



Update Report to South Area Planning Committee

Application Number:	PL/21/4069/FA
Proposal:	Retrospective change of use of agricultural building to storage and distribution (Use Class B8).
Site location:	St James Farm Bangors Road South Iver Buckinghamshire SL0 0AL
Applicant:	Mr S Payne
Case Officer:	Richard Regan
Ward affected:	Iver
Parish-Town Council:	Iver Parish Council
Valid date:	19 October 2021
Determination date:	13 April 2022
Recommendation:	Conditional permission

1.0 Summary & Recommendation/ Reason for Planning Committee Consideration

- 1.1 The application proposes the change of use of an agricultural building to a storage and distribution use (Use Class B8).
- 1.2 The application has been referred for determination by the South Area Planning Committee following it being called in by Cllr Griffin.
- 1.3 The application was considered at the South Buckinghamshire Area Planning Committee on 15 February 2022, and the decision was deferred to enable further information to be obtained about the other activities that appeared to be taking place on the wider site.
- 1.4 The previous Planning Committee report is attached at Appendix C.
- 1.5 The applicant has now appealed the non-determination of this application. Accordingly, the Council are no longer able to make a decision on this application. However, there is a need to inform the Council's case to present to the Planning Inspectorate.

1.6 The Committee are therefore requested to consider the application and advise what their decision would have been if they were in a position to determine it, in order to allow Officers to prepare a case for the Appeal.

1.7 The Officer recommendation remains to grant Conditional Permission.

2.0 Update since previous Planning Committee on 15 February 2022

2.1 As noted above, this application was deferred to enable further information to be obtained on the nature of the activities that were taking place on the wider St James Farm site.

2.2 At the previous Committee Meeting, and following observations taken from the Committee site visit of other potential non-agricultural activities taking place on land outside the application site, Members felt that they needed to gain an understanding of how the site operated as a whole, and whether the application building was in fact being used in connection with other uses taking place on the wider Farm. Members felt that they needed to understand how the St James Farm site operated as a whole, in order to fully understand the impacts that are created by the site in terms of vehicular movements, impact on Air Quality, and impact on the Green Belt.

2.3 Following the previous Committee Meeting, the applicant was requested to provide the relevant additional information relating to the concerns raised by Members.

2.4 Whilst no additional information has been submitted by the applicant, a site visit was undertaken by the Case officer in conjunction with an Enforcement Officer. During this site visit, it was noted that there were at least three other non-agricultural uses taking place on the wider St James Farm site, but on land and buildings outside of the application site of this current planning application. This included the storage of scaffold equipment, the manufacturing of windows including associated outside storage, and motor vehicle repairs. Given the nature of the uses it appears that these are not connected to the storage use proposed as part of this application, and they can be considered to be entirely different uses, unconnected with the storage use taking place within the application site.

2.5 Given the unauthorised activities taking place on the wider site, the applicant was given the opportunity to withdraw the current application and submit a more comprehensive application which included the other unauthorised uses. At this point, the applicant expressed their desire to seek their own legal advice on the matter, and in the spirit of acting reasonably and working with the applicant, the Council agreed that a decision on the application would not be made until they had obtained their legal advice, even though this took it beyond the agreed determination date for the application. Upon receipt of their legal advice the applicant has chosen to appeal against the

non-determination of this current application and in doing so has declined to take the opportunity to submit an application for the unauthorised uses on the wider site.

- 2.6** In light of the situation, including Members' concerns relating to activities taking place outside of the application site, Officers have sought their own legal advice on how the current application should be approached. The Council's legal advice is that, given the other uses on the site appear to be independent of that proposed as part of the current application, the current application should be looked at in isolation, as per the Officer report put to Members at the previous committee meeting. It is considered that Members should only be taking into consideration the potential impacts that arise from the use of the land and building within the red line of the application site and not those associated with the other non-agricultural unauthorised uses taking place within the wider St James Farm site. This approach is considered appropriate on the basis that the other unauthorised uses are exactly that, unauthorised, and will be subject to a separate investigation by the Council's Planning Enforcement team who will consider any appropriate Enforcement action to be taken.
- 2.7** The Council's Enforcement team have also confirmed they are actively investigating the unauthorised uses.
- 2.8** In addition to the above, following queries raised by Members, clarification has been sought from the Council's Environmental Protection Officer regarding the assessment of the proposal in terms of impact on air quality. They have confirmed that they have taken into account the total number of vehicular movements associated with the proposal, and that this level of vehicular movements would not lead to an unacceptable level of air pollution. Their updated comments are attached as Appendix C to this report.
- 2.9** Overall therefore, your Officers' view and recommendation remains unchanged from that as set out in the previous committee report, which is that the proposed change of use is considered acceptable, subject to the conditions set out below.

