



**SENSE4csp Representation - Objection to planning application
PL/22/2898/OA :**

Outline planning application for the development of up to 975 homes including affordable housing (Use Class C3), up to 75 care accommodation beds (Use Class C2), new primary school provision, local retail and employment provision (Use Class E), reprovision of sport pitches, landscaping, car parking provision and associated works (matter to be considered at this stage: access) | Land at The National Society For Epilepsy Chesham Lane Chalfont St Peter Buckinghamshire SL9 0RJ

November 2022

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This objection is sent on behalf of SENSE4CSP, a local action group formed in Chalfont St Peter in 2005 to facilitate neighbourhood comments on inappropriate planning applications effecting the village as a whole. This objection follows comments taken at a public open meeting on 9 November in Chalfont St Peter attended by over 400 people.

We wish to object to the proposed application in the strongest possible terms for a variety of reasons.

These are as follows:

1. **Inappropriate development in the Green Belt**

It is clear that the proposed development (**‘Proposed Development’**) at the Epilepsy Society site (**‘Proposed Development Site’**) would constitute inappropriate development and will result in spatial and visual harm to the openness of the Green Belt. In addition, the proposals will lead to a conflict with the Green Belt purposes. Any purported benefits of the development (are there any?) taken together would clearly not in any way outweigh the very substantial harm to the Green Belt and other harm caused by the development. ‘Very special circumstances’ have not been and cannot be demonstrated to justify this inappropriate development in the Green Belt. The proposal is therefore contrary to Policy GB2 of the Chiltern District Local Plan; Adopted 1 September 1997 (including alterations adopted 29 May 2001), consolidated in September 2007 and November 2011 (‘the Local Plan’), Policy CS1 of the Core Strategy for Chiltern District (Adopted November 2011) (‘the Core Strategy’), and paragraphs 137, 138, 147, 148, 149 and 150 of the National Planning Policy Framework (2021) (**“NPPF”**).

‘The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; essential characteristics of Green Belts are their openness and their prominence’ – Paragraph 137

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

By way of further evidence, it is clear that should anyone so consider developing the proposed site, as in previous iterations of the Chiltern District and South Bucks Council Local Plan, there is no case for removing the development site in whole or in part from the protection of the Green Belt.

In selecting the current developed Epilepsy Society Site (**‘Smaller ES Site’**), in a previous draft local plan, Chiltern District Council (**‘CDC’**) indicated that it was considering releasing a small part of the land covered by this development from the Green Belt and approached the scoring within the Green Belt assessment in a biased and inconsistent manner. This judgement is partly based on a number of errors in the original Part 1 assessment prepared by Arup in 2016, which again shows bias and inconsistency, and that bias and inconsistency has been the hallmark of every assessment since. The biased scoring in the Arup Report is being applied to this application.

The scoring of the various Green Belt sites in the Arup appraisal is unsound, as evidenced below.

The NPPF includes five principal purposes of the Green Belt. If an unbiased assessment of these five purposes was carried out in relation to both the Smaller ES site and the Proposed Development site, they would score highly. The assessment CDC previously used in the Part 2 assessment is also biased and simply wrong.

Let us examine the Arup Green Belt purpose assessments of the Smaller ES site.

Purpose 1 – The Green Belt is clearly restricting the sprawl of large built-up areas. It is within the Colne Valley Regional Park, with ancient woodland nearby and is in close proximity to the Chiltern

Area of Outstanding Natural Beauty (AONB). It is connected to a large built-up area in Chalfont St Peter and provides an essential buffer between Chalfont St Peter, Newland Park, Chalfont St Giles and Horn Hill and prevents these settlements merging into one. It is a contiguous site with these settlements as a whole and there is no justification for sub-dividing the land or shaving some off, suggesting it would not really matter. It would. CDC rejected this approach with other areas within their draft Local Plan, yet the applicant seeks to do it here! Clear bias and inconsistency.

For example, site 23 within the Local Plan, north of high street Amersham, is scored a 3+ for this purpose on the grounds that removal would harm the historic core of Old Amersham. Yet, here, the historic core of the Smaller ES Site is the Colony itself (see below for heritage and historic values). Accordingly, the existing listed buildings and historic core of the Smaller ES Site needs protection also. So, if a test had been applied on the same basis as the Old Amersham site a 3+ score would be evident. The Arup scoring is too subjective; there is no justification for the Smaller ES Site being given a score of 3, particularly when compared to other areas considered in the Arup assessment. In our view, if unbiased criteria were applied, the Smaller ES Site should score a 3+ or 4 out of 5.

Purpose 2 – CDC previously admitted that the Smaller ES Site does provide a gap between Chalfont St Peter and Chalfont St Giles (and Newland Park) and also the neighbouring settlements of Horn Hill preventing them merging into one another. Again, clear evidence of inconsistency is apparent. Area 40(b) in the Arup assessment, west of Denham Green, scores a 1 for this purpose and overall scores only 4 out of 20. Yet CDC concluded that *‘the sub area scores moderately against one or more Green Belt Purpose(s) and therefore exceptional circumstances are not identified’*. Site 40(b) scored lower than the Smaller ES Site so that blows apart the argument that only the lowest performing sites were selected for removal. Applied consistently, the Smaller ES Site cannot demonstrate exceptional circumstances for removal on the same basis.

The same argument was true of site 65(a), an area within Tatling End. This scored a 5 in total, yet again CDC concluded exceptional circumstances did not apply as it would create a *‘hole’* in the Green Belt and *‘narrow the gap between Tatling End and Gerrards Cross and Higher Denham’*. Again, this is undoubtedly true of the Smaller ES Site. Using the same consistent approach, the Smaller ES Site if removed even in part would cause a narrowing of the gap and a *‘hole’* in the Green Belt. The biased and inconsistent approach used is staggering.

Accordingly, the score for Purpose 2 should be 3+, 4 or 5 out of 5 when assessing this application (incidentally why are no areas scored 4?).

Purpose 3 - The Smaller ES Site is within the Colne Valley Regional Park. The part outside the built-up ES site is very rural in nature and indeed the entire Smaller ES Site is semi-rural and has been performing as a site for centuries. In our view this should score 3+ or 4 out of 5.

Purpose 4 - The score of 0 here is utter nonsense. First, CDC and the applicant have ignored the 4 listed buildings on the site. If they do not have historic value, why are they listed? Development would clearly harm their settings in breach of the NPPF. Second, CDC and the applicant deliberately and inexplicably ignored, and doesn't even mention, the Buckinghamshire and Milton Keynes Historic Towns Project 2014 (**“BMHT”**) or the Chalfont St Peter Buckinghamshire Historic Towns Assessment 2011, which illustrate the important historical character of the Smaller Epilepsy Site as the Chalfont Colony. The BMHT sets out on page 37 that the Chalfont Colony has a *‘high’* heritage value. The area is assessed in the Chalfont St Peter Historical Assessment as zone 13 and denotes that this area achieves a high score for the three criteria evidential of historical and communal values and a medium score for aesthetic values. The report goes on to state quite clearly that *‘given the historic importance of the Chalfont Colony, the buildings have the potential to be a conservation area in their own right’*. The Smaller ES Site is clearly of historical importance being

established on the site in 1894. This means it has a historical core all of its own - the core is the built-up area giving it its historical value. Accordingly, Purpose 4 should surely score 5 out of 5 and not 0. There is absolutely no justification for the inconsistency exhibited in the Arup report's scoring. It is hard to think of a more 'historic' single purpose-built settlement in the Chiltern District in any event. It is a historic colony in its own right.

Indeed, in granting Audley and Porthaven planning permission for their developments on the former ES land, the CDC Planning Officers were particularly keen to protect the Green Belt and the setting of the remaining historic buildings.

