



Appeal Decision

Inquiry opened on 18 October 2022

Site visits made on 17, 25 and 28 October 2022

by David M H Rose BA(Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20th December 2022

Appeal Reference: APP/N0410/W/22/3299849

**Land at Beeches Park adjacent Amersham Road and Minerva Way,
Beaconsfield**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by The Portman Estate against the decision of Buckinghamshire Council.
 - The application Reference PL/21/3151/OA, dated 4 August 2021, was refused by notice dated 29 November 2021.
 - The development proposed is: 'Outline application with all matters reserved except access for the erection of residential dwellings including affordable housing (Use Class C3), new vehicular access points off Amersham Road and the Eastern Relief Road, a local centre including a community building (Use Classes E(a)(b)(c)(d)(e), F1(d)(e), F2(a)(b) and C3), a primary school and pre-school (Use Classes E(f) and F1(a)), public open space and associated infrastructure'.
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Decision

1. The appeal is dismissed.

Preliminary matters

(i) The Inquiry and Site Visits

2. The Inquiry opened on Tuesday 18 October 2022. I heard evidence over a period of 9 days¹. Although the majority of the evidence was subject to cross-examination, discussion on housing land supply was in round table format. In addition, the Appellant's unchallenged proof of evidence on affordable housing was 'taken as read'. Closing Submissions were submitted in writing with the agreement of the principal parties. I closed the Inquiry in writing on 2 December 2022.
3. As well as the Appellant and the Council, the Inquiry was attended in-person by The Beaconsfield Society, a Rule 6(6) Party. Interested persons were able to 'attend' virtually using 'Teams' and one member of the public spoke and asked questions of the Appellant's witnesses in this manner. The final discussion on draft conditions and planning obligations was held virtually on 8 November 2022.

¹ On 18 – 21 and 24 – 27 October and 8 November 2022

4. I held Case Management Conferences, in virtual format, on 25 July and 5 September 2022, to make administrative arrangements and procedural decisions in advance of the Inquiry itself. In addition, I issued Case Management Notes dated 27 September and 11 October 2022².
5. Before the Inquiry, on the afternoon of 17 October, I visited the site and its surroundings on an unaccompanied basis. At the Inquiry, the principal parties agreed that an accompanied site visit was unnecessary. I carried out further unaccompanied site visits to the site and its surroundings, including Wilton Park, on 25 October (afternoon peak traffic and after dark) and on 28 October (mid-morning) to ensure that I had viewed the locality at various times of the day.
6. The application was accompanied by an Environmental Statement³ relating to a wider project than that for which planning permission was sought, in that it assumed a greater delivery of residential units within the application site and the provision of sports pitches within the Appellant's control outside of the application site. An Environmental Statement Addendum, replacing earlier Addenda and updating the original Environmental Statement, accompanied the appeal. I have taken all of the Environmental Information, additional reports and the evidence available to the Inquiry, into account in reaching my decision.

(ii) Planning Obligations

7. A completed Deed of Planning Obligations, made between the Council and the Appellant, pursuant to section 106 of the Town and Country Planning Act 1990, is dated 25 November 2022⁴. A Compliance Statement, in accordance with Regulation 122(2) of the Community Infrastructure Regulations 2010, and related supporting documents are also before me⁵.
8. The Deed contains 16 Schedules. In short, Schedule 1, Part 1, sets out general measures for phasing and affordable housing; and Part 2 of the same Schedule contains the detailed provisions for affordable housing, namely 40% of the dwellings to be affordable housing units of which 25% would be First Homes. Of the remainder, two-thirds would be affordable rented housing and the remaining one-third would be shared ownership housing. Schedule 2 relates to 'performance' by the Council.
9. Schedule 3 concerns the provision and management of on-site open space and, subject to Schedule 12, a financial contribution of £504,000 for the construction of off-site playing pitches and maintenance for a period of 25 years.
10. Education contributions form the basis of Schedule 4 to provide expansion of primary school facilities at Holtspur School and the extension of secondary school facilities at Holmer Green Senior School (or such other education project to serve the development).
11. Surface water drainage, and subsequent management and maintenance, is set out in Schedule 5.

² CMN1: Hearing the evidence and outline timetable; CMN2: Draft Planning Conditions; and CMN3: Draft Main Issues

³ Prepared under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 as amended

⁴ Inquiry Document 31

⁵ Inquiry Documents 33 – 36

12. Schedule 6 records the Travel Plan obligations; and Schedule 7 itemises a highway works delivery programme; the payment of a public transport contribution; improvements to the Pyebush roundabout; a community transport contribution; and payment for monitoring infrastructure in the vicinity of the London End/Park Lane roundabout. The land owner's obligations for notification are defined in Schedule 8.
13. A biodiversity offsetting scheme and monitoring contribution is required by Schedule 9. Schedule 10 secures an employment skills plan. Management Company obligations are described in Schedule 11. Schedule 12 provides for off-site playing pitches. The provision of custom build plots is secured by Schedule 13; and Schedule 14 assures a skylark mitigation strategy.
14. Schedule 15 guarantees a sum of £2023.87 per dwelling to mitigate the adverse ecological impacts associated with recreational disturbance to the Burnham Beeches Special Area of Conservation. The provision of a community building within the site is captured by Schedule 16.
15. The final schedules, 17 and 18, relate to nomination rights and nomination process.
16. The Compliance Schedule and associated documents provide justification related to the underpinning tests set out in Regulation 122(2). There is clear validation through extant development plan policies; and the financial contributions are agreed and appear to be fair and reasonable. I am satisfied that the Obligations meet the requirements of paragraph 57 of the National Planning Policy Framework⁶ and Regulation 122(2).
17. There is also a Planning Obligation by way of Unilateral Undertaking⁷ which would reserve the school site, which forms part of the appeal site layout, for a period of 7 years for the provision of a primary school. There is no express requirement for a new school arising from the proposed development, and the Obligation does not therefore meet the relevant tests.

(iii) Draft Planning Conditions

18. A comprehensive suite of agreed draft planning conditions⁸, reflecting the generality of development plan policy requirements, evolved during the Inquiry. These include conditions relating to the submission and approval of reserved matters; agreement on phasing and a design code; confirmation of the maximum number of dwellings to be built; and limitations on the community facilities and local centre units.
19. Pre-commencement conditions, agreed by the Appellant, include a remediation scheme based on site investigation and risk assessment; a Construction Environmental Management Plan (Biodiversity); a surface water drainage scheme; details of highways; a Construction Management Plan; a management plan for construction waste; a scheme of archaeological investigation; arboricultural safeguards; measures for on-site renewable or low carbon energy provision; a public art strategy; District Licence provisions for Great Crested Newts; updated surveys for badgers and a reptile mitigation strategy; and details of a biodiversity compensation strategy.

⁶ Hereafter the Framework

⁷ Inquiry Document 32

⁸ Inquiry Document 27

20. Pre-occupancy or other stage conditions include; ecological enhancements; a strategic landscape plan; a landscape and ecological management plan; a lighting design strategy; cycle and car parking; electric charging points; details of equipped play areas; measures for embedded sustainable design and energy efficiency; noise mitigation; wastewater provision; and requirements for a proportion of dwellings to be designed to provide accessible and adaptable accommodation.

(iv) The Development Plan⁹

21. The development plan includes the saved policies of the South Bucks District Local Plan (1999, consolidated 2007 and 2011) and the South Bucks Core Strategy (2011). The most important policies for the determination of this appeal are summarised below.
22. In terms of the Local Plan, the whole of South Bucks is included within the Metropolitan Green Belt save for a number of excluded settlements which include Beaconsfield. Policy GB1 defines the Green Belt boundaries (with reference to the Proposals Map) and restricts development to defined categories (without the qualification of '*except in very special circumstances*').
23. Policy EP3 seeks design which is '*compatible with the character and amenities of the site itself, adjoining development and the locality in general*', with regard to six guiding principles. Policy EP4 sets expectations for landscaping and EP6 relates to reducing the opportunity for crime against both people and property. Policy H9 mirrors Policy EP3 and adds: '*The Council will not grant planning permission for proposals which do not make as full and effective use of land as would be possible whilst remaining consistent with all other policies in this Plan*'.
24. Moving on to the Core Strategy, Core Policy 1, now out-of-date in its housing provision and delivery figures, indicates that the focus for new residential development will be Beaconsfield, Gerrards Cross and, to a lesser extent, Burnham. Core Policy 5 requires new residential development to be supported by adequate open space and recreation facilities.
25. Measures to safeguard the natural environment are set out in Core Policy 9, with particular reference to the Chilterns Area of Outstanding Natural Beauty (AONB) and the Burnham Beeches Special Area of Conservation. More generally, the landscape characteristics and biodiversity resources within South Bucks will be conserved and enhanced.
26. Finally, Core Policy 14 identifies the nearby Wilton Park (Opportunity Site) as a major developed site in the Green Belt. Its promotion for redevelopment is currently undergoing implementation.

(v) Principal Matters of Common Ground

27. All three parties agree that the proposal would be inappropriate development as defined by paragraph 147 of the Framework. In addition, the proposal would not result in conflict with paragraph 138 purpose b) to prevent neighbouring towns merging into one another and purpose d) to preserve the setting and special character of historic towns.

⁹ Saved Policies

28. They also agree that the South Bucks area (which is the relevant predecessor authority¹⁰) cannot currently demonstrate a 5-year supply of housing land. I return to this in due course and note at this stage that the creation of the new unitary authority, and the intention to produce a new local plan (including the call for Brownfield Sites), does not change the basis for assessment.
29. The Appellant and the Council agree that the proposed development would deliver 40% affordable housing across the site and with a tenure mix that reflects the Framework, the Government's First Homes guidance and Core Policy 3. The section 106 Agreement resolves reason for refusal 7.
30. Further, in relation to reason for refusal 8, the information on carbon sinks submitted with the appeal has demonstrated that the proposed development would not have an unacceptable impact on greenhouse gas emissions contributing to climate change. It is also the case, with reference to reason for refusal 11, that surface water drainage is no longer at issue and the requirements of Core Policy 13 would be met.
31. During the course of the Inquiry, after extensive discussions between the Appellant and the Council, a Highways Statement of Common Ground¹¹ confirmed that refusal reasons 4 and 5 had been resolved. In this regard, although the development traffic impact was considered material, it was agreed that mitigation on the London End roundabout could be achieved by monitoring and management; and physical highway works would mitigate predicted impacts on the Pyebush roundabout. These would be secured through the bilateral Planning Obligations. A package of measures would also settle concerns about sustainable accessibility. As such, there would be no conflict with Core Policy 7 and Local Plan Policy TR5.
32. It is also the case that National Highways raises no objections, subject to conditions to secure a Travel Plan and a Construction Management Plan¹². Earlier written representations, from Beaconsfield Town Council and interested persons, do not provide any technical basis to gainsay the agreed highways position.
33. It has also been confirmed that reason for refusal 10, concerning the integrity of the air quality modelling, falls away as a consequence of the updated traffic modelling and there would be no tension with the development plan¹³. Again, despite earlier representations, there is no technical evidence to undermine the position reached during the Inquiry.