3.0 Recommendation:

The Committee resolve that Planning Permission would have been Granted subject to the conditions set out below had an appeal against non-determination not been lodged by the applicant, subject to the following conditions: -

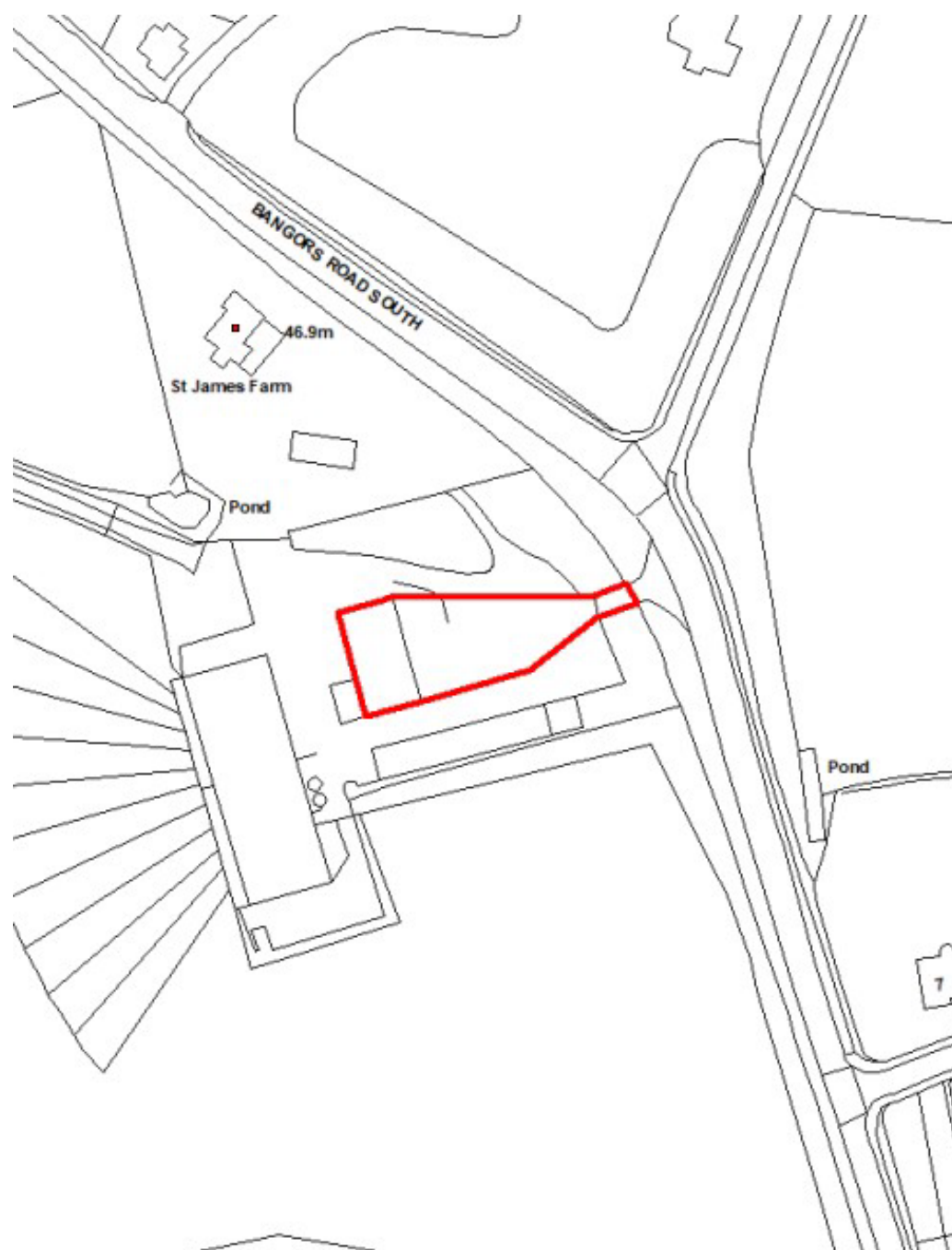
1. No outside storage shall take place in connection with the use hereby permitted. Reason: To protect the amenities of the Green Belt. (Policy GB1 of the South Bucks District Local Plan (adopted March 1999) refers).

2. Within 1 month of the date of this decision the existing vehicular access gates shall be relocated to 13m back from the edge of the carriageway. The gates shall be maintained in accordance with this set back from the highway thereafter.
Reason: In order to allow vehicles to pull clear of the carriageway to minimise danger, obstruction and inconvenience to users of the highway.
3. The development to which this planning permission relates shall be undertaken solely in accordance with the following drawings:

List of approved plans:

<u>Received</u>	<u>Plan Reference</u>
19 Oct 2021	Location Plan
19 Oct 2021	SP-TW-004
19 Oct 2021	Site Plan

APPENDIX A: Site Location Plan



Do not scale – this map is indicative only

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Appendix B: Updated Consultee Response

Environmental Health

The IAQM Land-Use Planning & Development Control: Planning For Air Quality contains Indicative Criteria to Proceed to an Air Quality Assessment where the development will:

1. Cause a significant change in Light Duty Vehicle (LDV) traffic flows on local roads with relevant receptors. (LDV = cars and small vans 3.5t gross vehicle weight). A change of LDV flows of: - more than 100 AADT within or adjacent to an AQMA - more than 500 AADT elsewhere.
2. Cause a significant change in Heavy Duty Vehicle (HDV) flows on local roads with relevant receptors. (HDV = goods vehicles + buses >3.5t gross vehicle weight). A change of HDV flows of: - more than 25 AADT within or adjacent to an AQMA - more than 100 AADT elsewhere.

