

This month we introduce a new Focus feature to examine planning and environmental issues in greater depth.

Focus: The Bucks Planning Crisis

Plan withdrawn. A lack of five year land supply has hit many districts around the country, undermining local planning and leading to unplanned speculative developments being approved by the planning inspectorate under the presumption in favour of sustainable development. Now it is the turn of Aylesbury Vale to be in the face of a planning storm. After a planning inspector said the number of homes anticipated by the Vale of Aylesbury Plan was too low, and the council had failed in its duty to cooperate, the plan has been withdrawn. Councillors are suggesting that the number of homes planned will have to rise substantially [LG](#) [BJ](#) [BJ](#). An Aylesbury Vale council paper sets out the four year saga [LG](#). A briefing by DLP Planning Consultants, which represented at the inquiry, notes that in terms of calculation of the need for housing: “General concerns regarding environmental or infrastructure capacity should not be taken into consideration... and are not reasons to reduce the housing requirement” [CS](#).

The presumption. The council will need to revise its plan at a time when it is axing 13 posts from its planning department [BJ](#). Until it gets a new plan in place, it will be prone to unplanned developments approved under the National Planning Policy Framework’s presumption in favour of sustainable development – a rule that promotes housing development above local planning.

Aylesbury greenfield threatened. A public inquiry into three housing schemes totalling 3,000 homes at Hampden Fields, Fleet Marston and Weedon Hill on the outskirts of Aylesbury finished in December. These schemes have been strongly opposed, but could now be approved under the presumption in favour of sustainable development, even though they conflict with the draft Vale of Aylesbury Plan.

Winslow planning undermined. Eyes will also turn to Winslow, a small town of 10,000 people on the new East West Rail line, between Aylesbury and Buckingham. Aylesbury Vale’s planning committee recently [approved 250 homes](#) on land adjacent to Furze Lane, Winslow, a development in line with the emerging Winslow neighbourhood plan. The same committee threw out a bid by Gladman developments to build 200 houses outside the planned area [BJ](#). Gladman, which wants substantially increase the size of Winslow, has had a number of applications rejected in the past year. It can now be expected to appeal to the planning inspectorate.

Neighbourhood plans threatened. Winslow is well advanced with its neighbourhood plan. The draft plan was to be examined on 14 February [BJ](#). The examination has been indefinitely delayed after Gladman lodged a legal objection [P](#). The developer is citing the [on-going legal action](#) over the Tattenhall neighbourhood plan as grounds for the delay and the examiner has agreed. More details are on the new CPRE Buckinghamshire blog [RE](#). The Winsford neighbourhood plan in Cheshire has also tripped at the same fence [P](#). These plans are set to become test cases on whether a neighbourhood plan can proceed in the absence of an up-to-date local plan and a substantial fall in housing land supply as demanded by the NPPF.

Focus: Sussex Neighbourhood Plan Fails

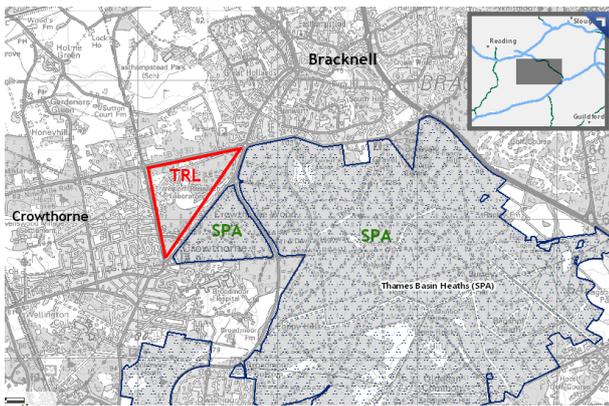
Rejection. An examiner has ruled that Slaugham neighbourhood plan in Mid Sussex should not proceed to a local referendum [P](#) [LG](#). Ann Skippers said she is not happy with the strategic environment assessment – an EU requirement. She also threw out Community Right to Build Orders for a housing site, a community centre and a bowling green. She argued that the housing target in the plan “is not based on sufficiently robust evidence.” Three sites, all within the High Weald AONB, are “not necessarily deliverable and have not been sufficiently justified given the great weight the NPPF attaches to the protection of landscape and scenic beauty.”

Policies deleted. Several policies were rejected by the examiner. The planned Pottage Village Green is ruled “not deliverable”. A Local Green Space at Handcross is rejected because it is not “demonstrably special” as required by the NPPF and is intended to block development.

