



Buckinghamshire County Council

Minutes

DEVELOPMENT COMMITTEE

CONTROL

MINUTES OF THE MEETING OF THE DEVELOPMENT CONTROL COMMITTEE HELD ON TUESDAY, 5 DECEMBER 2000, IN THE IRELAND ROOM, COUNTY HALL, AYLESBURY, COMMENCING AT 10.30 AM AND CONCLUDING AT 11.35 AM

MEMBERS PRESENT

Mrs E M Lay (Chairman)

Mrs M A Baldwin, Mrs B H Jennings, Mrs S J Lee, Mr J H McB Page, Mr D J Rowlands, Mr R S Royston and Mr J S Ryman.

APOLOGIES FOR ABSENCE

Apologies for absence had been received from Mr I S Bates and Mrs C S Willetts.

DECLARATIONS OF INTEREST

There were no declarations of interest.

1 MINUTES

The minutes of the meeting of the Development Control Sub-Committee held on Monday 16 October 2000, copies of which had been circulated, were confirmed.

2 INTRODUCTION TO THE DEVELOPMENT CONTROL COMMITTEE

The Committee received the report of the Head of Spatial Planning, which introduced members to the new Committee. Attached to the report were the Committee's Terms of Reference, as agreed by Council, and the Local Code of Conduct to which the former Development Control Sub-Committee had adhered, and for which it was suggested the new Committee reaffirm its support. Details of powers delegated to officers and of the various performance measures used by the department were also set out in the report.

In discussing the report and its attached papers, members expressed strong concern that there was no provision for the Committee to consider significant referred matters or other major applications on which the County Council had been consulted, as had been practice with the former Sub-Committee. Rather, it would now fall to officers and following the trial period to the relevant Cabinet Member to comment on such matters. The Chairman and/or the Vice-Chairman of the Committee would be consulted on any officer decisions under the provisions of the relevant delegated power. This, members agreed, would fail to take on board the informed advice of the Committee. This was a view strongly endorsed by the Cabinet Member for Planning and Transportation who is also member of the Committee. Therefore, members welcomed and agreed officers' suggestions that a new Part 4 be added to the resolution requesting that Legal Services further investigate the possibility of the Committee being consulted on such matters for advice at the request of the relevant Cabinet Member.

Discussion also took place on the need for 75% of the Committee's members to have received specific training in development control matters. Officers reported that during the lifetime of the Council, all of the Committee's members had received such training. However, if members wished, a refresher course could be organised for the new year. Whilst members welcomed the offer of training, it was agreed that it would be more cost effective to run only one training session in the new year following the May elections when newly elected members would also be able to attend.

One member expressed concern over a passage in the report, which appeared to suggest that the decisions of the Committee would be open to review by the Select Committee on the Buckinghamshire Environment. In response, officers clarified this passage by explaining that the Select Committee could not review any of the decisions made by the Committee. However, members noted that it may review the policies to which the Committee adheres and the processes by which it makes its decisions in the context of the County's broader environmental policies.

RESOLVED

- 1 The Terms of Reference and functions of the Committee were NOTED;**
- 2 The application of the Local Code of Conduct to the work of the Committee was REAFFIRMED;**
- 3 The delegated powers and performance measures referred to in the report were NOTED;**
- 4 To REQUEST that the question of referred matters and other major consultations be further investigated by Legal Services, with a view to these being taken to the Development Control Committee for advice, on the request of the relevant Cabinet Member.**

**3 PROPOSED ERECTION OF READY MIX CONCRETE PLANT, PARK LODGE FARM, PINWOOD ROAD, IVER HEATH
APPLICATION NO: SBD/8213/00
APPLICANT: BRETT CONCRETE LIMITED
BUCKS STREET ATLAS PAGE 200 A2**

The Committee received the report of the Head of Spatial Planning, which sought the determining of the above application.

Officers reported that a number of additional responses to consultation had been received since the production of the report. The Committee noted that South Buckinghamshire District Council had no objection to the application, provided that there was no increase in the existing 146 maximum vehicle movements per day at the site and that these vehicles continued to adhere to the existing routing agreement. Members further noted that both the County Landscape Advisor and the Environment Agency had reported no objection to the application, as had the Highways Development Control Officer, again provided the routing agreement was adhered to. The Committee was also informed of an objection raised by Pinewood Studios on the grounds of the additional noise, dust and traffic that the application may result in. Officers reported that they did not believe these objections were sufficient to refuse the application.