I have assessed the potential impact of the total number of vehicle movements associated with the proposed development, (i.e. all 44 movements of which 3 are HGV) and it is considered that it would not lead to an unacceptable level of air pollution.

Appendix C: Report to South Area Planning Committee 15 February 2022



Report to South Area Planning Committee

Application Number:	PL/21/4069/FA
Proposal:	Retrospective change of use of agricultural building to storage and distribution (Use Class B8)
Site location:	St James Farm Bangors Road South Iver Buckinghamshire SL0 0AL
Applicant:	Mr S Payne
Case Officer:	Richard Regan
Ward affected:	Iver
Parish-Town Council:	Iver Parish Council
Valid date:	19 October 2021
Determination date:	17 February 2022
Recommendation:	Conditional permission

1.0 Summary & Recommendation/ Reason for Planning Committee Consideration

- 1.1 The application proposes the change of use of an agricultural building to a storage and distribution use (Use Class B8).
- 1.2 This is a retrospective application, as the change of use has already occurred.
- 1.3 The proposal does not involve any physical alterations to the existing building.
- 1.4 Local Plan Policy GB2 and the Paragraph 150 of the NPPF allow for the re-use of buildings within the Green Belt. It is considered that the proposed change of use of the building to B8 Storage would not be harmful to the character of the Green Belt and to the purposes of including land within it. The proposal is therefore not considered to be inappropriate development within the Green Belt.
- 1.5 Based on the level of vehicular movements, including OGV movements, that could occur as a result of the proposed use, the Councils Highways Officer considers that the proposal would not lead to unacceptable highway implications.
- 1.6 The application has been referred for determination by the South Area Planning Committee following it being called in by Cllr Griffin.
- 1.7 Recommendation – Conditional Permission.

2.0 Description of Proposed Development

- 2.1** The application seeks retrospective planning permission for the change of use of the existing building from agricultural to storage and distribution (Use Class B8)
- 2.2** St James Farm is situated to the west of Bangors Road South, and north of Iver's settlement boundary. The site falls within the Metropolitan Green Belt.
- 2.3** The building subject of this application was erected in the early 1980s, and has remained in agricultural use as a general purpose building since that date, until the storage and distribution use commenced in May 2019.
- 2.4** The building is of concrete portal frame clear span construction, and is permanent and substantial in nature. No internal structural building works, nor external alterations were required to enable the building to function in the existing B8 use, nor are any proposed in this application.
- 2.5** The existing hard standing yard to the front of the building is utilised for the parking and manoeuvring of vehicles.
- 2.6** The application is accompanied by:
- a) Design and Access Statement
 - b) Transport Statement
- 2.7** A further statement relating to transport matters, together with a traffic survey, was submitted during the course of the application following the receipt of the initial comments of the Highways Officer.

3.0 Relevant Planning History

- 3.1** Whilst there have been a number of planning applications submitted in relation to site known as St James Farm, none have been directly related to the building subject of this current application.

4.0 Summary of Representations

- 4.1** Objections have been received from 1 local resident. Iver Parish Council raised an objection on the grounds of road safety; vehicle weight restrictions; Green Belt; increased noise and disturbance; and damage to the environmental quality and visual character of the area. A summary of consultation responses and representations made on the application can be viewed in Appendix A.

5.0 Policy Considerations and Evaluation

- National Planning Policy Framework (NPPF), 2021.
- Planning Practice Guidance
- National Design Guidance, October 2019
- South Bucks Core Strategy Development Plan Document - Adopted February 2011
- South Bucks District Local Plan - Adopted March 1999 Consolidated September 2007 and February 2011;
- South Bucks District Council Residential Design Guide Supplementary Planning Document (SPD) - Adopted October 2008
- Chiltern and South Bucks Townscape Character Study 2017
- Chiltern and South Bucks Community Infrastructure Levy (CIL) Charging Schedule

- Burnham Beeches Special Area of Conservation (SAC) Mitigation Strategy, March 2020
- Buckinghamshire Parking Guidance September (2015)

Green Belt

Local Plan Saved Policies:

GB1 (Green Belt boundaries and the control over development in the Green Belt)

GB2 (Re-use of buildings in the Green Belt)

GB4 (Employment generating and commercial development in the Green Belt (excluding Green Belt settlements)),

GB9 (Agricultural diversification)

