

CHESHAM NEIGHBOURHOOD PLAN

BASIC CONDITIONS STATEMENT

JUNE 2024

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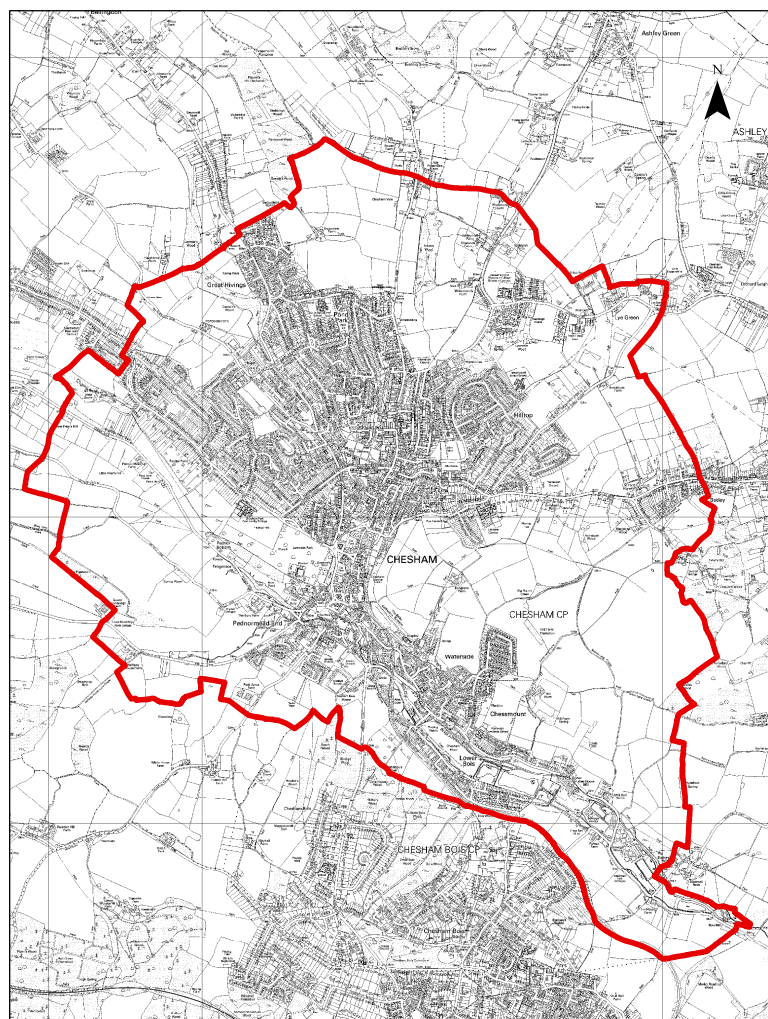
1.INTRODUCTION

The Neighbourhood Plan

1.1 This Statement has been prepared by ONH on behalf of Chesham Town Council (“the Town Council”) to accompany its submission of the Chesham Neighbourhood Plan (“the Neighbourhood Plan”) to the local planning authority (“the LPA”), Buckinghamshire Council, under Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 (“the Regulations”).

1.2 The Neighbourhood Plan has been prepared by the Town Council, the ‘Qualifying Body’, for the Neighbourhood Area (“the Area”), which coincides with the boundary of the Parish of Chesham shown on Plan A below. The former LPA, Chiltern District Council, designated the Area on 14 January 2020.

1.3 ONH has provided the professional planning advice and support to the Town Council throughout the project, with additional technical support from AECOM (via the Neighbourhood Plan Support Programme) and help from officers of the LPA.



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Scale: 1:25,000

Plan A: Chesham Designated Neighbourhood Area

1.4 The Neighbourhood Plan contains 14 land use policies, which are defined on the Policies Map where they apply to a specific part of the Area. The policies described in the Neighbourhood Plan relate to the development and use of land in the designated Area. They do not relate to 'excluded development', as defined by the Regulations. The plan period of the Neighbourhood Plan is from 1 April 2024 to 31 March 2042.

1.5 The Plan has deliberately avoided containing policies that duplicate saved or forthcoming development plan policies or national policies that are already or will be used to determine planning applications. The policies are therefore a combination of site-specific allocations or other proposals and of development management matters that seek to refine and/or update existing policies.

