**Briefing Note on application 18/07194/OUT:** Outline application (including details of access and layout) for erection of 101 dwellings with all other matters reserved (amended plans received) at Tralee Farm, Wycombe Road, Holmer Green, HP15 6RY

This note has been prepared following a review of report by case officer Declan Cleary to Buckinghamshire Council’s Strategic Sites Committee on 24 February 2022

“Hazlemere Parish Council submitted detailed comments why this application should be refused. We had hoped to work with Buckinghamshire Council on the development brief which – according to HW8 – is ‘essential’. We held back on our neighbourhood plan to allow for the Brief to be prepared. But it hasn’t been.

Last night our Parish Council approved our plan vision, and the policy areas for the plan – including HW8 – because of the failure of Buckinghamshire Council to prepare a brief for the site. The vision and policy areas are now on our website, and we have submitted them to Buckinghamshire Council.

When it became clear that the Inland Homes application was going to come to committee without a brief being prepared, Cllr Gareth Williams advised that further comments could be presented, at committee, in relation to mitigation. In the light of this, the Parish Council has carefully scrutinised the officer’s report.

But we find that the issues are not ones that can be resolved through mitigation. Indeed, after taking advice, we have concluded that the officer report is flawed, and that the application must logically be refused.

The land adjacent to HW8 in former Chiltern District has not been allocated for development.

Policy HW8 wording addresses two scenarios: ‘with’ the adjacent land and ‘without’. However, only one indicative plan (Figure 14) is included. The layout relates to the ‘with’ scenario. Figure 14 is therefore not up to date.

This is a material consideration. The law requires that planning applications are determined in accordance with the development plan unless material considerations indicate otherwise. The committee report does not take this into account except in relation to school places – which was already an option foreseen in the wording of HW8.

Any decision based on the committee report is therefore flawed and would be open to challenge in the courts. Such a challenge may be successful.

The layout of the Inland Homes scheme aligns to Figure 14. The proposed layout prejudices the comprehensive development of the site and is not therefore in accordance with HW8.

In addition, the Inland Homes scheme will not result in the efficient use of land undermining the potential for the site to deliver the full 350 homes indicated in the Local Plan.

The Inland Homes planning application should be refused because it has failed to demonstrate that it does not prejudice the comprehensive development of HW8 taking into account the up to date policies of the development plan taken as a whole and relevant material considerations.”