

Chiltern District Council

**TOPIC PAPER:
EXPLAINING THE PROPOSED
SIGNIFICANT CHANGES TO THE
CORE STRATEGY FOR
CHILTERN DISTRICT**

June 2011

Version 1.0: 17 June 2011

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1.0 INTRODUCTION

1.1 The Purpose of the Topic Paper

- 1.1.1. This Topic Paper explains why the Council is proposing significant changes to the Core Strategy for Chiltern District, Submission Document, January 2011 (the Core Strategy), following the public hearing sessions.
- 1.1.2. The areas of the Core Strategy where significant changes are proposed, and which are discussed in this Paper, are:
- The Spatial Strategy
 - The Housing Target for Chiltern District
 - Sites for Gypsies and Travellers and sites for Travelling Showpeople
 - Employment Land
 - The Green Belt
- 1.1.3. This Paper will not only help readers understand the reasons why the changes are being proposed, but provide information on how to comment on the changes and explain what will happen to the comments when received.

1.2 Background to the Consultation

- 1.2.1. In autumn 2010, after a lengthy process of evidence gathering, consultation and evolution, the Council agreed its Core Strategy for the Chiltern District, and in January 2011 it submitted the document to the Secretary for State for formal Examination by an Inspector acting on his behalf. After this point the Council cannot alter the document it has submitted. The process of Examination began at that point, and is still open (summer 2011). It is conducted by a combination of exchanges of papers between the Inspector and the Council, with all the paperwork being published on the Council's website: www.chiltern.gov.uk/corestrategy. As part of this process public hearing sessions (the hearing sessions) took place at the Council offices in April 2011.
- 1.2.2. The Inspector's task is to examine whether the Core Strategy, as submitted, is "sound". In other words whether it complies with all legislative requirements and national policy, and is grounded in robust evidence. At the end of the Examination process he will issue a report, which is binding on the Council. This will set out any changes necessary to make the plan sound, if he feels that this can be achieved.

- 1.2.3. During the Examination process to date (June 2011) the Inspector has, on a number of occasions, invited the Council to put forward suggestions for how parts of the Core Strategy could be reworded, to correct errors or make it clearer. And the Council itself has noted a number of areas where the text could be improved, without altering the thrust of the policy content. The Inspector has also indicated a small number of areas where he feels the Core Strategy is not sound – a more serious issue. These are summarised in his paper reference Inspector's Post Hearing Note (1) - ID/14¹ and to an extent in ID/16². In effect, the Inspector is asking the Council to put forward its own wording for the proposed changes which he feels are necessary, for his consideration, thereby enabling the Council to influence how these matters are expressed. Ultimately, however, he can impose necessary changes.
- 1.2.4. This consultation brings together all those proposed changes so that the public may consider them, and make comments, before the Inspector reviews them and the comments made and issues his final report.

1.3 The Consultation

- 1.3.1. The Schedule of Proposed Significant Changes to the Core Strategy for Chiltern District Submission Document June 2011 (CDN125) (hereafter referred to as the SPSC) is the subject of this consultation. These are the Council's suggestions for how the Core Strategy should be altered in order to meet the areas where the Inspector finds a lack of soundness. In ID/14 the Inspector has given a very clear steer to the Council as to how to alter some things, while on other topics he has left it very much more to the Council to suggest new wording. Your comments on the proposed Significant Changes are invited.
- 1.3.2. Accompanying this is a second Schedule of Minor Changes. These consist of corrections, clarifications and updatings which do not alter the thrust of the policies in the Core Strategy, but should make the final document easier to use. These are published for information, rather than for consultation.
- 1.3.3. To make it easier to see how these alterations affect the Core Strategy as a document, a version of the Core Strategy which shows the proposed post-hearing changes has been published alongside the Schedules (refer to document CDN126). This document contains all the changes set out in the schedules, but in colours which distinguish the significant changes from the minor changes. This is published purely to assist readers, who may find this easier to follow, and can

¹ Inspector's Post Hearing Note 1 – Identified Unsoundness and Required and Possible Changes:

http://www.chiltern.gov.uk/corestrategy/downloads/ID-14_Post_hearings_note_1.pdf

² Inspector's Comments on the Draft Schedules of Changes: http://www.chiltern.gov.uk/corestrategy/downloads/ID-16_Inspector-s_comments_on_draft_changes.pdf

then respond to the appropriate change number as set out in the SPSC (CDN125).

1.4 What happens next?

- 1.4.1 All duly made comments received during the consultation period will be forwarded to the Inspector for him to consider.. If he finds the Core Strategy can be made sound if certain changes are made, he will notify the Council of that in his final report, which is expected in September 2011. The Council then has the option of making those changes and adopting its Core Strategy, or of not progressing its Core Strategy.