CDC's own sustainability principles were concerned with protecting the district's historic and heritage assets. The environmental objective in the NPPF states that the planning system must '*contribute to protecting and enhancing our natural, built and historic environment*'. The Proposed Development Site adjoins the built historic colony site and contains open grassland, valuable agricultural land and mature trees, hedges and woodland. It is important for biodiversity habitats. The construction of dwellings here would breach the environmental objective of conserving the natural environment. Furthermore, the historic environment has not been considered at all. No heritage impact assessment has been prepared. The flawed sustainability appraisal does not adequately consider the heritage assets. Yet more inconsistency and bias.

Accordingly, this parcel of land as a whole, including the Smaller ES Site, should score somewhere in excess of 16 out of 20, which makes it very highly performing Green Belt - indeed one of the highest scoring sites in the entire district. On that evidence, there are simply no exceptional circumstances that justify its removal.

Contrast this with CDC's own statement that, '*weakly performing Green Belt purpose alone is not considered a justifiable exceptional circumstance for removal from the Green Belt.*' Areas which score less are still retained in the Green Belt. That should be the end of the matter!

CDC's previous mooted proposal to remove the Smaller ES Site from Green Belt is clearly contrary to NPPF paragraph 83 where '*Councils should consider Green Belt boundaries having regard to their intended purposes in the long term, so they should be capable of enduring beyond the plan periods*'. Once a precedent is set for shaving off parts of the Green Belt, others will follow. This is a very dangerous precedent and actually weakens the Green Belt boundary rather than strengthens it. Within the site itself, which was previously a Major Developed Site ("MDS") in the Green Belt, there are plenty of green open spaces, plenty of important views towards the countryside, much evident biodiversity, sport and recreation facilities and a general openness. Even though this is partly developed land, it is highly performing land and performs well on the Green Belt purposes in its developed state. Removing it from the Green Belt would open up the entire land to redevelopment given the appalling weakness of the new proposed Green Belt boundaries which are not capable of being defensible and all the amenities would be lost at a stroke.

In particular the Inspector in relation to the adopted Core Strategy concluded that this site should remain designated within the Green Belt. The Inspector was keen to ensure the existing degree of openness is retained. Indeed, in CDC's own major development sites paper in 2010 it was keen to draw the MDS boundary tightly to provide an important context for further redevelopment. Nothing here has changed and the applicant has not set out in any way why these reasons no longer stand. Retaining the site in the Green Belt would continue to allow sustainable opportunities for redevelopment within the existing developed area as has been the case already.

Turning to the May 2019 Green Belt Exceptional Circumstances Report, it is apparent as set out above, that the application fails to show exceptional circumstances. Area SPBP7 (broadly the

Smaller ES Site) performs highly against Green Belt purposes. It's not true to say that the majority of Green Belt area SPBP7 does little to promote wider Green Belt objectives as it encompasses the built form. The built form is only a small part of the parcel of land. It makes a significant contribution to wider Green Belt objective as it has clear visual amenity and enhanced landscape in the northeast portion. Indeed, the developments carried out by Audley and Porthaven under the constraints of the Green Belt, including the latest stage of development by Audley, have all been done in a sympathetic manner in accordance with the Green Belt development principles and have retained the character of the development as well as its softer edge. The Green Belt has not stopped or prevented this development from coming forward. Indeed, it has ensured that a high-quality development has been achieved. This would absolutely not have been the case had the area been removed from the Green Belt protection. See for example the lamentable Holy Cross development in the centre of Chalfont St Peter which is one of the worst examples of town planning surely seen in the District and another legacy of CDC's general incompetence in planning matters.

There is currently a strong defensible Green Belt boundary around the Smaller ES Site which is the existing roads and footpaths. The Proposed Development Site's planned boundary to the north is artificial and unlikely to be permanent, leading to further erosion of the Green Belt and is therefore not defensible, thus a further breach of NPPF principles. The simple fact is that there is no need to alter the boundary around this site and it's illogical to do so.

Having therefore concluded that the historic Arup Green Belt Assessments are defective and biased, it follows that there is no reason on the same basis for removing any part of the Proposed Development Site or the Smaller ES Site from the Green Belt and therefore the protections of the Green Belt should apply. In particular it is noted that, and is strongly drawn to the Council's attention, that the emerging Local Plan is the correct place for determining any changes to the Green Belt boundary. Therefore, it is only the development of a new Local Plan and the demonstration of exceptional circumstances for removing land from the Green Belt that should be undertaken. Buckinghamshire Council must apply a plan-led system and should not allow piecemeal applications for substantial developments ahead of any Local Plan that will cause the erosion of the Green Belt.

Any development on this site of the densities suggested by the applicant would cause irreparable harm to the Green Belt and significant loss of amenity on numerous counts.

The NPPF clearly states that any Green Belt Land being released must optimise density of development in town and city centres and other locations served by public transport. In addition, the NPPF emphasises the need to promote sustainable patterns of development. This application clearly fails to fulfil either of these.

The development is outside the village centre and is clearly not sustainable with Chalfont St. Peter having no railway station or adequate bus service.

The Proposed Development Site makes a significant contribution to maintaining separation (Purpose 2) and performs strongly in safeguarding the countryside from encroachments (Purpose 3) and further indeed contributes to the setting and special character of the historic town, e.g. the colony itself (Purpose 4) and makes a significant contribution to the wider Green Belt through visual amenity and enhanced landscape.

It therefore follows that the Proposed Development Site is afforded the protection of the Green Belt's principles and should continue to do so. Accordingly, it is clear that no assessment can justify its removal from the Green Belt and consequently, the development proposed is clearly inappropriate development in the Green Belt.

The Chalfont St Peter Neighbourhood Plan (ignored by the applicant) adopted by referendum and supported by local residents should be adhered to. The Plan does not envisage or require any change of designation of the Green Belt on the site, in fact the very opposite. It recognises quite clearly that successful development can be achieved and is being achieved within the policy framework of the adopted Core Strategy. The built part of the site is an ideal site to provide further care home and medical facilities for Chalfont St Peter. In line with the CSP Neighbourhood Plan principles and policies the site must be retained for C2 use with a Green Belt status intact.

It is clear therefore that C2 use must remain for the entirety of the current ES site. There can be no dilution of this. To lose even any part of this from such use would be inconceivable as nowhere else in Chalfont St Peter does such an area exist which could fulfil such community needs in such an important way. Indeed, allied to the argument about sustainability, if the highest concentration of care homes were built together on the ES site and it remained in the C2 designation in the Green Belt, given the concentration of such homes there is more chance of a sustainable bus service and other sustainable facilities being provided to support those residents with their specific needs. It seems to us that this should be a centre of excellence for such facilities and appropriate infrastructure, as sustainable facilities could be more easily and specifically provided to support that C2 use, and in doing this, there is no reason to remove it from the Green Belt at all or allow development on the open land adjoining the built site.

Case law is clear that if one part of the proposal is found to be inappropriate development then the whole development is classed as inappropriate development. It is not for the applicant to pick and choose the harm arising from the development. Paragraph 148 of NPPF is clear, '*when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt*'. It is therefore necessary to produce a case for very special circumstances. Paragraph 148 is again clear that such '*very special circumstances*' will not exist unless that potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal is clearly outweighed by other considerations.

The applicant also underplays the significant impact to Green Belt by referring to parts of the proposal that can be considered an exception to being inappropriate development as defined in the NPPF. This includes the new sports and recreation facilities and also the small part that would involve previously developed land.