Main Issues

34. Having regard to the foregoing, the main issues remaining are:
 - (i) the effect of the proposal on the openness of the Green Belt;
 - (ii) the landscape and visual impacts of the proposed development, including its influence on the landscape setting of the Chilterns Area of Outstanding Natural Beauty (AONB);

¹⁰ Planning Practice Guidance paragraph 68-025-20190722

¹¹ Inquiry Document 23

¹² Inquiry Document 22

¹³ Inquiry Documents 24a) and 24b)

- (iii) whether the proposal would result in a well-designed place, with particular reference to the illustrative Masterplan and parameter details of layout, land use, building heights, building density, movement and access, and green and blue infrastructure, in the context of its interface with existing townscape, movement corridors and open land uses;
- (iv) the impacts of the proposed development on European Protected Sites and Species; non-European Protected Reptiles; and badgers taking account of intended mitigation/offsetting measures and proposals for Biodiversity Net Gain; and
- (v) whether any harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations, so as to amount to the very special circumstances required to justify the proposal.

Reasons

The first main issue:

The effect of the proposal on the openness of the Green Belt

(i) The Green Belt evidence base and Local Plan Preparation

- 35. The Green Belt around Beaconsfield is part of the London Metropolitan Green Belt that has its origins in the 1950s. In 2016 the Buckinghamshire Authorities published a Green Belt Assessment, undertaken by an independent party, to form a shared evidence base for the preparation of subsequent local plans.
- 36. The Part 1 Assessment¹⁴ identified the land to the east of Beaconsfield, extending eastward to Gerrards Cross/Chalfont St Peter, as meeting Framework purposes strongly with particular reference to preventing encroachment into the countryside; preventing outward sprawl; and maintaining the overall scale of the gap between Beaconsfield and neighbouring settlements.
- 37. However, it acknowledged that the western edge of that area (including the current appeal site) '*..... has a strong visual connection with the edge of Beaconsfield, as well as limited inter-visibility with the wider countryside, and a degree of envelopment created by urban form to the south (Wilton Park), west (the prominent settlement edge of Beaconsfield) and north (the railway line).'*
- 38. The view expressed was that the reduced area would make a lesser contribution to checking unrestricted sprawl and in assisting in safeguarding the countryside from encroachment. It also noted that a proposed relief road (now the constructed Eastern Relief Road), to the east of Beaconsfield, would dissect the area (towards its eastern edge) thus creating a more robustly defined sub-area which may score weakly if considered in isolation.
- 39. In turn, the Part 2 Assessment¹⁵ considered the land immediately east of Beaconsfield, and bound by the line of the proposed Eastern Relief Road (the appeal site and part of the existing built-up area/allotments – Area 1.13A), in conjunction with other nearby parcels of land.

¹⁴ CD 10.4

¹⁵ CD 10.8

40. In the scenario that assumed that adjoining land to the south would not be released from the Green Belt, it was concluded that the area performed moderately against preventing outward sprawl; it made little contribution to preventing neighbouring towns from merging and in preserving the setting and special character of Beaconsfield's historic core; and relatively strongly in terms of Wider Green Belt objectives. Finally, it was said *'if released from the Green Belt in isolation, Area 1.13A would have boundaries that are strong/acceptable in NPPF [Framework] terms'*.
41. The ensuing Green Belt Exceptional Circumstances Report, which formed part of the then emerging evidence base for the Chiltern and South Bucks Local Plan 2016-2036¹⁶, recommended a number of sites for release from the Green Belt, for different types of development to contribute to meeting local needs and/or future opportunities, in acknowledgement that the Green Belt covered 88% of Chiltern and 87% of South Bucks Districts.
42. The appeal site, in combination with land to the south-east (Wilton Park) and land to the south (including a parcel between the Pyebush Roundabout and the M40 motorway) was one of the areas recommended for release *'..... even though they may score moderately in terms of Green Belt Purpose*' due to their sustainable location and the contribution which they could make to meeting acute need in a sustainable way.
43. For this area, it was concluded: *'Overall, this area performs moderately against Green Belt Purposes. The area contributes to protecting the openness of the countryside and in preventing the outward sprawl of the Beaconsfield large built-up area. The area makes little contribution to preventing neighbouring towns from merging, and also to the setting and special character of a historic town'*.
44. Moreover: *'The site can make a very significant contribution to meeting the development needs of the Districts in a highly sustainable location. The impacts on the Green Belt can be mitigated and a firm and defensible boundary either exists or can be provided. The benefits of the release of the site and its subsequent development clearly outweigh the disbenefits. Exceptional circumstances therefore exist for the release of this site from the Green Belt'*.
45. The indicative capacity of the site was a total of 1,600 dwellings, including 640 affordable housing units.
46. The site was promoted for mixed use development through the, subsequently withdrawn, Chiltern and South Bucks Local Plan¹⁷ under policy SP BP9. In summary, this called for an integrated, coordinated and comprehensive planning approach within a single masterplan to ensure a well-connected and high quality design outcome; the completion of the Eastern Relief Road at an early stage; highway works; and the provision of supporting facilities either physically or by financial contribution.
47. Despite significant local opposition, there is nothing to suggest that the Council intended to resile from the allocation. However, with the withdrawal of the Plan, its suitability or otherwise was not examined. As such, the Council is not bound by the draft allocation and the withdrawn Local Plan carries no formal weight.
48. Nonetheless, the contributory documents identified above, as a considered re-evaluation of Green Belt boundaries in order to meet development needs, carry significant weight.

¹⁶ CD 10.9

¹⁷ Withdrawal was a consequence of failing the 'Duty to Co-operate'

(ii) Assessment of the effects on openness and Green Belt purposes

49. Paragraph 137 of the Framework confirms that the Government attaches great importance to Green Belts. It explains that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. It adds that the essential characteristics of Green Belts are their openness and permanence.
50. It is an established principle that the concept of openness has a spatial as well as a visual aspect.
51. With regard to the spatial aspect, the site comprises some 24 ha of undeveloped countryside, in arable use, with a woodland spine. It is spatially completely open.
52. In visual terms, the principal characteristics of openness are experienced along its southern edge from Minerva Way; along its north-eastern edge from the Eastern Relief Road; and on part of its western side from Amersham Road. The openness of the site can also be appreciated from the northerly continuation of Amersham Road (to the point of crossing over the railway) and from Maxwell Road. Although the central woodland belt divides the land, and for the most part inhibits views across the site, the underlying impression of openness remains.
53. As a consequence, there is no doubt that the appeal proposal, even with the retention of the woodland, and generous open space and related landscaping, would have an acute effect on the openness of this part of the Green Belt. I shall return to its wider implications in further consideration below.
54. Turning to the stated purposes of Green Belt, and with initial reference to the objective of checking unrestricted sprawl, Beaconsfield has a well-defined eastern edge along Amersham Road with the bulk of built development on its western side. The proposal would inexorably be seen as an evident, large-scale extension of the established settlement.
55. That said, the appeal site has clear demarcation along Minerva Way and marked delineation by the Eastern Relief Road. The relief road itself cuts across open countryside and it has had a physical and perceptual effect on the experience of the landscape. I acknowledge that, for the most-part, it is well assimilated albeit the austere acoustic barrier on its north-eastern side, towards the Amersham Road roundabout, has an undeniable adverse spatial and visual impact.
56. Looking at the road corridor as a whole, its influence is marked by its generous and distinct engineered form with attendant infrastructure and traffic. The proximity of Wilton Park cannot be ignored and there are some views, notably at its northern end, towards the built edge of Beaconsfield. Nonetheless, offsetting factors include the presence of open land on either side of the route and, particularly at its southern end, isolation from Beaconsfield itself. Overall, in my opinion, the relief road does little to disassociate the appeal site from the wider countryside.
57. Although the Eastern Relief Road does not replace or extend the long-established edge to Beaconsfield, it does now, nonetheless, represent a clear and robust defensible boundary which would be capable of restricting further sprawl. To my mind, it would serve the function of safeguarding the strategic value of the Green Belt in terms of Beaconsfield's relationship with Gerrards Cross/Chalfont St Peter.

58. Moving on to the aim of assisting in safeguarding the countryside from encroachment, the appeal site has very little in the way of urban influences. The principal built-up limits of Beaconsfield rest apart and the development at Wilton Park stands aloof to the south-east. The cricket ground to the south of Minerva Way and the golf course, beyond dense woodland to the east of the relief road, do not undermine the notable contribution that the appeal site makes to the immediate and wider open countryside.
59. Finally, although the development of a green field site would run counter to the purpose of encouraging the recycling of derelict and other urban land, the Council recognises that there is little scope for such land to make a contribution of sufficient scale to housing need. Whilst various possible sites were identified by an interested person, it is evident to me that, even with the understandable limitations of that exercise, green field sites will be needed to provide the necessary homes having particular regard to market choice.

(iii) Overall analysis

60. Drawing together these threads, I have found that there would be a loss of openness in spatial and visual terms. I also consider that the purpose of checking the unrestricted sprawl of large built-up areas would be undermined; but only to a limited extent given the site's physical boundaries. Additionally, there would be conflict with the role of safeguarding the countryside from encroachment.
61. Paragraph 148 of the Framework confirms that when considering any planning application, substantial weight should be given to any harm to the Green Belt. In this case there is an inevitable overlap with the main issues relating to landscape and visual impact and the design concept for the development. Consideration of these main issues is set out below.

The second main issue:

The landscape and visual impacts of the proposed development, including its influence on the landscape setting of the Chilterns AONB

(i) Landscape Character Assessment and the Landscape Capacity Assessment for Green Belt Development Options

62. The South Bucks District Landscape Character Assessment places the appeal site within Landscape Character Area (LCA) 22.1 Beaconsfield Mixed Use Terrace. It is acknowledged that the appeal site displays a number of characteristics of the wider area with particular reference to its rolling topography occupied by open fields set against a backdrop of mature trees and woodland.
63. The area is described as¹⁸: *'..... a highly varied and disparate landscape. The contrast between human development, arable fields and woodland creates a landscape which lacks unity. The variety of land uses and land cover creates a landscape which is visually busy'*. The strength of character/intactness is defined as 'weak' and it is noted that the *'high presence of human development reduces the distinctive character of the landscape'*.
64. The Landscape Guidelines, in short, include the need to conserve woodland; promote appropriate management of arable farmland; consider opportunities for tree/woodland planting to contain/reduce audible and visual impact of modern development; and maintain open views across fields.

