of Appendix 12.2 provides a map showing the location of the waterbodies near to the site, such a map does not appear to have been included. It is noted that P1 to P4 were not accessed and therefore no Habitat Suitability Index (HSI) could be carried out; however, P5 was accessed but no HSI information has been provided. Further, the weight that can be placed on the negative great crested newt eDNA result of P5 is reduced due to the sampling having been undertaken outside of the sampling window for this technique (which falls between mid-April to June)²².
- 14) Paragraph 12.141: This paragraph states "*Woodland habitat on Site is to be retained and so no significant adverse impacts are anticipated as a result of the proposed Development*". However, further information is required from the Applicant in respect of the likely impacts arising from roadkill due to hedgehogs having to cross the new roads to access the woodlands.
- 15) Paragraph 12.145: 'Bats- foraging and commuting' are stated within Table 12.7; however, they are omitted from this paragraph.
- 16) Paragraph 12.148- Table 12.8: Justification is required to understand how 'Bats (foraging and commuting)' are assessed as 'Moderate' when there is likely to be a reduction of feeding habitat due to increased lighting and disturbance at the site, and loss of commuting routes.
- 17) Paragraph 12.155: Clarity is required to understand if the mitigation hierarchy has been followed e.g. can the removal of the buildings containing the maternity roosts be avoided?
- 18) Paragraph 12.180: This states "*The monitoring of barbastelle and red kite activity before, during and after construction at a frequency to be agreed with the Local Planning*

²⁰ Wray, S., Wells, D., Long, E. and Mitchell-Jones, T. (2010). *Valuing Bats in Ecological Impact Assessment*. In Practice. CIEEM.

²¹ CIEEM (June 2021). *Bat Mitigation Guidelines: A guide to impacts assessment, mitigation and compensation for developments affecting bats. Beta version*

²² Biggs J, Ewald N, Valentini A, Gaboriaud C, Griffiths RA, Foster J, Wilkinson J, Arnett A, Williams P and Dunn F 2014. Analytical and methodological development for improved surveillance of the Great Crested Newt. Appendix 5. Technical advice note for field and laboratory sampling of great crested newt (*Triturus cristatus*) environmental DNA. Freshwater Habitats Trust, Oxford.

Authority". However, the Applicant has not provided information about what would occur as a result of this monitoring.

- 19) Paragraph 181: This paragraph states: *"All woodland is to be retained as part of the Development and a 20m buffer zone around all woodland habitat..."* However, the 2021 bat activity report²³ states *"The buffers must be based on the level of likely importance of the woodland to bats and based on the results the following guide to the buffer is recommended: - Around the central area of woodland and the southern, eastern and western edges of the woodland a 30m buffer must be employed"*. Justification is required to understand why the buffer has reduced. It is recommended that an outline Landscape Habitat Management Plan is produced to aid the LPA in understanding how the management of the site will occur. Further, it would appear, based on the Drainage Strategy, that some upgrading of the sewer pipework through Stonydean Wood (an area of ancient semi-natural woodland) would be required, and it is likely that this would detrimentally affect the woodland. The Drainage Strategy also appears to indicate that earthworks (possibly cut and fill) will be required adjacent to Stonydean Wood for the construction of the primary road. Clarification is required from the Applicant to aid the LPA in understanding the potential impacts from these works on the areas of ancient semi-natural woodland.
- 20) Paragraph 12.186: As per Paragraph 99 of Circular 06/2005, protected species surveys should be carried out prior to the planning application being determined. This information is required to allow the LPA to come to an informed decision on the impacts of the proposals. The mitigation proposed here do not meet the Bat Mitigation Guidelines (i.e. provision of roosting opportunities prior to loss of roost). As there is a paucity of survey data, it cannot be ascertained for the mitigation proposed whether: (a) it is sufficient; (b) it offers a like-for-like replacement; and (c) whether bat boxes would be sufficiently protected from being blocked or removed by owners of the residential properties on which the boxes will be erected.
- 21) Paragraph 12.190: The Applicant should provide evidence to demonstrate that the proposed 20m buffers along all woodland edges would remain dark.
- 22) Paragraph 12.206: This paragraph states: *"All captured reptiles would be carefully and humanely removed from the area and released in-situ into retained habitats either on Site or into adjacent habitats such as the railway corridor. All translocation work would be undertaken by experienced reptile ecologists."* Significantly more information is required in order for the LPA to be able to understand where the receptor site is to be located and whether management is proposed that would benefit the translocated reptiles. Further, the Applicant should demonstrate the long-term viability of the receptor site, and how the translocated reptiles would be protected from development if individuals are to be placed into off-site habitats (such as the adjoining railway corridor, if indeed this does not already have an attendant reptile population).
- 23) Paragraph 12.212: It is considered that an outline LHMP should be produced for the outline application in order to ensure the key ecological receptors have been included and have been factored into the scheme.
- 24) Paragraph 12.213: Significantly more information is required to permit the LPA to understand how the Applicant will ensure that the ancient woodland will not be detrimentally affected by the development. E.g. how will it be ensured that informal footpaths will not be created through the woodland. This information should be provided prior to the determination of the planning application.
- 25) Paragraph 12.219: The Applicant should provide details regarding how the proposals will ensure that the Stonydean Wood will not become isolated from the surrounding

²³ Report reference: RE2022-122

woodlands. Additional ecological measures are likely to be required and these should be detailed in the chapter.

- 26) Paragraph 12.221: An indicative/outline lighting strategy would aid the LPA in understanding the impacts of lighting onto the surrounding habitats (and consequently on some of the key ecological receptors such the ancient woodland and bats).
- 27) Table 12.9 should be updated and revised based on the comments above.
- 28) Paragraph 12.236: It is noted that monitoring for barbastelle would be undertaken, but there is no indication regarding what would occur if the monitoring identified that the barbastelle use of the site declined.
- 29) Other general points are listed below:
 - i. The Applicant has failed to mention that the site falls within a B-Lines corridor²⁴. The proposed management plan for the site should identify how it will contribute to this corridor.
 - ii. The woodlands on the site have been identified by MAGIC as falling within a 'High Spatial Priority' for 'Woodland Improvement' and for 'Woodland Priority Habitat Network'. A review of the National Habitat Network map (via MAGIC) identifies that the woodlands on the site fall within the 'Ancient Woodland' and 'Priority Habitat Inventory' categories. The Applicant should highlight how the proposed management of the site will meet these identified areas.
 - iii. The site has been identified by the Berks, Bucks and Oxon Wildlife Trust (BBOWT) on their Nature Recovery Network map²⁵ as falling within a "recovery zone". BBOWT defines recovery zones as: "*buffers the core zone, and includes the best places to restore and create new habitats and improve connectivity across the landscape.*" The Applicant should identify how the management plan for the site accords with this identified area.
 - iv. The Applicant should provide further information regarding how the proposals accord or meet relevant national and local planning policies.

²⁴ Buglife states that "*B-Lines are a series of 'insect pathways' running through our countryside and towns, along which we are restoring and creating a series of wildflower-rich habitat stepping stones. They link existing wildlife areas together, creating a network, like a railway, that will weave across the British landscape*".

²⁵ Accessed via: <https://storymaps.arcgis.com/stories/f4fa3ae631854d129230ce8719c079b3>

4 CONCLUSIONS

- 4.1.1 As noted in the introduction of this report, the above serves as a 'high level' review of the submitted ecological information; and once the relevant information has been provided then the ecology reports can be subject to further detailed examination. However, it should be noted that based on the information provided, a full and robust assessment of the submitted ecological documents cannot be made.
- 4.1.2 Currently, it is considered that due to the paucity of detailed ecological information, and with many of the ecological surveys not appearing to meet industry-standard guidelines/guidance (as outlined above), that this has implications on the veracity of the impact assessment conclusions offered by the Applicant to the extent that it would be unsafe to apportion the conclusions made to any weight in planning determination.
- 4.1.3 It should be noted that the presence of scarce and declining 'Priority' species and habitats is material to the discharge of the biodiversity duty imposed on public authorities by the NERC Act 2006, and therefore the omissions outlined above are significant for the robustness of the determination process in a legal sense. There are also significant information gaps in relation to European protected species which fall short of the expectations enshrined in incumbent planning practice guidance and further go to the matter of legal robustness. These shortfalls are particularly acute in respect of bats. It is consequently recommended that the LPA request more detailed ecological information before a planning decision is made.
- 4.1.4 The Bioscan review of the Biodiversity Net Gain report highlights that the net gain proclaimed by the Applicant appears to be incorrect, by some margin, and on the contrary, it appears that the proposals would result in a negative situation (i.e. a considerable loss of biodiversity, quantified as approaching -40%). Such a loss would be contrary to the Environment Act 2021, and local and national policy. In order to allow for these figures to be examined further, the Applicant should supply the raw spreadsheet calculations to allow for full transparency and public scrutiny, and before any determination of the application is considered.
- 4.1.5 In conclusion, the ecological reports submitted may not accurately represent the ecological interest present on the application site and it is advised that extreme caution is applied in using it to inform decision making. The safeguards and mitigation proposals offered in the report are founded on an incomplete understanding and/or conveyance of the baseline position and cannot therefore be relied upon by decision makers as a means to avoid significant net loss of biodiversity. This is in contradiction to national and local planning policy. It is recommended that clarity be sought from the Applicant, including justification for deviations from industry standard survey methodologies, to enable a more robust impact assessment to be conducted.