It is worth mentioning that very special circumstances should be unique to the site and not easily repeated by others. When looking at the applicant's special circumstances it is in fact the simple need for money beyond 2029/2030. This appears as the only real justification – maximise the development potential on Green Belt land which happens to be owned by a charity and sell it off for as much money as possible. However, this approach to a perceived shortfall 7/8 years away can easily be replicated by other charities. Release land for development on an ad hoc basis and generate money to fund future projects. This by-passes the strategic planning process for Local Authorities and results in a collection of disparate developments that have little regard or respect to existing communities.

There was a previous application to redevelop the Smaller ES Site or part thereof which was taken to appeal between 28 June and 3 August 2005. In its 22 November 2005 letter to the Applicant, the Secretary of State agreed with the inspector's conclusion and recommendation and confirms dismissal of the appeal refusing planning permission. The Secretary of State's letter contained many relevant points to the current application including it having an adverse effect on the character of the site and the openness of the land which forms part of the Green Belt, it would have an adverse effect on landscape quality. In addition to the inspector, the Secretary of State was not convinced

that failure by the ES to secure comprehensive improvements would inevitably precipitate closure of the ES centre. The Secretary of State agreed with the inspector that the proposal was inappropriate development in the Green Belt. That assessment should remain true to this day.

Furthermore, in July 2022, the Prime Minister, Rishi Sunak, pledged to stop building housing in the Green Belt. He stated the following:

“Over the last few years we have seen too many examples of local councils circumventing the views of residents by taking land out of the Green Belt for development, but I will put a stop to it.

Under my plans, if a local community has clearly judged development to be inappropriate there are no circumstances, in which planning permission should be granted.”

In addition, Rishi Sunak pledged to update the NPPF and scrap the possibility for ‘*inappropriate*’ developments on the Green Belt in very special circumstances.

2. Severe Detrimental Impact

The proposed development would give rise to significant detrimental impact on the landscape and character of the site and detrimentally effect the views from outside the Proposed Development Site. Landscape harm would result from the spread and density of development being too great and failing to adequately take account of the existing landscape character and site features. The rural nature of the site would be significantly harmed due to the proposed tree removal resulting in significant harm to the character of the area. The detrimental effect of lighting on the landscape character and features of the site and the effect on views from outside the site clearly contribute to identified harm.

The Landscape Impact Report prepared on behalf of the Applicant tries to mitigate the visual impact of the development by identifying the M25 and HS2 vent shaft as an existing detrimental influence. The M25 is in a cutting 2km away from the proposed site and is therefore of no relevance. The construction of the HS2 vent shaft, which is much closer, is due to end shortly and the only building remaining will have the appearance of a barn. This evidence should be discarded, including the deceptive photographic image within the Landscape Impact Report.

Point 6.110 of the Landscape Impact Report negatively and inappropriately describes the site as ‘*sprawling*’. This misrepresents an accurate description as the buildings are spaced out across an area with an open feel.

The areas referred to at 6.114 are incorrectly described as having ‘*a low susceptibility/sensitivity to change*’, Moderate or even higher would be a more apt and accurate description. Indeed, the area identified at 6.122 is open countryside with pleasing rural views which are highly sensitive/susceptible to the proposed construction of 975 homes. The area certainly does not have a ‘*moderate*’ susceptibility/sensitivity to change as stated.

Throughout the location statements in the report, the impact assessment is consistently understated and played down. The time needed for the positive effect of new tree planting to become effective is mostly ignored or referred to as 15 years. Bearing in mind that:

- a) the planting is unlikely to take place at the initiation of work on the site
- b) the duration of planned work stretches to many years and has the potential to be extended
- c) 15 years is insufficient for most tree types to become mature and provide effective screens
- d) the loss of leaf cover in the roughly 5 months of winter renders the long-term screening only partial.

The statement that *'views may be slightly clearer in winter months when vegetation is devoid of foliage'* significantly understates the loss of screening. All the impact assessments should be revisited with an impartial position rather than forecasting optimism. The limitations stated above in a - d should be made clear and given greater explanation. 15 years is at the extreme minimum duration for trees to provide summer foliage screening; 25 years would be a more realistic duration.

Paragraph 6.276 is a good example of the bias and impartiality within the document as a whole. The view from PRoW CSP 12/1, 12/2 photos 10, 11, 12, 13 represent the existing popular rural footpath from Chesham Lane to Brawlings Lane. The future status of the right of way is described as *'providing a dynamic and exciting green space within the development'*. What it should say is a *'hard footpath through a built-up housing estate'*. Furthermore, the effect is said to be a *'moderate magnitude of change'*, which substantially understates the reality.

6.292 refers to the impact of the development on the view from Rickmansworth Lane where the development is planned to extend the built-up area along the lane away from Chalfont Common. The description given is, *'New houses have been orientated to positively address the countryside edge to create a new attractive urban edge that generates a positive sense of arrival at the settlement'*. This is a good example of consultant-speak which really means, a wall of houses imposes on the pleasant countryside adjacent to the road and extends the built-up area into the Green Belt.

At 6.358 the report admits that *'The assessment has identified that the Proposed Development would have some adverse landscape and visual effect, of which a small number are considered to be significant. Where significant effects have been identified these would be upon receptors either within the Site itself or immediately adjacent'*. It is a gross understatement to say that the Proposed Development would have *'some'* adverse effects. Multiple and severe would be considerably more accurate and whilst much has been said about mitigation, all this really consists of is some trees around the area which will only be effective for 7-8 months of the year whilst in foliage (unless they are all evergreen) and will take a minimum of 15 years, but more likely 25 years, to be effective.

At 6.365 it states, *'Residual effects are the potential environmental effects remaining after mitigation. Significant residual landscape effects are limited, with these being the permanent loss of arable/(sic) pastoral land to facilitate the Proposed Development, effects to local landscape character and the beneficial effect to the fabric of the Site itself associated with the extensive landscape proposals.'* It is a gross understatement to say that the effects will be limited when they will unequivocally be severe and extensive. There does not seem to be any explanation of how the Proposed Development brings *'...beneficial effect to the fabric of the site itself associated with the extensive landscape proposals.'* Perhaps this means that the estate will benefit from the boundary trees, but that is not a benefit in the context of this document.

The proposal is therefore in conflict with Policies CS22 and CS32 of the Adopted Core Strategy for Chiltern District (November 2011) and Policies GC4, GB30, H4, LSQ1 and TW6 of the Adopted Chiltern Local Plan 1997 (including alterations adopted May 2001), Consolidated September 2007 & November 2011, the Chiltern and South Bucks Townscape Character Study (November 2017) and paragraphs 130, 131, 174 and 185 of the NPPF.



Publicly accessible views of the ES site - 02/11/22

3. Colne Valley Regional Park

The proposed development is within the Colne Valley Regional Park, which appears to have been totally ignored by the applicant.

The Vision for the Colne Valley Regional Park states how it will look by 2050:

'In 2050, the Colne Valley Regional Park is a network of high-quality countryside, villages, green spaces, lakes and waterways.

It forms a unique and precious green buffer immediately to the west of London, centred on the River Colne and the connected waterways, lakes and canals. Water quality, flow and condition throughout is improved and exceeds all statutory requirements. The Park has a high profile and fulfils its enormous potential as a regionally significant destination for recreation and relaxation.

The Colne Valley Regional Park is a vibrant, living entity vital to good health and overall well-being: an important environment, rich in wildlife, in which people live, work and play, and one that actively encourages farming and forestry to thrive.'