Local plan. In a point worth noting, the examiner said: “There is nothing in the legislation to support the contention that a neighbourhood plan should ‘wait’ for a district level plan or to prevent a neighbourhood plan being developed before or whilst such a local plan is being produced.” Her argument is that a neighbourhood plan can be adopted even when the local plan is out-of-date. The Winslow and Tattenhall cases (see above) will test this reasoning in the courts. And her comments that housing targets need “robust evidence” creates a formidable challenge for neighbourhood plans being produced where the local plan is out-of-date.

South East: Planning

Crowthorne approved. Bracknell Forest council has given outline planning permission for redevelopment of the site of the former Transport Research Laboratory at Crowthorne, near Bracknell. It is one of the largest developments to be approved immediately adjacent to the Thames Basin Heaths special protection area (SPA). A previous application was thrown out by the secretary of state because of its likely impact on the SPA. The council agreed to 1,000 homes, a care home, school and community centre and over 100 acres of public space. It said the development would “not adversely affect the integrity of the Thames Basin Heaths SPA.” Planning conditions include provision of an on-site Suitable Alternative Natural Greenspace (SANG) and finance towards managing and monitoring the SPA [Gr](#) [P](#). Protect Old Wokingham Without Woodland Residents, accused the council of showing a “complete lack of leadership” [Gr](#).



TRL and the SPA

Boles condemns Port Meadow. Planning minister Nick Boles condemned the ugly Castle Mill student accommodation as: “One of the worst examples of modern design I have seen as planning minister and one of the one of the worst examples of the planning process I have ever encountered. The City Council and University owe local people an apology.” Oxford city council leader Bob Price responded: “It is difficult to see precisely what [is] getting people so exercised” [RE](#) [f](#) [BBC](#) [OT](#). After the row over Port Meadow, developers are planning to lower the height of the new Westgate Centre in Oxford and the city council is to experiment with Swiss style bauprofile posts to indicate the height of proposed developments [OM](#) [g](#) [P](#) [LG](#).



Mayfield. Promoters of the 10,000 home new town in Sussex have stepped up their campaign. They claim the town will help meet Brighton and Hove’s unmet housing needs and help boost the city’s digital economy [TA](#). Rail experts said there is no capacity on the London to Brighton line for the Mayfield residents that would commute to London. Mayfield New Towns agreed and said it was concentrating on providing local jobs [WST](#). Teenagers took their protest against the town to No 10 [MST](#).

Surrey local plan “sound”. The Reigate & Banstead core strategy to 2027 has been judged sound by a planning inspector – providing it is modified to include housebuilding in the green belt [LG](#) [LG](#) [P](#). The council must also clarify its approach to protecting Areas of Great Landscape Value and identify search areas for two urban extensions and a third area for small scale extension. The urban extensions are likely to be east of Redhill/Merstham and south/south-west of Reigate. The inspector says “The planning merits of the [extensions] have been thoroughly explored at this examination and found, in principle, to outweigh the loss of green belt and the impacts on the local area and its communities.” He supports the council’s decision to limit expansion of Horley to 200 homes but leaves open the question whether large scale development could take place east of the Salfords.

Hampshire. Landscape architect Dee Haas is the new chair of CPRE Hampshire [L](#) [RE](#). The Solent local enterprise partnership published its plans for economic growth in the area [L](#).

Berkshire. The Royal Borough of Windsor and Maidenhead has issued for consultation the preferred options for its local plan. Closes 7 March [LG](#). The councillor in charge said that green belt status could not be a barrier to housing development [L](#). Residents in West Windsor and Oakley Green are opposing plans to withdraw land from the green belt [L](#). The Royal Borough has appointed a councillor as a heritage champion to ensure the area’s history plays a central role in council policies [L](#). Reading councillors supported a third bridge across the Thames to alleviate congestion at Sonning Bridge [Gr](#). Plans for redevelopment of a major part of Woking town centre have been submitted [LG](#).

Kent. Councillors refused to approve three separate applications for 880 new homes off Sutton Road, Maidstone because of the lack of a bus lane [KO](#). A planning inspector allowed four planning appeals in Swanley, Sevenoaks [C](#) (see page 3).

Oxfordshire. Nick Clegg confirmed Oxford’s City Deal, which will introduce a high frequency transit scheme along the knowledge spine; road improvements; 7,000 homes and controversial developments in the Northern Gateway [LG](#) [C](#) [S](#). CPRE’s Arnold Grayson said Culham Science Centre could turn into a “bog standard business park” after an expansion plan in the green belt was approved with relaxed tenancy conditions [OM](#). East West Rail is set to cross central Bicester on a high bridge, despite protests from residents and CPRE Bicester [OM](#). Villagers and councillors are angry that a planning inspector gave the go ahead to 65 homes at Adderbury near Banbury, citing the lack of five year land supply in Cherwell. The development conflicts with the emerging neighbourhood plan and the pre-submission local plan, but the inspector gave these documents almost no weight [L](#) [C](#). Residents in Thame are opposing 45 houses at The Elms, despite the site being allocated for homes in the neighbourhood plan [L](#).