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Planning Application – PL/21/4632/OA

Land between Burtons Lane and Lodge Lane in Little Chalfont

Appendix D

Map showing the location of the chalk dry valley

(Michelle Bolger)

Supporting the objection by:

Little Chalfont Parish Council

and

Little Chalfont Community Association

19 January 2022

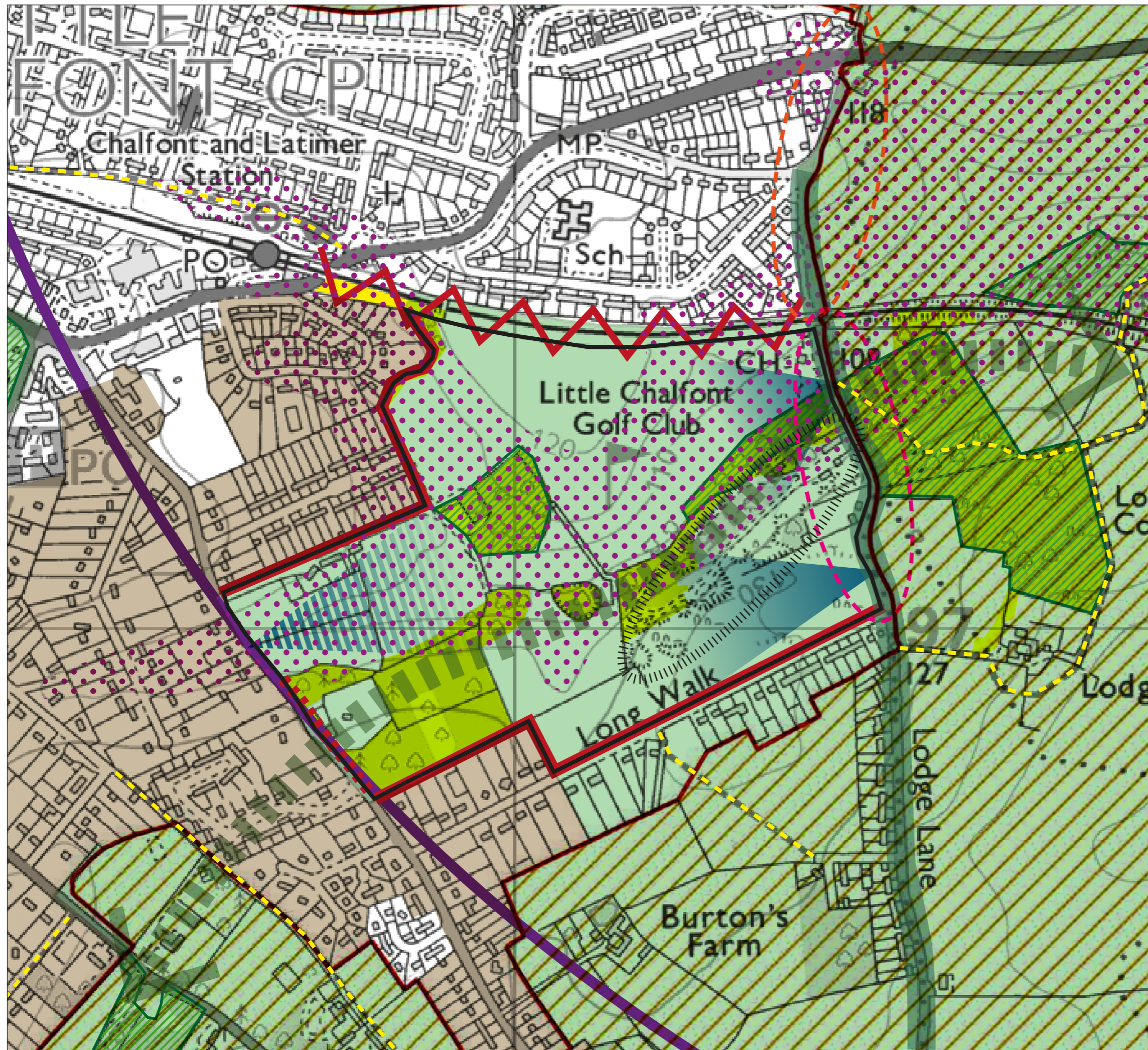


FIGURE 6
Constraints: Composite






















PROJECT
1116
Little Chalfont

CLIENT
Little Chalfont Parish Council

DATE
June 2019

Legend

-  BP 6 Site
 -  Green Belt
 -  Chilterns Area of Outstanding Natural Beauty (AONB)
 -  Ancient Woodland (also sensitive HLC type)
 -  Priority Habitat within site and immediate surroundings - Deciduous Woodland
 -  3km Impact Risk Zone to Frogmore Meadows SSSI
 -  Public Rights of Way
- Chiltern and South Bucks Townscape Character Study
-  Burtons Lane to Doggetts Wood Lane Area of Special Character
 -  Particularly sensitive edge
- MBELC Appraisal
-  Lower parts of dry chalk valley (up to 120m)
 -  Sensitive narrow rural lane (Lodge Lane)
 -  Additional sensitive edge
 -  Woodland/ AONB connectivity across BP6 & village
 -  Private roads (barriers to access)
 -  Private land (potential barrier to access)
 -  Railway (barrier to access and connectivity)
 -  Attractive rural views (approx. public locations)
 -  Filtered rural views (approx. public locations)
 -  Noise from Honours Yard (potential detractor to future residential amenity)



Consultation Responses

Natural England

05/04/22 NATURAL ENGLAND'S ADVICE OBJECTION - FURTHER INFORMATION REQUIRED TO DETERMINE IMPACTS ON DESIGNATED SITES - DEVELOPMENT WITHIN 12.6 KILOMETRES OF BURNHAM BEECHES SPECIAL AREA OF CONSERVATION (SAC) WITHIN 12.6 KILOMETRES Between 500 metres to 12.6km from Chilterns Beechwoods SAC, a Habitats Regulations Assessment is required to determine Likely Significant Effect. Mitigation measures will be necessary to rule out adverse effects on integrity.

Natural England requires further information in order to determine the significance of these impacts and the scope for mitigation.

Please re-consult Natural England once this information has been obtained.

When there is sufficient scientific uncertainty about the likely effects of the planning application under consideration, the precautionary principle is applied to fully protect the qualifying features of the European Site designated under the Habitats Directive.

Footprint Ecology carried out research in 2021 on the impacts of recreational and urban growth at Chilterns Beechwoods Special Area of Conservation (SAC), in particular Ashridge Commons and Woods Site of Special Scientific Interest (SSSI). Due to this new evidence, Natural England recognises that new housing within 12.6km of the internationally designated Chilterns Beechwoods SAC can be expected to result in an increase in recreation pressure.

The 12.6km zone proposed within the evidence base¹ carried out by Footprint Ecology represents the core area around Ashridge Commons and Woods SSSI 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.

In addition Footprint Ecology identified that an exclusion zone of within 500m of the SAC boundary was necessary as evidence indicates that mitigation measures are unlikely to protect the integrity of the SAC.

Impacts to the SAC as a result of increasing recreation pressure are varied and have long been a concern. The report identified several ways in which public access and disturbance can have an impact upon the conservation interest of the site, these included:

- Damage: encompassing trampling and vegetation wear, soil compaction and erosion;
- Contamination: including nutrient enrichment (e.g. dog fouling), litter, invasive species;
- Fire: increased incidence and risk of fire; and
- Other: all other impacts, including harvesting and activities associated with site management.

In light of the new evidence relating to the recreation impact zone of influence, planning

authorities must apply the requirements of Regulation 61 of The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019, to housing development within 12.6km of the SAC boundary. The authority must decide whether a particular proposal, alone or in combination with other plans or projects, would be likely to have a significant effect on the SAC.

Natural England are working alongside all the involved parties in order to achieve a Strategic Solution that brings benefits to both the SAC and the local area to deliver high quality mitigation. Once the strategy has been formalised all net new dwellings within the 500m - 12.6km zone of influence will be expected to contribute towards the formal strategy. In the Interim we are looking for bespoke mitigation to avoid adverse impacts upon the SAC from recreational disturbance.

Consequently, it is Natural England's view that the planning authority will not be able to ascertain that this proposed development as it is currently submitted would not adversely affect the integrity of the SAC. In combination with other plans and projects, the development would be likely to contribute to a deterioration of the quality of the habitat by reason of increased access to the site including access for general recreation and dog-walking. There being alternative solutions to the proposal and there being no imperative reasons of overriding public interest to allow the proposal, despite a negative assessment, the proposal will not pass the tests of Regulation 62.

Chilterns Area of Outstanding Natural Beauty (AONB)

The proposed development is adjacent to a nationally designated landscape namely Chilterns AONB. Natural England advises that the planning authority uses national and local policies, together with local landscape expertise and information to determine the proposal. The policy and statutory framework to guide your decision and the role of local advice are explained below.

Your decision should be guided by paragraphs 176 and 177 of the National Planning Policy Framework which gives the highest status of protection for the 'landscape and scenic beauty' of AONBs and National Parks. For major development proposals paragraph 177 sets out criteria to determine whether the development should exceptionally be permitted within the designated landscape.

Alongside national policy you should also apply landscape policies set out in your development plan, or appropriate saved policies.

We also advise that you consult the Chilterns Conservation Board. Their knowledge of the site and its wider landscape setting, together with the aims and objectives of the AONB's statutory management plan, will be a valuable contribution to the planning decision. Where available, a local Landscape Character Assessment can also be a helpful guide to the landscape's sensitivity to this type of development and its capacity to accommodate the proposed development.

The statutory purpose of the AONB is to conserve and enhance the area's natural beauty.