The Objectives for the Park are as follows:

- **Landscape:** *To maintain and enhance the landscape, historic environment and waterscape of the park.* Comment: the landscape will be significantly impacted by the proposals.
- **Countryside:** *To safeguard the countryside of The Park from inappropriate development. Where development is permissible the Park will encourage the highest possible standards of design.* Comment: The proposals represent inappropriate development both in Green Belt terms and in countryside terms.
- **Biodiversity:** *To conserve and enhance biodiversity through the protection and management of species, habitats and geological features of The Park.* Comment: Clearly the impacts of this development will have a negative impact on biodiversity.
- **Recreation:** *To provide opportunities for countryside recreation and ensure the facilities are accessible to all.* Comment: The proposals will have an impact on the experience of users of the public rights of way surrounding the proposed scheme and the development, and its infrastructure will detract from the countryside character.
- **Rural Economy:** *To achieve a vibrant and sustainable rural economy, including farming and forestry, underpinning the value of this precious area of the countryside.* Comment: The proposals undermine the rural character of the area and conflict starkly with the objective of creating a vibrant and sustainable rural economy including farming and forestry.
- **Community:** *To encourage community participation including volunteering and environmental education and promote the benefits of health and social well-being afforded by access to high*

quality green space. Comment: The proposals will result in the degradation of green space and there are no environmental educational proposals as far as we are aware.

It is clear that the proposals directly conflict with the overall vision for The Colne Valley Regional Park as well as its objectives. The proposals, if approved and delivered, would create significant harm to The Park and its purposes.

4. Lack of defensible Green Belt Boundary

The planning statement, sections 1.31 and 11.20 considers the proposed woodland/tree belt would create a '*strong defensible green belt boundary*'. However, green belt boundaries can only be altered under very special circumstances through the review of development plan, not as part of a planning application. Furthermore, vegetation does not normally provide the permanency required for such boundaries.

The applicant acknowledges in sections 1.31 & 11.18 that the application site makes a '*moderate to strong contribution*' to the Green Belt and under section 11.19 the development would have a '*moderate to major*' adverse effect on the functions of the Green Belt. This contravenes the prevention of unrestricted sprawl of large built-up areas and assisting in safeguarding the countryside from encroachment.

These proposals show absolutely no defensible Green Belt boundary whatsoever by the extension of the development site beyond existing road and footpath boundaries. It is clear that the intention is to in future years continue development beyond the existing built site into the so-called protected area and up towards Horn Hill to the north and to Newland Park to the west.

The Chiltern and South Bucks Green Belt Assessment Part Two Update Draft Report (March 2019) includes at table 3 the potential boundary features for the Green Belt. It states that boundaries that are likely to be weaker include:

- Existing development with soft, irregular or inconsistent boundaries (e.g. back gardens of residential properties)
- Unmade roads
- Footpaths
- Fences
- Field boundaries
- Unprotected woodland, trees or hedgerows

The proposed site-boundary to the north of the development is clearly lacking in a defensible boundary, particularly to the northeast of the site. The boundaries to the east are formed by areas of woodland which are not protected, and the boundary to the north is a narrow tree line in some small part and nothing whatsoever in the rest of it. As stated in the text from the Green Belt Assessment Part Two Update (2019), these are considered weaker boundaries and it is therefore not possible that they will endure over time.

Notwithstanding the above analysis, the Green Belt Exceptional Circumstances Report (2019) states for the Smaller ES Site that, '*While part of the boundary would be acceptable in NPPF terms, other parts of it are likely to be weaker, comprising features that while readily recognisable are unlikely to be permanent. The boundary of Area 1.10A would require strengthening to accord with NPPF requirements*'. The document therefore clearly admits that the boundaries are not defensible and need to be strengthened through policy.

The now defunct Chiltern and South Bucks Local Plan for the area identifies that there is a need to provide '*structural planting to create a sense of place, integration into the surrounding landscape*

and to reinforce a defensible Green Belt boundary to the north and east'. Given that the Green Belt Assessment Part 2 specifically states that unprotected woodland is a weak Green Belt boundary, the planting of new woodland is highly unlikely to be able to form a durable boundary.

It is clear therefore that the Proposed Development Site is not capable of forming clear defensible Green Belt boundaries. The fact that the proposal currently shows in many areas no defensible boundary whatsoever is clearly troubling.

5. Sustainability

Buckinghamshire Council's Local Plan, due to be in place by 2025, will set out the development requirements and identify sites where growth will sustainably accommodate development in the long term. This is the vehicle for strategic planning and effective infrastructure analysis and management, not via an isolated large scale outline planning application with insufficient modelling and an inaccurate assessment of the impact on local infrastructure.

The applicant fails to comply with paragraph 105 (chapter 9) of the NPPF which states that *'significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel'*.

Building new homes must mean top priority is given to the creation of environmentally sustainable communities, the promotion of public health and wellbeing, the improvement of air and water quality, the protection of wildlife and the balance of nature, as well as helping to meet the nation's zero carbon goals. New homes can and must improve the environment and quality of life for people, not contribute to its further depletion. It is clear that new developments of the proposed scale must be infrastructure led. We should have compact efficient towns and cities with strong Green Belt protections with low carbon where people can get around using public transport, walking or cycling. People can live close to jobs and amenities and where parks and green spaces are protected and held to recreation sport and nature. The Proposed Development is the extreme opposite of this. Local Authorities can create compact towns and cities by using land efficiently, including brownfield land, using space better and moving away from car use which is space inefficient and has other unwelcome impacts such as air pollution and noise. The Proposed Development is sacrificing our precious Green Belt which means residents and local people will lose a valued amenity and access to nature and fresh air. Instead of building sustainable communities and meeting genuine local needs, this development will create an unhealthy high carbon, car dependent housing estate. Due to the location, the Proposed Development is clearly unable to support local jobs, shops and services. It will rely on cars and increases energy use, pollution and traffic congestion. It increases transport costs and social isolation, it will lead to the loss of countryside, valuable agricultural land and wildlife habitat. It will create a high carbon, inefficient development with polluted air, traffic congestion, dangerous roads and very few opportunities for safe walking and cycling.

In sustainable terms, this is an absolute disaster!

Furthermore, the development is likely to add an additional 4,000 – 5,000 new residents to Chalfont St Peter village, based on the applicant's own figures. If all new homes are filled, it would equate to 5,694 occupants. Chalfont St Peter simply cannot absorb a massive 40% population increase such as this.

The Proposed Development Site is simply unsustainable. If it were developed, it would have an adverse impact on natural resources because the site is in the middle of a safeguarded area and it would certainly have a moderate to major adverse impact on landscape given it is in the Colne Valley Regional Park and adjacent to ancient woodland and AONB. In our view it would have a

significant detrimental impact on the waste infrastructure given the problems that already exist in Chalfont St Peter with the sewerage and drainage systems which cause frequent flooding in the village centre. It would also inevitably impact the economy because the existing use currently provides local employment both in its C2 use and the other businesses that are located on the site – albeit it is understood several local businesses have been served notices to quit by the Applicant.

The proposed development would undoubtedly have an adverse impact on pollution, cultural heritage and climate change. If the whole development within the Proposed Development Site were to proceed, construction would extend much beyond its current built footprint causing a catastrophic harmful effect on almost every aspect of the amenities in the Chalfont St Peter locality.

The Smaller ES Site currently performs well for the Epilepsy Society, as there are medical and research facilities which they utilise on that site. In addition, there are two highly performing and very well-developed care homes, both of which have been developed in accordance with the Green Belt principles and both of which are excellent and high performing developments. Gradually over time this land could continue to be redeveloped with Green Belt protection thus ensuring the land is developed in a sensible, sympathetic, and intelligent way. There is no justification for building on the green fields and adjacent land which are part of the site, as they perform an important function within the Colne Valley Park.

As already stated, development is happening naturally and sympathetically on the site as it stands and as set out in the Chalfont St Peter Neighbourhood Plan Policy CS13 the site is an emerging centre for C2 use, which obviously must remain as such, and is working very well. Why destroy something which is already in planning terms performing well?