Surrey. Mole Valley council has launched a consultation on eighty development sites, most of which lie in the green belt. Closes 7 March [LG](#). Controversy continues over the work of Bookham Vanguard. The neighbourhood planning group has withdrawn from a green belt review after allegations of conflicts of interest [GS](#) [L](#). Residents of Bookham have secured a council debate on proposed development of up to 1,600 homes in the green belt [GS](#) [L](#). The Mole Valley Green Belt Group, which includes CPRE Surrey, has been formed to fight sprawl into the green belt [GS](#) [C](#). Local MP Sir Paul Beresford said he is “confident” that the villages of Effingham, Shere, East Horsley and West Horsley will not lose their green belt status [L](#). It was standing room only at a public meeting in Cobham to discuss development of three housing sites in the green belt [VLG](#). Cobham villagers are opposing a wood burning power station, which is now subject to an appeal [BBC](#).

South East wind. The controversial Navitus wind farm off the Jurassic Coast is to be scaled back from 218 to an estimated 194 turbines. Its northern edge will now be further away from some areas of the shore, for example, 2.2 miles further from Hengistbury Head, but it will remain the same distance from points such as Durlston Head [L](#). Challenge Navitus says the “threats to the environment, tourism, birds and navigation remain largely unchanged” [L](#). Regeneco is to appeal last year’s refusal of a windfarm near Polegate, Sussex [SE](#).

Garden Cities

Kent and Bucks garden cities. Nick Clegg said the government should publish its Garden Cities investment prospectus, which is thought to propose two new garden cities at Yalding near Maidstone in Kent and Gerrards Cross in Buckinghamshire. Clegg wrote in the Telegraph: “I am a strong advocate of garden cities, where there is clear local support and private sector appetite... The green belt is being eaten away. We must stop the piecemeal infill and bring an end to the controversy about developments that sprawl out from already established areas.” Eric Pickles told Sky News: “I think we could probably produce garden settlements, we could produce a garden city or two – provided it is in places where people want it ... But it has to be on the basis of consent.” Legal & General said it is willing to help fund construction of new towns [TC](#) [TC](#) [ES](#) [M](#) [AJ](#) [P](#) [L](#). In a response to a parliamentary question, housing minister Kris Hopkins said: “My department has absolutely no plans to impose new towns on any part of the country. For the avoidance of doubt, I would add that a recent press report, implying there is some ‘secret’ government plan to impose such developments, is not true; nor am I aware of any report which was supposed to have been published by the government but which has been ‘suppressed’” [M](#).

Local reaction. Bucks County Council pledged to fight any plans for a garden city at Gerrards Cross, saying it will contravene green belt policy [BFP](#). Maidstone council leader Chris Garland said: “The borough council has never considered, and, as far as I am concerned, will never consider, a garden city at Yalding” [KO](#). Meanwhile, Yalding residents are drying their homes out after repeated flooding [L](#). Under pressure from local Lib Dems, Nick Clegg agreed that Yalding would be totally unsuitable and dismissed reports naming the village as a possible site [M](#).

The end of eco-towns except Bicester. Eric Pickles said that he proposes to cancel the 2009 eco-towns planning policy statement. He also said: “We are minded to save, for now, the policies for North West Bicester until Cherwell District Council has an up to date Local Plan in place.” He reiterated that the government would not impose new towns top down, saying NW Bicester “shows that a top-down process is not needed” [M](#).

Competition. Entrants to the Wolfson competition for a design for a garden city are being advised to name the location for the project. Lord Wolfson said proposals would have “to be a city in the normal sense of the word. Clearly, 3,000 people is not enough. It has to be capable of becoming a city” [P](#). Competition manager Mike Gibson, urged housing associations to get involved [24](#).

Roundup. Lord Taylor, who is a promoter of Mayfield new town in Sussex, said: “Three garden cities are not going to make a major difference” because of the length of time it would take to build them [TC](#). Also in the Telegraph, Boris Johnson said that garden cities are not needed as brownfield sites in London can solve the housing crisis [TC](#). The TCPA has published a community guide to garden cities which aims to place local people “at the heart of the process from the outset” [topa](#). But while town planners are keen on garden cities, architects are less so, saying “a return to Ebenezer Howard-style, self-contained communities surrounded by green belt was ‘out-dated’ and would not help tackle the huge housing shortage” [AJ](#).