You should assess the application carefully as to whether the proposed development would have a significant impact on or harm that statutory purpose. Relevant to this is the duty on public bodies to 'have regard' for that statutory purpose in carrying out their functions (S85 of the Countryside and Rights of Way Act, 2000). The Planning Practice Guidance confirms that this duty also applies to proposals outside the designated area but impacting on its natural beauty.

Priority Habitats and Species

The site coincides with deciduous woodland priority habitat. Priority habitats and Species are of particular importance for nature conservation and included in the England Biodiversity List published under section 41 of the Natural Environment and Rural Communities Act 2006. Most priority habitats will be mapped either as Sites of Special Scientific Interest, on the MAGIC website or as Local Wildlife Sites. List of priority habitats and species can be found here². Natural England does not routinely hold species data, such data should be collected when impacts on priority habitats or species are considered likely. Consideration should also be given to the potential environmental value of brownfield sites, often found in urban areas and former industrial land, further information including links to the open mosaic habitats inventory can be found here.

Ancient woodland, ancient and veteran trees

The site coincides with two stands of ancient woodland. You should consider any impacts on ancient woodland and ancient and veteran trees in line with paragraph 180 of the NPPF. Natural England maintains the Ancient Woodland Inventory which can help identify ancient woodland. Natural England and the Forestry Commission have produced standing advice for planning authorities in relation to ancient woodland and ancient and veteran trees. It should be taken into account by planning authorities when determining relevant planning applications. Natural England will only provide bespoke advice on ancient woodland, ancient and veteran trees where they form part of a Site of Special Scientific Interest or in exceptional circumstances.

Further general advice on the consideration of protected species and other natural environment issues is provided at Annex A.

01/03/22 Natural England has previously commented on this proposal and made comments to the authority in our letter dated 6 January 2022. The advice provided in our previous response applies equally to this amendment, although we made no objection to the original proposal. The proposed amendments to the original application are unlikely to have significantly different impacts on the natural environment than the original proposal. Should the proposal be amended in a way which significantly affects its impact on the natural environment then, in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England should be consulted again. Before sending us the amended consultation, please assess whether the changes proposed will materially affect any of the advice we have previously offered. If they are unlikely to do so, please do not re-consult us.

06/01/22 NO OBJECTION Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutory designated sites has no objection. Natural England's further advice on landscapes and advice on other natural environment issues is set out below.

Protected Landscapes – Chiltern Hills AONB

The proposed development is for a site within or close to a nationally designated landscape namely Chiltern Hills AONB. Natural England advises that the planning authority uses national and local policies, together with local landscape expertise and information to determine the proposal. The policy and statutory framework to guide your decision and the role of local advice are explained below.

Your decision should be guided by paragraphs 176 and 177 of the National Planning Policy Framework which gives the highest status of protection for the 'landscape and scenic beauty' of AONBs and National Parks. For major development proposals paragraph 177 sets out criteria to determine whether the development should exceptionally be permitted within the designated landscape.

Alongside national policy you should also apply landscape policies set out in your development plan, or appropriate saved policies.

We also advise that you consult the relevant AONB Partnership or Conservation Board. Their knowledge of the site and its wider landscape setting, together with the aims and objectives of the AONB's statutory management plan, will be a valuable contribution to the planning decision. Where available, a local Landscape Character Assessment can also be a helpful guide to the landscape's sensitivity to this type of development and its capacity to accommodate the proposed development.

The statutory purpose of the AONB is to conserve and enhance the area's natural beauty. You should assess the application carefully as to whether the proposed development would have a significant impact on or harm that statutory purpose. Relevant to this is the duty on public bodies to 'have regard' for that statutory purpose in carrying out their functions (S85 of the Countryside and Rights of Way Act, 2000). The Planning Practice Guidance confirms that this duty also applies to proposals outside the designated area but impacting on its natural beauty.

Local sites and priority habitats and species

You should consider the impacts of the proposed development on any local wildlife or geodiversity sites, in line with paragraphs 175 and 179 of the NPPF and any relevant development plan policy. There may also be opportunities to enhance local sites and improve their connectivity. Natural England does not hold locally specific information on local sites and recommends further information is obtained from appropriate bodies such as the local records centre, wildlife trust, geo-conservation groups or recording societies. Priority habitats and Species are of particular importance for nature conservation and included in the England Biodiversity List published under section 41 of the Natural Environment and Rural Communities Act 2006. Most priority habitats will be mapped either

as Sites of Special Scientific Interest, on the Magic website or as Local Wildlife Sites. List of priority habitats and species can be found here¹. Natural England does not routinely hold species data, such data should be collected when impacts on priority habitats or species are considered likely. Consideration should also be given to the potential environmental value of brownfield sites, often found in urban areas and former industrial land, further information including links to the open mosaic habitats inventory can be found here.

Ancient woodland, ancient and veteran trees

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Further general advice on the consideration of protected species and other natural environment issues is provided at Annex A.

Campaign to Protect Rural England 11/01/22

We are writing to object to the above referenced Outline Application for the demolition of all existing buildings and the erection of residential dwellings including affordable housing, custom build (Use Class C3), retirement homes and care home (Use Class C2), plus all associated infrastructure. The location is land between Lodge Lane and Burtons Lane in Little Chalfont, Buckinghamshire

The Buckinghamshire branch of CPRE - The Countryside Charity is a long standing charity and has a role to protect the countryside from developments that do not meet acceptable planning guidelines. We have over 40,000 members and supporters nationally and well over 400 members in Buckinghamshire alone. We would like to register CPRE Bucks' strong opposition to the above planning application for the reasons below.

The site is within the London Metropolitan Green Belt

The relevant adopted Green Belt policy is Policy GB2. The applicant notes that this is in broad conformity with the current NPPF, though this policy has been found, when used on its own, to be out of date at previous appeals. As such, the NPPF carries strong weight in the decision making process, and, to this end, the applicant acknowledges that the proposal constitutes inappropriate development.

Paragraph 147 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". This is further expanded on in Paragraph 148, and Case Law, quoted by applicant, emphasises the "seriousness of harm to the Green Belt" arising from inappropriate development.

In this case, it is important to appreciate the fundamental aims and purposes of the Green Belt. As you are aware, the NPPF makes clear (in Section 13), 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”.

It continues by setting out the five purposes:

- 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.

This application is open land and would fail to maintain the openness and permanence of this part of the Green Belt. The applicant acknowledges under Section 7.38 of the Planning Statement that the proposal would result in “a permanent physical change in the character of the Green Belt in this location”. This immediately highlights the failure to keep land permanently open as its essential characteristics, namely openness and permanence, would be lost.

Further, the proposal clearly breaches purposes a) and c) because it is extending the built-up area of Little Chalfont into the countryside, thereby failing to safeguard the importance of this land. The applicant acknowledges this additional harm in Section 7.38 stating that “in a spatial sense there will be physical development on areas of the site which currently have an absence of built form”, and also that there is visual harm, though the applicant considers this to be limited.

The proposal also works against prioritising derelict and urban land (purpose e). This is relevant because this site is not derelict or urban land – and there are many areas of brownfield that should be used first. This approach is supported by the new Buckinghamshire Council with its policy pledge “Brown before Green”. This pledge commits the Council to a very different approach to plan making than was in place when the Chiltern and South Bucks Local Plan failed to be adopted because of initial concerns raised by the appointed Inspector.

As such, the harm to the Green Belt arises not just from definitional harm, but also because of spatial and visual aspects that result in the proposal failing to maintain the objectives of the Green Belt and at least two of the Green Belt purposes.

Very Exceptional Circumstances do not exist

In such cases, the applicant has to show that very special circumstances exist that clearly outweigh harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal. Case Law confirms that very special circumstances are a planning judgement for the decision maker. The applicant has set out a package of

circumstances focused on housing supply/needs. This does not provide the very special circumstances required to clearly outweigh the harm to the Green Belt, and this has been supported at appeal and in Case Law. Short term economic gains are flagged up along with community benefits regarding open space and access to the Chilterns Area of Outstanding Beauty. Again, these do not amount to a convincing set of circumstances.

Housing is being directed by the Council to Previously Developed Land (PDL) within Buckinghamshire, and this is a policy pledge by the Council. Building on PDL will provide the similar type of economic boosts highlighted by the applicant. Community facilities and open space can also be improved/provided with such development through the Community Infrastructure Levy. Finally, although the proposal lies outside the Chilterns AONB, it does border a small section of it. However, the proposed development in this location will not increase access to the AONB, and no land within the AONB is shown to be improved or even altered for the benefit of residents as part of this application.

Overall, the case of very special circumstances put forward by the applicant is very weak, and does not come close to the harm being “clearly outweighed by other considerations”.

Use of Evidence from the failed Chiltern and South Bucks Local Plan

The applicant makes a great play about the evidence used by the Council to justify this land being identified in the failed emerging local plan for release from the Green Belt. The Planning Statement provides examples that the Council has used such evidence in the past to justify decisions. However, the evidence used by the applicant was to remove the land from the Green Belt. Not, as is the case here, to allow a large swath of housing within the Green Belt. These types of decisions are strategic ones, and the process is clearly detailed in the NPPF. Releasing Green Belt land does not involve the use of a planning application, but the adoption of a local plan. No local plan is emerging or has been adopted that shows the Council is considering this land for release from the Green Belt. Indeed, the opposite is likely, with the Council’s policy pledge for “Brown before Green”. Even though there is no emerging local plan, the proposals appears to be very much like a premature form of development. It would adversely affect and undermine the strategic approach adopted by the Council to meet its housing requirements whilst failing to safeguard the countryside.