The Basic Conditions

1.6 The statement addresses each of the four 'Basic Conditions', which are relevant to this plan, required of the Regulations and explains how the submitted Neighbourhood Plan meets the requirements of paragraph 8 of Schedule 4B to the 1990 Town & Country Planning Act.

1.7 The Regulations state that a Neighbourhood Plan will be considered to have met the Conditions if:

- A. Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the Neighbourhood Development Plan;
- D. The making of the Neighbourhood Development Plan contributes to the achievement of sustainable development;
- E. The making of the Neighbourhood Development Plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area); and
- F. The making of the Neighbourhood Development Plan does not breach, and is otherwise compatible with EU obligations.

1.8 It is noted that the Levelling Up & Regeneration Act 2023 has made provision for Condition A to be amended by replacing the current requirement with a narrower condition in respect of not undermining the housing site allocation provisions in an adopted Local Plan. However, at the time of the expected examination of the Neighbourhood Plan, the regulations enabling that part of the Act have not been made.

2.BACKGROUND

2.1 The decision to proceed with a Neighbourhood Plan was made by the Town Council in December 2019. The key driver of this decision was its concern that the emerging South Bucks & Chiltern Local Plan was making proposals to release a significant area of Green Belt land northeast of the town for a strategic housing development. It considered the proposals unsound as it did not consider the LPA had properly assessed the potential for local housing needs to be met from the redevelopment of brownfield land in the town. It wanted to demonstrate that potential, and the support of the local community for that alternative approach, by using a neighbourhood plan. However, the Local Plan was withdrawn from its examination in 2021 and no new draft Local Plan has emerged since (as explained further below).

2.2 A Neighbourhood Plan Working Group (NPWG) was formed as a dedicated committee of the Town Council with delegated authority to make day-to-day decisions on the preparation of the Neighbourhood Plan. The Town Council itself approved the publication of the Pre-Submission plan in September 2023 and the Submission Plan in July 2024.

2.3 The Town Council has consulted the local community extensively over the duration of the project. It has also worked with officers of the LPA since the start of the project to collate and examine the evidence base, to design and iterate policy proposals and to define the proper relationship between the Neighbourhood Plan and the adopted Chiltern Core Strategy of 2011 and Chiltern Local Plan of 1997.

3. CONDITION (A): REGARD TO NATIONAL PLANNING POLICY

3.1 The Neighbourhood Plan has been prepared with full regard to national policies as set out in the National Planning Policy Framework (NPPF) and is mindful of the Planning Practice Guidance (PPG) in respect of formulating Neighbourhood Plans. In overall terms, there are four NPPF paragraphs that provide general guidance on neighbourhood planning, to which the Neighbourhood Plan has directly responded:

General Paragraphs

3.2 The Town Council believes the Neighbourhood Plan “support(s) the delivery of strategic policies contained in local plans ... and ... shape(s) and direct(s) development that is outside of these strategic policies” (§13). It considers the Neighbourhood Plan contains only non-strategic policy proposals or proposals that refine strategic policy to fit the circumstances of the Area without undermining the purpose and intent of those strategic policies (§18). It considers that the Neighbourhood Plan sets out more “detailed policies for specific areas” including “establishing design principles, conserving and enhancing the natural and historic environment and setting out other development management policies” (§28).

3.3 The Town Council considers that its Neighbourhood Plan has provided its community with the power to develop a shared vision for the Area that will shape, direct and help to deliver sustainable development by influencing local planning decisions as part of the statutory development plan. The Neighbourhood Plan contains a site allocation policy but the NPPF provisions of planning to meet local housing needs as per §68 have not been relevant to this Neighbourhood Plan. This is because the town is inset from the Green Belt, which is covered by NPPF (§144 etc) and strategic policies that prevent neighbourhood plans from allocating land to meet housing needs in the Green Belt. In any event, the LPA remains at too early a stage in the preparation of its new Local Plan and has been unwilling to provide any neighbourhood plan makers in the county with an indicative housing figure since becoming a unitary authority.

3.4 The Plan is underpinned by relevant and up-to-date evidence. This is considered to be adequate and proportionate, focused tightly on supporting and justifying the policies concerned (§31).

Specific Paragraphs

3.5 Each policy engages one or more specific paragraphs of the NPPF. Those that are considered to be of the most relevance and substance are identified in Table A below.