2.0 THE SPATIAL STRATEGY

2.1 Overview

- 2.1.1 The Spatial Strategy for Chiltern District is described in Section 7 of the Core Strategy and set out in Policy CS1. This section of the Topic Paper explains how the Spatial Strategy (the Strategy) has developed over time during the production of the Core Strategy and, in particular, describes how elements of Council's chosen Strategy have evolved to take into account changing evidence.
- 2.1.2 In his note ID/14, and as discussed at some length during the Hearing Sessions, the Inspector noted that the Council had not clearly expressed its chosen Strategy within the Core Strategy. The Inspector identified this as an area of unsoundness and invited the Council to propose changes to the Core Strategy.
- 2.1.3 To respond to these concerns, the Council has now set out in more detail what the Council's chosen Strategy is. These changes are presented in the SPSC (CDN125) and in the 'Core Strategy for Chiltern District, Submission Document incorporating Proposed Post Hearing Changes June 2011' (CDN126).

2.2 The Council's Chosen Spatial Strategy

- 2.2.1. In general, the spatial strategy is the term used to describe the amount of development planned in the District over the period of the Core Strategy, and the broad locations of that development.
- 2.2.2. The SPSC (CDN125) has not changed the Spatial Strategy but describes it more appropriately.
- 2.2.3. In Chiltern District the Council's chosen Spatial Strategy comprises six distinct elements, namely:
- a. Protecting the Chilterns Area of Outstanding Natural Beauty (AONB);
 - b. Protecting the Green Belt (GB)
 - c. Focusing new development on land within the built-up areas of the most accessible settlements not covered by those designations. - Chesham, Amersham/Amersham-on-the Hill, Chalfont St Peter and Little Chalfont; about 65% of new development will be in those locations
 - d. Allowing limited development to take place in other villages excluded from the GB, namely Chalfont St Giles; Great Missenden, Prestwood and Heath End; Holmer Green; Penn and Knotty Green; Chesham Bois and Seer Green;

- e. Promoting some redevelopment and infilling on identified “Major Developed Sites” (MDS) in the GB;
- f. Preventing most new development elsewhere.

2.2.4. As explained in Section 3.0 of this Topic Paper, it is now proposed that between 2,650 and 2,900³ dwellings will be provided overall in the District over the period 2006-2026. The Spatial Strategy anticipates that there will also be a small increase in employment floorspace within existing sites and some additional retail floorspace during the plan period.

2.3 Developing the Spatial Strategy

2.3.1. The following section describes and explains how the Spatial Strategy has evolved through various stages of preparation of the Core Strategy, with particular reference to the six constituent elements mentioned above.

i) The Preferred Options 2006

2.3.2. At the Preferred Options⁴ stage in 2006, the Council’s preferred option was to locate the majority of new housing development within the settlements of the District which were excluded from the GB and which had district or local centres. These settlements were Chesham, Amersham, Chalfont St. Peter, Great Missenden, Little Chalfont, Chalfont St Giles, Prestwood and Holmer Green. These settlements are well served by public transport and local community facilities. In identifying the Council’s preferred option, two alternative options were also considered and rejected. These were a more dispersed pattern of development throughout the District, and the release of GB land to accommodate new housing development. It was considered that a more dispersed pattern of development would not provide the same level of accessibility to facilities and employment opportunities as the preferred option. As for the other option, it was considered that the release of GB land would only be justified if the annual housing requirement were to increase substantially above that proposed in the Draft South East Plan (2006)⁵. In relation to the Chilterns AONB, the Council’s preferred option was to continue to conserve and or enhance it in accordance with the provisions of national policy set out in Planning Policy Statement 7.

2.3.3. In terms of the six elements of the current CS, a) and b) which aim to protect the AONB and GB were a key part of the Preferred Options.

³ The decision of the Secretary of State to revoke all regional strategies was deemed unlawful on 10 November 2010. This decision meant that the South East Plan (May 2009) remains part of the development plan for Chiltern District. The housing allocation for Chiltern District of 2,900 dwellings (2006 – 2026) remains the starting position for any locally set housing target.

⁴ Refer to CDN012 - Chiltern District Core Strategy Preferred Options Paper

⁵ The Draft South East Plan (April 2006) proposed a housing allocation for Chiltern District of 2,400 dwellings

New development, rather than being focused on particular settlements, was spread over all settlements excluded from the GB. Proposals for MDS sites had not been developed at that time. Element f) of the current strategy was implied but not stated.

ii) *Strategic Options 2008*

- 2.3.4. At the Strategic Options⁶ stage (June 2008), the Council put forward four possible spatial strategy options for consultation (based on a housing allocation of 2,900 dwellings), as follows:

Urban Concentration. This was similar to the option selected as the 2006 Preferred Option. Housing development was intended within all the urban areas excluded from the GB, primarily on previously developed land (PDL) (which at that time included residential gardens). Other towns and villages with basic services, community facilities and good public transport links would be the focus for more limited growth in the form of infilling. Some development would be provided on sites within the GB that had been previously developed (MDS) but generally the GB would be avoided. Because most land with development potential would be used for housing, there would be no new sites for employment. There would be small increases in retail floorspace, by means of small infill schemes and extensions.