In short, the strategic work and evidence of a failed local plan does not represent very special circumstances. The evidence has not even been through an Examination in Public. The evidence referred to by the applicant, therefore, does not change the above conclusion that there are no very special circumstances.

To conclude, the Buckinghamshire branch of the CPRE strongly objects to the above development as it constitutes inappropriate development in the Green Belt, which is by definition harmful to the openness of the Green Belt. Further, it results in visual and spatial harm and result in urban sprawl and the encroachment of development into the countryside. No very special circumstances exist that outweigh this harm and the application should be refused planning permission.

Buckinghamshire Affordable Housing Officer 05/04/22

I have reviewed the details of the outline planning application and I can see that the applicant is proposing that 40% of the proposed development will be affordable housing with a split of 70% x rented accommodation and 30% x intermediate housing. Therefore, I would be satisfied that the scheme would be policy compliant with CS 8 (Affordable Housing Policy) and CS 10 (Affordable Housing Types) in the Core Strategy for Chiltern District.

The application provides a breakdown of the property sizes for the affordable housing as follows:

3 x 1 b/r
31 x 2 b/r flat
51 x 2 b/r house
44 x 3 b/r
23 x 4 b/r

However, the application does not break this down further to show how these property sizes will be split between the rented and intermediate housing. Therefore, I cannot comment specifically on this aspect of the application. As a general comment:

- I would wish to see a good mix and even spread of properties within both tenures and I would not want to see a situation where there was a disproportionately higher number of larger family homes (3b/r and 4b/r) in the intermediate housing units compared to the rented units
- The number of 1 bedroom properties being proposed is low and comprises only around 2% of the total number of affordable units. I would prefer to see a higher proportion of 1 bedroom affordable properties in the development which would better reflect the demands on the Council's Housing Register.

Buckinghamshire Highways DM Officer 01/03/2022

The development proposals are identified as being an outline application for up to 380 residential units, 100 bed Retirement living, up to 60 bed care home, land safeguarded for a 1FE primary school and up to 1000 sqm community hub. This represents significant development being brought forward in Little Chalfont between Burtons Lane and Lodge Lane.

It is noted that the site was formerly a promoted site within the now withdrawn Chiltern and South Buckinghamshire Local plan, and as part of that there had been pre application engagement, at which the Highway Authority was an invitee to a small number of workshops. There was also pre application advice provided by the Highway Authority to the applicants a number of years ago, regarding the acceptability of the principal of accesses, however with respect to this application, despite numerous assertions within the Transport Assessment that items have been agreed the nature of pre application advice leaves the burden of evidencing and demonstrating proposals on the applicant.

Should applicants seek pre-application advice this is normally confidential between the parties. It should also be noted that pre application advice is always provided without prejudice to any assessment of a future application.

With respect to the policy review, the parking standards have been identified and will be required to be adhered to should the application be granted permission. However, at this stage this is not a consideration that shall be assessed.

The site sits to the south of the A404 Amersham Road, linking Amersham and Little Chalfont to the M25 and Chorleywood. The A404 is reached from the site by Burtons Lane to the West and Lodge Lane to the east. These roads are of the nature of semi rural/rural residential roads and provide links through the rural road network to the A413 in Chalfont St Peter and on to the M40. Within the centre of little Chalfont there is the confluence of Burtons Lane, the A404 and the B4443, Cokes Lane. This confluence takes the form of two junctions in very close proximity, a mini roundabout and a priority junction. There are a number of constraints and limitations around this junction that shall be elaborated on further later in this response.

Lodge Lane joins the A404 through a staggered crossroad junction on the eastern boundary of Little Chalfont.

It should be noted that Lodge Lane passes under a railway bridge to the north of the site access location, and this forms a constraint on Lodge Lane that shall be assessed later within this response.

I also take the opportunity to draw to your attention that assessment is being made against Manual for Streets and Manual for streets 2 rather than Design Manual for Roads and Bridges. The site resides within a network that is of a local nature and has speeds appropriate to Manual for Streets guidance.

Access by non-car modes

The applicants have sought to set out the sustainable transport situation of the site and to that matter have set out the distances to walking, cycling and public transport opportunities. The assessment however references distances and standards set out by Transport for London rather than Buckinghamshire Councils standards and guidance. It is therefore not a comprehensive assessment, and rather relies on the NPPF statement that in rural areas different policies and measures will be required.

Additionally, the applicants have not set out any form of adjustment that they have made with respect to the topography of the site and the surrounding areas when considering the current sustainable transport options.

Therefore, it is the Highway Authorities position that walking and cycling provision requires further assessment and review to demonstrate acceptability in the instance of this application with respect to both distance and the level and appropriateness of the provision.

It is true to say that Little Chalfont Station is located close to the site, and the services provided do provide a high-quality service schedule to London and from there on to the rest of the country. However, no information has been provided regarding the available capacity on these services and therefore it is not possible to conclude if this would constitute an

attractive sustainable option for any future residents. If this is not the case, then it must be concluded that this would result in additional vehicles using the highway network.

In contrast to the rail services available the analysis of the bus provision shows that in this area the level of provision is limited and cannot be considered to be of a high quality within this assessment.

I also note that the Parish Councils objections take the opportunity to highlight discrepancies within the stated frequency of services for rail and bus provision. Whilst I do not consider this to be of great significance, (i.e. it doesn't change the rail provision from a high quality service) it is an error that should be corrected

The applicant's assessment of the road safety record in the area suggests that there are no safety issues caused by defects within the highway or highway design in the area. It is my finding that by extending the area, which has been maintained to the perimeter of the site, by a small amount that within the past 5 years there have been 3 serious accidents at the Cokes Lane/Nightingale Lane junction and 2 serious accidents at the Cokes Lane/Amersham Road junction. These need further investigation and the road safety review area should be extended over that presented within the Transport Assessment prior to conclusions being drawn.

Access

The proposed access arrangements to the site comprise of two priority junctions, one on Burtons Lane and one on Lodge Lane. Both of these junctions sit at the bottom of dips, however they are able to achieve the visibility requirements (120m on Lodge Lane and 90m on Burtons Lane). Concern has been raised regarding the location on the access points in adverse weather, however I do not find that the gradients are extreme. It is not possible to substantiate the position on these accesses, or give it further consideration at this stage. I do however find that in order to demonstrate robust assessment of the access arrangements details of the gradients and forward visibility is required. The submission of Stage 1 Safety Audits of the access points can also identify issues and these are recommended in this instance.

Review of the swept path analysis demonstrates that a refuse vehicle is able to negotiate the access junctions, however there is no such analysis for a bus of any type. If buses are to serve the site (and it is expected as there are proposals for a bus only section within the site) these should also be assessed. From the drawings provided it is my view that the road widths shown for the site access junctions are less than the 6m identified within the text. The swept path on the lodge lane access requires a large vehicle to use the full width of the road to turn, further assessment of this access is therefore required to demonstrate that this can be achieved safely.

In order to facilitate two way movement between the site and the A404 on Lodge Lane it is proposed that the road be widened to 5.5m along its length with the exception of the section that passes under the railway line. The embankments would then be secured with retaining structures. I can confirm that a width of 5.5m is sufficient for two vehicles to and that the span of the bridge would not prevent the passing of vehicles, as a minimum of 4.8m is required to pass two cars. Should there be a requirement for a larger vehicle to pass, give and take would be required. This can be achieved through the bridge given that lodge lane

is straight, however a forward visibility drawing should be provided to identify the point at which drivers would become aware of the need to accommodate opposing traffic, to ensure that safety is maintained.

An additional access point for pedestrians and cyclists has been identified by the creation of a new footbridge over the rail line and providing connection to Oakington Avenue and onward to the A404. This has been shown to be possible and proposes the realignment of the Oakington Avenue junction with the A404. The proposals as presented are found to be acceptable in principle subject to detailed design being carried out. In order to assess the acceptability of this pedestrian provision details of pedestrian trips through this access should be provided and agreed.

It is presented within the Transport Assessment that there would be no through movements for vehicles within the site with the exception of public transport vehicles. This would ensure that the numbers of movements taking place at each access junction are regulated. It has not been presented how traffic would be prevented from passing through the middle of the site whilst allowing a bus to pass through. No outline of public transport provision within the site has been given and therefore full assessment cannot be made. It is noted that within the Parish Councils representation, it states that this would not be practically possible. There are a number of options that can be explored, however there are difficulties with the ongoing maintenance and security of such systems that would have to be addressed.

Highway Network Impact Assessment

Considering the highway assessment of the site, the application has not carried out strategic modelling of the site and the surrounding areas. Instead, the Transport Assessment uses one day of data from 2017 and assesses the network only using local junction models, this modelling scope has not been agreed and is insufficient. The network in this area is constrained and we are not confident the assignment set out is accurate. Our position is that given the scale and location of the development it should be subject to strategic modelling in order to assess the changes that would be anticipated as a result of re-routing and different choices that would be made by new and existing users of the network. This is particularly true given the presence of the care home, school and local centre. It is not a robust position to suggest that these uses will be internal trips only. Additionally, the applicant has not taken into consideration any committed or potential significant developments in the area. These should have been considered within the assessment.