¹⁸ CD 9.6 part 5

65. These findings fed into the Landscape Capacity Assessment for Green Belt Development Options¹⁹ as part of the evidence base for the withdrawn Local Plan. Land east of Beaconsfield was divided into five sub-areas to reflect the size and varying character across the area. Site 9B relates to the appeal site.
66. The strategy/vision for the wider area was to *'conserve and protect the mosaic of woodland, open farmland and parkland, and to maintain the remaining areas of tranquillity'*.
67. At the time of assessment, pre-dating the relief road, the eastern boundary of Site 9B was not marked by any landscape feature on the ground. Its landscape character sensitivity was found to be medium; so too was its overall landscape sensitivity; and its landscape capacity was recorded as medium/high.
68. In terms of the relationship with the wider countryside: *'continuous open countryside to the north, across railway line to the Chilterns AONB, across to the east and down to the south'*; and *'part of the 18th century historic estate of Wilton Park, although limited features remain'*.
69. The potential impact on key visual characteristics was recorded as: *'loss of views over open countryside on eastern side of Beaconsfield'* and; *'adverse visual impact on PRow and open character'*.
70. Reference to the potential impact on key settlement characteristics recorded: *'originally the settlement of Beaconsfield was retained by Park Lane (A355), creating a strong defined edge to the built form. If the new A355 is built this will replace this built edge and extend Beaconsfield further to the east'*.
71. Consideration of Site 9B concluded with a recommended development area (Figure 9B.2) and measures for landscape mitigation and enhancement. Of particular relevance to the appeal proposal, these included the protection of the central woodland; and a landscape strategy based on restoring the 18th century parkland character of the Wilton Park Estate (in combination with Sites 9A, 9C and 9D). The final capacity of the site in landscape terms was to be informed by a detailed landscape and visual assessment. Figure 9B.2 indicated a deep green buffer on the northern side of Minerva Way and a narrower buffer to the north-eastern boundary of the site (with the intended relief road).

(ii) Assessment of landscape and visual impacts

72. Following my conclusions above, which firmly place the appeal site in the countryside in both landscape and visual senses, it is necessary for me to assess the nature of the effects arising from the proposal. Here I confine myself to broad impacts in that there is considerable overlap with the third main issue where I consider design matters in more detail.
73. Firstly, the appeal site adjoins the urban edge of Beaconsfield, although it cannot be said that it has significant urban fringe characteristics. Here, to a modest degree, part of the built-up area exerts an urban influence on the northern part of the site. The clearly defined, surfaced, shared footpath/cycleway, which is seemingly well-used, is an added factor. In addition, the roundabout junction with the relief road, and the northern section of that road, are further features which provide context in terms of definition, activity and lack of tranquillity.

¹⁹ CD10.14(c)

74. The continuation of the Eastern Relief Road southwards, and its generally steady flow of vehicles, also provides physical delineation reinforced by traffic noise and movement. The woodland a little to the east of the road, within a wider well-wooded setting, is a further contextual factor.
75. To the south, Minerva Way, which has been closed to through traffic, borders the appeal site and it is, in turn, abutted by woodland on its southern side along a significant part of its length. Part of London Road, with attendant traffic noise, is referable at its western end beyond the cricket ground. The central and eastern sections of Minerva Way are increasingly influenced by the southern end of the relief road before it dips and curves out of view.
76. Overall, taking into account the predominant containment of the appeal site in one form or another, I consider that, in terms of principle, residential development would not result in any significant landscape effects on the character of the wider landscape character area.
77. As to visual effects, it is common ground that the wooded nature of the wider area and the built-up edge of Beaconsfield preclude long-distance views of the site from the surrounding countryside and from the AONB.
78. The parcel of land to the north of the central woodland belt is generally open to view from the highway network and also from the properties on the western side of Amersham Road, to the north of the public footpath across the site, and obliquely from subsidiary streets. Outward views across the site are curtailed by the woodland to the west of the golf course.
79. On the approach from the north into Beaconsfield, the town has an increasing marked presence, to the west, having passed over the railway line. Part of the appeal site is seen, beyond the immediate foreground of the roundabout, with the central tree belt and woodland to the east of the relief road limiting further views.
80. The public footpath crossing this part of the site, forming a pleasant outlet from the built-up area, lacks long distant views and its ends are defined by properties on Amersham Road to the west and the relief road and associated infrastructure to the east.
81. From the northern part of the Eastern Relief Road, the appeal site has the backdrop of properties along Amersham Road which mark the nearby built edge of Beaconsfield. By contrast, in the approach from the south, immediately beyond Minerva Way, the central woodland belt within the site masks any semblance of the built-up area. However, this progressively changes along the mid-point of the relief road where a gap in the woodland starts to reveal a view towards a small number of properties backed by a wide sweep of more distant wooded slopes.
82. Looking next from Minerva Way, the predominant view of the southern part of the appeal site is one of an open field backed by woodland. Trees along the opposite side of the route provide enclosure. Overall, outward views are of short distance within an enfolding woodland setting. It is, however, noted that the eastern end of Minerva Way has the tangible presence of the relief road and views towards Wilton Park, albeit the built aspect of this area will change with the planned demolition of the tower block and removal of frontage properties as the redevelopment of the site progresses.

(iv) Overall analysis

83. From the foregoing, it can be concluded that the visual envelope of the appeal site is generally limited to short distance views. The southern part has distinct rural qualities, whereas the northern part has a somewhat greater urban influence in its relationship with the wider countryside. Additionally, whilst there are selected viewpoints with views towards the backdrop of the AONB, the appeal site itself does not contribute to the landscape character and beauty of the designated area. These findings indicate that, in principle, residential development could be accommodated without significant adverse landscape and visual impacts.
84. At this point it relevant to record that the Council accepts that the landscape and visual impacts would be local to the site; however, the issue at play, in common with the Beaconsfield Society, is the Appellant's design approach which I consider in the next main issue.

The third main issue:

Whether the proposal would result in a well-designed place, with particular reference to the illustrative Masterplan and parameter details of layout, land use, building heights, building density, movement and access, and green and blue infrastructure, in the context of its interface with existing townscape, movement corridors and open land uses

(i) Clarification of the main issue

85. In terms of the initial framing of the main issue, during the Inquiry the Council accepted that the density proposed across the appeal site was in keeping with those found elsewhere in the immediate locality and consistent with the approach recommended in the Landscape Capacity Assessment. It was also confirmed that a homogenous approach to density, dwellings height and layout would not be appropriate and that a variety of heights, density and landscape treatments could contribute towards a sense of place and legibility for people living in and visiting the scheme.

(ii) The design approach

86. The Appellant's vision for the site '*..... is to provide appropriate, organic growth for the town of Beaconsfield in harmony with its character and traditions²⁰*'. It is said that '*the design and layout are the result of a very careful and sensitive design approach, utilising a 'landscape led' approach to create a high quality and memorable place²¹*'.
87. For my part, looking at the scheme in its broadest sense through the aims of the Design and Access Statement and illustrative Masterplan, elements consistent with the vision include tree-lined streets; continuity of form for enclosure and definition; coherent groupings in various layouts; a neighbourhood park; a network and variety of green infrastructure; distinctive street scenes; and a strong sense of integration, permeability and sustainable access to key facilities.
88. With this in mind, I now turn to the principal matters between the parties.

²⁰ CD 1.12 page 5

²¹ Appellant's Urban Design Proof of Evidence paragraph 3.3

(iii) The Interface with Minerva Way

89. By way of background, Minerva Way had its origins as part of the earliest public road between Beaconsfield and Chalfont St Giles. It was taken over to form an access route to Wilton Park and its 18th century country house set within an extensive park with areas of woodland and scattered specimen trees. The house transferred to military use during WWII and was demolished in the 1960s.
90. During the 1960s and 1980s military buildings were constructed in the former gardens and in part of the park; a golf course was established in the northern part of the park; a cricket ground was laid to the west; and a number of other developments and alterations took place. The later 20th century also saw a move to general agricultural use, loss of internal field boundaries and scattered trees as well as new areas of tree planting. More recently the Eastern Relief Road has cut through the former park.
91. Recalling the conclusions of the Landscape Capacity Assessment for Green Belt Development Options²², potential impacts on key landscape characteristics included: *'..... loss of historic features including driveway loss of open character of an area of parkland and setting of Minerva Way'*. The recommendation relevant to this issue called for *'a landscape strategy based on conserving and restoring the 18th century parkland character of the Wilton Park Estate'*.
92. Although the resultant recommended development area and landscape mitigation and enhancement figure²³ anticipated a significant green buffer to Minerva Way, this was not based on any transparent analysis or justification and, to my mind, it is to be treated as purely illustrative. As such, the intention needs to be reviewed in light of the material before me.
93. The National Design Guide explains that *'well-designed places and buildings come about when there is a clearly expressed 'story' for the design concept and how it has evolved into a design proposal'*. It sets out components for good design including the context for places and buildings: *'well-designed places are based on a sound understanding of the features of the site and the surrounding context and responsive to local history, culture and heritage'*.
94. It is self-evident that Minerva Way no longer serves its original purpose or has the characteristics of an estate drive through parkland. Its course has been severed by the relief road, its destination has disappeared and the former parkland is much changed. Its history is no longer tangible. Nonetheless, the notion of preserving its heritage, in modern form associated with ongoing change, would be consistent with contributing to the quality and character of the place commensurate with its function as an important pedestrian/cyclist corridor.
95. That said, the illustrative green buffer in Figure 9B.2 cuts across the southern part of the appeal site without reference to topography, vegetation or field boundaries. Moreover, its generous swathe would offer little prospect of conserving absent, or restoring lost, parkland character. In my opinion, the objective now should be to provide a complementary setting to Minerva Way, with due recognition for its current rural aspect and its role in linking Beaconsfield with the wider countryside and the new community at Wilton Park.