Table A: Neighbourhood Plan & NPPF Conformity Summary		
Policy No.	Policy Title	Commentary
CHESH1	Brownfield Sites	<p>The policy promotes an effective and efficient use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions (§123). Substantial weight has been given to the value of using suitable brownfield land within the town for homes and other identified needs, and to remediate despoiled, degraded, derelict, contaminated or unstable land (§124). It promotes and supports the development of under-utilised land and buildings, especially as this will help to meet housing need where land supply is constrained by the Green Belt and National Landscape and available sites could be used more effectively (§124).</p> <p>The Town Council has taken a proactive role in identifying and helping to bring forward land that may be suitable for meeting development needs using the full range of powers available to them, i.e. the Neighbourhood Plan, the Chesham Design Code and (formerly) a series of Neighbourhood Development Orders. They are intended to facilitate land assembly as this may help to bring more land forward for meeting development needs and secure better development outcomes with the support of the Design Code and its Site Masterplans. These masterplans establish the key principles of site layout, building typology and uses but provide a range of development quantum to provide some flexibility for developers. The minimum and maximum quantum also define what may otherwise be regarded as an inefficient use of the land or over-development respectively. Although the Habitats Regulations have prevented the Orders being submitted, the policy continues to help de-risk these sites to encourage planning applications to come forward once the Habitats Regulations position has stabilised (§125).</p>

		<p>The policy takes a positive approach for alternative uses of land which is currently developed and has been allocated in the out of date Local Plan for employment use, as this will help to meet identified development needs. In particular, it reflects changes in the demand for land and considers the reallocation of the land for a more deliverable use will help to address identified needs (§126). It therefore supports proposals to reuse employment land for homes in this area of high housing demand, but the sites are not considered to be of a cumulative scale or in locations that would undermine the local economy (§127). Policy CHESH2 ensures that those sectors and the most important employment land are given full protection.</p> <p>The Town Council knows that the emerging Local Plan must give first consideration to land which has been previously-developed and/or is well-served by public transport before it can conclude that it is necessary to release Green Belt land for development (§147). This policy provides a clear indication that brownfield land will become available in the plan period.</p> <p>The sites are not in areas at risk of fluvial flooding but include some land that is at risk of surface water flooding. Those areas have been minimised by the definition of some site boundaries but cannot be avoided entirely. However, as explained in the appendix, the sites currently contribute individually and collectively to the surface water flooding risk by way of their almost complete site coverage with buildings and hardstanding and poor site drainage. Their redevelopment will enable the use of sustainable drainage systems and new green infrastructure, per the Design Code and Urban Greening Factor (Policy CHESH10). (§165)</p> <p>The policy should improve compliance with relevant limit values or national objectives for pollutants, taking into account the nearby presence of the Broad Street Air Quality Management Area. There will be cumulative and significant beneficial impacts arising from the cluster of individual sites by removing HGV and decreasing other traffic movements with their change of use, as well as their green infrastructure provision and enhancement (§192).</p>
CHESH2	Economic Growth Locations	<p>The policy places significant weight on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development (§85). The sites and locations are large, well established centres of employment serving the town and are the best served by the strategic highway network.</p>

CHESH3	Town Centre	The policy is intended to support the role that the town centre is envisaged to play at the heart of Chesham by the new Chesham Regeneration Strategy and adopts its positive approach to growth, management and adaptation (§90).
CHESH4	Convenience Shops & Local Services	<p>The policy aims to achieve healthy, inclusive and safe places which promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other in strong neighbourhood centres (§96).</p> <p>It encourages the provision of social, recreational and cultural facilities and services the community needs and guards against the unnecessary loss of valued facilities and services, particularly as this would reduce the community’s ability to meet its day-to-day needs. It should also ensure that established shops, facilities and services are able to develop and modernise, and are retained for the benefit of the community (§97).</p>
CHESH5	Chesham Design Code	<p>The policy, code and site masterplans play an important role in identifying the special qualities of each area of the older town and explaining how this should be reflected in development (§132). The Code and its Site Masterplans support development that makes efficient use of land, taking into account: a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it; b) local market conditions and viability; c) the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use; d) the community’s desire to maintain the town’s prevailing character and industrial heritage in promoting regeneration and change; and e) the importance of securing well-designed and beautiful, attractive and healthy places (§128).</p> <p>The policy (design code and masterplans) will be used to help ensure that land is used efficiently while also creating beautiful and sustainable places. With Green Belt and National Landscape constraints there is an anticipated shortage of land for meeting identified housing needs, so it has been especially important for the code to promote homes being built at higher densities, and to ensure that developments make optimal use of the potential of each site (§129).</p>