Trip generation has been carried out using TRICS®, which follows the standard practice, however, the selection of surveys used places significant emphasis on sites in more urban settings than the application site, and internalisation of trips has reduced the number of trips with respect to the school, no evidence has been presented for the basis of an internalisation of 50%. This combined with the statement that 82% of people travel to work through non car modes causes me to have concerns regarding the data presentation of the trip rates and distributions. All detailed data sets would need to be provided and a detailed explanation as to how this conclusion has been reached. It is possible that the vehicular trip numbers have been unduly suppressed which would underestimate the developments impact.

As mentioned above the baseline models for the development are based on a single day survey in 2017 conditions, this data is now 5 years old and is considered to be older than should be used for Transport Assessments according to current guidance. Whilst a degree of allowance has been made by the Highway Authority regarding the ability to obtain reliable survey data through the Pandemic years (2020 – 2022) it would be expected that applicants undertake work to bring older survey data up to date through growth factors or other means to confirm that the data remains reliable and robust.

Local Junction modelling

The local junction models presented have been reviewed, and the following comments are made regarding the models themselves.

All the junction models have used Passenger Car Units (PCU's) within the traffic flow diagrams, but these do not appear to have been converted to PCU's from the vehicle counts. This is an error that needs to be corrected for all the models.

Within the junction geometry for Cokes Lane/A404 Amersham Road, the gradients have not been entered, this is a geometric feature that can have a significant impact on the output of the model. This is an item that requires correction.

It is also found that U turning movements are not included and that incorrect data has been used within the 2017 AM and PM periods. This is an error that requires correction.

The model for the A404 Amersham Road/Oakington Avenue junction does not include the closely associated Zebra crossing and so it is not possible to account for the impacts of pedestrian flow on the junction. This then prevents accurate assessment of the changes that would be expected from the development proposals. There is also a lack of data present for Right Turning movements from Oakington Avenue and the survey data is limited to a single day. These are errors that require correction.

The model for the junction of the A404 Amersham Road/Church Grove/Stoney Lane is found to contain only survey data for a single day, and so may not be considered to be a representative reflection of the conditions there, it is also apparent that the model is under representing the queues forming on Stoney Lane against the observed queues. This is a calibration error that requires correction.

The site access junction with Burtons Lane, is found to have overestimated the available visibility and the way in which the junction geometry has been presented is questionable, and in the Highway Authorities view over estimates the capacity of the junction. This model requires review.

As previously stated the junctions of Cokes Lane/A404 and Burtons Lane /A404 are in extremely close proximity and so it is considered that these should be assessed as a linked junction system in order to understand the interactions between the two junctions in more detail.

Representations by consultants on behalf of the Parish Council highlight congestion issues caused by right turning traffic at the junction of Cokes Lane, the A404 and the adjacent school access point. I share this concern, and question if the exit blocking impact of the school access has been considered within the assessment.

Mindful of the review of the models that have been used to provide the assessment of the junctions, it is not wise to draw definitive conclusions from the outputs until these matters have been resolved. It is possible to identify the locations that are under the greatest pressure. The junction that experiences the greatest pressures currently is demonstrated to be the A404 Amersham Road / Cokes Lane. No further comment can be made until the modelling has been resolved.

The results of the future 2026 assessments have not been reviewed in this response in detail due to the previously mentioned issues around the construction of the models. Once the models are amended and any information from strategic modelling has been applied it would be possible to review these results. It is questionable if this 2026 year is appropriate as it does not appear to have any relationship with the build out profile or a future 10 year from application. The Transport Assessment states that this was a year agreed with the Highway Authority, however, I again consider the age of this advice to view this statement as outdated.

Mitigation

A mitigation package has been proposed by the applicant, however given the deficiencies within the assessment set out above it is not considered that the mitigation package can at this time be determined to be either comprehensive or indeed appropriate.

With this in mind, the mitigations proposed do represent improvements to the transport network, and could form the basis of a mitigation package once the outstanding assessment items have been completed. Therefore, comment shall be provided on the proposals as they currently stand.

The widening of Lodge Lane would ensure that two way traffic can be achieved, there are civil engineering considerations that may require extensive detailed design to ensure that retaining structures are able to be acceptable to the Highway Authority, however these would be managed through the detailed design process. The proposals for Lodge Lane do not at present identify any need to regrade the surface at the location of the rail bridge. The Highway Authority requires comfort that the gradient does not provide a barrier to larger or long vehicles being able to pass under the bridge without danger of striking the structure. At present it is established that there would be approximately 200mm clearance for a HGV passing under the structure, however this is on the assumption of a level carriageway.

The proposals for mitigation of widening at the junction with the A404 on Burtons Lane are not presented in a way in which there can be any confidence that this would be successful or achieve the required effects on the highway as the foundational modelling underpinning this mitigation is not considered to adequately represent the network. The applicant presents this as initial indications. Further work and a robust case for this mitigation is

required before the Highway Authority is able to determine if this is acceptable as a form of mitigation.

The mitigation proposals for the A404 Amersham Road/Cokes Lane mini roundabout widening are not accepted by the Highway Authority as the foundational modelling underpinning this mitigation is not considered to adequately represent the network. Proper assessment cannot be made of this junction without linkage to the Burtons Lane junction to ensure that issues of blocking between the junctions are properly considered and assessed.

The mitigation proposals only consider motorised highway traffic, full consideration should have been given to requirements for mitigation and improvement to support the applicant's assertions regarding walking and cycling. It has been highlighted within the parish council's objection that there are deficiencies within the footway network on Burtons Lane in both width and lighting and the Highway Authority is in agreement. These should form part of a comprehensive mitigation package.

Refinement of the mitigation at Oakington Avenue is required with respect to the proposed additional bus stops. There are safety concerns at this location with traffic stopping and this is evidenced by the planning history regarding development at the property 1 Oakington Avenue. Further engagement with Road safety and Public Transport is required in order to confirm the suitability of locations for these stops however the Highway Authority does not object to the principle of additional bus stops being provided.

The Highway Authority is supportive of the proposals to upgrade the Zebra crossing on the A404 to a toucan. Advice has also been sought from Thames Valley Police on this matter and there is no objection in principle.

Internal Layout

Turning to matters of internal layout, I have concerns regarding the number of no-through routes proposed, that would require refuse and delivery vehicles to have to turn and reverse within the site. With an increase in home delivery, these features are increasingly causing the need for larger vehicles with poor visibility having to reverse within residential areas.

I also draw attention to the need for applicants to give consideration to the impacts of LTN 1/20 on development designs and proposals. Whilst Healthy Streets principles have been identified, this new guidance will have further consequences on design and layout.

With respect to connectivity with the Public Rights of Way network, connectivity to routes at Lodge Lane should be given greater consideration with collaboration with colleagues in the Council's Rights of Way department in order to provide safe access to the rights of way network from the site. There is no proposed pedestrian provision on Lodge Lane.

Travel Plan

Turning attention to the draft Travel Plan, it is noted that the plan identifies the need for separate plans for the school and nursery at later stages, it does not identify the community use element. This should be either included within the site wide plan or as a separate travel plan.

The hard measures identified within the plan do not represent any level of substantive ambition or provision other than the basic infrastructure that would be expected within a

development. It is therefore not considered that these would promote sustainable travel over and above the natural background take up of walking and cycling. For instance, there is no indication of wayfinding or route times being displayed either through the development or any destination improvements on the public highway.

I also note that there is no mention of how the developer proposes to ensure that barriers to cycling are not imposed by the layout or design of plots.

Again, the travel plan identifies walking distances recommended by TfL, and not Buckinghamshire Councils requirements. Current Buckinghamshire Council guidance is that bus stops should not be more than 250m from residential properties.

The travel plan identifies that Amersham is within a distance that is suitable for cycling to reach shops and facilities, this can be reached via the shared footway cycleway that runs along the north side of the road. It is accepted that Amersham new town with its facilities are on an approximate level to Little Chalfont, however the old town is at the bottom of a significant hill which would reduce the attractiveness of access by sustainable means.

Given the multiple uses proposed on this site it should be expected that with respect to Travel Planning there be a suite of Travel Plans that reside within an overarching Travel Plan to ensure that they are complimentary and mutually supportive. At present this is not the case, and therefore it is not clear how this would take place. The Framework Travel plan should set out how this can be achieved and what measures each detailed travel plan is able to expand and bring forward in a complimentary manner to each other.

It is noted that the Framework Travel Plan places benefit on the provision of high speed internet connection to reduce the need to travel by allowing the option for working from home and online shopping. This may serve to reduce the number of vehicle trips that may take place, however it is only deliverable if there are meaningful design features within the dwellings to support this. It should also be noted that travel and movement form part of healthy living physically and socially. Others will no doubt be in a position to comment on the impacts of these, however the Highway Authority seeks to ensure that highway provision remains to ensure that access to movement remains available for all in society without hinderance or reduction in ability to access.

The targets outlined within the Framework Travel Plan give no indication to the Highway Authority as to what the applicants believe that they are setting out to achieve, rather the applicants seek to set targets based on experiences through the life of the travel plan. This approach does not provide a rigorous means of defining success and so clear targets should be set out at the outset in order to judge if the plan is being successful.

Mindful of the above, the Highway Authority recommends refusal of this application for the following reasons;

- Reason 1 The Transport Assessment is insufficient, by nature of missing, and inadequate information to enable the highways, traffic and transportation implications of the proposed development to be fully assessed.

The site has not been fully demonstrated to have safe and suitable access, an impact that is less than severe, and appropriate sustainable travel provision can be achieved. The development therefore is contrary to or does not meet the criteria set out within the NPPF and NPPG, Highways Development Management Guidance (adopted 2018).