National: Local Plans

Local plan roundup. Campaigners will appeal after losing their high court case against the Suffolk Coastal core strategy which proposes a new town at Martlesham Heath [P](#) [L](#) [L](#). The nine local authorities bordering Birmingham have been asked to identify land to help the city address its shortage of sites for 29,000 homes [L](#). An inspector has raised concerns over the local plan for Ashfield in Nottinghamshire, questioning whether housing in the green belt can be justified and whether housing can be built in the Sherwood Forest special protection area without environmental damage [P](#). South Worcestershire councils have upped planned housing levels by more than 3,000 after lower estimates were blocked by a planning inspector [P](#) [LG](#). Rotherham is doing the same [P](#).

Pre-NPPF local plans could be out-of-date. In what may be a landmark decision, a planning inspector approved four schemes totalling 140 homes in Sevenoaks, Kent [M](#). The council has an adopted local plan, a five year land supply and no record of under-delivery of homes. Nevertheless, the inspector said the plan’s allocation for housing in the local area was made “was not up-to-date with the approach now put forward in the NPPF.” He is arguing that a local plan which uses the looser assessment of the now abolished Planning Policy Statement 3 (PPS3) – which required planning for sufficient housing – is out-of-date because the NPPF insists on objectively assessed housing needs in the housing market area. *Planning* reports NLP director Matthew Spry saying the decision will be of particular concern in the South East and the East of England, where local plan housing targets are often significantly below objectively assessed need because the former regional strategies concentrated growth on a small number of key growth areas. NLP analysis shows that just 12% of councils have put a local plan in place since the NPPF was issued. Half of local authorities (54%) have a pre-NPPF plan or no up-to-date plan at all [P](#).

Prematurity. In a Westminster Hall debate, MPs raised concerns about the NPPF undermining local plans and decisions, especially where there is a shortfall in five year land supply [M](#). Somerset MP David Heath said: “Something is seriously wrong not with the principle but with the operation of planning reform.” Banbury MP Tony Baldry cited housing approved at Deddington on appeal, arguing: “It is not a plan-led system; it is a system of first come, first served.” He complained that planning inspectors are applying different methods of calculating five year land supply. Planning minister Nick Boles said that household projections produced by the Office of National Statistics are not “the last word” but any council challenging them must do so on the basis of evidence. On under-delivery of housing, Boles trailed forthcoming planning guidance: “Local planning authorities should aim to deal with the under-supply within the first five years of the plan period where possible” (i.e. the [Sedgefield method](#)). He said that the new guidance will say that in “exceptional circumstances” a development can be turned down if it conflicts with an emerging local plan: “If the application is so substantial that it could completely knock the legs out from that emerging plan.” He also said: “A refusal [of planning permission] can also happen in the case of a neighbourhood plan, when it has... completed consultation but it has not yet gone to referendum or, indeed, to examination.”

National: Planning

Localism. Angus Walker's planning blog reviews the slow progress in implementation of the Localism Act, noting that just eight neighbourhood plans have been adopted compared to the prediction of 700 by now ; see also . In an early test of Asset of Community Value (ACT) status, a Derby planning committee rejected plans to convert a pub to homes against officers' advice . Regen.net (subscription) looks at the mixed success of ACV listing so far. A number of listings have been overturned at tribunals. Residents have a chance to buy an ACV if it put up for sale, but the status is not necessarily a material planning consideration of conversion is proposed . Residents of Cringleford, Norfolk and Broughton Astley in Leicestershire approved their neighbourhood plans by huge majorities   .

NPPF legal test. Barrow on Soar parish council is challenging a 300-home development in the high court saying that the developer should have showed that the site was deliverable within five years under the presumption in favour of sustainable development. The inspector had argued that the council has to show that the housing was not deliverable under the presumption  .

Green belt. A planning inspector has rejected a brownfield development in the green belt at Wheathamstead, St Albans . A high court judge has backed Eric Pickles in refusing housing in the green belt at Castle Point, Essex. Pickles had ruled that harm to the green belt overrode the lack of land supply, just 0.7 years, in the borough . Verdict .

Petitions. As anger grows about the NPPF overriding local decisions, communities and politicians are launching petitions calling for the framework and local plans to be overhauled. Petitions: Amend the NPPF now to protect communities: ; Amend NPPF to uphold local democratic decision making ; Scrap Warwick local plan ; Scrap five year land supply rule ; Protect Cheltenham green belt .