		<p>As the older parts of the town to which the code applies already have higher than average densities of development, the policy has not needed to provide for significant uplifts in the average density of residential development and so the resulting built form will remain generally in character with the existing area (§130).</p> <p>The code sets out a clear design vision and expectations, so that applicants have as much certainty as possible about what is likely to be acceptable. It has been developed with the local community so it reflects local aspirations and is grounded in an understanding and evaluation of the defining characteristics of that part of the town and the specific CHESH1 sites (§132).</p>
CHESH6	Design Character Areas	<p>The policy sets out a clear design vision and expectations for those parts of the town beyond its older and industrial core, so that applicants have as much certainty as possible about what is likely to be acceptable. It has been developed with the local community so it reflects local aspirations, and is grounded in an understanding and evaluation of the defining characteristics of the Conservation Area and of the other defined character areas of the town (§132).</p>
CHESH7	Local Heritage Assets	<p>The policy is positive in seeking the conservation and enjoyment of the historic environment of Chesham. It has taken into account: a) the desirability of sustaining and enhancing the significance of local heritage assets; b) the wider social, cultural, economic and environmental benefits that conservation of the those assets can bring; c) the desirability of new development making a positive contribution to local character and distinctiveness; and d) opportunities to draw on the contribution made by the historic environment to the character of a place (§196). The policy and descriptions of each asset should enable the effect of an application on its significance to be taken into account in determining the application (§209).</p>
CHESH8	Chesham Green Infrastructure Network	<p>The policy will contribute to and enhance the natural and local environment of the town and surrounding countryside by identifying, mapping and safeguarding components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity and wildlife corridors and and stepping stones that connect them (§185).</p>

CHESH9	Local Green Spaces	The policy designates green spaces that are a) in reasonably close proximity to the community they serve; b) demonstrably special to a local community and hold a particular local significance; and are c) local in character and not extensive tracts of land (§106).
CHESH10	Urban Greening	The policy requires new development to be planned for in ways that avoid increased vulnerability to the range of impacts arising from climate change. When new development is brought forward in an urban area like Chesham which may become more vulnerable, it seeks to ensure that risks can be managed through suitable adaptation measures, including through the planning of green infrastructure (§159).
CHESH11	Affordable Housing	The policy seeks to establish the need, the size, type and tenure of housing needed for different groups in the community following an assessment for the project (§63).
CHESH12	Flood Risk & Mains Sewage	Given the flood risk problems of the town, the policy restates national policy relating to flood risk (§165 etc) but also highlights the importance of planning for related flood and water management and green infrastructure without undermining the deliverability of the plan (§34).
CHESH13	Residential Parking Standard	The policy sets a local parking standard for residential development that takes into account the accessibility of the development; the type of development; and the availability of public transport (§111). The approach has enabled the Design Code and specific site masterplans to promote building typologies at site densities that will enable viable brownfield redevelopment with designs that are popular with the local community and developers (§128 & §129).
CHESH14	Chiltern Beechwoods SAC	The policy ensures that if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused (§186).

4. CONDITION (D): CONTRIBUTING TO ACHIEVING SUSTAINABLE DEVELOPMENT

4.1 It was agreed with Buckinghamshire Council that a Strategic Environmental Assessment (SEA) would be necessary in accordance with the Environmental Assessment of Plans & Programmes Regulations 2004 (as amended). It has therefore followed the statutory SEA process with the scope of the environmental report akin to that of a Sustainability Appraisal.

4.2 The SEA assesses how the Neighbourhood Plan the policies will contribute to the achievement of sustainable development. The final report, which is published separately, concludes:

“Whilst the assessment in 2023 raised a number of concerns with the brownfield first strategy at the time, including because of delivery risks, the new proposed strategy performs better, including because the intention is only to signal support for residential-led development of the CHESH1 sites, as opposed to presenting them as formal allocations. This means there will be flexibility to plan to meet housing needs and wider objectives for Chesham through the Buckinghamshire Local Plan.