²² CD 10.14(c)

²³ Figure 9B.2

96. The treatment of the southern-most part of the appeal site consists of three distinct elements: community grow space and local equipped area for play; a group of dwellings; and outdoor space associated with the proposed school. It is noted that the Movement and Access Strategy places no reliance on the direct interface of the appeal site with Minerva Way, save for a shared cycle/footway which would emerge from the south-western corner of the site towards the western end of Minerva Way.
97. Whilst the proposed open land uses would be important to the experience of using Minerva Way, the cross-section, that sets out the intended relationship between the proposed group of dwellings, provides for a landscaped hedgerow strip with a line of 'street trees'. The houses would lie a short distance beyond an intervening shared private drive²⁴. To my mind, although the occupants could provide some welcome surveillance, the positioning of built development, even with foreground softening and a loose informal arrangement, would not respond to the open character of the site, its wider rural aspect or the context of Minerva Way.
98. Moreover, it is noted that this part of the site is annotated as 'Woodlands' in the Design and Access Statement. Here it is said that '..... *there is a need to create a 'softer' edge to the development which can act as a buffer to Minerva Way*'²⁵. In my opinion, the outcome would not capture convincingly the intended softer edge or buffer and it would fail the objective of the 'landscape-led' approach.
99. In addition, even with an 'avenue' of trees along the southern boundary of the site, the overall treatment of the interface with Minerva Way would not support the designers' concept of creating a traditional parkland setting²⁶.
100. I have had regard to the development currently taking place at Wilton Park, insofar as the recent approval of certain reserved matters departs from the green buffer identified for the northern part of that site where it adjoins the continuation of Minerva Way. However, I find nothing of sufficient importance to undermine the site specific considerations of the proposal before me.
101. Overall, I consider that the juxtaposition of development along Minerva Way would not have a positive and coherent identity or a form and character that would fit its context.

(iv) The Interface with the Eastern Relief Road

102. The focus of contention here is the form of development, up to three storeys and with building densities up to 70 dwellings per hectare (dph) for the local centre and up to 45 dph thereafter, along the north-eastern side of the site, broadly between the reserved school site and the northern tip of the central woodland belt. Particular considerations are the relationship with the wider countryside and the response to the Eastern Relief Road.
103. It will be recalled, with reference to the Landscape Capacity Assessment for Green Belt Development Options, that Figure 9.B2 envisaged landscape mitigation and enhancement between the development and the relief road. Again, the plan is indicative and it is impossible to quantify what might have been intended.

²⁴ It was said in evidence that the houses would be approximately 17m from Minerva Way itself

²⁵ CD 1.12 page 88

²⁶ CD 1.12 page 9 'In summary, the key objective of the design process is to combine a mature parkland setting with Beaconsfield's traditional sense of community.'

104. Nonetheless, my earlier assessment concludes that the southern part of the appeal site has a distinctly rural character. The National Design Guide reminds us that: *'Context is the location of the development and the attributes of its immediate, local and regional surroundings well-designed places are: based on a sound understanding of the features of the site and the surrounding context; integrated into their surroundings so they relate well to them; influenced by and influence their context positively'*.
105. The Design and Access Statement²⁷, reinforced by the Parameters Plans and the illustrative Masterplan, indicate that the scale of the buildings comprising the local centre would be *'..... designed to ensure that there is a sense of enclosure around the main public realm' with 'strong, continuous facades'*.
106. For the housing: *'..... medium density residential development, structured around perimeter blocks characterised by the interplay between the prominent edges of the scheme and the gateway environment that the development in combination with Amersham Road and the relief road will create'*²⁸. Additionally: *'The third key frontage will be that which overlooks the relief road this will consist of residential frontage set behind the advanced tree planting which is already growing along the western side of the relief road'*²⁹. These stated aspirations indicate to me that the relationship with the wider countryside was not a primary consideration.
107. Notwithstanding the intention to create informality through a mix of broken, continuous and stepped building frontages, and to vary building heights, and to take advantage of the generous western margin of the relief road and its related planting, I consider that the scale and intensity of the development would result in an uncompromising and harsh extended settlement edge.
108. Although the existing built-up area of Beaconsfield was noted, in the Landscape Character Assessment, to permeate the north-west of the character area, the proposed development would further compound that impact. The relationship with the wider open countryside would become more absolute and the horizon of the backdrop AONB would be substantially eroded and dominated by the height and bulk of foreground buildings. Those same buildings, governing the forward view from a southerly direction, would also undermine the visual association between the northern tip of the central tree belt and the wider woodland setting of the area.
109. The Appellant's rationale for the design approach to the Eastern Relief Road is based on it being a negative feature that creates a poor user experience for pedestrians and cyclists. The intention is to turn it into a tree-lined avenue consistent with the National Model Design Code³⁰. The Framework also indicates that *'decisions should ensure that new streets are tree-lined (unless, in specific cases, there are clear, justifiable and compelling reasons why this would be inappropriate)'*.
110. The Design Code shows that relief roads can often be designed to emphasise the sense of place, for example as avenues. Avenues are described as *'streets with a central carriageway and wide tree-lined verges'*.
111. However, the proposed development would merely add a string of buildings close to the margins of the relief road with limited scope for additional planting. To my mind, it would not transform the road into an avenue over

²⁷ CD 1.12 page 68

²⁸ CD 1.12 page 65

²⁹ CD 1.12 pages 74 - 76

³⁰ CD 8.4 page 51

and above what has already been provided for in the delivery of the route and its related landscaping. Nor would it improve character or placemaking in light of my conclusions about the impact of the scheme on the wider countryside landscape.

- 112. As to the other claimed benefits, a safer and improved experience for users cannot be denied. However, this, and any advantage in terms of ameliorating noise or contributing to the visibility and viability of the local centre, would be significantly outweighed by the harm that I have described.
- 113. Further, in my opinion, the assertion that the approach would stitch the existing neighbourhoods of Beaconsfield together, rather than treating the road as a barrier, lacks conviction in that the role of the road as a transport corridor, carrying some 14,000 vehicles each day, would be untouched by the proposals.

(v) The Local Centre and the Reserved School Site

- 114. Matters between the parties relate to the location and scale of the local centre; its potential viability; and the rationale for future school provision. By way of background, the concept masterplan prepared for the land proposed for release from the Green Belt identified the south-eastern corner of the appeal site for school and community hub provision. The location of the proposed local centre and the reserved school site generally reflect the earlier scheme. Nonetheless, it is the Appellant's case that the current proposal is not simply a 'cut and paste' of the earlier masterplan.
- 115. Although the Council would prefer the local centre to be of lesser scale to serve the needs of the development itself, and to be embedded more centrally within the site, where it says that focus and higher densities would be better balanced, I recognise the clear advantage for the facilities to have the benefit of prominence to secure passing trade and to assist viability. I also accept that such a location gets support from examination of the walking distances and the opportunity to serve the residents of Wilton Park. Nonetheless, its height parameters tell against the proposed location for the reasons given above.
- 116. As to the reserved school site, taking account of committed development at Wilton Park and the scale of the appeal proposal, it is evident that there is no need for on-site school provision. The offer of safeguarding is on the premise that further residential development is likely to occur in the locality necessitating new school provision. However, although there is attraction in safeguarding future options pending the outcome of the local plan process, this part of the design is essentially speculative and without evident foundation.

(vi) Overall Analysis

- 117. There is no doubt that the proposal, in terms of design, has a number of positive attributes including the provision of green infrastructure with focus on the central tree belt; mixed character areas; permeability; and sustainable access to key facilities.
- 118. However, I have found a failure to have sufficient regard to context, in terms of the relationship of the proposal with the wider landscape, and with particular reference to the interface with both Minerva Way and the Eastern Relief Road.

119. I have recognised the aspiration to improve the experience of the Eastern Relief Road, but have found that to be unconvincing. Similarly, whilst it is the aim of the scheme to create a 'bridge' between Beaconsfield and Wilton Park, with a '*range of community, open space and education benefits for both new and existing communities*³¹', this does not counter the fundamental design flaws that I have described.
120. I have paid particular attention to the thrust of the Framework to make effective use of land, notably paragraph 125, '*where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site*'.
121. However, a balance is clearly intended in that paragraph 130 c) sets out that decisions should ensure that developments '*are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities)*'.
122. In the context of the Framework as a whole, I consider that the design vision pursued by the Appellant, reinforced by the Strategic Design Code, has failed to fully understand the area's defining characteristics and special qualities and, as a result, it has failed to reflect these in the design of the development. Whilst the proposal would be capable of functioning well in isolation, it would not add to the overall quality of the area. As such, it cannot be said to be well-designed.

The fourth main issue:

The impacts of the proposed development on European Protected Sites and Species; non-European Protected Reptiles; and badgers taking account of intended mitigation/offsetting measures and proposals for Biodiversity Net Gain

(i) European Protected Sites and Species

123. The appeal site falls within the zone of influence for Burnham Beeches Special Area of Conservation. The Strategic Access Management and Monitoring Strategy to mitigate the impacts of recreation pressure requires a financial contribution, in line with Buckinghamshire Council's Supplementary Planning Document, in the sum of £2023.87 per dwelling. This would be secured in the bilateral planning agreement.
124. Although Great Crested Newts have not been found on the appeal site, records of proximity are sufficient to require mitigation. A District Licence Report has been prepared, at the Appellant's expense, and planning conditions attached to any grant of permission would secure formal authorisation. An agreed second payment would also be assured by obligation.

(ii) Non-European Protected Reptiles

125. The nub of the dispute between the Council and the Appellant is whether adequate surveys have been undertaken to establish the likely impact on reptiles, notably grass snake, slow worm and common lizard so as to adequately inform the design approach for the development of the site.