Targeted Expansion of Greater Amersham (including Little Chalfont) and Chesham Urban Areas. This scenario concentrated development in the most accessible settlements, with the indicative figures of up to 1,250 dwellings in both Greater Amersham and Chesham. At that time, in advance of any detailed studies, it was considered unlikely that there would be sufficient land within the built-up areas of Amersham and Chesham to meet the District's housing allocation and the scenario therefore envisaged using a limited amount of GB on the edge of those settlements to provide some potential housing sites. This scenario also proposed development on previously developed GB sites (MDS). Apart from this, development would be limited to a very small number of identified sites on previously developed land in other urban areas and near the centres of smaller settlements and a few "rural exception sites".. As part of this scenario, it would be possible to provide some new employment land in, and adjacent to, Amersham and Chesham, perhaps replacing some employment sites in the centre. Due to the concentration of new development, some expansion of shopping and leisure facilities in the two largest urban areas was expected.

Targeted Expansion of Amersham (including Little Chalfont) Chesham and Chalfont St Peter Urban Areas. This would be similar to Option 2 but with the addition of Chalfont St Peter as a focus for growth.

⁶ Refer to CDN049 – Core Strategy Options Paper, June 2008

Indicative figures showed potential for over 1000 dwellings in Greater Amersham and Chesham and up to 600 dwellings in Chalfont St Peter.

4Dispersed Pattern. This would lead to a combination of development within, and on the edge of, towns and villages. It would involve a small number of boundary changes to the GB to accommodate new housing development required to meet local needs, but less GB would be taken than in Options 2 and 3. Some development would be provided on sites within the GB that had been previously developed (MDS) and “rural exception site” housing on the edge of villages would be supported to meet local needs. There might be some new employment land on the edge of settlements replacing sites within the settlement concerned.

2.3.5. Following consultation on the Strategic Options, the Council selected Option 3 as the basis for developing the CS. This scenario was to be developed in such a way as to (i) minimise the impact on the GB and (ii) maintain the character of the urban areas. This would include the use of a trigger mechanism that would prevent development on the parcels of land released from the GB. Such land should remain available to provide a ‘contingency’ against the Council being unable to deliver a satisfactory housing trajectory in terms of national guidance in Planning Policy Statement 3 over four years. Only in that event would the Council consider the release of appropriate sites for housing development in line with the approved Strategy.

2.3.6. In terms of the six elements of the current CS, a), which aimed to protect undeveloped land in the AONB, remained a key element of the selected scenario. Element b), protection of GB, remained important as any impact was to be minimized, with development there avoided unless taking the land was essential – however, clearly the prospect of some undeveloped GB land being built on was part of the strategy. Development under Option 3 was to be focused on the same four settlements as in the current CS. There would be limited development in other settlements excluded from the GB and MDS and very little development elsewhere. Overall, the selected scenario was very similar to the current strategy, save for the possibility of GB land being released on the edge of focused settlements.

*iii) Draft Core Strategy for Chiltern District Stakeholder Dialogue
June 2009*

2.3.7. In the context of the housing allocation of 2,900 dwellings in the South East Plan, as the Council examined and refined information in its Strategic Housing Land Availability Assessment (SHLAA), the difficulty of identifying sufficient land for up to 1,250 dwellings in both Greater Amersham and Chesham without a very early release of GB became apparent. There were particular difficulties in identifying land in Chesham due to the urban form of the town and the designation of an

Air Quality Management Area and traffic congestion management corridor. At the same time, the large number of dwellings that were being constructed and permitted in some of the smaller non-GB villages, together with the potential for developing there shown by the SHLAA, suggested that the indicative housing figures used at the Strategic Options stage needed to be reconsidered, to provide for less in the two largest settlements and more in non-GB villages. After further work, new dwelling numbers were set as follows:

- 1,100 in Greater Amersham (Amersham/Little Chalfont/Chesham Bois)
- 750 in Chesham (including 57 at the MDS at Amersham and Wycombe College, Lycrome Rd)
- 520 in Chalfont St Peter (excluding Newland Park MDS)
- 330 in other settlements excluded from GB
- 200 at the Newland Park MDS

2.3.8. As far as the overall strategy was concerned, the focus on the settlements of Greater Amersham, Chesham and Chalfont St Peter remained a key element of the strategy with about 80% of development being planned for the built-up areas of those settlements.

2.3.9. In terms of the six elements of the current CS, a), which aimed to protect undeveloped land in the AONB, remained a key element of the selected scenario. The Draft Core Strategy at the time⁷ made it clear that the Council had been able to identify sufficient land including appropriate contingencies within Greater Amersham and Chalfont St Peter, but the situation in Chesham was less clear and accordingly it indicated that in future release of a small area of GB might be required, although it was not proposed at that stage. Development was to be focused on the same four settlements as in the current CS. There would be limited development in other settlements excluded from the GB and MDS, and very little development elsewhere. Overall, the selected scenario was very similar to the current strategy save for the possibility of GB land being released on the edge of Chesham.

iv) Draft Core Strategy for Chiltern District Consultation Document March/April 2010

2.3.10. Following the stakeholder dialogue and additional evidence gathering, the Core Strategy was redrafted as a basis for a full public consultation⁸. Due to the unpopularity of the term Greater Amersham and the creation of a separate parish, it was decided to separate out Little Chalfont from Amersham. Recognising the housing allocation for Chiltern District to be 2,900 dwellings, the housing figures for Chesham and Chalfont St Peter were reduced to take account of capacity from new permissions and completions.