To enable highways matters to be considered further the applicant would be required to address the points raised in the comments above, including:

- Agreement of trip rates and the scope of the modelling with the Highway Authority.
- Addressing the issues relating to the proposed access points.
- Further consideration of the footway/cycleway access.
- Consideration of measures to encourage the use of sustainable forms of transport.

Buckinghamshire Council Archaeological Service

01/03/22 Thank you for re-consulting the Buckinghamshire Council Archaeology Service on the above application. We note the submission of the Historic Environment Desk-based Assessment addendum, and having reviewed this document conclude that our advice as dated 10th January 2022 remains appropriate.

10/01/22 Thank you for consulting the Buckinghamshire Council Archaeological Service on the above application. We maintain the local Historic Environment Record and provide expert advice on archaeology and related matters. As you will be aware, Paragraph 194 of the National Planning Policy Framework (NPPF) states that information held in the relevant historic environment record should be consulted and expert advice obtained where necessary. The NPPF recognises that the effect of an application on the significance of a heritage asset (including its setting) is a material planning consideration.

Historic Environment Record (HER) information

We have consulted the Buckinghamshire Historic Environment Record (HER) and note that the following records are relevant:

HER reference	Designation Status*	Description
0142506000	HER	Carpenters & Hillas Wood Mesolithic and Neolithic or Early Bronze Age flint artefacts found in Carpenters and Hillas Wood
0792100000	HER	Pollards Wood Linear earthwork identified on LiDAR suggested to be possible route of Roman road
0525000000	HER	'Triangle Field' Raans Farm

		Neolithic flint scatter found in fieldwalking survey east of Raans Farm
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* COA = conservation area; LB = listed building; RPG = registered historic park; SAM = scheduled monument; PLN = planning notification area (undesigned area of archaeological interest); HER = historic environment record

Note: some records relate to extensive areas such as historic landscapes, historic towns and villages or areas of high archaeological potential. For full HER information and a licence for commercial use please contact the Bucks HER Officer.

Archaeological and related interests

We welcome the inclusion of a Heritage chapter within the EIA and the results of a geophysical survey submitted as part of the application.

The application area lies within a wider landscape with limited recorded archaeology, however, as the Heritage chapter submitted with the application rightly concludes, the absence of known archaeological sites within or close to the application site may be more to do with the lack of archaeological fieldwork undertaken within the area than a true absence of archaeological remains. Where works have been undertaken, such as at Raans Farm and Carpenters & Hillas Wood, artefact scatters of Mesolithic and Neolithic date have been identified. In addition, studies of newly acquired Lidar coverage of the area are revealing numerous new earthwork sites, such as the linear earthwork to the south of the application site which has been interpreted as a possible route of a Roman road.

The geophysical survey undertaken to inform the application (Wessex Archaeology 2021) did not identify any clear archaeological anomalies, but clearly states in the discussion that landscaping and land management have resulted in a high degree of magnetic disturbance, which may have masked any weaker archaeological anomalies. The lack of clear results in the geophysical survey cannot therefore be taken as evidence of a lack of archaeology within the site, and the results of this survey should be ground truthed through archaeological trial trenching.

It is clear that the site has been subject to disturbance through landscaping, quarrying, services and the installation of the golf course. It is therefore likely that if archaeological deposits are present within the site that they may have been truncated in places. However, the extent of previous truncation is unclear and the potential for in situ archaeological horizons remains.

The submitted outline development is likely to impact on any in situ archaeological horizons present, through the construction of housing, infrastructure and landscaping. With the uncertain potential for archaeological horizons to be present, it is recommended that further investigation in the form of archaeological trial trenching is carried out to identify the presence, scale, significance and state of preservation of any

archaeology within the site. The results of these works can inform the requirement for further mitigation.

Whilst we would recommend the applicant carry out archaeological trial trenching at the earliest opportunity so to inform the outline application, due to the likelihood of previous disturbance of any remains, and the inclusion of the geophysical survey with the application, these works could be undertaken as Conditions on any planning permission granted. However, we would recommend these works be undertaken in advance of any reserved matters applications so to inform the more detailed proposals.

If planning permission is granted for this development then it is likely to harm a heritage asset's significance so a condition should be applied to require the developer to secure appropriate investigation, recording, publication and archiving of the results in conformity with NPPF paragraph 205. With reference to the NPPF we therefore recommend that any consent granted for this development should be subject to the following conditions:

- **No reserved matters will be submitted, until the applicant, or their agents or successors in title, have undertaken archaeological evaluation in form of trial trenching in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the planning authority. Where significant archaeological remains are confirmed these will be preserved in situ.**
- **Where significant archaeological remains are confirmed, no reserved matters application will be submitted until the applicant, or their agents or successors in title, have provided an appropriate methodology for their preservation in situ which has been submitted by the applicant and approved by the planning authority.**
- **Where archaeological remains are recorded by evaluation and are not of sufficient significance to warrant preservation in situ but are worthy of recording no reserved matters will be submitted until the applicant, or their agents or successors in title, have secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the planning authority.**

The archaeological investigation(s) should be undertaken by professionally qualified archaeologists working to the agreed written scheme(s) of investigation which should be based on our on-line template briefs.

Buckinghamshire Heritage Officer 18/02/22

Summary

There is no harm to the identified designated heritage assets and therefore the proposal is acceptable.

The buildings at Homestead have been assessed under the commonly applied selection criteria for assessing the suitability of assets as non-designated heritage assets (NDHA). Due to limited age and historic interest, along with being significantly extended and altered it has been decided these do not meet the tests to be considered as such.

Heritage Assets

Listed Buildings (LB), which are designated heritage assets; due to the number of these being considered they will be discussed in the following report

Registered Park and Garden (RPG), which is a designated heritage asset; north of the application site is the GII Listed Latimer Park

Conservation Area (CA), which is a designated heritage asset; north of the application site is the Chenies and Latimer CA

Non-designated Heritage Asset (NDHA), buildings at Homestead have discussed below.

Discussion

There are no designated heritage assets within the application site and therefore the heritage assessment is the impact on the setting of the registered park and garden and conservation area as identified above. Along with the setting of a number of listed buildings to be discussed in the report.

The submitted heritage assessment concludes there is one non-designated heritage asset within the site, a 19th century surface quarry pit. Which will be discussed by the Archaeology consultation response.

However, the proposal includes the demolition of 'Homestead', which are a collection of early 20th century buildings in the Arts and Crafts style. And therefore an initial assessment of these is discussed below.

Proposal

As set out in the description, the current application seeks outline permission to develop an area of land to the south east of Little Chalfont. The site would contain 380 residential homes via a combination of apartments and 2-5 bedroom houses. Along with a retirement village, care home and an area safeguarded for education and community use.

Significance and Impact on the Identified Heritage Assets

The application site is that of the former Little Chalfont golf club and thereby provides a verdant character to this part of the village. Located within the Green Belt and adjacent to the Chilterns AONB the site also benefits from a number of woodland areas.

The wider setting of the application site is that of modern residential development to the north, south and west. Whereas residential development has not been extended to this part

of Lodge Lane to the east, there is an industrial yard area. It is the wider residential area surrounding the site which contains the closest listed buildings to the site.

- Listed Buildings (LB) of Little Chalfont

The nearest listed buildings to the application site are Loudhams, a former farmhouse and its former barn (converted to a dwelling) to the west, these are both GII listed. There are a number of other GII listed farmhouse, cottages and milepost within the village. However, along with Loudhams these are all separated from the application site by the existing landscape of residential dwellings, treelines and general modern development of the village. Due to the scale and significance of these listed buildings, their settings are likely to be limited to their closer surroundings and therefore not impacted by the current proposal.

- Listed Buildings (LB) of Chenies and Latimer

Due to their distance from the site the LBs in these surrounding villages have been excluded from the 1km study area of the submitted Heritage Assessment. However, as shown in the submitted DAS Little Chalfont, along with the neighbouring Chenies and Latimer are located on undulating topography along the River Chess. And whilst for similar reasons for the LBs in Little Chalfont itself the majority of LBs in these villages should not be considered, the larger scale and more significant LB, even beyond the 1km boundary should be assessed. Latimer House (GII) is located on an elevated position on the southern edge of Latimer village within its GII listed RPG. However, a site visit has ascertained that mutual visibility is not possible and therefore the setting of Latimer House would not be impacted by the current proposal.

- Registered Park and Garden, Latimer Park (GII) Latimer Park is to the north of the application site, within the Chiltern Hills and of the north side of the River Chess valley. An 18th century park, which is thought to have been advised by Lancelot Brown, forms the setting around Latimer House which itself is located on an elevation position. Overall the area of the park covers c213ha and is bound largely by agricultural land and woodland.

There is a terrace to the south of the house which overlooks the park to the south and towards the application site, with far reaching views due to the steeply falling ground levels in this direction. However, the park along the most southerly boundary is created by West Wood. Even with the lower ground level, the extensive and tall coverage of this wooded area impedes any direct views between the application site and the open character of the park and garden.

Due to the existing modern development to the north of the application site, the proposal would not have an impact on the setting of the wooded area on the southern boundary of the RPG.

- Conservation Area (CA), Chenies and Latimer The conservation area follows a similar boundary area as the RPG but excludes West Wood. However, the same principle applies that although West Wood contributes to the setting of the CA, it also screens the application site from the CA. And therefore the proposal would not impact the setting of the CA.

- Non Designated Heritage Assets (NDHA), Homestead The proposed scheme includes the demolition of three areas of development, including two modern houses on Oakingham Avenue to provide a cycle and pedestrian access to/from the site to the north. The modern golf club house along Lodge Lane toward the NW of the site. These buildings are not of any architectural interest and therefore their removal of no heritage concern.