Town centres. Eric Pickles has blocked Tesco's plans for an out-of-centre scheme on a brownfield site in Bath, ruling that the plans fail to satisfy the NPPF's sequential test . Nick Boles said that more than 2,250 applications were made in the first six months of the new permitted development rights to convert offices into homes. He criticised councils for aiming to restrict the conversions  . The Local Government Association called on the government to allow councils to block clustering of betting shops on high streets  .

Household projections. The Royal Town Planning Institute Local authorities that rely on government household projection data risk underestimating housing need by up to 30%. It says that the slowing of household growth recorded in the 2011 census may have been temporary, and the trend towards smaller households may accelerate in future. This would make the higher 2008-based household projections more accurate than the 2011-based projections currently in use    . The government has launched a review into how more social homes can be built . CPRE Cornwall condemned plans for 47,000 homes in the county, saying there was no evidence to justify the total .

Gypsy and traveller sites. Local government minister Brandon Lewis issued a written statement reiterating that permanent and temporary traveller sites are "inappropriate development in the green belt" and "planning decisions should protect green belt from such inappropriate development." The secretary of state will continue to call in such applications for decision  .

Politics. The Lib Dems are setting out their plans for reforming planning. A motion for the party's Spring Conference calls for an early review of the NPPF; garden communities; a community right of appeal; local appeals; cross-council partnerships; and a block on unnecessary intervention in local decisions by the planning inspectorate and secretary of state. To protect green spaces close to settlement, the motion suggests local "partnerships may choose to meet their housing allocation through one or more larger settlements (10,000 plus)... at a distance from existing settlements" .

Enterprise. Consultancy Peter Brett Associates is calling for councils, LEPs and other key bodies to draw up five year roadmaps for key local infrastructure . The House of Commons Library has issued briefing notes on enterprise zones  and local enterprise partnerships .

New Planning Court

The court. The government announced a new planning court to hear judicial reviews. It will be introduced in the Criminal Justice and Courts Bill  . Only 2% of judicial reviews are on planning matters, around 200 a year. Justice Secretary Chris Grayling said: "Judicial Review must continue its role as a crucial check on the powers that be – but we cannot allow meritless cases to be a brake on economic growth."

The restrictions. The government making several changes to rules will make it harder for campaigners to achieve environmental justice. It will increase costs to campaigners – fees will double or treble – and it will shorten the timescales for a judicial review bid.

More appeals of a judicial review decisions will go direct to the Supreme Court, bypassing the Appeal Court.

Applicants will have just six weeks to lodge a claim, down from the current 13 weeks.

Protective Costs Orders will be limited to "exceptional cases with a clear public interest"

Campaign groups that join an existing case could bear a greater share of the costs

Applicants who take "weak cases" to a second chance hearing (oral renewal) must pay some of the legal costs
Judicial reviews will not be allowed on technical grounds if the decision was likely to have remained the same

Legal aid will be restricted to cases "which have merit".

A second chance application will not be allowed when a judge rules the first was "totally without merit".

Reaction. CPRE welcomed the new court but warned: "These reforms overall will... unjustifiably add to the already serious risk and expense that communities face in seeking to hold abuses of the planning system to account." Shaun Spiers said: "Judicial review is a crucial democratic safeguard against abuses of power or process. In planning, it is used by communities and campaigning groups with great reluctance and as a last resort" . Planning lawyer Stephen Ashworth described the proposal of a new court as "launching an Exocet to kill a mouse" .

Presumption in favour of “sustainable” development

Mind the gap. Despite a lack of five year land supply, a planning inspector has protected green wedges between Grimsargh and Preston in Lancs [L] [LG] []. Taking the same action to protect green fields between Seaton and Colyford in East Devon, a planning inspector said: “The housing shortfall although significant is – arguably – relatively short-term, whereas the erosion of separation between Colyford and Seaton would be permanent, and should not be acceded to lightly” [L] []. Developers however won an appeal for housing on Curtis Fields, Weymouth, an area of Area of Local Landscape Importance and Important Open Gap between settlements, arguing a lack of five year land supply [L] [BBC] [].

Five year land supply. Eric Pickles backed Ribble Valley council’s refusal of 345 homes at Clitheroe saying the lack of a five-year housing land supply was outweighed by the development’s potential impact on local roads. He dismissed the impact of the scheme on the landscape, because the area lacks a special designation [] [P]. A planning inspector ruled that Herefordshire does not have a five year land supply but said that the harm to biodiversity, heritage and the character of the area were grounds for rejecting the appeal []. In Shropshire, another inspector threw out housing plans adjacent to rich landscape of The Mere. He he interpreted the presumption only in terms of the distance the development would be from the nearby town of Ellesmere []. A planning inspector approved housing in Burbage, Hinkley and Bosworth after resolving that an under delivery of housing should be made up in the short term (the Sedgfield method), not over the remainder of the plan period (Liverpool). Reviewing several recent court cases and planning appeals, he acknowledged that the “effect of paragraph 49” – the presumption and five year land supply – “was still being worked through.” He ruled that a local plan policy which sought to protect the countryside for its own sake is incompatible with the NPPF [] [P].