³¹ CD1.12 section 3.3

126. Chronologically, Jacobs undertook a reptile survey in 2015 (the 2015 Report), which included part of the appeal site, associated with the assessment of the then proposed Eastern Relief Road. CSA Environmental surveyed a wider area, including the appeal site, in 2018 (the 2019 Report) and an update survey, limited to the appeal site and land proposed for sports pitches to the east of the relief road, in 2021 (the 2021 Report).
127. The Jacobs survey recorded the presence of the three species of interest in the north-western part of the site and along that part of the western boundary which was included within the survey area. The greatest populations were found to the north of the proposed road alignment, especially in the vicinity of the railway, and a distribution along and to the east of the proposed route.
128. The 2019 Report indicates that seven reptile surveys, to determine presence or absence of reptiles, were undertaken in the spring/summer of 2018, prior to the construction of the Eastern Relief Road. Slow worm and common lizard were recorded by the railway; in the vicinity of the western boundary of the appeal site; in the south-western part of the site on the edge of the central tree belt; and on the margins of the wooded area to the east of the planned relief road. The peak counts revealed 16 slow worm; 4 common lizard; and one grass snake.
129. The aim of the 2021 survey was '*to confirm the continued presence of widespread reptile species and to review general distribution*'. Slow worm were recorded along most boundaries of the site, other than adjacent to the relief road, and with a greatest presence along the central woodland belt; and grass snake were found in the western part of the site towards Amersham Road. Peak counts were 8 slow worm and 2 grass snake.
130. Consequently, neither the 2018 survey nor the 2021 survey support the proposition that the appeal site qualifies as a Key Reptile Site in accordance with Froglife Advice Sheet 10: Reptile Survey. However, that conclusion rests on the efficacy, or otherwise, of the 2018 and 2021 surveys.
131. Froglife advice identifies three types of survey: presence/absence survey; detailed survey; and monitoring. To my mind, the 2018 survey provided an appropriate starting point to determine the presence/absence of species of interest. Understandably, the refugia were located around the general locations where slow worm, grass snake and common lizard would be most likely found, particularly unmanaged grassland, woodland, areas of scrub and ponds rather than within areas laid to arable. Indeed, Froglife provides an illustration of '*where to look for reptiles*' which supports this conclusion.
132. The results broadly mirrored those of the 2015 survey, insofar as comparison could be made. In turn, the 2021 survey corroborated earlier work. Consequently, given the relatively low numbers and broadly consistent distribution, and the characteristics of the site, I am satisfied that presence/absence surveys were appropriate to the task.
133. As to the alleged limitations of the surveys, the 2019 Report recorded refugia either being moved or destroyed, albeit they were subsequently replaced. In addition, consistently high temperatures throughout July and August 2018 resulted in fewer opportunities to conduct surveys at optimum temperatures and further work was undertaken in September. Although a number of the surveys fell outside the '*best times to search*', outlined in Froglife, some of the highest recorded levels of activity were at times outside the optimal windows. I am content that this was sufficiently robust.

134. In terms of the 2021 surveys, which did not reveal presence of common lizard³², the walk over is described as *'between refugia locations'* without any indication of undertaking a visual search of the entire site and potentially less optimal locations. Whilst that might have been more conclusive of presence/absence, I am satisfied that the work was proportionate. Again, timings were generally outside the recommended hours of search but weather conditions, in terms of temperature and general lack of precipitation, were favourable. On this basis, I see no fundamental shortcomings.
135. It is also said that the northern part of the site was not surveyed; and, if that was precluded by works in connection with the relief road, this should have been recorded. Whilst this ought to have been noted as a limitation, it is apparent from photographic evidence that the land north of the public footpath was awaiting restoration associated with road construction.
136. Next, with regard to whether or not there had been sufficient survey visits, Froglife indicates: *'to establish presence generally at least seven visits in suitable weather conditions at the appropriate time of year may be required'*. That has been fulfilled on two separate occasions consistent with the purpose. A greater number of surveys, at least 20 per season, *'to gain some idea of relative population size or to identify key areas'*, would, in my opinion, have been disproportionate to the information necessary to support the planning application.
137. Overall, having regard to Froglife, Natural England's Guidance and Herpetofauna Groups of Britain and Ireland Methodology, I am satisfied that the surveys undertaken by the Appellant provided a reasonable understanding of reptile presence so as to inform a mitigation strategy.
138. The 2021 Report³³ confirms the presence of slow worm along the majority of boundaries of the site, with most recordings along the central woodland corridor, and grass snake exclusively along the western boundary adjacent to Amersham Road. It also notes *'..... although the Main [appeal] Site is c.23.39ha, suitable reptile habitat, comprising tussocky grassland, scrub and field margins, account for less than one hectare within the Site'*. These findings confirm the primary importance of field margins and the woodland belt.
139. The summary section in the report of survey, which informs the mitigation strategy, goes on to say: *'new habitat provision at the site should include tall grassland, scrub, wildlife ponds and log piles in order to continue offering suitable opportunities for foraging, sheltering and dispersing reptiles. The central wooded corridor creates a significant area of connecting habitat around which new habitat could be focused'*.
140. The ensuing Reptile Mitigation Strategy³⁴ admits: *'the proposed development will result in the loss of suitable reptile habitat for the most part, development will be located within areas of existing agricultural land with low suitability for reptile species small areas of reptile habitat at the Site will be brought under different management to provide shorter-sward grassland within areas of open space. The loss of these small areas will be mitigated by new habitat such as rank grassland, in strategic areas of the Site'*.

³² It is common ground that given the proximity of populations and older records there was potential for common lizard to be found on the site

³³ CD 4.33 ES Addendum – Appendix 5 – ES Appendix 14.10 Reptile Survey

³⁴ Appellant's Ecological Matters Appendix A

141. Turning to the avoidance and mitigation strategy, a number of areas are listed as requiring sensitive clearance. I acknowledge that the connecting point for the road linking the two parts of the site has been chosen to minimise vegetation loss. However, the route would not only physically sever natural linkage between the areas identified as Woodland 1 (in the north-eastern part of the site) and Woodland 2 (in the centre of the site) but also introduce significant vehicular and pedestrian activity.
142. Moreover, I note from the illustrative Masterplan the intention to provide a Natural Play Area to the east of Woodland 1, woodland walks, and an access road parallel to, but separated by a landscaped margin, on the western side of the woodland. In my opinion, there is every prospect that these elements would compound the adverse effects of disconnection.
143. Additionally, the provision of a Neighbourhood Equipped Play Area between Woodland 2 and treeline B4, and a Natural Play Area to the west of that tree line, would introduce a nucleus of human activity. Moreover, Woodland 2 would be transformed into a Woodland Park with a proposed connecting pedestrian route into and through Woodland 3 (in the south-western part of the site).
144. Whilst the illustrative Landscaping Strategy³⁵ indicates, with reference to the new pedestrian routes, that *'this approach will allow connectivity through these areas*', I consider that intensive recreational use by the future resident population would conflict with the counterpart notion of *'respecting the majority of these areas for biodiversity'*.
145. It is also relevant to note that the grassland margins along parts of the southern and western boundaries of the site are shown to take the form of usable 'Amenity Greenspace'. In addition, part of the Amersham Road frontage would become a 'Green Gateway' with a Locally Equipped Area for Play.
146. Seen against these losses, the outline Woodland Management Plan³⁶, for Woodland 2, seeks to bring this area under favourable management to counter high levels of informal recreation and anti-social behaviour which has in turn deteriorated habitats. The works are intended to generally increase botanical diversity and habitat structure in order to encourage wildlife.
147. Outline objectives to deliver the overall vision of ensuring a thriving woodland in perpetuity include, in summary: enhancing the woodland as an important habitat in the wider landscape; maximising habitat connectivity to the wider area; protecting the woodland edge as a valuable habitat; and undertaking new woodland and thicket planting to increase diversity, new habitats and connectivity.
148. Parallel objectives include the creation of a safe environment for sustainable year round recreational use, through appropriate provision of paths, defensive planting, benches, fencing, signage and litter bins. Secondary benefits relate to health and well-being and an understanding of the awareness of the woodland's key contribution to the wider landscape fabric.

³⁵ CD 1.82

³⁶ CD 4.46 - to be read with the totality of the landscape and ecological evidence

149. In addition to the habitat measures expressly for Woodland 2, there would be opportunities, as part of the overall landscaping scheme for the site, to incorporate beneficial habitats. Nonetheless, notwithstanding the low reptile species and populations, and measures to secure co-existence with human activity, I consider that insufficient regard has been given to the beneficial habitats of the reptile population. Consequently, the proposed development would have an adverse effect on reptiles, with particular reference to severance of habitat and the adjacency and concentration of recreational activity.

(iii) Badgers

150. Surveys show that there is a known presence of badgers within the vicinity of the site and the site is within their foraging range. Natural England's standing advice for a three part survey also calls for an estimate of territorial boundaries. The latter is particularly important where initial surveys indicate proximity of two main setts, which would in turn influence any mitigation strategy. In my opinion, despite a high level of activity, the totality of the evidence points convincingly to a single, off-site, main sett.
151. Turning to the proposed mitigation measures, in the Badger Strategy Plan, although there is extensive off-site foraging habitat, the value currently afforded by the appeal site would be diminished through the domestication and disconnection of dispersal routes. Indeed, the Appellant acknowledges that the outcome could be one of managed decline.
152. Although it is said that any readjustment would be in line with legislation, Natural England's guidance indicates: *'where possible developments should avoid effects on badgers. Where this is not possible, the developer will need to include mitigation or compensation measures in their proposal'*. Whilst I acknowledge that the Eastern Relief Road will have had the likelihood of isolating more distant foraging grounds, it is evident that the appeal proposal would isolate, and have an adverse impact on, more immediate foraging habitat.
153. Overall, notwithstanding the purpose of the relevant legislation, and the manner in which badger populations can adapt to built development, the Badger Strategy Plan fails to provide adequate mitigation for the likely impacts of the development, contrary to Natural England's standing advice.

(iv) Bats

154. The illustrative Masterplan provides for a road access from the Eastern Relief Road, immediately north of the central woodland belt. The proposed new road, and associated traffic, would introduce additional lighting at a point where bat mitigation measures were secured as part of the relief road construction. However, as surveys show low activity from rarer light-avoiding species, and some additional mitigation is likely to be possible through a bespoke lighting scheme secured by condition, I am satisfied that the proposal would not have a material adverse effect on local bat populations.

(v) Biodiversity Net Gain

155. Planning Practice Guidance: Natural Environment, alongside the Framework, promotes the delivery of measurable Biodiversity Net Gain through the creation and enhancement of habitats alongside development. It sets out a hierarchy of avoidance, mitigation and compensation.

156. In this instance, the appeal proposal retains and provides significant multifunctional green infrastructure focusing on the main woodland asset of the site. However, there would be a net loss of habitat units and off-site land, within a Biodiversity Opportunity Area, would be utilised by way of compensation to secure 45% Biodiversity Net Gain.
157. Although this approach 'leapfrogs' the hierarchy, such significant net gain within the appeal site itself would not be achievable without a very significant loss of potential dwellings. Considering Biodiversity Net Gain in isolation, I am content that the balance struck in the particular circumstances of this case justifies reliance on compensation.

(vi) Overall Analysis

158. From the foregoing, it is apparent that the proposal, with the mitigation measures outlined, would not have adverse effects on European Protected Sites and Species.
159. In terms of reptiles, I am content that surveys have provided an adequate understanding to inform the mitigation strategy. However, that strategy, as a consequence of the design approach, has material weaknesses in terms of fragmentation of habitat and impacts of human activity.
160. Again, although there is a satisfactory assessment of badger activity, the mitigation measures fall short of Natural England's standing advice.
161. The balance of evidence on bats points to no material adverse effects.
162. On Biodiversity Net Gain, there would be a significant benefit associated with the off-site measures proposed.