RESOLVED

That Application No SBD/8213/00 be approved for the proposed erection of a ready mix concrete plant, Park Lodge Farm, Pinewood Road, Iver Heath, subject to:

- a The legal agreement attached to Consent No SBD/595/90 be varied to make reference to this consent;**
- b Conditions to be determined by the Head of Spatial Planning including the following:**
 - All sand and gravel used in the manufacture of concrete shall be derived from the deposits obtained from Park Lodge;**
 - The use of the ready mix concrete plant shall cease and all plant, buildings and machinery and stockpiles of materials hereby permitted shall be removed and the site shall be restored no later than six months after completion of sand extraction at Park Lodge, pursuant to Consent No SBD/595/90 or 30 September 2011, whichever is the sooner;**
 - Maximum vehicles movements associated with all consented activities at the Park Lodge Quarry not to exceed 146 movements per day;**
 - Hours of operation to be from 7.30 am to 5.30 pm Mondays to Fridays and 7.30 am to 12 noon Saturdays (maintenance only) with no operations on Saturday afternoons, Sundays or public holidays;**
 - Noise from operations not to exceed 55dB Laeq as measured at the nearest noise sensitive properties;**

- **Implementation of noise reduction measures including the cladding of the plant and the lining of the feed hopper;**
- **Implementation of dust minimisation measures including the use of a wet suppression system;**
- **All vehicles associated with the development to use the existing on site wheel wash before existing the site.**

**4 PROPOSED CHANGE OF USE FROM SCRAP YARD TO SCRAP YARD AND RECYCLING OF WASTE MATERIAL, DRAYTON RECYCLING, THORNEY MILL SIDINGS, IVER, BUCKINGHAMSHIRE
APPLICATION NO: SBD/8210/00
APPLICANT: DRAYTON RECYCLING
BUCKS STREET ATLAS PAGE 208 B2**

The Committee received the report of the Head of Spatial Planning, which sought the determining of the above application.

Officers reported that one additional response to consultation had been received since the production of the report. This, members noted, was from the Highways Development Control Officer who had expressed concern over the likely increase in HGV movements through the residential area to the west of the site as a consequence of the width restriction imposed on the highway to the east of the site. The Officer therefore believed that the application would detrimentally affect both the free flow of traffic and the highway safety in the vicinity of the site. Consequently, members agreed the suggestion of officers to include these concerns in the resolution as an additional reason for refusal of the application. One member also commented on the possible increase in wind blown litter the application may lead to.

RESOLVED

That Application No SBD/8210/00 for the proposed change of use of scrap yard to scrap yard and recycling of waste material, Drayton Recycling, Thorney Mill Sidings, Thorney Mill Road, Iver, Buckinghamshire, be REFUSED for the following reasons:

- i The proposal is contrary to Policy GB3 of the County Structure Plan, Policy WLP15 of the Adopted Waste Local Plan and Policy GB1 of the Adopted South Bucks Local Plan in that it is not one of the listed exceptions for development in Green Belt. Accordingly, the proposal represents inappropriate development in the Green Belt. Furthermore, the applicant has failed to demonstrate that the development is required to meet a proven need which cannot be satisfactorily met elsewhere and that very special circumstances exist to justify an exception to these policies.**
- ii The applicant has failed to provide detailed drawings and information in support of the application contrary to Policy WLP21 of the Adopted Waste Local Plan for Buckinghamshire. Also, the lack of detailed information provided means the application is contrary to the provisions of Policy WLP20 of the Adopted Waste Local Plan. Accordingly, the applicant has failed to demonstrate that the proposal would not give rise**

to an unacceptable impact in terms of noise, dust and odour at nearby residential properties.

- iii The site lies within the Colne Valley Park and the development is considered to be contrary to Policy UF2 of the County Structure Plan, and Policy L6 of the Adopted South Bucks District Local Plan in that the proposal would result in the urbanisation of the Park. Furthermore, the applicant has failed to demonstrate that the proposal would not have a detrimental impact on the overall amenity of the Colne Valley Park;**
- iv The proposal would generate HGV movements through nearby residential areas to the detriment of the amenities of local residents in terms of noise, vibration and general disturbance and accordingly the proposal is contrary to Policy WLP20 of the Waste Local Plan, TR11 of the County Structure Plan and EP9, TR5 and TR10 of the Adopted South Bucks District Local Plan.**
- v The application is contrary to Policy WLP21 of the Waste Local Plan in that the past and current performance of the applicant in operating a waste management facility leaves the County Council with little confidence that the development would be operated within the limits and conditions of any permission granted.**
- vi The development, if permitted, would lead to an increase in HGV traffic through the adjacent residential areas. This would lead to conflict and interference with the free flow of traffic on the highway and be detrimental to highway safety.**

**5 PROPOSED WASTE TRANSFER STATION AT UNIT 13, THE BISON ESTATE, IVER, BUCKINGHAMSHIRE
APPLICATION NO: SBD/8212/00
APPLICANT: MR BUTLER
BUCKS STREET ATLAS PAGE 207 D3**

The Committee received the report of the Head of Spatial Planning, which sought the determining of the above application.