⁷ CDN063 – Draft Core Strategy for Chiltern District June 2009, Document for Stakeholder Dialogue

⁸ CDN084 - Draft Core Strategy for Chiltern District Consultation Document 11 March- 23 April 2010

- 600 in Amersham
- 450 in Little Chalfont
- 650 in Chesham (including 57 at the MDS at Amersham and Wycombe College, Lycrome Rd)
- 400 in Chalfont St Peter (excluding Newland Park MDS)
- 540 in other settlements excluded from GB
- 60 in Green Belt villages (already built or committed)
- 200 at the Newland Park MDS

2.3.11. As far as the overall strategy was concerned, the focus on the settlements of Greater Amersham, Chesham and Chalfont St Peter remained a key element of the strategy with about 70% of development being planned for the built-up areas of those settlements.

2.3.12. In terms of the six elements of the current CS, a), which aimed to protect undeveloped land in the AONB, remained a key element of the selected scenario. In line with element b), there would be no encroachment into undeveloped parts of the GB. Development was to be focused on the same four settlements as in the current CS. There would be limited development in other settlements excluded from the GB and MDS and very little development elsewhere. Overall, the selected scenario was very similar to the current strategy.

v) *Core Strategy for Chiltern District Publication and Submission Documents (October 2010, January 2011)*

2.3.13. Following consultation and additional evidence gathering, the Core Strategy was redrafted as a basis for Publication and Submission to the Secretary of State... The Government announced in July 2010 that all regional strategies, which set the housing allocation for each local authority area, had been abolished and that Councils could set out and justify their own housing figures. As a result there was a reduction in the overall housing figure for Chiltern District in the CS to 2,400. Development was still to be focussed on four settlements. As it was unclear which SHLAA sites might come forward for development, one indicative figure was provided for the combined four settlements where development was to be focused. There would be less development there (about 1,550 dwellings in the built-up areas) but this was still 65% of the overall figure.

2.3.14. In terms of the six elements of the current CS, a), which aimed to protect undeveloped land in the AONB, remained a key element of the selected scenario. In line with element b), there would be no encroachment into undeveloped parts of the GB. Development was to be focused on the same four settlements as in the current CS. There would be limited development in other settlements excluded from the GB and MDS and very little development elsewhere. Overall, the strategy was very similar to the current strategy.

2.4 Summary

2.4.1. The above Section explains how the Spatial Strategy has developed and evolved within the CS from the Preferred Options stage through to the current position. The report shows that the CS has contained key elements such as the protection of the Chilterns AONB, the focusing of development in the most accessible settlements and a limitation on development elsewhere throughout its preparation and it has developed in a logical manner. The two key elements that have varied over the development of the Core Strategy are:

- The potential use of undeveloped GB land on the edge of settlements, and
- The total amount of housing.

2.4.2. This part of the Topic Paper has explained how and why these factors have varied.

3.0 HOUSING TARGET FOR CHILTERN DISTRICT

3.1 Overview

3.1.1. This section provides an overview of how the housing target within the Core Strategy has changed as part of the Examination process, and shows how the Council's existing evidence supports the proposed changes to Policy CS2 set out within the SPSC (CDN125).

3.2 The Proposed Housing Target for Chiltern District

3.2.1. As set out in his note ID/14, the proposed housing target of 2,400 dwellings in the Core Strategy as submitted is considered to be unsound by the Inspector. In light of his comments in ID/14, it is now proposed that Policy CS2 of the Core Strategy is changed so the housing target for the District is expressed as a range of 2,650 to 2,900 dwellings. The distribution pattern of these dwellings between the different locations in the District has also been expressed more clearly in the proposed changes to policy CS2 to reflect more appropriately the Council's chosen Spatial Strategy.

3.2.2. The Housing Land Supply Trajectory (2006 -2026) at March 2011 (CDN113), the Assessment of Housing Demand in Chiltern District (CDN114) and the Update of the Chiltern Strategic Housing Land Availability Assessment (the SHLAA) (CDN115) provided the basis for the revised housing target proposed within the Core Strategy.

3.2.3. The Assessment of Housing Demand in Chiltern District (CDN114) brought the SHLAA update (CDN 115) and the trajectory evidence (CDN 113) together and, in consideration of a range of other factors, proposed that an appropriate housing target would be a range of between 2,550 and 2,800 dwellings⁹. A key part of the justification for this figure was the anticipated yield of new dwellings that would come forward on SHLAA sites over the Core Strategy period. This evidence anticipated over the remaining period of the Core Strategy, based on past trends, the total delivery of housing from suitable SHLAA sites would likely be between 45% and 75% of their total overall potential (i.e. between 400 and 676 dwellings). This evidence also recognised the possible contribution that housing from small unidentified housing sites could make over the whole plan period, based on an average of 49 dwellings per year¹⁰.