- 5.1** The site falls within the Green Belt where the types of development that are deemed acceptable are very limited. Policy GB1 of the Local Plan, together with the National Planning Policy Framework (NPPF) set out the types of development that are deemed acceptable. Where there is a conflict, then the NPPF takes precedence. Section 13 of the NPPF sets out the Governments guidance on development within the Green Belt, as well as identifying its five purposes.
- 5.2** Paras. 149 and 150 of the NPPF set out the exceptions for types of development within the Green Belt which are not inappropriate. Criteria 'd' of para. 150 allows for the re-use of buildings provided that the buildings are of permanent and substantial construction, provided that the re-use preserves the openness of the Green Belt and does not conflict with the purposes of including land within the Green Belt.
- 5.3** Policy GB2 of the Local Plan generally follows that guidance when setting out its criteria for when the re-use of a building is considered acceptable, which includes that the building is of permanent and substantial construction, and is capable of conversion without major or complete reconstruction, as well as also ensuring that the re-use does not have an adverse impact on the open and undeveloped character of the Green Belt.
- 5.4** From the point of view of the building subject of this application, it is considered that it is of permanent and substantial construction, and is capable of conversion without major or complete reconstruction. It is acknowledged that the building is already being used for storage purposes.
- 5.5** Notwithstanding this, it still needs to be determined as to whether the proposed use of the building and associated land for B8 Storage Uses would have an adverse impact on the open and undeveloped nature of the Green Belt or its purposes.
- 5.6** The storage element of the proposed use would take place within the existing building, therefore there would be no adverse impacts on the openness of the Green Belt as a result of the actual storing of items at the site. It would need to be ensured that there was no storage taking place outside of the existing building, ie. open storage on the land surrounding the building, as this would have a greater impact on the openness of the Green Belt over and above that of the lawful agricultural use, and as such, it would be fair and reasonable to include a condition on any permission which restricts the storing of items to within the building only.
- 5.7** Notwithstanding the above, it also needs to be assessed as to whether the other activities associated with the proposed storage use, such as vehicular movements, would result in a greater impact on the Green Belt, over and above that of the existing agricultural use. In

this regard, the Councils Highways Officer has advised that the proposed new use would result in an increase in vehicular movements over that which could occur with the existing lawful use of the site. Whilst there would be an increase in the level of vehicular movements associated with the site, it is considered that from a character point of view, the increase would not be significant when assessed in the context of the length of time across the day when these movements would occur. The size of the proposed buildings will limit the extent of storage and associated vehicular movements, and overall, it is considered that in this specific instance, the proposed level of vehicular activity associated with the proposed new use would not result in an adverse impact on the openness of the Green Belt.

- 5.8** Vehicles associated with the proposed use would park on the existing area of hardstanding to the front of the existing buildings, which is the same scenario for if the building was used for agricultural purposes. Three parking spaces are provided, and it is considered that this would be comparable to the level of parking that could be associated with the use of the site for agricultural purposes. As such, the amount of vehicles parked at the site would not adversely impact upon the openness of the Green Belt.
- 5.9** Overall therefore, it is considered that the proposed change of use of the building to B8 Storage would not be harmful to the character of the Green Belt and to the purposes of including land within it.
- 5.10** It is noted that part 'f' of policy GB2 advises that any new employment generating development should be of a small scale and constitute agricultural diversification in accordance with policy GB9. Such a requirement for the re-use of a building is not set out in the more up to date NPPF, therefore it is considered that such a requirement can only carry limited weight. Notwithstanding this, it is considered that the employment generating use is of a small scale, and with the remainder of the site remaining in agricultural use, the proposal is in accordance with policy GB9.
- 5.11** The remainder of the site would continue as an agricultural operation, and as set out above, it is considered that the proposal would not compromise the overriding aim or purposes of including land in the Green Belt. Further to this, the proposal does not involve the construction of any new built form, and it is considered that it would not adversely affect the character or amenities of the landscape, nearby properties or locality in general. The proposal is therefore considered to accord with the requirements of policy GB9.
- 5.12** Policy GB4 allows for new employment generating uses in the Green Belt where it involves the re-use of a building and meets the requirements of policy GB2. In light of the above, it is considered that the proposal does meet the requirements of policy GB2, which in turn means it also meets the requirements of policy GB4.
- 5.13** Overall, it is considered that the proposal meets the requirements of all of the relevant local and national Green Belt policies. As such, the proposal is not an inappropriate form of development within the Green Belt.

Transport matters and parking

Core Strategy Policies:

CP7 (Accessibility and transport)

Local Plan Saved Policies:

TR5 (Access, highways work and traffic generation)

TR7 (Traffic generation)

TR10 (Heavy goods vehicles)