The main potential tension with sustainability objectives is around the proposal to promote the redevelopment and change of use of some existing employment land. However, the strategy has a clear rationale, including accounting for the economic / employment value of the sites, and given the potential for businesses to relocate to identified economic growth locations (CHESH2). Also, it could well be that the sites remain in employment use the shorter term.

There are also some modest tensions with flood risk and historic environment objectives (the Environment Agency and Historic England may comment further).

Other proposed policies in the plan are all broadly supported, and their effect in combination with the proposed spatial strategy (CHESH1 and CHESH2) is such that it is possible for the assessment to conclude limited or uncertain positive effects under several of the SEA framework topic headings.”

5. CONDITION (E): GENERAL CONFORMITY WITH THE STRATEGIC POLICIES OF THE DEVELOPMENT PLAN

5.1 The Neighbourhood Plan has been prepared to ensure its general conformity with the strategic policies of the adopted development plan for the Parish, that is the Chiltern Core Strategy of 2011 and Chiltern Local Plan of 1997. In general it is considered that all of the policies of the former, and some of the policies of the latter, are of a strategic nature (as per Planning Practice Guidance (§41-076), but given their age, neither document made this explicit for the purpose of neighbourhood planning.

5.2 In accordance with Planning Practice Guidance (§ 41-009), this Statement does not seek to demonstrate general conformity with the policies of any emerging Buckinghamshire Local Plan. Unfortunately, that plan has not made sufficient progress since the withdrawal of the proposed Chiltern & South Bucks Local Plan for any evidence or reasoning to inform the Neighbourhood Plan. The Town Council therefore hopes that the Neighbourhood Plan will assist Buckinghamshire Council in planning for this part of its area in due course, in a way that does not undermine its vision and objectives for securing the long-term success of the Neighbourhood Plan. In that respect it is not anticipated that the new Local Plan will change how Chesham is defined as one of the county's largest and most important towns in its settlement hierarchy.

5.3 An assessment of the general conformity of each policy is contained in Table B below. Policies of the Chiltern Core Strategy of 2011 are coded CSx; the remaining references are to those of the Chiltern Local Plan of 1997.

Table B: Neighbourhood Plan & Development Plan Conformity Summary

No.	Policy Title & Refs	Commentary
CHESH1	Brownfield Sites	<ul style="list-style-type: none"> • CS1 ... by focusing new development between 2006 and 2026 on land within existing built-up areas of the most accessible of these settlements including Chesham • CS4 ... the sites are easily accessible by public transport, walking and cycling and which reduce reliance on the car; maximise use of previously developed land; achieve higher densities in accessible locations; make the best use of existing transport infrastructure and services; create safer access for all types of transport and pedestrians; reduce noise pollution in the local area; reduce impacts on the designated Broad Street Air Quality Management Areas (AQMA); improve surface water drainage impacts and the risk of flooding within the site and to adjoining land/ properties; and protect and enhance the historic and cultural heritage of the District including significant assets of the historic environment • Modifying CS16 (and E2 and E3) to de-designate sites currently covered by Policies E2 and E3, which are derived from economic policy of the 1990s and now out of date, and accepting that the loss of those employment sites as a result of redevelopment for residential use will be acceptable given there is no reasonable prospect of some of the sites being used for employment purposes or where they are creating significant amenity issues or highway problems. • CS26 ... by promoting new housing sites that: <ul style="list-style-type: none"> ○ are safe, convenient and attractive access on foot and by cycle, making suitable connections with existing footways, public footpaths, bridleways, restricted byways and cycle ways, local facilities and public transport so as to maximise opportunities to use these modes; ○ Integrate with local public transport services; ○ Are appropriately located to the road network and provide satisfactory vehicular access(es) to and from the location so that the convenience, safety, and free flow of traffic using public highways (including pedestrians, riders and cyclists) are not adversely affected ○ Ensure that all vehicular traffic generated by future intensification of employment uses does not materially increase traffic problems, for example, congestion and local air quality, taking account of off-site improvements or contributions towards them which may be secured.