Policy C13 of the Core Strategy identifies the Epilepsy Centre as a major developed site. However, this only covers a small proportion of the current application site, and none of the farmland. The Core Strategy allocation only allows redevelopment and infill on the site, and any such development needs to ensure it has no greater impact on the openness of the Green Belt than exists. This policy therefore has little if any weight in the decision-making process for this application.

Over three-quarters of the proposed development site is more than 400 metres from any bus stop and the current unreliable hourly bus service ceases to operate from 20.00 on weekdays and even earlier on Saturdays. There is no bus service at all on Sundays, so to suggest that the 106 and 107 bus service provides a reliable link to Gerrards Cross Station is ridiculous. Paragraph 10.9 of the Planning Statement suggests that the site can accommodate a high-quality frequent bus service, or a new service. However, there is no explanation of how this would be achieved or evidence of any consultation with Carousel to ascertain if they are willing or able to improve their existing service. There is no mention of the time within the planned eight-year (plus) construction period that an improved bus service might be realized. It is noted that the applicant proposes providing an initial Green Bus to serve the site, but we all know that that will fall into disuse as the frequency and timetable are unlikely to match demand. We believe this is probably only included in the application as a cynical sop to the planners.

It is clear that traffic congestion will become a huge issue due to narrow and totally unsustainable roads which surround the site as well as those leading to the A413 and village centre. Any development of this site would feed the existing congestion on the A413 which is already significant at certain times of the day, as the following image confirms.



31/10/22 taken at 8.40am - A413, Chalfont St Peter

It should be noted that the Transport Assessment does not give due consideration to the unacceptable extent of traffic congestion currently in the Chalfont St. Peter area, especially at peak times. This would inevitably be exacerbated to breaking point due to the additional vehicles entering the local road network from the Proposed Development, particularly given its clearly unsustainable location.

Chalfont St Peter village centre is in a valley within the Chiltern Hills. The Proposed Site is at the top of the elevated aspect of the valley with Gerrards Cross station, the leisure centre and the local secondary school being at the top of the opposite hill. The A413 cuts through the centre of the lowest part of the valley adjacent to the village centre. Therefore, all traffic and pedestrians from the Proposed Development will have to descend the steep gradient and cross the busy A413 to access the amenities within the village. Accessing the village centre, Gerrards Cross Station, the doctor's surgeries, the leisure centre or the secondary school on foot or cycle would be impossible for most. This further proves the argument that the Proposed Development is car dependent and therefore unsustainable.

It is further noted that sustainable distances to facilities and amenities are set at: local park/green space, minimum 400m - maximum 600m; leisure centre, minimum 1.5km – maximum 2km; doctor's surgery, minimum 800m - maximum 1km; hospital, minimum 5km - maximum 8km. The Proposed Development Site fails to achieve all but the first of these targets by some distance. The nearest hospital to Chalfont St Peter is in Amersham some 9.7km away which has no A&E facility. Chalfont and Gerrards Cross Hospital is not a fully functioning facility, offering a limited service with a few clinics. The Proposed Development Site is well over 2km from the nearest doctor's surgery. This distance does not take into consideration Chalfont St Peter's challenging topography.

NHS Buckinghamshire, Oxfordshire and Berkshire West Integrated Care Board (BOB ICB) object to this application on the grounds of insufficient primary medical capacity locally. There is no room to expand either of the two doctors' surgeries in Chalfont St Peter, there is an acute shortage of GPs, and patients are currently waiting three weeks for a telephone appointment at the Misbourne Practice.

Of further importance to the Proposed Development Site in terms of sustainability is that it is currently a properly functioning employment site. There are several small businesses within the site which provide employment opportunities, including Gordon Summerville, Fineland Forestry, CDM Autos and a functioning farm, all of which would be forced to close or relocate if the development proceeds. The site also provides an important recreational provision which includes nine playing pitches plus a pavilion with toilets, showers and changing facilities, regularly used by more than 24 teams. Whilst replacement pitches are proposed in the application, it is feared that the current and/or new pitches would be out of action for more than one season during the construction period, and as a result the successful Chalfont Saints Club would likely fold, depriving hundreds of Chalfont youth of a sporting, social and recreational opportunity.

Surely the development of the scale proposed would be significantly detrimental to the health and wellbeing of the residents already currently cared for on that site by the Epilepsy Society. Is the Epilepsy Society giving due regard to the wellbeing of its residents? It would appear not. It seems inconceivable that the Epilepsy Society would consider such a significant development so close to its resident's accommodation, especially as the Founding Fathers bequeathed the land to the Epilepsy Society so that the surrounding countryside would provide peace and tranquillity for Epilepsy sufferers visiting or residing at the facility.

The Audley Homes development and the Porthaven Care Home located on this site are excellent and should be complemented by further medical or assisted living accommodation, thus retaining the site for employment. The current care home developments provide accommodation for the elderly and infirm and effectively releases their existing housing to be available to others who wish to live in the area. Future development could possibly include limited key worker housing to support such use. In line with current policy and the Chalfont St Peter Neighbourhood Plan, there is no justification for any general housing on this site as there are many more appropriate sites for general housing in the district.

Our previous comments have already established beyond doubt that the Proposed Development is totally car dependent. With a significant proportion of the dwellings being allocated for social and affordable homes, it seems ludicrous that this application is being considered when surely social housing should be placed in sustainable locations near to a town, transport and employment.

One further concern is that there are vulnerable elderly adults on the ES site residing in ES accommodation, the Porthaven care home (dementia) and at the Audley development for the elderly. The proposals for this site would constitute a significant loss of their amenity to say the least, and potentially if not actually, their homes as well.

6. Landscape and Space Strategy

The proposed development would give rise to significant detrimental impacts on the landscape character of the site and the detrimental effects on views from outside the site are underestimated and deliberately understated. Landscape harm would result from the proposed spread and density of development being too great and failing to adequately take account of the existing landscape character and site features. The character of the vicinity of the site would be significantly harmed with the proposed tree removal, with associated replacement retaining structure resulting in harm to the character of the area. Insufficient assessment has been provided relating to the detrimental effect of lighting on the landscape character and its effect on views from outside the site. The implied benefits of new planting and management are not detailed or controllable enough to be considered a reliable balance to weigh against the identified harms.



03/11/22 - Open aspect of the landscape on the ES site

The development parameters and layout represent very poor design which would necessarily fail to relate positively to the site and local context. The parameter plans would result in a layout which

would give rise to harm to landscape and ecological features on the site, and in design terms, would not give sufficient control to secure high quality design outcomes at the reserved matters stage. Priority habitat is to be removed, retained ancient woodland would be subject to adverse recreational pressure, the street network is disconnected and there is the potential for harmful high-density development within sensitive locations on the site. The application submission does not consider the characteristics and context of this site in relation to the settlement of Chalfont Common and Horn Hill. The development is therefore contrary to policy CS20 of the Core Strategy for Chiltern District (Adopted November 2011), policies GC1 and GC4 of the Chiltern District Local Plan Adopted 1 September 1997 (including alterations adopted 29 May 2001) Consolidated September 2007 and November 2011, the Chiltern and South Bucks Townscape Character Study (November 2017), as well as paragraphs 124, 130 and 180 of the National Planning Policy Framework (2021), and the National Design Guide (2019).

7. Traffic and Transport

Modelling within the Transport assessment only refers to traffic movements to and from the site at the three proposed vehicular junctions serving the development and gives no consideration to the impact on adjoining roads, especially the two junctions of Joiners Lane and Rickmansworth Road with the A413. The applicant has agreed with the highway authority to defer the wider traffic impact analysis until the determination period. This is ridiculous and a grave omission as modelling of the entire Chalfont St Peter road network must be carried out prior to an outline planning application being considered. The applicant has also completely forgotten, or deliberately withheld, that the Newland Park development of 309 dwellings currently under construction will significantly impact traffic in Chesham Lane and subsequently the roads leading onto the A413.