However, the proposal includes the demolition of the buildings which form 'Homestead' towards the west of the application site, on a private access which leads from Burtons Lane. These are a collection of early twentieth century buildings, in the Arts and Crafts architectural style, along with modern agricultural buildings. The older structures include a large detached house, two outbuildings to the east and a stable block (with a later addition).

The heritage assessment only references the demolition of a small group of structures at Homestead Farm but offers no assessment of these buildings. And as a desk based heritage study the author has not visited the site.

According to the historical mapping, the first building on the site appears on the 1925 OS Map. This appears to match the plan form and position of the outbuilding immediately to the east of the house. This is a single storey rendered structure with timber detailing and tiled roof. Interestingly this small structure has a clock tower. Beyond this is a second later outbuilding with a first floor within the roof space. This building has brick external walls but again with timber detailing, although appears to have been significantly extended in more recent times.

To the north of these is a long narrow structure of two halves. One half a rendered stable block and the other a brick building with larger openings. The stable building appearing to relate in style and form to the other older outbuildings.

Beyond these outbuildings are two large modern agricultural barns, which other than contributing to the farm complex setting offer nothing in regards to architectural or historic interest of the site.

The house is a large detached property which is positioned at an oblique angle to the lane, allowing the rear of the building to benefit of the longer views over the application site. Predominantly two storeys in height, albeit with a third floor within the roof space of the main section of the building. The house is attractive and well-proportioned in the Arts and Crafts style but is largely unremarkable. It has been extended and more recently heavily renovated.

Whilst formerly a parish to nearby Amersham, Little Chalfont expanded significantly in the 1920s with the arrival of the Metropolitan Railway and when land was released to become part of Sir John Betjeman's 'Metroland'. The complex of buildings at Homestead are more removed from the typical suburban development of semi-detached rows of development synonymous with 'Metroland'. In that's its scale and isolated location is more affluent, however the style shares the over scaled gables, steep roof slopes and timber detailing that was common at this time.

There is a commonly applied selection criteria for assessing the suitability of assets as non-designated heritage assets (NDHA), including the asset type, age, architectural and historic interest, along group value. Regrettably the submitted information has not assessed this group of buildings.

Therefore, a site visit was carried out on the 1st February and a desk based study where it was found extensions and alterations have significantly undermined the original architectural integrity and setting of the buildings, in particular those to the SW of the main house and to the outbuildings. There appears to be no indication of an important architect, nor does it appear to have been built for any notable owner. As a collection of buildings built around the time of major development to the village the site offers some historic interest. Therefore, it is requested that the buildings are recorded prior to demolition and details submitted to the council's Historic Environment Record due to their contribution to the development of the village.

However, the limited age of the buildings along with a common style of house for the area and lack of any additional historical interest the buildings at Homestead are not considered to be non-designated heritage assets.

Heritage Policy Assessment

The Planning (Listed Building and Conservation Areas) Act 1990

The proposals would preserve the architectural and historic interest of the listed building and therefore complies with sections 66 of the Act.

The proposals would preserve the character and appearance of the conservation area and therefore complies with section 72 of the Act.

NPPF

The proposal would cause no harm to the significance of the identified heritage assets.

Conclusion

For the reasons given above it is felt that in heritage terms:

The application would not raise any heritage objection subject to the following conditions:

- Recording of the buildings at Homestead prior to demolition to Level 2 (as per Historic England's A Guide to Good Recording Practice) and the record submitted to the council's Historic Environment Record (HER)

Buckinghamshire Ecology Officer

30/03/22 Thank you for consulting the Buckinghamshire Council Ecology Advice Service on the above proposal. I have reviewed the above application regarding its ecological implications and we would recommend refusal owing to the biodiversity loss resulting from this development and the impacts of the development on County value habitats (ancient woodland and 'Important' hedgerow), County value species (barbastelle) and on other protected species.

Summary Objection

From the information provided it is recommended that the application is refused or deferred at this stage due to the impacts on biodiversity, being contrary to NPPF and ODPM Circular 06/2005.30

Following the ES Addendum and further clarifications from the applicant our comments dated 25th January 2022 remain overall the same.

Biodiversity Net Gain Metric

Clarification is still required for the revised biodiversity net gain metric that was submitted. We still do not have the necessary information to make an assessment should this development result in a biodiversity net gain or not.

According to all information available to us the development will result in a biodiversity loss which is contrary to NPPF.

Full species lists and species abundances per existing habitat compartment assist us in reviewing the condition of each habitat within the site so the metric can be as much accurate as possible. Similarly the proposed habitat plan must be as detailed as possible and future management/land use should be considered prior to determination of the application so correct habitat entries and conditions are included in the metric.

We are not in agreement that habitat details can be decided at the reserved matters stage as then it will be too late to assess if the development will result in a biodiversity gain or not. If the public open space is the same area that is allocated for habitat creation (priority habitat lowland meadow) then this should be confirmed prior to determination and not at reserved matters stage.

We still require detailed existing and proposed habitat plans and explanations to each habitat entry in the metric so we can review the metric and assess the impact of this development on biodiversity. We can provide the reviewed version of the metric but first we require to receive updated detailed existing and proposed plans and clarifications to the queries below:

- The information sheet at the start of the metric has not been filled in in order to know who completed the metric and when.
- There are no specific comments in the metric to be able to check each habitat entry. In line with the Natural England Biodiversity Metric 3.0 User Guide a unique identifier should be assigned to each habitat entry and illustrated in the existing and proposed maps so we are able to cross-reference the habitat entries.

The guidance states " For both baseline and post-intervention data, ensure each habitat parcel, hedgerow or watercourse has been assigned a unique ID (this can be the row number in the metric calculation tool). Any maps generated to support the calculation should clearly display the unique ID of each parcel."

-If a habitat entry is the total area of different parcels within the site of the same habitat and of same condition then all the codes that this habitat represents in the maps should be entered in the comments (of this habitat row).

-If the same habitat type exists throughout the site but of different condition per

parcel/area (in this case 'modified grassland') then separate habitat entries of the same habitat but with different condition should be entered in the metric.

-Explanation should be provided in the comments of each habitat to be created/enhanced regarding how the stated condition will be achieved. -The detailed existing and proposed habitat plans and comments in each of the rows will also help to understand the new figures/entries in the revised metric of:

Baseline habitats

-The baseline 'developed land; sealed surface' increased from 1.57 he to 1.61 he.
-The baseline 'lowland beech and yew woodland' decreased from 4.41 he to 3.92 he.
-There is a new row in baseline habitats of 'lowland mixed deciduous woodland' of 0.14 he. It is not clear if this is the additional woodland habitat at Lodge Lane.

Habitats to be created

-There is now a new entry of habitat to be created of 'other woodland; broadleaved' of 0.13 he (it is not clear where this will be created-the proposed habitats map should illustrate this habitat parcel).
-'Other neutral grassland' increased from 6.17 he to 6.23 but it seems it is the same parcel. - It is unclear if the access road/widening of road by Lodge Lane is 0.24 he.

It should be again emphasised that in line with the Biodiversity Metric 3.0 User Guide - Natural England:

“The metric does not override or undermine any existing planning policy or legislation, including the mitigation hierarchy which should always be considered as the metric is applied.”

“Biodiversity metric calculations can inform decision-making where application of the mitigation hierarchy and good practice principles conclude that compensation for habitat losses is justified.”

Following applying the mitigation hierarchy any predicted biodiversity loss could be compensated for onsite subject to appropriate habitat creation and management proposals (allowing larger areas to habitat creation around the ancient woodland and better habitat connectivity) and any residual loss should be offset. Assurances need to be made that onsite compensation or offsetting would be deliverable prior to determination of the application.

Woodland Management Strategy

According to the proposed layout the ancient woodland 'Stoneydean Wood' will become isolated as an 'Important' hedgerow that connects this woodland to the south Priority Habitat Deciduous Woodland will be removed and housing is proposed almost all around the periphery of the woodland.

Given the proposed layout a woodland management strategy was requested prior to determination of the application. It is stated in the Statement of Clarification-Ecology and Climate Change clarifications that “As all ancient woodland areas are to be retained, the Development as assessed in the ES would not result in significant adverse effects (further impacting the functional integrity of ancient woodland), and the recommended mitigation, such as buffer zones implemented, CEMP, LHMP and Woodland Management Strategy

(subject to a planning condition and addressed at RMA) would contribute to the preservation of the ancient woodland. Therefore, it is considered that at this stage, sufficient information has been provided in the ES to demonstrate how the Development would avoid deterioration of the ancient woodlands within the Site.” It is however questionable if sufficient information was provided to demonstrate how the development would avoid deterioration of ‘Stoneydean Wood’ when housing is proposed almost all around the woodland and the key connective corridor (‘Important’ hedgerow) to this woodland is to be removed.

We still recommend that given the proposed layout a woodland management strategy is submitted prior to determination of the application so the impacts of this development on the woodland can be fully assessed.

In our previous response we listed all direct and indirect impacts and our queries regarding the buffer zone are still not fully clarified. The habitats of the buffer area should be confirmed in principle prior to determination and not at reserved matters stage.

We have also requested a plan showing all buffer zones in metres around all woodland parcels within the site and it does not appear that this plan was submitted.

It should be again emphasised that Standing Advice states that development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists.

No such compensation strategy has been provided in this instance.

Protected Species

Protected species are a material consideration of the planning process and 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 (ODPM, 2005/06).