- 5.14** The Council's Highway Officer has assessed the application, and upon receipt of additional information and evidence, does not raise an objection to the proposal.
- 5.15** The existing access is proposed to be retained to serve the site alongside the wider existing agricultural use. The Highways Officer has advised that the appropriate visibility splays can be achieved from the existing access, and as such, is adequate enough to serve the level of vehicular movements associated with the proposed use.
- 5.16** Three parking spaces have been proposed within the site which is in accordance with the Buckinghamshire Countywide Parking Guidance for a business of this size in this location. A swept path analysis has been submitted which demonstrates that a 10m long rigid HGV is able to access the site, manoeuvre, and egress in a forward gear without significantly impacting the adjoining highway or impacting upon the proposed parking spaces.
- 5.17** The existing vehicular access gates are set back approximately 9m from the carriageway. In order to allow for a vehicle to pull clear of the highway whilst the gates are being opened, the Highway Officer has advised that these should be positioned a minimum of 13m from the edge of the carriageway. They are satisfied that the re-location of the gates would not impact upon the existing turning area. The re-location of the gates can be secured by condition.
- 5.18** With regard to vehicular movements, the Highways Officer advises that there would be an increase in vehicular movements associated with the site, as a result of the proposed use. Within their first comments, the Highways Officer, whilst not raising an objection to the overall number of vehicle movements associated with the proposed use, they did raise an initial objection on the specific grounds that they considered that on the basis of the evidence submitted at that point, the proposal would have led to an unacceptable increase in the number of OGV (Other Goods Vehicles) movements associated with the site.
- 5.19** The Highways Officer acknowledged that Bangors Road South has a 7.5T weight restriction, which has been in place since 2004, and has a narrower section of carriageway at the southern end, close to Iver High Street. The narrower southern end of the carriageway measures in the region of 4.6m in width which does not allow for a HGV and a car to pass, according to Manual for Streets. Within the council's TRICS® assessment, it was calculated that 3 daily movements associated with the site are from OGV's, defined as all commercial vehicles with 2 axles and twin rear wheels and all vehicles with 3 axles or more and are therefore above the 7.5T restriction. Given this existing restriction and the restricted width of the southern section of the carriageway, the Highway Authority would seek to avoid permitting a development along this route which would increase the movement of vehicles that do not comply with the existing Traffic Regulation Order (TRO). Therefore, they were not in a position to support the application at that point in time.
- 5.20** Following these comments, the applicant undertook a 7-day traffic survey of Bangors Road South, and along with this survey submitted a further supporting statement addressing the matter of OGV movements.
- 5.21** After assessing this further evidence, the Highways Officer advises that it clearly shows that there is currently a significant number of OGVs traversing this route, which may appear to conflict with the existing Traffic Regulation Order on Bangors Road South.

Notwithstanding this, in the context of this application, the addition of 3 OGVs (2-way movements) expected as a result of the proposed change of use, is considered a minor increase in the context of the current level of OGV movements taking place, and therefore they consider that the initial reason for refusal can no longer be substantiated should the application go to an appeal situation, as it would not lead to unacceptable Highway implications, or meet the threshold of resulting in a 'Severe' highway impact as set out in the NPPF.

- 5.22** The concerns and objections of the Parish Council and local objector on highway matters are fully acknowledged, however, in light of the expert highway advice received from the Councils own Highways Officer, it is considered that the proposal would not lead to unacceptable highway implications. It has been advised by the Highways Officer that there could potentially be 1 OGV (2-way movement) per day associated with an agricultural use. In such circumstances, the proposed new use would lead to an increase of 2 OGV (2 way) movements per day. On balance, it is not considered that the highway impacts of this level of increase would be sufficient enough to warrant refusing the scheme, or be upheld at appeal.

Raising the quality of place making and design

Core Strategy Policies:

CP8 (Built and historic environment)

Local Plan Saved Policies:

EP3 (The Use, Design and Layout of Development)

- 5.23** The existing building would not be altered in terms of their size, height or appearance, and the level of vehicular movements associated with the proposed use are not considered to be out of keeping for the locality. Overall therefore, it is considered that the proposed change of use would not adversely impact upon the character and appearance of the locality or street scene, as well as the Colne Valley Park.

Amenity of existing and future residents

Local Plan Saved Policies:

EP3 (The use, design and layout of development)

EP5 (Sunlight and daylight)

- 5.24** Given the intensity at which the site would be used, combined with the nature of the activities that would take place on the site, as well as taking into account the significant distances that would be retained to the nearest residential properties, it is considered that the proposal would not lead to any adverse impacts on the amenities of the surrounding properties, including noise disturbance.

Environmental issues

Core Strategy Policies:

CP13 (Environmental and resource management)

Local Plan Saved Policies:

EP3 (The use, design and layout of development)

EP5 (Sunlight and daylight)

5.25 It is acknowledged that the application site lies within the Iver AQMA, and would lead to a small increase in the number of OGV's travelling in the area. Notwithstanding this, from an air quality point of view, the Council's Environmental Protection Officer raises no objections to the proposals, advising that the impact on air quality is not considered significant enough to warrant objecting to or to request a financial contribution to address the issue.

Infrastructure and Developer Contributions

Core Strategy Policies:

CP6 (Local infrastructure needs)

5.26 The development is a type of development where CIL would be chargeable.

5.27 It is considered that there would not be other types of infrastructure that will be put under unacceptable pressure by the development to justify financial contributions or the direct provision of infrastructure.

6.0 Weighing and balancing of issues / Overall Assessment

6.1 In determining the planning application, section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. In addition, Section 143 of the Localism Act amends Section 70 of the Town and Country Planning Act relating to the determination of planning applications and states that in dealing with planning applications, the authority shall have regard to:

- a. Provision of the development plan insofar as they are material,
- b. Any local finance considerations, so far as they are material to the application (such as CIL if applicable), and,
- c. Any other material considerations

6.2 Paragraph 11 of the NPPF sets out the presumption in favour of sustainable development which for decision taking means approving development proposals that accord with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

6.3 As set out above it is considered that the proposed development would accord with development plan policies.

6.4 In terms of applying paragraph 11 d of the NPPF it is concluded that there are no policies that protect areas or assets of particular importance, that provide a clear reason for refusing the development proposed and there are no adverse effects of the proposal which would significantly and demonstrably outweigh the benefits.