⁹ The 2,800 dwelling figure was revised upwards to 2,900 dwellings by the Council in its document CDN117 to take into account the fact that the housing allocation for the District in the South East Plan (May 2009) should be taken as the starting point due to the reinstatement of the South East Plan in November 2010 following a High Court decision.

¹⁰ Past trend data for a 15 year period indicated that on average 49 dwellings per annum had been built in the District from this source (refer to Table 2 of CDN113)

- 3.2.4. Taking into account this evidence, together with the need to take the South East Plan as a starting point, the Council suggested to the Inspector during the Hearing sessions that the housing target within the Core Strategy should be revised from 2,400 dwellings to a range of between 2,550 and 2,900 dwellings (the top of the range reflecting the South East Plan allocation).
- 3.2.5. In his post hearing note ID 14 the Inspector considered that the Council's estimation of housing that would come from SHLAA sites was likely to be too low. In summary, the main reasons why the Inspector came to this view were: as economic conditions improve, the potential exists for number of dwellings built annually on the SHLAA sites to increase from the current rate of 33 per annum; the Council had been overly cautious when determining the actual amount of housing (the capacity) that would come forward on these sites; and new housing was likely to come forward in areas of the District where development may be acceptable but which had been excluded from the SHLAA assessment.
- 3.2.6. Whilst the Inspector considered that more housing is likely to come from SHLAA sites than estimated by the Council, he does not consider there to be sufficient justification for the Council to take into account the contribution of housing from small unidentified housing sites¹¹ until the last five years of the Core Strategy. In addition, the Inspector also considered that the Council's assumption that 49 dwellings per annum will come from this source in the last five years of the Core Strategy is too high, and a lower figure of 39 dwellings would be more appropriate.
- 3.2.7. In summary, the Inspector supported the principle of the Council's housing target being expressed as a range but suggested that an appropriate range to consult on is 2,650 dwellings to 2,900 dwellings. Appendix 1 contains housing land supply trajectory information including tables HS2-1 and HS2-2 which show the number of dwellings that need to be drawn from SHLAA sites and other sources to achieve both the lower range figure and the higher range figure.
- 3.2.8. Taking into account the number of houses that have been built in the District since 1 April 2006, the number of houses that have an unimplemented planning permission and the sites identified for housing in the Core Strategy within Policies CS6 and CS7, the tables show that:
- To achieve 2,650 dwellings a total of 588 houses need to be built on SHLAA sites or from other sources over the period 2014/15 to 2026¹². This equates to 49 dwellings per annum during this time period.

¹¹ In the context of the Core Strategy, it is proposed that a small unidentified housing site is defined as: an unplanned housing site (not identified in the SHLAA or a development plan) that comes forward for development and results in a net increase of 1 to 4 dwellings on the site. Expanding on the definition of 'windfall sites' stated within footnote 31 of PPS3: Housing, in Chiltern District, this is also taken to include sites which involve the development of housing on private residential gardens.

¹² This assumes adoption of the Core Strategy in 2011

- To achieve 2,900 dwellings a total of 840 houses need to be built on SHLAA sites or from other sources over the period 2014/15 to 2026¹³. This equates to 70 dwellings per annum during this time period.

¹³ This assumes adoption of the Core Strategy in 2011

4.0 GYPSIES, TRAVELLERS AND TRAVELLING SHOWPEOPLE

4.1 Overview

4.1.1 During the Examination process the Inspector raised a number of concerns with Policy CS14 and its supporting text within the Core Strategy, which relates to Gypsies, Travellers and Travelling Showpeople. The Inspector considered that the Council's approach within the submitted Core Strategy is generally unsound because he considered that the evidence used to underpin the need and pitch requirement was not robust and the approach to site allocation and dealing with development was too negative, ambivalent, not justified and not reflective of local circumstances. To address these concerns, the Council has proposed a significant change to Policy CS14 and the accompanying justification. The proposed change, which is subject to consultation, aims to focus the Policy on setting out how the Council will allocate sufficient new sites in the Delivery DPD to meet extant and future need. Other modifications are proposed to the supporting text.

4.2 Proposed Change to Policy CS14: Sites for Gypsies, Travellers

4.2.1. In the light of the Inspector's concerns expressed prior to the Hearings, the Council suggested substantial changes to the policy, including the deletion of all the criteria other than the text on the Green Belt¹⁴. The Inspector welcomed some of the changes but still considered that the policy was too tentative and too restrictive given that needs have already been identified for the short term, let alone for the whole plan period. He stated that it would seem inevitable that sites will have to be allocated in the Green Belt. He notes that this is the difficult strategic decision which the Core Strategy should acknowledge, paving the way for delivery in the Delivery DPD. The Inspector therefore invited the Council to consider a further revision to the proposed policy and its justification.