Officers reported that two additional responses to consultation had been received since the production of the report. The first was from South Buckinghamshire District Council who objected to the application due to its inappropriate development of Green Belt land and a number of highways concerns raised. The second was from the Environment Agency who raised no objections to the application. In discussion of the report, members again commented on the possible increase in wind blown litter that may occur.

RESOLVED

That Application No SBD/8212/00 for the operation of a Waste Transfer Station at Unit 13, The Bison Estate, Iver, Buckinghamshire, be REFUSED for the following reasons:

- i The proposal is contrary to Policy GB3 of the County Structure Plan, Policy WLP15 of the Adopted Waste Local Plan and Policy GB1 of the adopted South Bucks District Local Plan. A waste transfer station is not**

listed as an exception to Green Belt policy and therefore the proposal is inappropriate development for such a location. Furthermore the applicant has failed to demonstrate that the development is required to meet a proven need which cannot be satisfactorily met elsewhere.

- ii The proposal is contrary to Policy WLP4 of the Adopted Waste Local Plan for Buckinghamshire because it does not satisfy any of the listed locational criteria for waste transfer facilities. Furthermore, no compelling reasons have been demonstrated by the applicant as to why an exception should be made to this policy.**
- iii The applicant has failed to provide detailed drawings in support of the application contrary to Policy WLP21 of the Adopted Waste Local Plan for Buckinghamshire. Also, the lack of detailed information provided means that the application is contrary to the provisions of Policy WLP20 of the Adopted Waste Local Plan. Accordingly, the applicant has failed to demonstrate that the proposal would not give rise to an unacceptable impact in terms of noise, dust and odour to the users of the nearby Grand Union Canal.**
- iv The applicant has failed to demonstrate that the proposal would not give rise to an unacceptable impact on the landscape of the Colne Valley Park, which Policy UF2 of the Structure Plan, and Policy L6 of the Adopted South Bucks District Local Plan, seeks to maintain and enhance.**

**6 PROPOSED ERECTION OF ADULT EDUCATION EXTENSION INCLUDING NEW CLASSROOM, ADMIN FACILITIES AND CRÉCHE AND CREATION OF NEW NURSERY FOR THE SCHOOL AT MILLBROOK COMBINED SCHOOL, MILL END ROAD, HIGH WYCOMBE
APPLICATION NO: CC/66/00
BUCKS STREET ATLAS PAGE 172 B4**

The Committee received the report of the Head of Spatial Planning, which sought the determining of the above application.

Officers reported that following consultation, Wycombe District Council had stated that the application site was considered to be located on part of the designated flood plain. Members noted that this had caused some confusion for according to the flood plain maps held at County Hall, Aylesbury, the site was not on the local flood plain. Officers reported that this confusion may be the product of the fact that the flood plain maps had recently been amended by the Environment Agency. Consequently, the Committee noted that the Environment Agency had been approached to clarify the matter. However, as no response had yet been received, officers suggested that it may be prudent to defer the matter to the next meeting of the Committee.

In discussion of the report, members acknowledged the need to be clear on the exact location of the flood plain, especially given the examples seen around the country in the recent wet weather. Members noted officers' comments that the application site had not been affected by the October/November floods. One member raised concern that a delay in the Committee's decision on the application may affect the school's ability to plan and open for the new academic year in September 2001. However, in response, officers reported that this would not be a concern as no detailed plans for the application had yet been drawn up. Officers also reported that early indicators suggested that the construction work would take between 10 and 12 months.

RESOLVED

To DEFER decision of Application No CC/60/00 for the erection of an adult education extension including new classroom, admin facilities and creche and the creation of a new nursery for the school at Millbrook Combined School, Mill End Road, High Wycombe, pending the clarification of further details requested from the Environment Agency.