The fifth Main Issue:

Whether any harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations, so as to amount to the very special circumstances required to justify the proposal

(i) Other considerations: Loss of agricultural land

163. The Environmental Statement records that some 25% of the site is Best and Most Versatile Agricultural Land Grade 3a. It is an outlying area of the farm business where management is limited by absence of water supply and the difficulty of supervising livestock. It is a factor of very limited negative weight.

(ii) Other considerations: Designated Heritage Assets

164. The south-western part of the site lies close to the Beaconsfield Old Town Conservation Area and east of Grade II Listed Buildings at Wilton Park Farm. The Conservation Area contains some 130 Listed Buildings of which 5 are Grade II*.
165. The Appellant's Heritage Assessment is not disputed by the Council or the Beaconsfield Society. In general, land within the appeal site does not contribute to the significance of the designated area or form part of the setting within which it is experienced.

166. In terms of Wilton Park Farm, the buildings derive significance from their historic interest as examples of 18th century farm buildings; and some of the adjoining agricultural land has some historical association with the farm but lacks intervisibility. Although the proposal would alter the wider area around Wilton Park Farm, the harm would be negligible, at most, and at the lowermost part of less than substantial harm.
167. The Framework indicates that *'when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation'*. In this case, I consider that the identified harm would be outweighed by the public benefits of the scheme with particular reference to the provision of new housing as quantified below.

(iii) Other considerations: Housing Land Supply

168. The Updated Statement of Common Ground on Housing Land Supply³⁷ sets out the agreed base date for the 5-year housing land supply calculation for the period 2021-2026 and an illustrative position for 2022-2027. Although the Council and the Appellant reach different conclusions on the local housing need using the standard method, the difference is marginal. So too is that relating to the calculation of windfall sites. The principal dispute relates to the deliverability of five sites. On the Council's evidence, the supply amounts to 2.81 years for 2021-2026 and 2.45 years for 2022-2027. The Appellant's position is 2.02 years and 1.64 years respectively. Whichever figure is taken, the shortfall is agreed to be significant.
169. Of the disputed sites, the delivery attributed to Wilton Park relies on short timescales for the submission of reserved matters and subsequent implementation. To my mind, it has the real risk of being unduly optimistic. The remaining four sites relate to office premises awaiting change to residential use. However, there is nothing to suggest that delivery is realistic having regard to one or more matters of timescales, on-going use, marketing for office use and lack of tangible measures indicative of implementation. Overall, I attach greater weight to the Appellant's assessment of the 5-year housing land supply.

(iv) Other considerations: Affordable Housing

170. I have considered the evidence of the Appellant as a whole which remained unchallenged by the Council and the Beaconsfield Society. For the purpose of this decision, I set out in summary form the key findings identified by the Appellant:
- (a). The UK has a chronic shortage of new housing; without new homes, new affordable housing cannot be delivered; lack of affordable homes adversely affects the economy, access to jobs, quality of life and health and well-being.
 - (b). National and local policies recognise affordable housing as an important material consideration; and South Bucks has increased its affordable housing target from 20% to 40%.
 - (c). The Council's recent Affordable Housing Position Statement recognises the acute shortage of socially rented housing, affordable rent and rented key worker accommodation.

³⁷ Inquiry Document 14 dated 19 October 2022

- (d). South Bucks is ranked 6th lowest in England for affordable housing delivery over the 10 year period to 2019; and provision over a 15 year period to 2020-2021 was 8% of all new homes delivered.
 - (e). The affordable housing shortage is exacerbated by the acute affordability issue locally – South Bucks households with a median and lower quartile income, as of 2021, needed over 18 times their income to afford a home – the Appellant’s research shows in Beaconsfield that 49% of households are priced out of the market – the outcome is social imbalance.
 - (f). Current affordability issues are hampered by previous years of under delivery of affordable housing; 6,629 households are on the Housing Register and qualify for an affordable home in Buckinghamshire; those on the register in South Bucks have to wait almost a year to access an affordable home; the wait is 2.5 years for a 3-bedroom property; and there are over 400 households in South Bucks with high housing needs and over 3,000 households across Buckinghamshire.
 - (g). At 1 April 2022, 588 households with a local connection to Buckinghamshire were classed as homeless.
 - (h). Only 135 new affordable homes are expected to be delivered in the period to 2027 in South Bucks with detailed planning application data reducing this to 94 units.
 - (i). The appeal site is the only site in South Bucks that plans to deliver 40% affordable housing.
 - (j). The Appellant, taking account of all of the above factors, indicates that very substantial weight should be given to the delivery of approximately 180 new affordable homes in accordance with current local policy.
171. Turning to the written representations made by Beaconsfield Town Council, and the suggestion that it would be *‘more appropriate to examine the issue through the lens of the emerging Local Plan’*, the need for affordable housing is immediate.
172. As to the nature of affordable housing, the bilateral Planning Obligations would secure overall provision of 40% with a mix of First Homes, affordable rented and shared ownership reflecting the Buckinghamshire Housing and Economic Development Needs Assessment (update and addendum), Core Policy 3 and the Affordable Housing Supplementary Planning Document. Although affordable homes are to be delivered at Wilton Park, and elsewhere in the wider successor unitary authority, there is nothing of sufficient substance to undermine the Appellant’s evidence on the need to secure affordable housing locally.
- (v) Other considerations: Self-build housing**
173. The proposal makes provision for 22 self-build plots in a District where there is currently no provision. Although it was suggested that windfall sites could contribute towards meeting demand, such sites do not constitute *‘suitable serviced plots’*.

(vi) Other considerations: Employment and the Local Economy

174. The Design and Access Statement summarises the direct and indirect job opportunities arising from the proposed development and indicative resident local spend which weigh in favour of the proposal.

(vii) Other considerations: Social Infrastructure

175. The proposed development would secure, amongst other things, a local centre, a community building, green infrastructure and playing pitch facilities. All of these are components of promoting healthy and safe communities as set out in chapter 8 of the Framework.
176. The reservation of land for education, although intended with foresight of potential development needs in the locality, is not supported by current educational needs.

Other representations

177. The application for planning permission, and the subsequent appeal, generated a considerable number of representations from, or on behalf of, the local community. I have not addressed all of the objections raised as many of the points do not reflect the main issues that I have identified and considered in some detail.
178. In addition, some were of a generalised nature which provided no real basis to undermine the technical evidence in the Environmental Statement and its Addendum; or were, or could be, met by Statements of Common Ground, Planning Obligations, draft planning conditions and other documents before the Inquiry.
179. In terms of the representations pointing to the increasing vacancy rate of employment sites, and their potential to provide housing, some may yet make a contribution to increasing the available housing stock. Whilst sites of this nature offer the advantage of repurposing brownfield land, such opportunities are likely to be but one aspect of significantly boosting the supply of homes of sufficient variety to address the different needs of the community in terms of size, type and tenure.

The overall planning balance

180. On the first main issue, it is common ground that the proposal would be inappropriate development in the Green Belt. In addition, the Council does not dispute the principle of residential development against the background of the evidence base for the withdrawn Chiltern and South Bucks Local Plan. The evidence base leading to the promotion of the site is a strong material consideration of significant weight. However, I do not attach any weight to the withdrawn local plan insofar as it was not subject to detailed examination, due to a preliminary procedural shortcoming.
181. There is no dispute that the development plan is significantly out-of-date and that it does not provide any current basis for meeting substantially changed housing needs. There is also no immediate remedy as there is no prospect of an up-to-date local plan before 2026. Suitable and available previously developed land is also in short supply and some green field release appears to be an inevitable consequence.

182. It is also agreed that the appeal proposal would cause a loss of openness in spatial and visual terms. My analysis shows that the Green Belt purpose of checking unrestricted sprawl would be undermined, but only to a limited degree, given the site's physical boundaries. There would, of course, be conflict with the Green Belt purpose of safeguarding the countryside from encroachment which is a factor of significant negative weight.
183. As to the second main issue, the degree of harm was analysed carefully in the earlier evidence base and my own assessment confirms that the principle of residential development on the appeal site would not result in significant landscape effects on the wider landscape character area. I also found that the visual envelope of the site to be modest, and I reached the conclusion that residential development need not have significant adverse visual impacts.
184. Turning to the third main issue, I have identified material shortcomings in the design approach, insofar as it relates to the context of the site with particular reference to the wider landscape and the interface with Minerva Way and the Eastern Relief Road. The height parameters of the local centre, in particular, would compound adverse impacts on the countryside edge of the site and its landscape setting. This merits significant negative weight.
185. On the fourth main issue, implicated by the overall design vision, established habitats would become fragmented and also compromised by recreational activity. Again, significant negative weight attaches.
186. In terms of the fifth main issue, leading to the final planning balance and the consideration of the most important development plan policies related to the main issues, the proposal would be in conflict with Policy GB1 of the Local Plan. Although the policy lacks the balancing requirement of the Framework (*'except in very special circumstances'*), it would nonetheless be admissible to balance other considerations³⁸.
187. Additionally, notwithstanding the Appellant's claim that the Green Belt boundaries are out-of-date, and the policy should attach no weight, it is not disputed that the appeal site is located in the Green Belt, as defined, and the proposal is inappropriate development. Paragraph 147 of the Framework is thus engaged and is a material consideration in planning decisions. To my mind, in the round, there is nothing to undermine the status of Policy GB1.
188. The Framework confirms: *'inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt'*.
189. In addition to the harm to the Green Belt by reason of inappropriateness, further harm arises from the combination of landscape impacts, design and habitat issues as set out above.
190. The proposal would be at odds with Local Plan Policies EP3 and H9, where development should be compatible with its surroundings, and the related aim of paragraph 130 c) of the Framework. However, unlike the latter, neither policy admits *'appropriate innovation or change (such as increased densities)'*.