4.2.2. The proposed Significant Changes incorporate these matters, including a substantial rewriting of policy CS14 to indicate a positive approach to the allocation of sites.

¹⁴ CDN121 Proposed Minor Changes to Policies CS8, CS14 and CS19

5.0 EMPLOYMENT

5.1 Overview

- 5.1.1. Arising from the Examination process, and to respond to the matters set out within the Inspector's Note ID/14, the Council is required to substantially review its approach to employment land within Policy CS16. Additionally the Council has proposed a change to Strategic Objective 4 which better expresses its intentions for District's economy. The reasons for these changes are explained below.

5.2 Proposed Change to Strategic Objective 4 and Policy CS16.

- 5.2.1. In ID/14 the Inspector stated that Policy CS16 as submitted is unsound because it lacks flexibility to ensure that sites which are protected for employment use have reasonable prospects of remaining in employment use, or of being brought back into employment use through new development. For this reason it is considered that the policy is not compliant with national policy in national Planning Policy Statement 4. The policy also does not clearly explain how it is intended to relate to the saved employment policies in the Local Plan, particularly E2 and E3. CS16 is intended to replace Local Plan policy E4 which protects small employment sites not covered by the E2/E3 designations, but lacks flexibility for the varied circumstances of such sites. The Inspector noted that the Council clearly felt constrained in its approach to employment land by the statement in the South East Plan (paragraph 25.17 of SEP) that: strong protection for existing employment land in Chiltern district should be maintained unless new land is substituted. He noted that, as the Council's strategy does not propose new land for employment, it has considered it necessary to protect all existing employment land. He stated that the SEP statement is an important starting point, but needs to be considered in the light of more up to date evidence and the intended (if unstated) positive outcomes of protecting employment land.
- 5.2.2. The approach in the SEP was developed in the context of an economic boom and was supported by the evidence of the Buckinghamshire Employment Land Review 2006. Recent evidence indicates a large number vacant of employment premises. There are also a significant number of cleared employment sites which have been awaiting redevelopment for some time. In the representations received on this policy, there was a strong view that, particularly in Chesham, there was a need to review which sites are retained for employment use, including small sites which are not specifically designated under policies E2 and E3. It appears that a considerable restructuring of employment activity has been underway in Chesham in recent years, resulting in considerable loss of active employment uses, with very

limited market interest in such sites. The view was that the lack of development interest in relation to some vacant/cleared sites in the town was not solely the result of the recession and that the number of vacant sites and premises may well serve to discourage new investment in sites which might otherwise be attractive to the market.

- 5.2.3. The Inspector concluded that there is sufficient evidence to indicate that a more flexible approach to employment land is necessary.

5.3 Proposed Changes to Strategic Objective 4

- 5.3.1 The Inspector considered that the appropriate policy approach needs to be set within the context of clear objectives which should be related to positive outcomes (e.g. diverse/thriving economy, provision of new jobs). The present CS strategic objective 4, related target, and policy CS16 essentially say the same thing (no net loss of employment land) and are not focussed on achieving positive outcomes. In all these circumstances, a more flexible approach would not take the plan out of general conformity with the SEP. Therefore Strategic Objective 4 of the CS is the subject of a proposed Significant Change in order to reflect this advice.

5.4 Proposed Change to Policy CS16

- 5.4.1. In line with the key points in ID/14 the proposed Significant Change to Policy CS16 aims to ensure more flexibility in the use of employment land in the District having regard to:
- The overall aim to retain in the long term a portfolio of employment sites and premises which are attractive to the market and will provide a range of jobs to meet local needs;
 - Promoting renewal and more efficient use of employment land;
 - Indicating that the designation of land under saved policies E2 and E3 will be reviewed as part of the preparation of the Delivery DPD to ensure that such designations remain fit for purpose, with good prospects of providing jobs over the lifetime of the CS;
 - The need, prior to the completion of the above review, to set out the basis on which changes from B class uses to other employment uses or from any employment use would be considered; and
 - The need for a permanent policy approach for small, non-designated employment sites (i.e. the replacement policy wording for saved policy E4 which is to be superseded) embodying flexibility especially for sites which are unsuitable in physical/environmental terms or in market terms, for continued employment use.

6.0 THE GREEN BELT

6.1 Overview

6.1.1. Most of the District (88%) lies within the Metropolitan Green Belt, where new development is very tightly controlled in line with national planning guidance set out in Planning Policy Statement 2. At the Hearing sessions there was a great deal of debate about whether or not the Council's approach to not releasing Green Belt land for development (particularly housing), was justified. In addition it became clear that the Council had not clearly expressed this intention in the Core Strategy and that the wording of Policy CS23 was a concern. Whilst the Council has now clarified its approach to the release of Green Belt within the proposed changes to the Spatial Strategy (refer to Section 2.0), this section of the topic paper explains the reasons why Policy CS23 and supporting text needs to be reviewed.