Apparently, a bespoke traffic model is being created by the applicant's paid and biased transport consultant to try to support this no doubt illuminating modelling. Modelling must focus on Rickmansworth Lane, Chesham Lane, Denham Lane as well as junctions on the A413. Surely this application cannot be assessed without this comprehensive information being provided.



31/10/22 taken at 8.30am – junction of Rickmansworth Road with the A413, Chalfont St Peter.

It is frequently impossible for two vehicles to pass on some of the roads surrounding the Proposed Development Site. This will have a serious impact on construction vehicles' ability to safely access the site without causing major disruption and congestion on the access roads. If a prefabricated construction method is to be used. This will require wide and long load transportation causing a hazard to other road users if it is even possible given the narrow approach roads.

Some local roads are without street lighting or pavements for pedestrians, including children walking to and from school as illustrated in the following images. It would be very difficult if not impossible to widen these roads, therefore from a sustainability point of view, this further defends our argument that the Proposed Development Site is inherently unsustainable.



Denham Lane



Chesham Lane

We do not believe that any improvement to the road junctions at the A413 is possible, or would even be a solution, as the junctions are still served by the same narrow and unsuitable roads. All this would achieve is to exacerbate the bottleneck. A development of the size intended on the Proposed Development Site would require complete remodelling of all access roads and junctions with the A413. It is manifest that the local infrastructure cannot be improved to support a development of this scale. Unlike for example the potential development of Raylands Farm in Gerrards Cross which could open directly onto the A40 and is within walking distance of Gerrards Cross town centre and railway station!

Further to this, insufficient information has been submitted in the planning application to enable the highways, traffic and transportation implications to be fully assessed. It has not been satisfactorily demonstrated that there would not be an unacceptable impact on the capacity of the road network, that there would be safe and suitable access, that the impact on the highways network would be less than severe, and that appropriate sustainable travel provision can be achieved.

Traffic surveys were undertaken by the applicant in 2019 and 2022 and it is clear that the higher 2019 traffic flows need to be utilised to ensure a robust assessment. In early 2022 the effect of the Covid-19 pandemic was still constraining people's movements and restrictions meant many people were still working from home, which will have influenced the survey results.

The travel plan provided is limited in terms of target setting reductions on private car use instead purporting to rely on the proposed use of baseline surveys once the development is complete. This does absolutely nothing to promote sustainable travel. In fact, it doesn't even pretend to. The applicant's predicted number of residents working from home is based on assumption and subject to change over time. There is no way the applicant can predict the occupation of potential residents. Indeed, families on low incomes and living in social housing are far less likely to be able to have this as an option.

It is considered that the additional traffic likely to be generated by the proposal would adversely affect the safety and flow of users of the existing road network and will not achieve safe and suitable access. The proposed development fails to make adequate provision to allow accessibility to the site by non-car modes of travel. Therefore, there is no doubt that the development will be heavily reliant on the use of the private cars, which is contrary to the National Planning Policy Framework, Core Policy 7 of the South Bucks Core Strategy, Saved Local Plan policy TR5, Buckinghamshire Council's Highways Development Management Guidance (2018) and the aims of Buckinghamshire's Local Transport Plan 4.

Construction traffic impacts are not set out. The construction period is estimated to take 8.7 years yet no construction management plan has been submitted. It intends to use proposed access points on Chesham Lane and Rickmansworth Lane during the construction phase with a build-out rate of 110 homes per year, resulting in 30-40 HGV's visiting the site daily and 100-130 construction workers travelling to and from the site each day. This additional traffic alone is clearly ridiculous on a dangerous lane such as Rickmansworth Lane, or Chesham Lane, both of which were clearly not built for this level of use. The construction traffic alone shows that the site is completely unsustainable and unable to cope with this form of activity. Rickmansworth Lane is a dangerous lane down to single lanes in many places, particularly where it passes over the M25 and includes very dangerous blind bends. To suggest that construction traffic could utilise this is simply farcical. The applicant has put forward no construction mitigation plan whatsoever.



03/11/22 - Rickmansworth Lane, Chalfont St Peter

Mr Philip Wilson, the inspector presiding over an appeal lodged by the Epilepsy Society in 2004 in relation to a smaller development on the site and refused by the Local Authority, concluded that, *'Those travelling to work or to shops, from available evidence, could not rely on a frequent and reliable transport. Improvements that might follow from the appellants planning obligation would be modest and not of a kind that would encourage new residents to forego the use of private transport'*. (APP/X0415/A04/1158520 paragraph 457). He also concluded at point 458 that *'with no secondary school within convenient walking or cycling distance, and the limitations on public transport, suggest that older children would use private transport.'* to get to and from school.

The appeal was rejected. Nothing has changed in terms of the location of the site within the village, secondary school provision or public transport. Therefore, this planning application should be refused on the same grounds.

As already stated, the proposed development is contrary to the Core Policies 25 and 26 of the Core Strategy for Chiltern District (adopted November 2011), Buckinghamshire Council's Highways Development Management Guidance (2018) and the aims of Buckinghamshire's Local Transport Plan 4 and paragraphs 110, 111 and 112 of the National Planning Policy Framework (2021).

8. Ecology

The assessment of the development on ecology is deficient and lacks the necessary information relating to protected species and priority habitats. It has not been demonstrated that the proposed development would have an acceptable impact on the natural environment. In addition, it has not demonstrated that there would be satisfactory biodiversity enhancements. The proposals are therefore contrary to Policy CS24 of the Core Strategy for Chiltern District (adopted November

2011), Paragraphs 8, 174, 180 and 181 of the National Planning Policy Framework (2021), ODPM Circular 06/2005 and the Conservation of Habitats and Species Regulations 2017.

9. Air Quality

It has not been satisfactorily demonstrated by the Applicant that the air quality impacts of the proposal would be acceptable in terms of human health or biodiversity including on the Colne Valley Regional Park, contrary to Policy GC9 of the Chiltern District Local Plan Adopted 1997 (including alterations adopted 29 May 2001) and paragraph 174, 180, 181 and 185 of the National Planning Policy Framework (2021).

It has not been demonstrated that the proposal would have an acceptable impact on greenhouse gas emissions contributing to climate change. The Applicant has failed to factor in the area as 'greenfield' and farmland which may well be expected to act as a carbon sink in the absence of development. On this basis the Applicant has failed to accurately assess the climate change impact of the proposed development, contrary to paragraph 152 of the National Planning Policy Framework (2021).

It is clear this development will have a detrimental effect on air quality noise and light pollution for the Chalfont Common area as well as Chalfont St. Peter generally.

10. Flooding

The development would lead to an unacceptable surface water flood risk. As such, the proposal is contrary to Policy CS4 of the Core Strategy for Chiltern District, Adopted November 2011 and guidance contained within the Sustainable Construction and Renewable Energy Supplementary Planning Document, Adopted 25 February 2015, and the provisions of the paragraphs 167 and 169 of the National Planning Policy Framework (2021).

In the absence of a suitably detailed assessment of the surface water overland flow routes, it is not possible to conclude that the proposal has adopted a sequential approach to identifying the flood risk or that it will not be increased elsewhere for future site occupants. As such, the proposal is contrary to the requirements of policy CP13 of the Core Strategy and paragraph 167 of the National Planning Policy Framework (2021). Thus, the risk of flooding, initially between the site of the proposed development and Rickmansworth Lane, and subsequently much towards the centre of Chalfont St Peter and some towards Maple Cross, is wholly unacceptable.