7.0 Working with the applicant / agent

7.1 In accordance with paragraph 38 of the NPPF (2021) the Council approach decision-taking in a positive and creative way taking a proactive approach to development proposals focused on solutions and work proactively with applicants to secure developments.

7.2 The Council work with the applicants/agents in a positive and proactive manner by offering a pre-application advice service, and as appropriate updating applications/agents of any issues that may arise in the processing of their application.

7.3 In this instance, further information was submitted by the applicant to address concerns relating to the potential highway implications of the proposal.

8.0 Recommendation: Conditional Permission. Subject to the following conditions:

1. No outside storage shall take place in connection with the use hereby permitted.
Reason: To protect the amenities of the Green Belt. (Policy GB1 of the South Bucks District Local Plan (adopted March 1999) refers).
2. Within 1 month of the date of this decision the existing vehicular access gates shall be relocated to 13m back from the edge of the carriageway. The gates shall be maintained in accordance with this set back from the highway thereafter.
Reason: In order to allow vehicles to pull clear of the carriageway to minimise danger, obstruction and inconvenience to users of the highway.
3. The development to which this planning permission relates shall be undertaken solely in accordance with the following drawings:

List of approved plans:

<u>Received</u>	<u>Plan Reference</u>
19 Oct 2021	Location Plan
19 Oct 2021	SP-TW-004
19 Oct 2021	Site Plan

INFORMATIVE(S)

1. The Council is the Charging Authority for the Community Infrastructure Levy (CIL). CIL is a charge on development; it is tariff-based and enables local authorities to raise funds to pay for infrastructure.

If you have received a CIL Liability Notice, this Notice will set out the further requirements that need to be complied with.

If you have not received a CIL Liability Notice, the development may still be liable for CIL. Before development is commenced, for further information please refer to the following website <https://www.southbucks.gov.uk/CIL-implementation> or contact 01494 732792 for more information.

APPENDIX A: Consultation Responses and Representations

Councillor Comments

Cllr Paul Griffin:

I would like this application to be called to Planning Committee for greater scrutiny. There are concerns about this use of Greenbelt, the weight limited road (7.5T) and the volumes of HGV traffic that will be generated. Residents have also recorded their concerns regarding creating another industrial area within Greenbelt and in an area with inappropriate access and on a problematic bend in the road.

Parish Council Comments

The Parish Council objects due to: road safety issues regarding HGV access; vehicle weight restrictions are in place on the highway; the site is located on green belt; increased noise and disturbance; damage to the environmental quality and visual character of the area. Note: Concern regarding numerous businesses already operating from the site including window manufacturing and motor repairs.

Consultation Responses

Highways Officer:

1st comments received 3rd December 2021:

Bangors Road South is a C class road which is subject to a 30mph speed limit. The road is subject to a 40mph speed limit approximately 80m north of the site access. This application seeks retrospective permission of the change of use of agricultural building to a class B8 storage and distribution use with an internal floorspace of 279m².

Trip Generation

In terms of trip generation, it is my understanding that the previous agricultural building was part of the wider agricultural use of the site which is to continue. Given the limited information submitted with the application regarding the previous use of the agricultural barn and the limited information available on the TRICS® database, agricultural buildings are generally considered to generate minimal and infrequent daily movements. The cessation of its use would therefore not result in a reduction of movements onto the local highway network. As such, any vehicular movements generated by the proposed change of use

have been treated as additional onto the highway network. Having carried out a TRICS® assessment using sites of a similar size and location with the proposed B8 use, it is expected that the site would generate 44 daily movements, two-way, which equates to 2 movements in the AM peak and 3 movements in the PM peak. This is contrary to the position of the

applicants' transport consultant who has calculated that 279m² of B8 use would generate 15 daily trips. However, having assessed the submitted TRICS® report in the applicants Appendix 1, it appears a number of very large sites have been included, 6 are over 2000m². These are therefore, in the opinion of the Highway Authority, not considered comparable to the current site and should not be included within the assessment.

Local Highway Network

However, it is acknowledged that Bangors Road South has a 7.5T weight restriction, which has been in place since 2004, and has a narrower section of carriageway at the southern end, close to Iver High Street. The narrower southern end of the carriageway measures in the region of 4.6m in width which does not allow for a HGV and a car to pass, according to Manual for Streets. Within the councils TRICS® assessment, it was calculated that 3 daily movements associated with the site

are from OGV's, defined as all commercial vehicles with 2 axles and twin rear wheels and all vehicles with 3 axles or more and are therefore above the 7.5T restriction. Given this existing restriction and the restricted width of the southern section of the carriageway, the Highway Authority would seek to avoid permitting a development along this route which would increase the movement of vehicles that do not comply with the existing Traffic Regulation Order (TRO). Therefore, we are not in a position to support this application.