7 ERECTION OF 4 NO PERMANENT CLASSROOMS (TO REPLACE 4 NO TEMPORARY CLASSROOMS) AND RETENTION OF 4 NO TEMPORARY CLASSROOMS UNTIL JANUARY 2002 TO ALLOW USE BY STUDENTS DECANTED FROM THE TOWER BLOCK DURING CURTAIN WALLING WORKS AT AYLESBURY HIGH SCHOOL, WALTON ROAD, AYLESBURY APPLICATION NO: CC/70/00 BUCKS STREET ATLAS PAGE 115 B4

The Committee received the report of the Head of Spatial Planning, which sought the determining of the above application.

Officers reported that since the production of the report, a number of additional responses to consultation had been received. Members noted that both Aylesbury Vale District and the Local Member had raised no objection to the application. Officers also reported that the County Archaeological Officer had no objections to the application provided that no development took place at the site until an archaeological survey had been put in place. Members were informed that as with previous applications, such a survey need not delay the development, running parallel to any construction work undertaken.

RESOLVED

That Application No CC/70/00 be APPROVED for the erection of 4 no permanent classrooms (to replace 4 no temporary classrooms) and retention of 4 no temporary classrooms until January 2002 to allow use by students decanted from the tower block during curtain walling works at Aylesbury High School, Walton Road, Aylesbury subject to the following conditions as determined by the Head of Spatial Planning including:

- a materials to match the existing building;**
- b removal of the temporary classrooms by January 2002 or on completion of the curtain walling works, whichever is the sooner.**
- c a programme of archaeological work shall be carried out.**

**8 PROPOSED ERECTION OF A DOUBLE TEMPORARY CLASSROOM UNIT FOR A PERIOD OF THREE YEARS AT THE MISBOURNE SCHOOL, GREAT MISSENDEN, BUCKINGHAMSHIRE
APPLICATION NO: CC/61/00
APPLICANT: EDUCATION COMMITTEE
BUCKS STREET ATLAS PAGE 152 A3**

The Committee received the report of the Head of Spatial Planning, which sought the determining of the above application.

In presenting the report, officers circulated a revised plan of the site showing the coach lay-by and public Footpath No 34, both of which had been omitted from the original plan circulated with the report.

In discussion of the report, one member made clear that the application would involve the development of Green Belt land and that this would be contrary to the Local Plan and Policies of Chiltern District Council. The Member therefore stressed the need for the Committee to make its decision on this application in full knowledge of these facts. Members present acknowledged these comments.

RESOLVED

- 1 That Application No CC/61/00 is SUPPORTED for the proposed erection of a double temporary classroom unit for three years at the Misbourne School, Great Missenden;**
- 2 That the application be FORWARDED to the Secretary of State in accordance with the provisions of the Town and Country Planning (Development Plans and Consultations) Direction 1992;**
- 3 That subject to the Secretary of State not intervening, the Head of Spatial Planning APPROVE Application No CC/61/00 for proposed erection of a double temporary classroom unit for three years at the Misbourne School, Great Missenden, subject to conditions including:**
 - a used for no purpose other than that of a secondary school learning support unit;**
 - b removal of the unit and restoration of the land no later than 31 December 2003.**

**9 PROPOSED CHANGE OF USE FROM DAY CARE CENTRE TO OFFICE USE AT NORTHGATE DAY CENTRE, STATION ROAD, BEACONSFIELD, BUCKINGHAMSHIRE
APPLICATION NO: CC/69/00
APPLICANT: SOCIAL SERVICES COMMITTEE
BUCKS STREET ATLAS PAGE 175 F1**

The Committee received the report of the Head of Spatial Planning, which sought the determining of the above application.

In presenting the report, officers circulated a revised recommendation, which clarified the fact that, if agreed, the change of use to office use would enure solely for the use by the County Council. Members noted that once the need for the office use was

complete, the use would return to that of a day care centre. Officers also made clear that if the property returned to third party ownership, this would automatically and only be for residential use. Members noted that the Highways Development Control Officer raised no objection to the application.

RESOLVED

That Application No CC/69/00 be APPROVED for the proposed change of use from day care centre to office use at the Northgate Day Centre, Station Road, Beaconsfield, subject to conditions to be determined by the Head of Spatial Planning including:

- a The retention of the Yew tree at the Station Road entrance;**
- b The change of use to office use shall enure solely for the benefit of the applicant or its agents and the permitted use of the property shall revert to Day Care should the applicant cease the office use hereby permitted.**