Roundup. Cheshire East Council, which has seen a number of speculative developments approved under the presumption, has published its land supply document saying it now has 5.9 years available [P] [LG]. North Devon Council councillors argued that they are “wasting their time” discussing planning applications under the straightjacket of the NPPF [L]. **Defend North Devon** is demanding that that local councils attend a public meeting to explain the lack of land supply [L].

Landscapes and Environment

AONBs and national parks. Natural England is consulting on plans for two new special protection areas at Falmouth Bay and Flamborough Head [] []. Culture minister Ed Vaizey announced that The Lake District can go forward as the UK’s World Heritage nomination in 2016 []. The Campaign for National Parks and the friends of the parks have written to Nick Boles to urge him to exempt national parks from proposals to allow redundant barns to be converted to homes without planning permission [YP].

Town greens. Campaigners have lost a Supreme Court bid to reinstate town green status for green space in Weymouth. Lawyers say the decision could encourage developers to challenge town green status elsewhere [L].

Carrier bags. The Commons environmental audit committee told the government to keep its plans for charging for single-use carrier bags simple. It warned: “Biodegradable bags are not as green as they first sound” []. CPRE, Keep Britain Tidy and industry bodies have all urged Defra to reassess its proposals for exemptions from the charge in the wake of the report [] [g].

Biodiversity. Bat numbers increased across Europe by more than 40 % between 1993 and 2011 []. Natural England said potential applicants for badger control licenses for 2014 onwards should begin to prepare their bids []. Defra admitted that it may have over-estimated the number of farms under bovine-TB restrictions due to data errors [FWJ]. The Law Commission said that current laws are ineffective in controlling invasive non-native species. It urges greater use of species control orders [].

Trees and hedges. A year on from publication of *England’s Forestry Policy*, a meeting of the National Forestry Stakeholder Forum in January concluded without a government commitment to legislation to protect public forests or ancient woodland. Minister Don Rogerson did not rule out biodiversity offsetting for ancient woodlands [] []. Owen Paterson announced £30 million next year to support the planting of 2,000 hectares of woodland []. CPRE warned that historic hedgerows are under threat from proposals for biodiversity offsetting [].

Rights of way. The national press reported that government is to introduce a presumption in favour of diverting footpaths that pass near a house, across a garden or through a farmyard [] []. Kate Ashbrook of the Open Spaces Society described the reports as “misleading” [].

Flooding

Flooding. As the storms hit across the England, the environment secretary Owen Paterson and the head of the Environment Agency, Chris Smith, found themselves in a media and political storm [] [4] [g]. After some controversy, the government admitted that its spending on flood mitigations has dropped [g] [].

CPRE. Christine Drury told ITV that the Environment Agency needs to put more effort into clearing drainage channels on Romney Marsh to protect important agricultural land [itv]. Fiona Howie wrote to the Telegraph: “It is not good enough to say... flooding is simply something that happens from time to time. Neither is it good enough to let agricultural businesses, which are a central part of rural communities and economies, be sacrificed. The government and the Environment Agency need to develop a strategic, coherent national response to the effects of our changing weather systems” []. Neil Sinden said: “We need a response from the government that recognizes the importance for our long-term food security of safeguarding high-quality farmland. We need to view the countryside as more than a place for building, and value it for the food it provides” [].

Environment Agency. The EA said up to a third of its objections to new homes being built on flood plains are being swept aside by councils [T]. The agency is to cut 15% of its staff by October, from 11,400 to 9,700. Its chief executive Paul Leinster told ENDS Report that the most significant cuts would hit the division which leads on town and country planning work [P].

Remedies. The government allocated an extra £130 million to flood relief and prevention. The environment, food and rural affairs select committee said the money must be spent effectively [M]. While the public debate centres on dredging and draining, environmental groups said much of the solution lies in planting trees: “Strategically located trees and woodland can play an important part in reducing flood risk, whilst also improving water quality, contributing to biodiversity conservation, storing carbon and helping support more sustainable farming practices” [M]. The Mammal Society has urged Owen Paterson to reintroduce beavers to naturally dam rivers and help control flooding [G]. The BBC’s environmental analysts Roger Harrabin said: “Every £1 spent on flood defences gives £8 of benefit” [CHD].

Fracking

CPRE is to launch a national debate on fracking around the country, but only if it can gain independent funding from a body such as the Royal Society [T].