Access

The existing access is proposed to be retained to serve the site alongside the wider existing agricultural use. As this access will be subject to an intensification in use, it must be assessed to ensure it is safe and suitable. In line with current guidance contained within Manual for Streets, visibility splays measuring 2.4m x 43m are required, commensurate with a 30mph speed limit. Having assessed the submitted plans, I am satisfied that in excess of full visibility can be achieved from the existing access.

Parking and Layout

3 parking spaces have been proposed within the site which I am satisfied is in accordance with the Buckinghamshire Countywide Parking Guidance for a business of this size in this location. A swept path analysis has been submitted which demonstrates that a 10m long rigid HGV is able to access the site, manoeuvre, and egress in a forward gear without significantly impacting the adjoining highway or impacting upon the proposed parking spaces. The existing vehicular access gates are set back approximately 9m from the carriageway. In order to allow for a vehicle to pull clear of the highway whilst the gates are being opened, these should be positioned a minimum of 13m from the edge of the carriageway, which can be secured by way of condition. I am satisfied that the re-location of the gates will not impact upon the existing turning area.

Mindful of the above, I must recommend refusal for the application for the following reason:

Reason: The proposed development will result in an increased number of OGVs which will route via Bangors Road South that is restricted by a 7.5T traffic regulation order. The southern section of Bangors Road South is limited in width and this restricts the ability for vehicles to pass one another, particularly heavy vehicles, detrimental to highway safety and inconvenience to highway users. The development is therefore contrary to the National Planning Policy Framework, Buckinghamshire Council Local Transport Plan 4 (adopted April 2016) and the Buckinghamshire Council Highways Development Management Guidance document (adopted July 2018).

NB: As previously set out, given the lack of information submitted, the council has considered that the agricultural building is unlikely to be a trip generator in its own right. Should the applicant wish to submit additional information regarding the previous trip generation associated with the agricultural building (noting the retrospective nature of the application), that is contrary to this, the Highway Authority would be willing to carry out a further assessment.

2nd comments received 21st December 2021 following submission of further information:

I write further to my comments dated 3rd December 2021 in which I recommended refusal for the application based on the increase in the number of OGV's using a section of highway which is restricted by a TRO and is of narrow width. Since these comments, the applicant has submitted a response in order to overcome the Highway Authority's concerns which I have now reviewed. These comments should be read in conjunction with my aforementioned previous comments for this application.

The applicant has submitted a 7-day ATC traffic survey which was located outside of the site to demonstrate the levels and types of vehicles currently using Bangors Road South. Having assessed this evidence submitted, it clearly shows that there is currently a significant number of OGVs traversing this route, calculated as 95 OGVs (2-way) across a 5-day average 12-hour flow. This evidence will be raised with our freight colleagues given the current TRO as mentioned within my previous response. Notwithstanding this, in the context of this application, the addition of 3 OGVs (2-way) expected as a result of the proposed change of use, as I have previously calculated, is likely to be a minor increase and therefore the reason for refusal can no longer be substantiated should the application go to an appeal situation.

As stated in my previous response, it is required that the existing vehicular access gates are repositioned to 13m back from the edge of the carriageway to ensure that the vehicles associated with the proposed development are able to pull clear of the carriageway whilst gates are being opened. I will secure this by way of condition below.

Mindful of the above, I have no objection to the proposed development subject to the following condition being included on any planning consent you may grant:

Condition: No other part of the development shall be occupied until the existing vehicular access gates have been relocated to 13m back from the edge of the carriageway.

Reason: In order to allow vehicles to pull clear of the carriageway to minimise danger, obstruction and inconvenience to users of the highway.

Environmental Health Officer:

The following matters amount to a material planning consideration from an Environmental Health perspective:

Noise – (Does not include noise from traffic).

The application has been reviewed and Environmental Health have no comments to make on the application.

Environmental Protection Officer:

With reference to Air Quality, I have the following comments to make:

1. The applicant has not provided an air quality assessment. The transport assessment and correspondence between Highways and the applicant indicates that the number of HGVs per day will be 3 (6 movements) which is below the screening criteria outlined in the IAQM Land-Use Planning & Development Control: Planning for Air Quality Guidance. The IAQM guidance provides screening thresholds of +100 LGV AADT and +25 HGV AADT (where within, or adjacent to, an AQMA) as indicating the need for an air quality assessment, whether this takes the form of a Simple or Detailed Assessment.
2. There are concerns about the potential air quality impacts of cumulative developments in the Ivers as many individual schemes, deemed insignificant in themselves, are potentially contributing to a “creeping baseline”. There is a concern that in combination the emissions of local planning developments and the National Infrastructure Projects could result in a significant increase in NO₂ concentrations in Iver and also contribute towards an increase in particulate matter. The Air Quality Action Plan for the Iver contains a number of measures

that should reduce NO₂ concentrations in Iver Parish. The council are requesting a financial contribution from all developments that increase concentrations within the Iver area. In this case the impact on Air Quality is not considered so significant as to request s106 funding the Strategic Environment will consider the CIL contribution from the developer.