Indeed, the Flooding Officer for Buckinghamshire has noted the inadequate provisions for containing and disposing of water running off the development which could lead to flooding in Chalfont St Peter village centre.

11. Agricultural Land

The proposal would result in loss of valuable agricultural land which the applicant acknowledges as land that '*is recognised as the best and most versatile land*', (BMV) land. The proposals would be contrary to paragraph 174 of the National Planning Policy Framework (2021) and policy CS4 on the core strategy, namely the application site involves loss of a large areas of farmland.

The development would result in the loss of a huge swath of agricultural land. This land is not previously developed and significantly contributes to the character and setting of the village of Chalfont St. Peter. Section 11.38 of the planning statement considers that the impact on the landscape character of the wider area is minimal because of mitigation. However, it confirms that '*the visual impacts of the development are afforded substantial weight*'.

The applicant's landscape impact report describes the proposed development as having a '*minor, localised loss of existing arable farmland and areas of meadow/pastural land and settlement fringe*'. This is misleading at best and otherwise untrue. The loss of land in this context is significant, albeit local. This is confirmed by point 6.142 of the Landscape Impact Statement which identifies '*a major magnitude of change during construction*'.

As well as changing the open character of the landscape the development would make the land unavailable for growing food and in the times changing farming subsidies, reducing food miles and uncertainties with global grain supply, the loss of this land would be significantly harmful. Research reveals that almost 14,500 hectares of the country's best and most versatile land which could grow at least 250,000 tonnes of vegetables a year based on typical yields, has been permanently lost to development since 2010. The upshot of this is that two million fewer people can consume their five a day from vegetables home grown in England as prime farmland is lost to development. According to the National diet and Nutrition survey (NDNS), almost a third (29%) of primary school-aged children are eating less than one portion of veg a day. This highlights the importance of protecting all grades of agricultural land that can contribute to feeding the nation. Furthermore, this type of development has taken place despite more than enough previously developed brownfield land waiting for regeneration.

Given the pressure on our environment and significant changes to the climate, in part caused by unnecessary demolition and building, now is not the time to be sacrificing large areas of protected open countryside for questionable new development. Government policy on levelling up should be reducing pressure for development in the southeast, however possible changes to the planning system are not yet set out. This, coupled with the delay in the Local Plan, makes this application premature.



03/11/22 - Agricultural land on the ES site being used effectively and productively.

12. Merging of Settlements

The proposed large-scale development would effectively merge the settlements of Chalfont St. Peter into that of Horn Hill and also bring Chalfont St. Giles into even closer proximity, thus merging the three settlements. This is a clear breach of the fundamentals of the Green Belt. The land between the non-permanent Green Belt boundary of this development and Horn Hill would be open to infill development, and further infill all the way to Chalfont St. Giles would no doubt follow in the future. Rather than prevent urban sprawl this would positively create it.

The applicant plays down the impact of this scale of development on preserving the setting and special character of historic towns. The proposal is at odds with maintaining the village feel mentioned in the doomsday books. Its historic core runs along Market Street and 975 houses would increase the population of Chalfont St. Peter by 40%. Turning a historic village into a small market town about the same size as Chesham.

13. No Pre-Application Consultation

The applicant has cast a veil of secrecy over these plans until they had been submitted and has completely failed to have any pre-application consultation with local stakeholders in breach of the NPPF, particularly at paragraphs 39 and 40. Given the advanced stage of the disastrous plan, it appears the applicant has no interest whatsoever in engaging with local communities. The recent lowkey poorly advertised and poorly attended exhibition at the Society, by any measure was pretty hopeless. At the time the writer attended this exhibition, there was no one present from the Society to discuss the business case and there were more display boards explaining the nature of epilepsy than there were about the details of the proposed scheme. It is clear therefore that the applicant has paid and intends to pay mere lip service to any consultation.

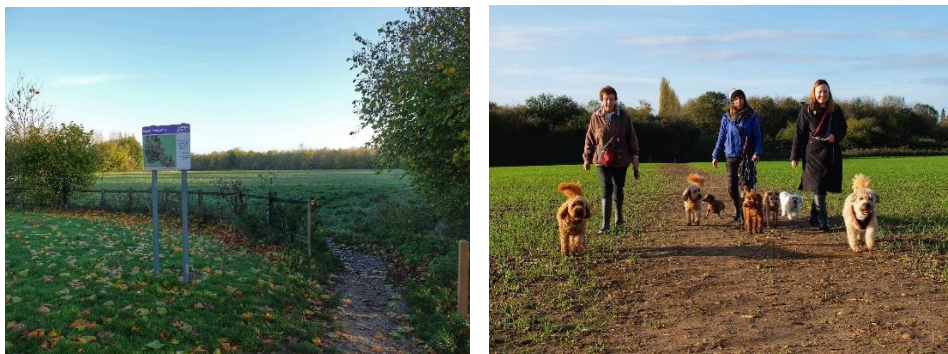
14. Siting and Design

The applicant in seeking outline planning permission with all matters, except access, reserved for future consideration is completely unacceptable as a route to securing planning permission for a large site such as this. It provides no assurances as to what form the development might take in terms of appearance, landscaping, layout and scale. The submitted design and access statement would not actually form part of the approved documents as it carries no weight. In addition, it appears that a higher density of development (3 storey) is required which is completely out of keeping with the closest development such as the Audley Village and is likely to be completely out of character with the adjoining development and indeed the surrounding houses.

The application should not be considered at all without all matters coming forward for approval at the same time.

15. Rights of way

Public rights of way – existing public rights of way across the development site would be lost and/or impaired by this development. The area around the development site has a high density of public rights of way that are regularly enjoyed by the local community and visitors.



The public rights of way on the site are used extensively by residents of Chalfont St Peter and by those from further afield.

16. Housing Need

There is no rational or justification for the number of dwellings stated in the outline application or at the density specified, which is significantly higher than the density in the immediate locality or Chalfont St Peter as a whole.

The applicant's claim that housing at this site will help address any current housing shortfall or demand in the areas is unsubstantiated and unfounded.

No reference has been made in the application to the recent large and small scale housing developments recently built or are currently under construction in Chalfont St Peter, including the 200+ homes on the Holy Cross site, the 200 permitted development apartments at Chalfont Park, the 300+ homes currently being constructed at Newland Park and the numerous smaller developments of between 4 and 40 dwellings. These have already had a considerable impact on local infrastructure in terms of school places, NHS services, parking, traffic and general public services. There is absolutely no discernible need, desire or justification for further housing provision.

Housing need is rarely viewed as justification to build on Green Belt. Past appeal examples of this exist within the Chiltern area of Buckinghamshire Council, highlighting the fact that a shortfall in housing does not overcome the substantial weight attributed to the Green Belt.

Buckinghamshire Council is relying on out of date (2014) figures for population and household growth which inflate the need for housing compared with the more realistic figures from the National Census published this year. The fact is that the measurable need for new house building in the southeast has shrunk since 2016. There is a clear downward trajectory in population of household growth projections by the Office of National Statistics (“ONS”). ONS studies in 2016 and 2018 show the consistent slowing down of population growth in the UK, particularly in the southeast. The recently released first tranche figures from the 2021 census confirm this downward trend and it is expected that this will be very clear from the 2020 household projections when they are eventually published.

Meanwhile, the amount of brownfield land available for new buildings has increased meaning that genuine local housing and development needs can be readily met on previously developed brownfield (not Green Belt) sites. The brownfields registered to local authorities with Green Belt land shows that at the moment, 4,850 hectares of previously developed land is available right now, that is 18.7 square miles. According to the London Green Belt Council, the councils in the London Green Belt have sufficient brownfield sites to deliver over 280,000 new homes now, meaning there is no need for any building on the Green Belt at all.