6.2 Proposed Changes to Policy CS23

6.2.1. A number of villages and more isolated rows of dwellings in the district lie within the Green Belt, and the designation "washes over" them. Under current national planning policy guidance¹⁵ some very limited development, such as alterations to existing houses, rebuilding and filling in gaps in frontages is allowed in such areas. This type of development is permitted under Policies GB4 and GB5 of the Chiltern District Local Plan (Adopted 1997). Policy GB4 relates to identified rows of dwellings, and policy GB5 refers to identified village settlements.

6.2.2. The Inspector has agreed that there is no need for a fundamental review of the Green Belt boundaries in the district. He has however suggested that Policy CS23 should be clarified to make clear the Council's intention to review the defined boundaries of areas covered by policies GB4 and GB5 in the Delivery DPD.

6.2.3. In considering Green Belt issues the Inspector identified an anomaly in Policy GB5. Clause b of Policy GB5 currently allows for "limited" residential development of some parcels of land within the identified villages. This is contrary to national guidance which only allows infill development in these settlements. The Inspector has therefore made it clear that this should be remedied, otherwise the Core Strategy would be referring to policy that is at odds with national guidance, and would therefore not be "sound". The fundamental problem is that if more than very limited infilling is to be permitted in any settlement, that settlement must be removed from the Green Belt.

¹⁵ Planning Policy Guidance Note 2: Green Belts

- 6.2.4. The Inspector proposed two alternative ways of dealing with this. The first would be to assess all the Green Belt settlements comprehensively to determine if limited residential development is appropriate in any of them. If so, the settlements should be identified and removed from the Green Belt. If only infilling is considered appropriate, the Core Strategy should make that clear, and in effect two separate policies, GB4 and GB5, would no longer be required. It was considered that this approach would be at odds with the Council's chosen Spatial Strategy and would therefore not be supported at this time. It would also add considerably to the timescale for finalising the Core Strategy.
- 6.2.5. The Inspector proposed an alternative way forward, which was to highlight the problem within the Core Strategy and, through the Delivery DPD, identify the appropriate scale of development related to that settlement, and then exclude from the Green Belt any settlements where this would take place. While this would not delay the Core Strategy in the same way as the first approach, the other issues about the Spatial Strategy remained the same.
- 6.2.6. To respond to this, the Council identified a third approach which addressed all the concerns without requiring a significant review of the approach within the Core Strategy. It is therefore now proposed that, at adoption of the Core Strategy, clause (b) of Local Plan policy GB5 will be rescinded and no longer "saved" as a development control policy. If this change is adopted in the final Core Strategy, only infilling, in line with policy GB4 and the remaining part of GB5 (and in line with national guidance) would be permitted within the identified settlements and rows of dwellings. The Delivery DPD will set out one policy to cover the limited acceptable development in these areas, and at that point policies GB4 and the remaining part of GB5 will cease to exist.
- 6.2.7. This approach has the advantages of avoiding delay to the Core Strategy, and keeps it in line with national guidance. It avoids changes to the Green Belt boundaries, which are intended to endure for as far as may reasonably be seen ahead. Whilst this approach may be perceived to affect the development potential of a very small number of sites within identified Green Belt settlements, these may be brought forward through planning applications where "very special circumstances" are demonstrated to exist. Alternatively, where it can be demonstrated to accord with national planning policy, the potential may exist for such sites to be identified for development within the Delivery DPD.

Appendix 1: Revised Housing Trajectory Graphs and Tables (based on a Housing Target of 2,650 dwellings to 2,900 dwellings)