		<ul style="list-style-type: none"> • GC1 ... by being able to be developed to a high standard, including both the appearance of the development and its relationship to its surroundings, in accordance with the respective site masterplans of the Design Code. • GC9 ... by positively supporting proposals for the alleviation of pollution.
CHESH2	Economic Growth Locations	<ul style="list-style-type: none"> • CS3 ... by reinforcing the focus of new commercial development, including additional employment floorspace (primarily on existing employment sites) on Chesham as one of the four main centres for growth in this part of the county. • CS16 ... by aiming to secure the long-term retention of a portfolio of employment sites and premises within the town which are attractive to the market and which will provide a range of jobs to meet local needs and by retaining the designation, role and boundaries of the sites currently covered by Policies E2 and E3 in the Adopted Chiltern District Local Plan to achieve a balanced portfolio of fit for purpose sites attractive to the market. • CS26 ... by retaining major employment sites that: <ul style="list-style-type: none"> ○ are safe, convenient and attractive access on foot and by cycle, making suitable connections with existing footways, public footpaths, bridleways, restricted byways and cycle ways, local facilities and public transport so as to maximise opportunities to use these modes; ○ Integrate with local public transport services; ○ Are appropriately located to the road network and provide satisfactory vehicular access(es) to and from the location so that the convenience, safety, and free flow of traffic using public highways (including pedestrians, riders and cyclists) are not adversely affected ○ Ensure that all vehicular traffic generated by future intensification of employment uses does not materially increase traffic problems, for example, congestion and local air quality, taking account of off-site improvements or contributions towards them which may be secured. • GC1 ... by being able to be developed to a high standard, including both the appearance of the development and its relationship to its surroundings. • LB1& NC3 (in respect of the Weirhouse Mill site on Latimer Road) ... by being capable in principle of accommodating replacement and new employment uses that will preserve the character and appearance of buildings of special architectural or historic interest and will not prejudice the reservation of the land as a Local Nature Reserve.

CHESH3	Town Centre	<ul style="list-style-type: none"> • CS18 (and S2) ... by promoting and supporting development for new retail, leisure, entertainment, arts, cultural facilities and tourist attractions within the Chesham 'District Shopping Centre' as long as it enhances or maintains the range and quality of local facilities and adds to the vitality and viability of the town centre.
CHESH4	Convenience Shops & Local Services	<ul style="list-style-type: none"> • CS26 ... by providing safe, convenient and attractive access on foot and by cycle to local shops and services so as to maximise opportunities to use these modes. • CS28 ... by aiming to prevent the loss of existing public leisure and recreational facilities within the town. • CS29 ... by ensuring inclusiveness within the town's communities, only permitting the loss of community facilities in exceptional circumstances and encouraging the provision of community facilities in areas of the town out of reach of the town centre other than by car. • S13 & S14 ... by new small scale retail shopping developments in locations that can reduce the need to travel by car and that will not harm the vitality or viability of the town centre.
CHESH5	Chesham Design Code	<ul style="list-style-type: none"> • CS4 ... by protecting and enhancing the historic and cultural heritage of the town including assets of the historic environment such as historic buildings. • CS20 ... by requiring that new development within the town is of a high standard of design which reflects and respects the character of the surrounding area and those features which contribute to local distinctiveness. • CS21 ... by identifying within the town the design character areas where change will be more tightly controlled, especially those areas that have an established character and often a spacious layout with established planting forming a green appearance to the street scene. • CS26 ... by requiring development proposals to: <ul style="list-style-type: none"> ○ Provide safe, convenient and attractive access on foot and by cycle, making suitable connections a. with existing footways, public footpaths, bridleways, restricted byways and cycle ways, local facilities and public transport so as to maximise opportunities to use these modes; ○ Ensure that the convenient use and enjoyment of existing public rights of way, such as footpaths and bridleways and restricted byways, are not affected by development; ○ Integrate with local public transport services and also where appropriate provide direct routes protected from traffic congestion, interchange, stops and waiting areas;