However, the need to keep the Green Belt is fundamentally important. There appears to be less attention from local authorities to the health and wellbeing benefits of the Green Belt, its contribution to air quality and preventing pollution, or the need to keep the Green Belt intact to spur the sustainable regeneration of brownfield sites in urban areas. The Proposed Development, as with the great majority of planned new developments, is in the wrong place, it cannot be supported by public transport and will lead to isolation, transport poverty, increased pollution and congestion from higher car dependency levels.

During the pandemic lockdowns of 2020 and 2021, it was recognised as being crucially important to have open spaces close to the urban borders for public recreation and especially for the sake of people’s mental health and wellbeing. The Green Belt as a whole provides extensive opportunity for people in Chalfont St Peter and across the surrounding areas to enjoy the benefits of walking, cycling and sport. The role of trees in carbon sequestration and mitigating the effects of climate change make green spaces all the more important. Research has shown that taking time in the countryside assists those with mental and stress concerns and there is an important saving to the NHS to be gained by making use of this countryside resource. By grabbing more of the Green Belt and pushing back its borders, access to the countryside becomes difficult, therefore depriving people of their ‘*green lung*’.

The proposal also works against prioritising derelict and urban land regeneration as most of the application site is not derelict or urban land. There are many brownfield sites that should be used first. This policy is supported and endorsed with the policy pledge of Brown before Green.

It is obvious therefore that the real need here is not for housing on this site but for open countryside and the protection of the Green Belt. Any purported housing need can be met in other more sustainable locations.

17. Business Case

The financial position of the Epilepsy Society is itself not something which could constitute very special circumstances. The Epilepsy Society tried this argument in 2005 in its last application for a development somewhat smaller than this and failed to prove its case then. Indeed, many of the assumptions put forward by the Epilepsy Society at that time proved to be incorrect and were soon discarded. The Epilepsy Society threatened then to leave its site if its application was not allowed, but it was not and it did not. Again, the Society claims that if it cannot *'unlock the wealth in our land, we will be forced to close our site in Chalfont St Peter'*. Really?

A well-managed medical charity providing services required by the NHS and by government should more than break even and not need to be closed. Focussed cost reduction strategies and asset sales in the build estate could significantly reduce the additional costs of the wider heritage estate.

Future expansion in research activities is an excellent objective and this should be central around

- charitable fundraising both for operational costs and new facilities and equipment.
- NHS support
- grant support from the government life sciences initiatives
- pharmaceutical company support

The Epilepsy Society's accounts for well over a decade have shown poor financial performance as revenues have stagnated at around £17 million since 2009 and costs have risen from £17 million to £20 million in the 2020 accounts. The net result is that the society has had over that period to raise cash in the sales of land mainly to Audley and Porthaven to subsidise its financial performance.

Given this obvious cost of revenue trend and the way the Society has been run, it is no surprise the Society would run out of cash at some point. And even if it banked £100 million odd from this application the ES has admitted it would run out of money again once it has spent that. However, it is very surprising that the organisation, having faced cash problems previously, appears not to have tried to restructure its operation to cut costs and give a better return on the monies raised by its charitable activities, or to concentrate on a national fund-raising strategy.

In short, and in general, poor financial management and performance and the need to save a charity's management's blushes by selling the family silver is clearly something that cannot constitute very special circumstances. Any limited benefit to local people from this intensive housing development can in no way outweigh the significant loss of amenity that the development would cause including loss of Green Belt, significantly increased carbon emissions, air pollution, destruction of local habitat and the immense damage that would be occasioned to the local infrastructure in Chalfont St Peter and beyond.

The applicant attempts to justify the development on the balance of harm and benefits. This balance is a clearly biased assessment with omissions and not representing the true situation. It is disappointing. This development would cause significant harm to Chalfont St. Peter and the surrounding area and its residents.

The applicant argues that it needs to redevelop its land in order to bridge the gap in its finances and expand the existing facilities on site (approximate cost £43million) and this will need more building and development on the Green Belt. The applicant goes on to argue that retaining and improving the viability of the existing facilities offers a substantial public benefit given the facility is apparently ranked number 1 in the world for the research it carries out. If this is true, why is the Epilepsy Society not a nationally or world-renowned charity? Why does it not have fundraising capabilities equivalent to those other nationally or even world-renowned charities? Why is the Epilepsy Society not investing more in its fundraising capabilities or increasing the ability of its fundraising team? Why is the Epilepsy Society not considering merger or pooling its resources with other epilepsy charities such as Epilepsy Research UK who claim they are the only charity dedicated to driving and enabling life changing, lifesaving research into epilepsy?

The Epilepsy Society is running an emotive argument that its land has the potential to turn epilepsy on its head by providing funds for research. However, in the UK research for a cure for epilepsy is carried out by many institutions of which the Institute of Neurology at UCL is one of the leading centres. The Epilepsy Society is one of many charities, government, pharmaceuticals and private donors who partner with the UCL research teams of scientists and consultants. The Epilepsy Society is not the only hope. Its claim that it should be allowed to develop its own land is grossly misleading. It is clearly not as simple as this and the Epilepsy Society's literature to its own supporters whilst begging for support for money for research says nothing of the harm that its proposals would do to the locality and the environment and nothing of the significant detrimental effects on local residents (including its own residents). It says little of its proposals being contrary to planning legislation.

The cost analysis in this business case has been redacted making it impossible to scrutinise the individual costs associated with the proposals. There is also no cost analysis regarding the development of a new facility elsewhere (whether in relation to a real or hypothetical option). This should be provided and shared. What are the minimum proceeds required to continue the existing site as a going concern assuming the current financial management of the Epilepsy Society continues? What would be the difference if a more efficiently run society could somehow be encouraged? We have no way of assessing this. In short, the business case is misleading, flawed and incomplete. What is this application really about? We did not believe the Epilepsy Society in 2005. We do not believe in it now.

Should this matter proceed to appeal, we will put forward a further examination of this business case.

In the comments section of the planning application, there are numerous supportive comments from people living outside the area, many of whom have probably never visited Chalfont St Peter, but simply support the Epilepsy Society's plan as they have been begged to do by the Society. Their comments should carry very little if any weight in the consideration of this application. The comments of local people must carry substantial weight.

Of paramount importance is that were this development ever to constitute very special circumstances, then this would require the inspector (or planning officers) to judge the value of the services carved out by the Epilepsy Society. It would be a comment on the use of funds by the Epilepsy Society agreeing that the receipt of money for its use constitutes very special circumstances. If this development were to constitute very special circumstances, then every charity in the land would simply go out and acquire Green Belt land at a discount and then put forward a planning application on the basis that it needs the money for its research or charitable purposes. That would clearly be ridiculous and ride rough shod through the planning legislation.

There is one more spurious argument put forward by the Applicant, that paragraph 11 of the NPPF allow the 'tilted balance' to be triggered because there is a presumption in favour of granting permission. This is because of the absence of a 5-year housing land supply, but this interpretation is obviously incorrect. Paragraph 11 clearly and expressly states that where the application policies in the NPPF which protect areas or assets of particular importance provide a clear reason for refusing the proposed development, then the tilted balance does not apply. Footnote 7 to paragraph 11 of the NPPF highlights that those policies referred to are those relating to land designated as Green Belt. Clearly the NPPF protects the Green Belt and therefore allows a clear refusal of permission without the tilted balance even being considered.

18. Conclusion

In conclusion there is no case for any charity to claim its activities are of such importance they justify overriding green belt rules. It is clear therefore that the applicant has not and cannot demonstrate very special circumstances for the Proposed Development.

We trust the officers will refuse permission for this disastrous Proposed Development.

SENSE4 CSP

November 2022