10 JOINT REPORT

**1 STRATEGIC OBJECTION TO THE PROPOSED BURTLEY WOOD MOTORWAY SERVICE AREA ON LAND TO THE SOUTH EAST OF THE M40 AT JUNCTION 2 ADJACENT TO HEDGERLEY LANE AND A355 SLOUGH ROAD, BEACONSFIELD, BUCKINGHAMSHIRE
APPELLANT: TEXACO LIMITED, SWAYFIELDS LIMITED AND TRUSTEES OF 8th VISCOUNT PORTMAN
APPLICATION NO: SBD/99/0723
BUCKS STREET ATLAS PAGE 187 D2**

2 THE HIGH COURT JUDGEMENT ON M25 MOTORWAY SERVICE AREA APPEALS

The Committee received the report of the Head of Spatial Planning, which reaffirmed the County Council's strategic objection to the Burtley Wood MSA and advised the Committee of the High Court's decision to reopen the consideration of all the MSAs on the western section of the M25, including the Warren Farm Scheme near Chalfont St Peter and Denham.

In discussion of the report, members were in agreement over the serious implications of the Inspector's report regarding the Burtley Wood MSA and the need for a strong response, as had been sent to the Secretary of State by the Head of Spatial Planning. A copy of this response was attached to the report. The Committee also noted the heavy legal costs, which may be involved in the re-opposing of the re-opened MSA appeals on the western section of the M25.

RESOLVED

- 1 Proposed Burtley Wood Motorway Service Area at Junction 2 on the M40, Beaconsfield:**
 - a To REAFFIRM the Committee's strong objection to the proposed Burtley Wood MSA (Application No SBD/0723/99) for the strategic planning reasons previously determined at the**

Sub-Committee meeting held on 25 October 1999 and set out again in Appendix A;

- b To ENDORSE the letter sent by the Head of Spatial Planning to the Secretary of State (SoS) in Appendix B;**
- c To INSTRUCT the Head of Spatial Planning to prepare a Supplementary Written Statement based on the issues raised in Appendix C that reiterates the County Council's strong objection agreed in (a) to the Burtley Wood MSA at Junction 2 on the M40 at Beaconsfield;**

2 High Court Judgement on M25 MSA Appeals:

- a To NOTE that the High Court has quashed the Secretary of State's (SoS) decision to approve consent for an MSA at New Barn Farm (near Cobham in Surrey) and his decision to refuse MSAs elsewhere on the western section of the M25 including the MSA proposal that Warren Farm, near Chalfont St Peter/Denham; and**
- b To INSTRUCT the Head of Spatial Planning to prepare a Committee report for a future Committee meeting recommending a way forward for the County Council in respect of the MSA appeals on the western section of the M25 motorway.**

**11 APPEAL DECISION ON PROPOSED WASTE TRANSFER AND RECYCLING STATION, LAND OFF BUCKINGHAM ROAD, GAWCOTT, BUCKINGHAMSHIRE
APPLICATION NO: 99/2711/AWD
APPLICANT: A J COX
BUCKS STREET ATLAS PAGE 52 A3**

The Committee received the report of the Head of Spatial Planning, which advised members of a recent decision by the Planning Inspectorate in respect of the above application. The report was noted.

12 DECISIONS TAKEN BY THE HEAD OF SPATIAL PLANNING UNDER DELEGATED POWERS

The Committee received the report of the Head of Spatial Planning which informed members of decisions taken since those reported to the last Development Control Sub-Committee meeting and up to 22 November 2000. Officers reported that a composting facility at Calvert had also been agreed and would be included on a report to the next Committee meeting. The report was noted.

13 EXCLUSION OF THE PUBLIC

That the public be excluded from the meeting under Section 100(A)4 of the Local Government Act 1972 for the following item of business on the grounds that disclosure of the information would be prejudicial to the public interest by virtue of the confidential nature of the business to be transacted:

Agenda Item 16: Confidential minutes of the meeting held on 16 October 2000 (paragraph 12)

14 SUMMARY OF CONFIDENTIAL MINUTES

The following is a summary of the confidential minutes of this meeting, which is required under Section 100C of the Local Government Act 1972:

Agenda Item 16: The Confidential minutes of the meeting of the Development Control Sub-Committee held on 16 October 2000, copies of which had been circulated, were confirmed.

15 DATE OF NEXT MEETING

It was agreed that the next three meetings of the Committee should take place on the following dates:

Tuesday, 16 January 2001, at 10.30 am, in the Ireland Room, County Hall, Aylesbury

Tuesday, 27 February 2001, at 10.30 am, in the Ireland Room, County Hall, Aylesbury

Tuesday, 10 April 2001, at 10.30 am, in Mezzanine Rooms 1 and 2, County Hall, Aylesbury

CHAIRMAN

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