		<ul style="list-style-type: none"> ○ Be appropriately located to the road network and provide satisfactory vehicular access(es) to and from the area of development so that the convenience, safety, and free flow of traffic using public highways (including pedestrians, riders and cyclists) are not adversely affected; ○ Provide appropriate and effective vehicular and cycle parking and servicing arrangements; ○ Ensure that all vehicular traffic generated by future development does not materially increase traffic problems, for example, congestion and local air quality, taking account of off-site improvements or contributions towards them which may be secured; ○ Secure the preparation and implementation of measures which minimise and manage parking and travel demand, including as appropriate travel plans, parking management plans and car clubs. <ul style="list-style-type: none"> ● GC1 ... by giving an up to date expression of how the design of development in Chesham will be of a high standard, including both the appearance of the development and its relationship to its surroundings. ● H4, H7& H11 – H18 ... by updating and replacing housing design policies in that part of the town to which the Design Code applies.
CHESH6	Design Character Areas	<ul style="list-style-type: none"> ● CS4 (and LB1 and CA2) ... by protecting and enhancing the historic and cultural heritage of the town including assets of the historic environment such as historic buildings. ● CS20 ... by requiring that new development within the town is of a high standard of design which reflects and respects the character of the surrounding area and those features which contribute to local distinctiveness. ● CS21 ... by identifying within the town the design character areas where change will be more tightly controlled, especially those areas that have an established character and often a spacious layout with established planting forming a green appearance to the street scene. ● GC1 ... by giving an up to date expression of how the design of development in Chesham will be of a high standard, including both the appearance of the development and its relationship to its surroundings. ● H4 ... by maintain the special character of each area so that proposals for new dwellings do not significantly affect the density of buildings , where this is not justified by the Design Code, or damage their special character.

CHESH7	Local Heritage Assets	<ul style="list-style-type: none"> • CS4 ... by protecting and enhancing the historic and cultural heritage of the town including assets of the historic environment such as historic buildings. • CS20 ... by requiring that new development within the town is of a high standard of design which reflects and respects the character of the surrounding area and those features which contribute to local distinctiveness.
CHESH8	Chesham Green Infrastructure Network	<ul style="list-style-type: none"> • CS4 ... by protecting and enhancing significant assets designated landscapes, commons, ancient woodlands and hedgerows. • CS20 ... by requiring new development to be of a high standard of design which reflects and respects the character of the surrounding area and those features which contribute to local distinctiveness. • CS24 ... by conserving and enhancing biodiversity within the town especially legally protected species and all sites and networks of habitats of national, regional and local importance for wildlife so that where development proposals are permitted, provision will be made to safeguard and where possible enhance any ecological interest. • CS32 (and R7, R8, R10 & TW6) ... by identifying, protecting and enhancing strategic and local green infrastructure assets in the town by requiring that where green infrastructure is brought forward alongside new development, or where development is deemed to sever existing assets, opportunities will be sought to connect provision to surrounding green infrastructure.
CHESH9	Local Green Spaces	<ul style="list-style-type: none"> • CS28 ... by preventing the loss of existing public recreational facilities within the town. • CS32 (and R7 & R8) ... by identifying and protecting green infrastructure assets in the town.
CHESH10	Urban Greening	<ul style="list-style-type: none"> • CS4 ... by improving surface water drainage impacts and the inclusion of Sustainable Drainage Systems (SUDS) with the use of water-permeable treatments for hard surfaces, thus avoiding unnecessary soil compaction and paving over soil. • CS24 ... by conserving and enhancing biodiversity by aiming to create suitable semi-natural habitats and ecological networks to sustain wildlife. • CS32 (and TW6) ... by enhancing green infrastructure assets in the town
CHESH11	Affordable Housing	<ul style="list-style-type: none"> • Modifying CS8 to achieve a provision of affordable housing in new developments which contain 10 (no longer 15) dwellings or more of at least 40% of dwellings within the development (or 5 or more in the National Landscape as since provided for in the NPPF).

		<ul style="list-style-type: none"> • Modifying CS10 to seek a mix of 75% affordable and social rented and 25% First Homes (not shared ownership or other intermediate housing options) to take into account current national guidance and legislation and the local circumstances evidenced in the CNP Housing Needs Assessment.
CHESH12	Flood Risk & Mains Sewage	<ul style="list-style-type: none"> • CS4 ... by requiring an assessment of surface water drainage impacts and the inclusion of Sustainable Drainage Systems (SUDS) which consider all SUDS options and ground conditions. • CS26 ... by ensuring that developments will be served by adequate infrastructure capacity in terms of water supply, foul drainage, waste water and sewage treatment without leading to problems for existing users. • CS31 ... by requiring flood risk and sewage infrastructure to serve the requirements of Chesham's residents and businesses so that new development proposals benefit from adequate and available infrastructure capacity to meet the needs of future occupiers and not intensify existing deficiencies.
CHESH13	Residential Parking Standard	<ul style="list-style-type: none"> • CS26 (and TR11 & TR12) ... by securing the implementation of measures which minimise and manage parking and travel demand.
CHESH14	Chiltern Beechwoods SAC	<ul style="list-style-type: none"> • CS24 (and NC1) ... by conserving and enhancing the biodiversity of sites of habitats of international and importance for wildlife and by mitigating any adverse effect upon the biodiversity of the sites.