Bats

Bat activity survey work of buildings 13 and 15 Oakington Avenue is required prior to determination of the application regardless if this application is outline. Before granting planning permission, the local planning authority should satisfy itself that the impacts of the proposed development on European Protected Species have been addressed and that if a protected species derogation licence is required, the licensing tests can be met and a licence is likely to be granted by Natural England. Bat roosts were confirmed in the buildings therefore full activity surveys must be carried out within the optimal survey season prior to determination of the application.

Regarding the trees at Lodge Lane it is still unclear how many will be exactly removed and how the road will be widened. We considered the results of the activity surveys carried out so far and it appears that there has been large concentration of bat passes immediately to the south of the railway bridge by Lodge Lane thus we would recommend that the whole section of Lodge Lane within the application site is also covered by sufficient activity survey work (transect/static detector surveys).

It should be noted that Lodge Lane is not lit and with Stony Lane, this lane connects two

parcels of ancient woodland 'Netherground Spring' in the south and 'Walk Wood' to the north. Given also the recorded presence of barbastelle at the site we consider that these surveys should be carried out so we can fully assess if the development will impact on a key bat commuting corridor. We would recommend that these surveys are carried out prior to determination of the application.

In the January 2022 ES Addendum no survey date is stated or the name of the surveyor who carried out the preliminary ground level roost assessment of the trees at Lodge Lane. Many trees have dense ivy therefore it is not entirely clear how negligible potential for roosting bats was concluded.

Great crested newt

Please note that the following comments are stated following discussion with the Newt Officer, Charley Scales (copied in this response):

Only one pond out of the five identified within 500m of the site was surveyed for its likely presence/absence of GCN via eDNA in July 2021 which is outside of the acceptable eDNA survey season. This survey result is invalid and cannot be considered to determine the likely absence of GCN from this waterbody.

Great crested newts are a protected species and as such are a material consideration for planning applications. Local Councils have statutory duty under the Habitats Regulations (2017 as amended) to ensure that when they are determining planning applications that they consider the impact to protected species prior to determination. This is also supported through the National Planning Policy Framework guidance and the OPDM Circular (2005/06).

Great crested newts have been identified as a potential constraint to development at the outline stage of this project. Therefore, they need to be dealt with at outline and cannot be left until reserved matters. The current level of information provided by the applicant is not sufficient to determine the likely absence of GCN from this site and therefore further information is required as stated within the Newt Officer's comments (16th March 2022).

Great crested newts may rest under refuges such as logs, bark, rocks, and debris (discarded furniture, etc). Placing further refuges such as carpet tiles and plywood boards on a site for the purpose of survey may be advised to increase the chances of newts finding a refuge. However, lifting and searching underneath such refuges appears to be a very inefficient method, and is best used as an additional technique. It should certainly not be relied upon as the sole survey method (English Nature, 2001).

It is difficult to predict impacts accurately when no or few data are available. Local Planning Authorities may refuse or defer planning permission in such cases. Where attempts have been made to predict impacts based on poor data, mitigation plans will be assessed in the light of the information contained in this section and the previous section on surveys; should the impact assessment not adequately address these points it is unlikely that the proposals will be viewed favourably. A recommendation for further survey is likely in such circumstances (English Nature, 2001).

Reptiles

Although it is stated in the Statement of Clarification-Ecology and Climate Change clarifications that a reptile receptor site plan is provided in Appendix B there is no plan of receptor site apart from the plan of refugia. The reptile receptor site plan and future management should be provided prior to determination of the application. Lighting Owing to the proposed development layout and the likely impacts on the ancient and priority woodlands and the presence of bats including County important barbastelle we requested a lighting strategy prior to determination of the application. It does not appear that this was submitted. Although the final lighting details can be submitted at reserved matters we require to see likely lux levels across the site so we can assess the impacts of this development on the woodlands and bats and other nocturnal wildlife. As previously stated, layout adjustments should be considered so the ancient and semi-natural woodland 'Stoneydean Wood', 'Important' hedgerow and barbastelle bats using the site are not adversely affected by the proposed development. We recommend that the development layout is revised to allow larger buffer areas around 'Stoneydean Wood' and Priority Habitat Deciduous Woodland areas and to maintain existing habitat connectivity thus retain and protect the 'Important' hedgerow. A revised biodiversity net gain metric should be submitted prior to determination of the application following changes of the proposed layout. This should be accompanied by a detailed existing habitat plan (with full species list/abundance per habitat entry so we can check each habitat condition) and a detailed proposed habitat plan so there is no doubt of the metric result. Given all available information to us we would recommend that the application is refused or deferred at this stage owing to impacts on biodiversity, being contrary to NPPF and ODPM Circular 06/2005.

Legislation, Policy and Guidance

Reasonable Likelihood of Protected Species

Permission can be refused if adequate information on protected species is not provided by an applicant, as it will be unable to assess the impacts on the species and thus meet the requirements of the National Planning Policy Framework (2018), ODPM Circular 06/2005 or the Conservation of Habitats and Species Regulations 2017. The Council has the power to request information under Article 4 of the Town and Country (Planning Applications) Regulations 1988 (SI1988.1812) (S3) which covers general information for full applications. CLG 2007 'The validation of planning applications' states that applications should not be registered if there is a requirement for an assessment of the impacts of a development on biodiversity interests.

Section 99 of ODPM Circular 06/2005 states:

"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. The need to ensure ecological surveys are carried out should therefore only be left to coverage under planning conditions in exceptional circumstances, with the result that the surveys are carried out after planning permission has been granted. However, bearing in mind the delay and cost that may be involved,

developers should not be required to undertake surveys for protected species unless there is a reasonable likelihood of the species being present and affected by development. Where this is the case, the survey should be completed and any necessary measures to protect the species should be in place, through conditions and / or planning obligations, before permission is granted.”

European Protected Species Licensing (applies to bats, dormice and great crested newts)
Before granting planning permission, the local planning authority should satisfy itself that the impacts of the proposed development on European Protected Species (EPS) have been addressed and that if a protected species derogation licence is required, the licensing tests can be met and a licence is likely to be granted by Natural England.

As a EPS licence is required the applicant will need to provide the answers to all three licensing tests, alongside a mitigation strategy. The three tests are that:

1. the activity to be licensed must be for imperative reasons of overriding public interest or for public health and safety;
2. there must be no satisfactory alternative; and
3. favourable conservation status of the species must be maintained.

Together with the ecologist’s report, which answers test 3, the applicant should provide written evidence for tests 1 and 2. This can be contained within the ecological report or as separate document.

If the competent authority is satisfied that the three tests can be met, it should impose a planning condition preventing the development from proceeding without first receiving a copy of the EPS licence or correspondence stating that such a licence is not necessary. This approach ensures compliance with the Conservation of Habitats and Species Regulations 2017 (as amended) and enables a local planning authority to discharge its obligations under the Crime and Disorder Act and its wider duties under Section 40 of the Natural Environment and Rural Communities Act 2006 in relation to protected species.

Biodiversity Net Gain

Paragraph 118a of the National Planning Policy Framework (NPPF) states: “Planning policies and decisions should: a) encourage multiple benefits from both urban and rural land, including through mixed use schemes and taking opportunities to achieve net environmental gains – such as developments that would enable new habitat creation or improve public access to the countryside”.

Paragraph 170d of the NPPF requires that: “Planning policies and decisions should contribute to and enhance the natural and local environment by ... minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressure”.

Paragraph 175d of the NPPF states that: “When determining planning applications, local planning authorities should apply the following principles...development whose primary

objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.”

Ancient Woodland

The Natural England and Forestry Commission Standing Advice

(Ancient woodland, ancient trees and veteran trees: advice for making planning decisions - GOV.UK (www.gov.uk)) for ancient woodland, ancient trees and veteran trees is a material planning consideration for local planning authorities (LPAs). Decisions have to be made in line with paragraph 180 (c) of the NPPF.

Paragraph 180c of the NPPF states that: “Development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons⁶³ and a suitable compensation strategy exists”.

(63) For example, infrastructure projects (including nationally significant infrastructure projects, orders under the Transport and Works Act and hybrid bills), where the public benefit would clearly outweigh the loss or deterioration of habitat.

Chiltern District Local Plan, Adopted September 1997 (CDLP) and Chiltern Core Strategy, Adopted 2011 (CCS)

Buckinghamshire Council resolved to withdraw the Chiltern and South Bucks Local Plan 2036 on 21st October 2020. The Core Strategy for Chiltern District (adopted November 2011) Policy ‘CS24: Biodiversity’ states that: “The Council will aim to conserve and enhance biodiversity within the District. In particular:

- the Council will work with its partners to protect and enhance legally protected species and all sites and networks of habitats of international, national, regional or local importance for wildlife or geology
- development proposals should protect biodiversity and provide for the long-term management, enhancement, restoration and, if possible, expansion of biodiversity, by aiming to restore or create suitable semi-natural habitats and ecological networks to sustain wildlife. This will be in accordance with the Buckinghamshire Biodiversity Action Plan as well as the aims of the Biodiversity Opportunity Areas and the Chiltern AONB Management Plan.
- where development proposals are permitted, provision will be made to safeguard and where possible enhance any ecological interest.
- where, in exceptional circumstances, development outweighs any adverse effect upon the biodiversity of the site and there are no reasonable alternative sites available, replacement habitat of higher quality will be provided through mitigation and/or compensation to achieve a net gain in biodiversity.

The Delivery DPD will indicate on maps the location of the various sites mentioned above as required by PPS9.”

25/01/22