Fracking South East. Residents of the South Downs National Park are launching legal action claiming that fracking under their land would amount to trespass. They have written to energy minister Ed Davey explicitly denying permission for drilling under their properties [BBC]. More than 2,000 objections have been received to plans by Celtique Energy to drill an exploratory well at Fernhurst, Sussex [MAD]. Cuadrilla has told residents that the Balcombe site is not suitable for fracking. It has submitted a planning application to flow test for conventional oil extraction [TA] [WST]. Eleven of the 120 protestors arrested at Balcombe have been acquitted [M].

Fracking politics. David Cameron announced councils which approve shale gas developments will be allowed to keep 100% of the business rates from consented sites. He said community benefits for local people will also be strengthened [M]. Sussex MP Frances Maud said he has an open mind about fracking, but the extraction will not have a major impact on communities and the landscape [WST]. George Osborne said that fracking is unlikely to reduce household energy bills [BBC]. Owen Paterson said: “I would like to see shale gas exploration all over rural parts of the UK, because I think it will bring wealth and prosperity and jobs” [L]. Vince Cable said that shale gas would not be a reality in the UK for at least a decade and energy policies should focus on renewable energy [G]. Shale gas executives and civil servants collaborated in private to manage the British public’s hostility to fracking [G].

Fracking under homes. The Lords secondary legislation scrutiny committee said that the government has rushed through pro-fracking planning reforms, including rules that allow companies to submit an application without informing householders who would live over wells. Ministers failed to disclose to parliament the scale of opposition to the changes in the public consultation, which saw seven responses in favour and 155 against [C] [P] [BBC]. Ministers are planning to overhaul trespassing laws to block legal action by Greenpeace, landowners and communities to prevent drilling under homes [C]. The Land Registry has received 73,000 claims from landowners under ancient rights allowing “lords of the manor” to claim land for mining or hunting. Thousands of households have received letters informing them of the claims [M].

Roundup. CPRE Lancashire has called for strict controls over plans for Cuadrilla’s new phase of exploratory drilling for shale gas in the Fylde [L] [O]. A survey by the University of Nottingham showed declining support for fracking [L] [M]. A House of Commons Library briefing note explains fracking, the regulatory regime and lists fracking licences by parliamentary constituency [M].

Energy, Recycling and Waste

Climate change. MEPs voted for binding targets for 2030: a 40% cut in greenhouse gases, compared with 1990 levels; at least 30% of energy to come from renewable sources; and a 40% improvement in energy efficiency [G].

Community energy. Energy secretary Ed Davey published a Community Energy Strategy. It proposes that most wind turbines are jointly owned by communities and landowners. “We expect that by 2015 it will be the norm for communities to be offered some level of ownership of commercial onshore renewables projects” [T] [M].

Wind. West Coast Energy has appealed a high court to block a windfarm which would have overlooked the Grade I listed Lyveden New Bield [BBC] [L].

Biomass. Wildlife groups are examining how to use waste organic matter from nature reserves for energy production [M].

Tidal. Tidal Lagoon Power has applied to the National Infrastructure Planning Unit for a 9.5 kilometre seawall fitted with tide-powered turbines between Swansea Bay’s beach to the west and Crymlyn Burrows natural dune system (below). It will create a new “maritime park” and could power 120,000 homes [P] [M] [BBC] [BBC].



Waste. A high court challenge to the Coventry energy from waste facility at Rookery South, Bedfordshire, has been rejected [P] [L]. Campaigners promise to fight on after their judicial review against an incinerator at Desborough, Northants was rejected [L]. Landfill has dropped to its lowest yet, below 30 million tonnes [R].

Nuclear. The European Commission said that government plans to underwrite the development of the Hinkley Point station may constitute illegal state aid [C].

Transport

Roads. The controversial Ely bypass, condemned by CPRE and English Heritage, has been given planning permission [S]. The DfT has published a briefing note on its plans to expand the roads network [M]. Trials of Combe Haven Defenders are on-going, with around half of defendants being found not guilty [CHD]. Transport minister Robert Goodwill told MPs the government will not rush into making an announcement on the locations of a new Lower Thames Crossing [KO] [M].

Heathrow link. Network Rail has published its preferred route for the Western Rail Access to Heathrow. The route will leave the western main line at a new junction between Langley and Iwer stations and go through a 5km tunnel to reach Terminal 5. The link is expected to be built by 2021 and a public consultation will be launched later in the year [BBC](#) [LEP](#). Heathrow Express is hoping to extend its services to Reading and the west [T](#) [T](#).



Western Rail Access to Heathrow [LEP](#).