³⁸ Section 38(6) of the Planning and Compulsory Purchase Act 2004: *'If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.'*

191. Further, I see no fundamental contradiction between H9 and Government policy in seeking to make full and effective use of land. In addition, qualification by reference to other policies in the plan, that themselves may be incompatible with the Framework, does not render H9 inconsistent, in that the Framework *'should be read as a whole'*. Overall, I apply limited negative weight to the conflict with each of these policies.
192. Policy EP4, read as a whole, has similar thrust to paragraph 130 b) of the Framework in seeking to achieve appropriate and effective landscaping. In relation to the retention of important landscape elements that contribute to the character and appearance of the site, the proposal can be said to be in accordance with EP4(b). However, in terms of the scheme's failure to ensure a 'landscape-led' approach following a clear understanding of context, the National Design Guide and the Framework provide more direct policy related considerations.
193. As for Core Policy 9, there would be no adverse impacts on the Chilterns AONB; and the integrity of Burnham Beeches Special Area of Conservation would be safeguarded through the relevant mitigation strategy. As such, there would be no material conflict with this part of the policy.
194. In more general terms, the policy seeks to conserve and enhance the landscape characteristics and biodiversity resources within South Bucks by, in summary, not permitting new development that would harm landscape character or nature conservation interests, unless outweighed by other considerations. It also seeks enhancement and net gain in local biodiversity within the Biodiversity Opportunity Areas which would be met by the proposal.
195. Whilst acknowledging that part of the policy, relating to the availability of a less harmful alternative site³⁹, is inconsistent with the Framework, Core Policy 9 is multi-faceted and the degree of compliance pulls in opposite directions. Nonetheless, the extent to which there is conflict, related to landscape and biodiversity issues, merits significant negative weight.
196. There are a number of other policies⁴⁰, from the Local Plan and Core Strategy with which there would be no material conflict, or fulfilment secured by conditions and the bilateral Planning Obligations. Indeed, the proposal would comply with CP3 which requires the provision of 40% affordable housing. Although policy compliant, that benefit merits very significant positive weight. So too does the provision of market housing in the circumstances already described. Self-build housing as a contribution to boosting the supply and range of dwellings is a consideration of moderate positive weight, proportionate to the number of plots proposed.
197. At this point, recapping on the need for market and affordable housing as a principal component of the planning balance, the Framework outlines the Government's objective of significantly boosting the supply of homes with particular emphasis on up-to-date local plans.

³⁹ Extract: *'Not permitting new development that would harm landscape character or nature conservation interests, unless the importance of the development outweighs the harm caused, the Council is satisfied that the development cannot reasonably be located on an alternative site that would result in less or no harm and appropriate mitigation or compensation is provided, resulting in a net gain in Biodiversity.'*

⁴⁰ Including, amongst others, Policy COM1 which encourages the provision of community facilities (subject to criteria) and Core Policy CP7 in terms of accessibility and transport

198. Here the development plan is woefully out-of-date; housing requirements have greatly increased; affordability has plummeted; and there is no prospect of an early remedy through an up-to-date local plan. The benefits in securing a significant supply of both market and affordable homes through the appeal scheme is beyond doubt.
199. Moreover, given the extent of the Green Belt within South Bucks, it has been recognised that such land would need to be considered in order to meet the acute housing need. The appeal site has the advantage of being well-contained with landscape and visual effects localised. As a green field site, its sustainability credentials, in terms of accessibility to facilities and public transport, cannot be belittled.
200. Other principal benefits include the significant biodiversity net gain, in a Biodiversity Enhancement Area, reflecting the objectives of Core Policy 9 and paragraph 179 b) of the Framework. This merits significant positive weight.
201. Although the appeal scheme would be supported by extensive green infrastructure, community facilities and off-site playing pitches to meet the needs of the development, there would be some wider community benefits attracting moderate weight. The economic benefits arising from construction and subsequent occupation of the dwellings are also of significant positive weight.
202. In the final analysis, I acknowledge that there are very important material factors which support the proposed development. However, the scheme as a whole has noteworthy drawbacks. On this basis, I conclude that the harm to the Green Belt, and the other harm which I have identified, would not be clearly outweighed by other considerations and that very special circumstances do not exist.
203. As to the development plan, there is a limited basket of policies that go to the heart of the main issues and varying degrees of conflict as described. As a matter of balance, the proposal fulfils other policy requirements. Nonetheless, I have found that there would be conflict with the development plan when read as a whole.
204. Moreover, taking paragraph 148 of the Framework, in combination with other elements of national policy and guidance, I also find that the proposal would be in conflict with the Framework when read as a whole.
205. I shall, therefore, dismiss the appeal.

David MH Rose

Inspector

ANNEX A: APPEARANCES

For The Portman Estate

Christopher Young KC and
Thea Osmund-Smith of Counsel

Instructed by Michael Davies, Savills

They called

Ben Pycroft
BA(Hons) Dip TP MRTPI

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Emery Planning

Dr Aidan Marsh
BSc PhD CEcol CEnv MCIEEM

Director
CSA Environmental

Chris Odgers
MRTPI BA(Hons) DipUD DipUP

Director
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Clive Self
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Managing Director
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Michael Davies
BSc(Hons) Dip TP MRTPI AIEMA

Director
Savills

For Buckinghamshire Council

Simon Bird KC

Instructed by Laura Lee Briggs
Solicitor Advocate to the Council

He called

Yuen Wong
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Principal Planning Officer

Agni-Louiza Arampoglou
BSc(Hons) MSc ACIEEMI

Ecology Officer

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BSc DipLA CMLI PDip Urban Design
MSc Sustainable Development

Urban Designer and Landscape Architect

John Fannon
MRUP MSc MRTPI

Town Planning Consultant

For The Beaconsfield Society

Paul Shadarevian KC

Instructed by The Beaconsfield Society

He called

Simon Neesam
BA(Hons) DipLA CMLI

Director
The Landscape Partnership

Rosanna Metcalfe
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Associate Director
Lambert Smith Hampton

INTERESTED PERSONS

Dennis Elsey

Local Resident

ADDITIONAL CONTRIBUTORS TO THE ROUND TABLE SESSION ON CONDITIONS AND OBLIGATIONS

David Frisby
BEng (CEng) FCIHT

Director
Mode Transport

Anthony McNamee

Solicitor
Senior Associate, Farrer & Co

Laura Lee Briggs

Solicitor Advocate to the Council

ANNEX B: DOCUMENTS SUBMITTED AT THE INQUIRY

1. Email exchange re highway matters 17 October 2022
2. Appellant's Opening Statement
3. LPA Opening Statement
4. Beaconsfield Society Opening Statement
5. Wilton Park Phasing Plan at A3
6. Natural England: Reptiles – advice for making planning decisions
7. Herpetofauna Groups of England and Ireland Advisory Notes – Reptile Groups
8. E-mails relating to Natural England's Statement of Case
9. Update on Highways e-mail 20 October 2022
10. Approved Details for Minerva Way under Wilton Park permission
11. Screening opinion request for increased densities at Wilton Park
12. Mode Technical Note 21 October 2022
13. Delegated Report for approval of Wilton Park reserved matters with plan
14. Updated Housing Statement of Common Ground 19 October 2022
15. Buckinghamshire Council to Local Plan Inspectors dated 12 May 2020
16. E-mail on schools' catchments with plan of educational planning area
17. Appellant's Note on Hyde Farm
18. Appellant's Note on Business Parks and Industrial Estates
19. Report to the Council's Growth, Infrastructure & Housing Select Committee on Local Plan timetable 6 October 2022
20. Plan showing relationship of Holtspur School to the Appeal Site
21. Wilton Park Newsletter June 2022
22. National Highways No Objection response 14 November 2022
23. Highways Statement of Common Ground 28 October 2022 and covering e-mail 3 November 2022
24.
 - a) Buckinghamshire Council email to PINS removing air quality reason for refusal (8 November 2022)
 - b) EHO response on updated Air Quality Assessment

25. Chiltern and South Bucks CIL Charging Schedule
26. Chiltern and South Bucks Annual CIL Rate Summary 2021
27. Final Draft Planning Conditions (v17)
28. The Council's Closing Submissions and Legal Authorities
29. The Beaconsfield Society's Closing Submissions
30. The Appellant's Closing Submissions
31. Bilateral Deed of Planning Obligations dated 25 November 2022
32. Unilateral Planning Obligation dated
33. CIL Compliance Schedule
34. CSB Annual CIL rate summary 2022
35. Education s106 Guidance on Planning Obligations for Education Provision (revised November 2021)
36. Site 11 A40 London End/A355 Park Lane roundabout monitoring installation cost estimate

Other documents recorded by Inspector

- a) Email from D Elsey 4 November 2022
- b) Email (7 November 2022) attaching and clarifying final version of representations by Beaconsfield Town Council (July 2022)

Beeches Park, Beaconsfield - Core Document Index List

Reference Number	DOCUMENT TITLE	DATE ADOPTED/ PUBLISHED/ SUBMITTED
CD1	Planning Application Documents and Plans	
1.1	Application Form	4 August 2021
1.2	CIL Additional Questions Form	4 August 2021
1.3	Certificate B Notice	4 August 2021
1.4	Red Line Plan (Drawing number PAB01)	4 August 2021
1.5	Illustrative Masterplan (Drawing number 406339)	4 August 2021
1.6	Open Space Typologies Plan (Drawing number CSA/3484/141)	4 August 2021
1.7	Illustrative Section Plan 1 of 2	4 August 2021
1.8	Illustrative Section Plan 2 of 2	4 August 2021
1.9	Planning Application Covering Letter	4 August 2021
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1.11	Planning Statement Appendices	4 August 2021
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1.13	Retail Statement	4 August 2021
1.14	Affordable Housing Statement (superseded)	4 August 2021
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1.16	Community Needs Assessment	4 August 2021
1.17	Draft S106 Agreement (superseded)	4 August 2021
1.18	S106 Agreement - Title Plan - BM61951	4 August 2021
1.19	S106 Agreement - Title Register - BM61951	4 August 2021
1.20	Ecology and Trees Checklist	4 August 2021
1.21	Foul Water and Utilities Assessment 2018 (superseded)	4 August 2021
1.22	Environmental Impact Assessment - Volume 1a (Main Statement)	4 August 2021
1.23	Environmental Impact Assessment - Non-Technical Summary	4 August 2021
1.24	ES Volume 1b - Covers and Contents Page	4 August 2021
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1.26	Figure 1.2: Assessment Area Boundary (Drawing number EAB01)	4 August 2021
1.27	Figure 3.1: Illustrative Concept Masterplan (Drawing number 406339)	4 August 2021
1.28	Figure 3.2: Land Use Parameter Plan (Drawing number LUPP01)	4 August 2021
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1.30	Figure 3.4: Access & Circulation Parameter Plan (Drawing number ACPP01v2)	4 August 2021
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4.6	Appellant's Statement of Case – Appendix C – Relief Road Committee Report January 2017	26 May 2022
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4.53	ESA Appendix 18 – BC Ecology Officer Consultee Response	26 May 2022
CD5	Appeal Documents	
5.1	LPA Statement of Case	21 July 2022
5.2	Rule 6 Party Statement of Case	12 August 2022
5.3	Interested Party Responses	2 August 2022
CD6	Key Correspondence	
6.1	Council Letter not accepting ES Addendum	17 November 2021
6.2	Appellant request for an Extension of Time	18 October 2021
6.3	Council response to Extension of Time	21 October 2021
6.4	PINS request for ES Addendum Consultation	19 July 2022
CD7	Adopted Development Plan	
7.1	South Bucks Core Strategy	February 2011
7.2	Saved Policies of the South Bucks District Local Plan	March 1999
7.3	Buckinghamshire Minerals and Waste Local Plan	July 2019
CD8	National Planning Policy and Guidance	
8.1	National Planning Policy Framework	July 2021
8.2	National Planning Practice Guidance	June 2021
8.3	National Design Guide	January 2021
8.4	National Design Code	June 2021
8.5	Manual for Streets Department for Transport	March 2007
8.6	Design Manual for Roads and Bridges	
8.7	Transport Analysis Guidance (TAG).	
8.8	Froglife Advice Sheet 10 - Reptile Survey	November 1999
8.9	Natural Environment and Rural Communities (NERC) Act	2006
8.10	Badgers: advice for making planning decisions - GOV.UK (www.gov.uk)	
8.11	Protection of Badgers Act	1992.
8.12	British Standard Institution (BSI) BS42020: Biodiversity – Code of Practice for planning and development	2013
8.13	Natural England Biodiversity Metric 3.1 Auditing and accounting for biodiversity User Guide	April 2022
8.14(a)	BS 8683:2021 Process for designing and implementing Biodiversity Net Gain 2010 – Specification	2010
8.14(b)	Making space for nature: a review of England's wildlife sites (2010)	2010