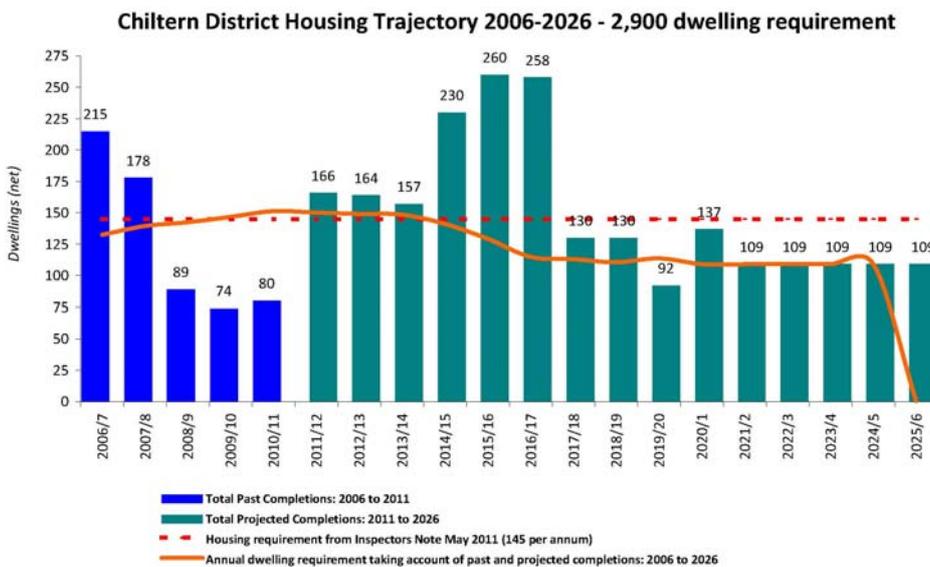
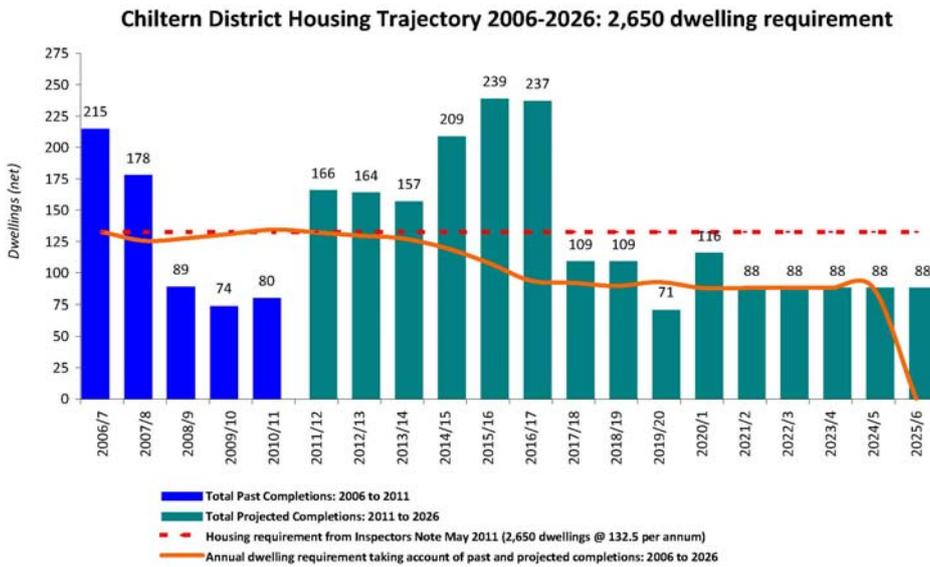


Table HS2-1: Chiltern District Housing Land Supply Trajectory 2006 to 2026 - 2,650 dwelling requirement																						
Sources of Housing Land Supply	Projected Housing Delivery from Adoption of Core Strategy 2011 - 2026																					
	Past Completions 2006-2011					Years 1 - 5: 2011 to 2016					Years 6 - 10: 2016 to 2021		Years 11 - 15: 2021 to 2026									
	2006/7	2007/8	2008/9	2009/10	2010/11	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20	2020/1	2021/2	2022/3	2023/4	2024/5	2025/6	TOTAL	
Housing Allocation for Chiltern District from Inspector Note of 5 May 2011 for each five year period (132.5 x 5)	662.5					662.5					662.5					662.5					2,650	
1.1 & 1.2 Projected Supply; Extant Planning Permissions at 31st March 2011 (net) (includes 10% non-implementation rate of sites up to 4 dwellings) - see footnotes (1) & (2)						166	135	143	100	100	96											742
2. PROJECTED SUPPLY AT 31.3.2011 - Expected to be permitted and/or agreed in principle (net)						29	14															43
3. PROJECTED SUPPLY - Strategic Housing Sites and Major Developed Sites in the Green Belt (Core Strategy Policies CS6 and CS7) (net)									60	90	90	60	60	60	22	67						449
4. PROJECTED SUPPLY - Small Unidentified Sites Allowance @ 39 dwellings per annum in Years 11 to 15 of Trajectory (net) - see footnote (3)																39	39	39	39	39		195
5. PROJECTED SUPPLY - Housing from SHLAA and Other sites @ 49 dwellings per annum (net) in years 4 to 15 of Trajectory									49	49	49	49	49	49	49	49	49	49	49	49		588
6. TOTAL PAST & PROJECTED COMPLETIONS BETWEEN 2006 AND 2026 - Annualised (net) (figures rounded so may not total)	215	178	89	74	80	166	164	157	209	239	237	109	109	71	116	88	88	88	88	88		
6. CUMULATIVE COMPLETIONS: 2006 to 2026 (Past & Projected) (figures rounded so may not total)	215	393	482	556	636	802	966	1,123	1,332	1,571	1,808	1,917	2,026	2,097	2,213	2,301	2,389	2,477	2,565	2,653		
7. TOTAL PAST AND PROJECTED COMPLETIONS: by each five year period	636					935					642					440					2,653	

Footnotes
 (1) Total extant permissions (776) less total extant permissions for >=5 dwellings (661) = 115 x 90% implementation rate = 103.5 divided by 3 years = 34.5 dwellings per annum, rounded up to 35. Therefore total will not necessarily equal the sum of individual years. See paragraph 3.2.3 of CCN 113 for derivation of implementation rate.
 (2) Three >=5 dwellings sites with extant permission for 23 dwellings (net) are not included because there is no evidence of when delivery will occur. The yield is retained when calculating the implementation rate on sites with extant permission for <= 4 dwellings.
 (3) See paragraph 5.6 of Inspector's Note ID-14 for details of derivation of small unidentified sites allowance