If you have any queries regarding the contents of this letter, please do not hesitate to contact me.

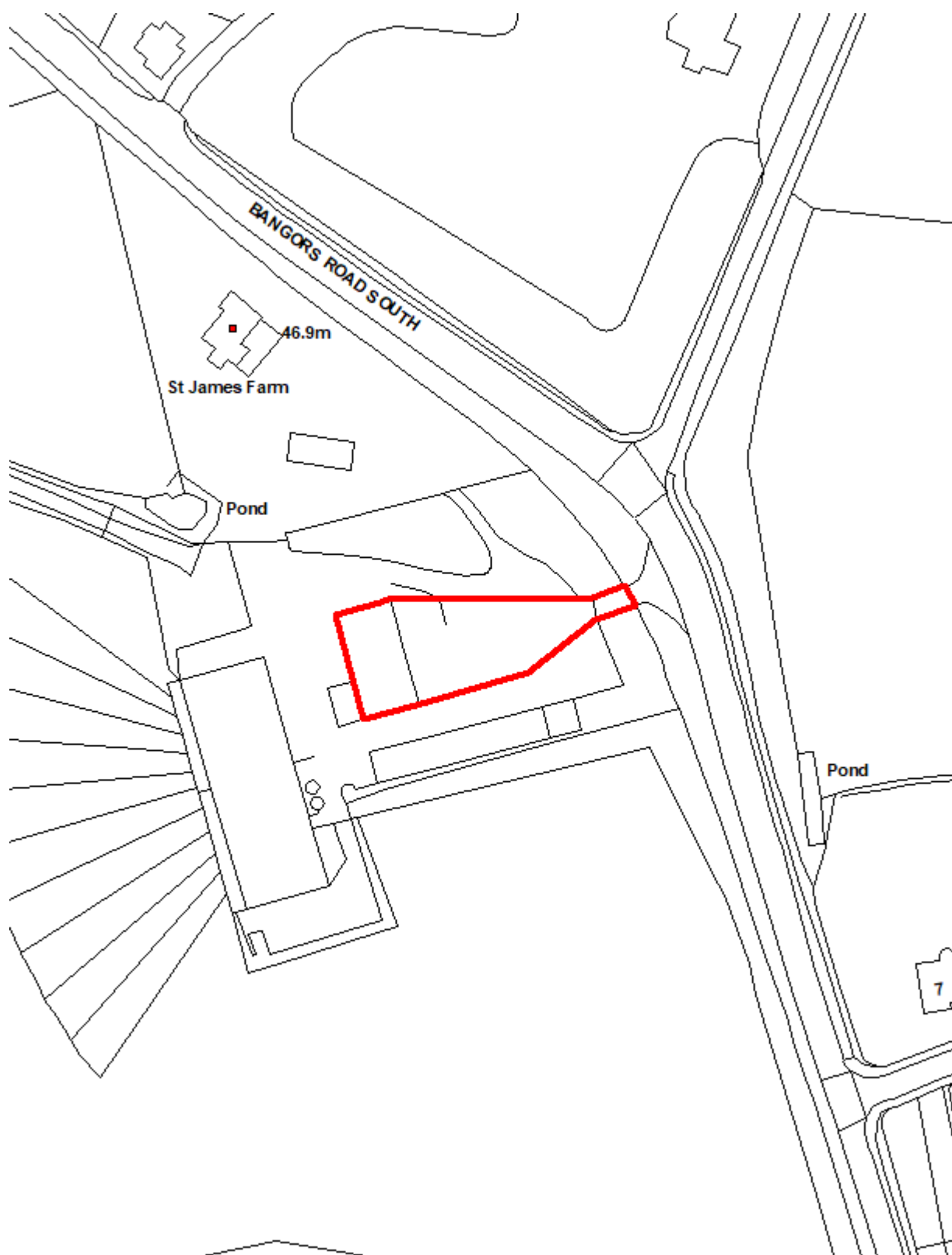
Representations

Other Representations

3 letters of objection have been received from the same source:

- Been operating as a storage and distribution centre for at least 2-3 years without planning permission;
- Egg production on site has ceased and conditions of permission related to that scheme have not been complied with;
- Vehicles block road when accessing the site;
- Increase in number of HGV's will cause highway danger and is contrary to existing TRO weight restriction;
- Nothing to stop open storage;
- Contrary to policy CP16;
- Noise disturbance to local residents;
- Number of HGV travelling along Bangors Road South is already contrary to weight restriction TRO;
- If only lawful number of HGV's were using Bangors Road South then increase created by this proposal would be proportionately greater;
- Impact on Green Belt - no very special circumstances to allow it;
- Impact on Colne Valley Regional Park;
- Entrance should be revised to allow vehicles to pull clear of highway;
- 30mph speed limit should be extended to Love Green Lane;
- Access to the site should be limited to being from the north;
- Impact of additional HGV's should not compromise any potential introduction of cycleway along Bangors Road South;
- Agricultural Land should be prioritised;
- If permitted, a condition should be included restricting the number of HGV movements.

APPENDIX B: Site Location Plan



Do not scale – this map is indicative only

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