8.15	The Natural England and Forestry Commission Standing Advice (Ancient woodland, ancient trees and veteran trees: advice for making planning decisions - GOV.UK (www.gov.uk))	
8.16	Department for Transport – Guidance on Transport Assessment	March 2007
8.17	Design Manual for Roads and Bridges – CD109 Highway Link Design	March 2020
8.18	Design Manual for Roads and Bridges – CD123 Geometric design of at-grade priority and signal controlled junctions	November 2021
8.19	GG101 – Introduction to the Design Manual for Roads and Bridges	September 2021
8.20	Design Manual for Roads and Bridges – TA 79/99 Traffic Capacity of Urban Roads	May 1999
8.21	Local Transport Note 1/20 – Cycle Infrastructure Design	July 2020
8.22	Building for Healthy Life – Homes England	June 2020
CD9	Adopted and Emerging Supplementary Planning and other Local Guidance	
9.1	Burnham Beeches Special Conservation Area Strategic Access Management and Monitoring Strategy (SAMMS) SPD	November 2020
9.2	Buckinghamshire Council's Biodiversity Net Gain Supplementary Planning Document	July 2022
9.3	South Bucks District Council Residential Design Guide SPD	October 2008
9.4	South Bucks District Council Beaconsfield Old Town Conservation Area Character Appraisal	April 2008
9.5	Affordable Housing SPD	July 2013
9.6	South Bucks District Landscape Character Assessment	October 2011
9.7	Chiltern District Council Sustainable Construction and Renewable Energy SPD	February 2015
9.8	Local Transport Plan: Buckinghamshire Local Transport Plan 4	April 2016
9.9	Wilton Park Development Brief SPD	March 2015
CD10	Withdrawn Local Plan and Supporting Evidence Base	
10.1	Chiltern and South Bucks Local Plan (Submission Version)	June 2019
10.2	Chiltern and South Bucks Local Plan - Proposed Changes to the Adopted Policies Maps	April 2019
10.3	Statement of Consultation Submission	September 2019
10.4	Chiltern and South Bucks Green Belt Assessment Part 1	March 2016
10.5	Green Belt Preferred Options Consultation Document	October 2016
10.6	Green Belt Development Options Appraisal	November 2017
10.7	Chiltern & South Bucks Stage 2 Green Belt Assessment, Strategic Role of the Metropolitan Green Belt in Chiltern & South Bucks	March 2018
10.8(a)	Buckinghamshire Green Belt Assessment Part 2 - Update Report	April 2019
10.8(b)	Buckinghamshire Green Belt Assessment Part 2 – Vol 1 – Recommended Areas	April 2019
10.8(c)	Buckinghamshire Green Belt Assessment Part 2 – Vol 2 - Reg 18 Built Area Extension Options	April 2019
10.8(d)	Buckinghamshire Green Belt Assessment Part 2 – Vol 3 – Employment Areas of Search	April 2019
10.9	Green Belt Exceptional Circumstances Report	May 2019
10.10	Sustainability Appraisal 2019	June 2019
10.11	Sustainability Appraisal 2019 Appendices	June 2019
10.12	Chiltern and South Bucks Housing and Economic Needs Assessment	April 2019
10.13	South Bucks District Landscape Character Assessment	October 2011
10.14(a)	Landscape Capacity Assessment for Green Belt Development Options in the emerging Chiltern and South Bucks Local Plan – Main Report	November 2017

10.14(b)	Landscape Capacity Assessment for Green Belt Development Options in the emerging Chiltern and South Bucks Local Plan – Section B Appendices	November 2017
10.14(c)	Landscape Capacity Assessment for Green Belt Development Options in the emerging Chiltern and South Bucks Local Plan – Site 9 Land east of Beaconsfield	November 2017
10.14(d)	Landscape Capacity Assessment for Green Belt Development Options in the emerging Chiltern and South Bucks Local Plan – Comments on responses from NE and AONB Board	November 2017
10.14(e)	Landscape Capacity Assessment for Green Belt Development Options in the emerging Chiltern and South Bucks Local Plan – Report amendments following responses from NE and AONB	November 2017
10.15	Chiltern and South Bucks Townscape Character Study	November 2017
CD11	Background Documents	
11.1	Chiltern and South Bucks Economic Development Strategy: Chiltern District Council & South Bucks District Council	January 2017
11.2	South Bucks District Council Housing and Economic Land Availability Assessment	January 2020
11.3	Eastern Relief Road - SBDC Planning Committee Report 16/02283/CC	January 2017
11.4	Eastern Relief Road - SBDC Planning Decision 16/02283/CC	27 January 2017
11.5	Eastern Relief Road – SBDC Planning Committee Report 17/00938/CC	July 2017
11.6	Eastern Relief Road – SBDC Planning Decision 17/00938/CC	12 July 2017
11.7	Annual Monitoring Report 2020/21	July 2022
11.8	Strategic Housing Market Assessment	July 2008
11.9	Chiltern and South Bucks Five Year Housing Land Supply Position Statement	April 2022
11.10	Chiltern and South Bucks Five Year Housing Land Supply Position Statement – Appendix 1 South Bucks Category A sites	April 2022
11.11	Guidelines for Landscape and Visual Impact Assessment, Landscape Institute and Institute of Environmental Management and Assessment, 3rd Edition	April 2013
11.12	Natural England Landscape Character Area Profiles	September 2014
11.13	Experian MMG3 Data	2020
11.14	Full Council Report to South Bucks District Council recommending that the Chiltern and South Bucks Local Plan 2036 be withdrawn	October 2020
11.15	Chiltern and South Bucks Community Infrastructure Levy (CIL) Charging Schedule	2020
11.16	The Chilterns AONB Management Plan 2019 – 2024: Caring for the Chilterns forever and for everyone	2019
11.17	Wilton Park Design Code, Adam Urbanism	September 2017
11.18	Land east and south of Beaconsfield Concept Masterplan, Thrive	January 2020
11.19	Bioregional One Plan Living Framework – A Manual	April 2018
11.20	State of Nature Report	2019
11.21	The Chiltern and South Bucks Town Centre Retail and Leisure Study	July 2017
11.22	Chiltern Conservation Board – Position Statement: Development affecting the setting of the Chilterns AONB (Rev 1)	June 2011
CD12	Statements of Common Ground	
12.1	LPA and Appellant Planning SoCG V8	21 July 2022
12.2	Rule 6 Party and Appellant SoCG	21 September 2022
12.3	Highways Statement of Common Ground	7 October 2022

12.4	Housing Statement of Common Ground	11 October 2022
12.5	LPA and Appellant Ecology Meeting Note	13 October
CD13	Case Management Documents (PINS)	
13.1	Inspector's Notes from CMC1	27 November 2022
13.2	Inspector's Notes from CMC2	6 September 2022
CD14	Relevant Appeal Decisions	
14.1	2197532 & 2197529 – Audlem Road, Nantwich appeal decision	15 July 2020
14.2	3227970 – Cox Green Road, Surrey appeal decision	16 September 2019
14.3	3284485 – Station Road, Stallbridge, N. Dorset appeal decision	20 June 2022
14.4	3270721 – Westhampnett / North East Strategic Development Location, North of Madgwick Lane, Chichester appeal decision	27 May 2022
14.5	3194926 – Woolpit appeal decision	28 September 2018
14.6	3169314 – Woburn Sands, Milton Keynes appeal decision	25 June 2020
14.7	2212671 – Darnhall School Lane appeal decision	4 November 2019
14.8	3180729 – Gleneagles Way, Hatfield Peveril appeal decision	8 July 2019
14.9	3216104 – Popes Lane, Sturry appeal decision	3 September 2019
14.10	3238460 – Great Torrington appeal decision	18 March 2020
14.11	3265861 – Sonning Common appeal decision	25 June 2021
14.12	3256877 – Winterfield Lane, East Malling appeal decision	22 March 2021
14.13	3292721 – Land off Spruce Close, Exeter appeal decision	25 August 2022
14.14	3286315 – Land to the West of Church Road, West Wittering appeal decision	22 April 2022
14.15	3265926 – Roundhouse Farm, Land Off Bullens Green Lane, Colney Heath appeal decision	14 June 2021
14.16	3280395 – Land between Haverhill Road and Hinton Way, Stapleford, Cambridge appeal decision	29 December 2021
14.17	3290072 – Former Mollington Golf Course, Mollington appeal decision	12 July 2022
14.18	3273701 – Land south of Heath Lane, Codicote appeal decision	28 September 2021
14.19	3272399 – Land at Leigh Road, Wimborne appeal decision	11 March 2022
CD15	Relevant Secretary of State Decisions	
15.1		
CD16	Relevant Judgements	
16.1	Suffolk Coastal v Hopkins Homes [2017] UKSC 37	10 May 2017
16.2	Peel Investments v Secretary of State for Housing, Communities & Local Government [2020] EWCA Civ 1175	3 September 2020
16.3	Keep Bourne End Green v Buckinghamshire Council and DCLG [2020] EWHC	23 July 2020