Airports

Thames Estuary Hub. Howard Davies said that a decision whether the “rather daunting” Boris Island option is a viable scheme will be made by the autumn [L](#). The House of Commons Library has published a briefing note on the scheme [M](#). Boris Johnson is unlikely to mount a legal challenge to the Airports Commission if it rejects the estuary hub as an option [Q](#).

Airports Commission. TfL, chaired by Boris Johnson, claimed the Commission lacks “long-term vision” and placed most weight on “short-term commercial interests.” Howard Davies told the commons transport committee that his report could be delivered before the 2015 general election, but it is being delayed for political reasons. He described Boris Johnson’s comments as unhelpful “vulgar abuse” in “colourful language” [T](#) [S](#) [itv](#). A report by KPMG for the Airports Commission claimed a third runway at Heathrow could require £11.5 billion of government support, while expansion of Gatwick may need as much as £17.7 billion [T](#) [Q](#). The House of Commons Library has produced a briefing note on airports in the South East [M](#).

Heathrow Ltd has launched a six-week consultation on whether it should build a fourth north-west runway. Closes 14 March [VLA](#) [GWI](#) [A](#). The airport is considering locating the northwest runway further south to avoid demolition of the listed Tithe Barn and St Mary’s Church in Harmondsworth, and to have less impact on the M25 [Q](#). Using both of the runways for take-off and landing (mixed-mode) and other shorter-term measures examined by the Airports Commission could boost the British economy by £206m a year from 2023, according to the City of London Corporation and London First [T](#).

Gatwick is extending its noise insulation scheme for housing to stretch 30km. It says this is most generous insulation scheme in the world and has challenged Heathrow to follow suit [GWI](#).

Lydd Airport. The RSPB and Lydd Airport Action Group are challenging approval of expansion of the airport in the high court. They say the plans will damage and urbanise “unique natural habitats on Romney Marsh” and will pose a risk to Dungeness nuclear power station [KO](#) [BBC](#) [L](#) [BBC](#).

High Speed 2

CPRE rethink. Following a report in the Times, Shaun Spiers said that CPRE was considering changing its mind on HS2: “CPRE’s conditional support for HS2 has been unpopular with many members... but that is not why we are having second thoughts. The reason is that it is increasingly hard to see HS2 as any sort of green project.” The Times quoted CPRE as saying: “We supported the principle of HS2 because we thought it could reduce the pressure for more housing in the South East, but now we hear the Government is looking at new towns in Kent and Buckinghamshire and permitting more building on the green belt.” Ralph Smyth, CPRE’s transport campaigner, said: “If proposals for new South East runways and the biggest road-building plan since the 1970s are factored in to the case for HS2, it would collapse in environmental terms as much as it would in economic terms” [RE](#) [RE](#) [T](#). CPRE and the Inland Waterways Association have called for the line to be moved away from canals [M](#).

Consultation extended to 27 February. The consultation on the Environmental Statement has been extended to 27 February after HS2 Ltd failed to distribute 877 pages of documents in electronic versions of the consultation [h2](#) [h2](#) [M](#) [C](#). Consultation: [C](#). Three Rivers council in Hertfordshire has said is particularly concerned about the impact of construction works for the Ruislip and Chiltern tunnels [L](#).

Legal. HS2 Action Alliance is considering an appeal to the European Court after losing its case against the line in the Supreme Court [BFP](#). The court ruled that proposals for the line did not fall within the scope of the Strategic Environmental Assessment Directive. The judges also disagreed that hybrid bills – the mechanism for HS2 approval – are incompatible with the Environmental Impact Assessment Directive [S](#) [G](#) [Q](#). Judgement [C](#). Lawyers say that compulsory purchase powers in the HS2 Bill that allow the government to buy development land along the route of HS2 could threaten widespread blight beyond the immediate area of the route [FT](#). Transport secretary Patrick McLoughlin has blocked publication of a Major Projects Authority report that placed the HS2 project at Red/Amber risk of failure [S](#).

Inquiry. The Commons environmental audit committee is to hold an inquiry into the environmental impacts of the first phase of HS2. Submission deadline 7 March [M](#).

Excuses. From the “department of you couldn’t make it up”: the Daily Mail reports that HS2 chiefs think that public opposition is down to the project’s name. It cites project managers as saying: “It would have been easier to convince people of the need for it with a different name which sounds less whizzy, but changing it now would be seen as a gimmick” [M](#).

The CPRE eBulletins

CPRE South East eBulletin is independently written and edited by Andy Boddington: cprenews@andyboddington.co.uk. Views expressed in the eBulletin and its editorial approach are those of its editor and not any part of CPRE.

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