6. CONDITION (F): COMPATABILITY WITH EU-DERIVED OBLIGATIONS

6.1 As noted in Section 4, a Strategic Environmental Assessment (SEA) of the Neighbourhood Plan has been carried out by specialist consultants, AECOM, in accordance with Regulation 9 of the Environmental Assessments of Plans and Programmes Regulations 2004 (as amended). The SEA was scoped following consultation with statutory bodies and a draft report was published alongside the draft Neighbourhood plan at the Regulation 14 stage, again per as per those Regulations. A copy of the final report is published separately.

6.2 Buckinghamshire Council has carried out an Appropriate Assessment of the Neighbourhood Plan in accordance with the habitats (HRA) provisions of EU Directive 92/43/EEC (and the associated Conservation of Natural Habitats and Wild Flora and Conservation of Habitats and Species Regulations 2017 (as amended)). The Town Council commissioned AECOM to provide the Council with all the necessary information it required for the purposes of determining its Appropriate Assessment. The Assessment concludes that the making of the Neighbourhood Plan is not likely to have a significant effect on a European site (as defined in the 2017 Regulations) either alone or in combination with other plans or projects. A copy of the final HRA report is published separately.

6.3 The Town Council has been mindful of the fundamental rights and freedoms guaranteed under the European Convention on Human Rights in process of preparing the Neighbourhood Plan and considers that it complies with the Human Rights Act. The Neighbourhood Plan has been subject to extensive engagement with those people local to the area who could be affected by its policies and their views have been taken into account in finalising the Plan.

6.4 In respect of Directive 2008/98/EC – the Waste Framework Directive – the Neighbourhood Plan does not include any policies in relation to the management of waste, nor does the area include a waste management site. On that basis, this Directive is not considered relevant to the Neighbourhood Plan and therefore could not be breached.

6.5 In respect of Directive 2008/50/EC – the Air Quality Directive – the Neighbourhood Plan includes some policies intended to improve air quality in parts of the town. These policies are tested in accordance with national policy and guidance relevant to their content. The policies are not considered to breach the requirements of the Air Quality Directive as they do not negate from the framework for measurement and improvement of air quality set in the Directive.

7. SUMMARY

7.1 In Section 3 it is considered that each of the policies have had full regard to national policy, with only Policy CHESH1 requiring some degree of judging a trade-off between national policies promoting housing growth and the reuse of brownfield land on the one hand, with promoting economic development on the other. The Town Council has sought to strike the right balance between them by compensating for any residual adverse economic effect of the loss of some employment land with its encouragement of economic growth in policies CHESH2 and CHESH3. As a result, the Neighbourhood Plan, as a whole, meets Condition (a).

7.2 In Section 4 the outcome of the SEA is that each of the policies either contributes to the achievement of sustainable development or is neutral in its impact on one of more of the three sustainability themes. Where the SEA considers that a policy has the potential to have a minor or moderate adverse effect, there are mitigation measures in place and the SEA explains how the nature and scale of that effect are outweighed by other positive effects, either of the policy itself or of other policy(s).] As a result, the Neighbourhood Plan, as a whole, meets Condition (d).

7.3 In Section 5 it is considered that all the policies are in general conformity with the strategic policies of the adopted development plan, with only policies CHESH1 and CHESH2 having to update the employment designations of the Local Plan derived from the 1990s. As a result, the Neighbourhood Plan, as a whole, meets Condition (e).

7.4 In Section 6 it is considered the making of the Neighbourhood Plan accords with all EU-derived environmental and other obligations. As a result, the Neighbourhood Plan, as a whole, meets Condition (e).