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## **COMMITTEE SITE VISIT**

App No. 18/01731/APP

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**Proposal:** Retrospective application for consent to cover part of site in granular hard surfacing using asphalt scrapings.

Land Off Brill Road Oakley Buckinghamshire

**At the previous Committee Meeting:** 14th March 2019

**Officers Recommendation:** Approval

### **Late Items:**

A corrigendum was attached to the report regarding late representations, and follow-up response from Transport for Buckinghamshire in relation to drainage onto the highway, indicating they were satisfied with the remedial works that had been undertaken and had no outstanding concerns at that time, along with further corresponding additions to the evaluation.

A further late item was verbally relayed by the presenting officer, providing a more detailed response from Buckinghamshire County Council SuDs team regarding the reported drainage concerns raised in representations. This was summarised as: When the issue was first brought to the attention of the Strategic Flood Management team, the site was reviewed against the BCC Land Drainage Enforcement Policy, and as it did not meet the criteria set out within the policy no further investigations were undertaken. Since this issue did however result in flooding on the highway, the issue was referred to the Highways Authority, and as advised in the corrigendum, they are satisfied with the remediation works that have been completed.

### **Public Speakers:**

The Committee was addressed by Cllr David Cherry of Oakley Parish Council, who raised the following issues:

- The Parish Council considers the development is contrary to policies RA8, GP34, GP35, GP77 of AVDLP and paragraph 170 a) and b) of the NPPF.
- It detracts from the rural character of the AAL and the openness and rural character of the open countryside.
- Test not just whether impacts on the wider AAL but whether it complies with relevant policies and NPPF.
- Policy RA8, AALs given high level of protection and adverse effects should not be permitted.
- Policy GP34 requires development to respect the environmental qualities of the area.
- Policy GP35 requires development to respect the physical characteristics of the area.
- Paragraph 170 requires development to protect and enhance valued landscape.
- Consider it is clear that covering with hardstanding does not comply with these policies.
- Officer recognises it is not visually pleasing.

- Asked members to refuse.
- The development will become more visible because the fence (which was subject of a separate application, which has been refused planning permission) will be removed; and the applicant cannot be compelled to replace it with anything.
- There is still flooding of the site, the applicant's own land, due to ditch filled in.
- The use stated is not authorised, the proposed use is not agricultural and use of a field for horse related activities would need permission.
- The hardstanding serves no purpose.
- Concerned approval of the development would reduce ability to resist further development of the site in the future, including for siting of caravans.

The Local Member, Cllr Rand, raised the following issues in opposition of the proposal:

- The development causes permanent harm to the AAL and detracts from the rural character, contrary to RA8.
- Contrary to AVDLP policy RA2.
- Paragraph 10.29 of AVDLP (*text in support of policy RA9*) states that development in the countryside should benefit economic activity and maintain or enhance the environment and that if agricultural land is developed, it is seldom practicable to return it to best quality agricultural land.
- Contrary to AVDLP paragraph 10.9 (*text in support of policy RA3*) which states "Where changing the use of the land in question from agricultural is considered acceptable in principle, the Council will require submission of details of proposed boundary treatment and any planting proposals, and permitted development rights for additional structures or hard surfaces may be withdrawn by condition."
- Removal of the fence will make the development more visible.
- The proportion of the site laid for hardstanding versus grazing is out of proportion.
- Contrary to policy GP77 and emerging policy C2 as harmful to the character and openness of the landscape; acknowledges limited weight of C2.
- The NPPF requires a landscape character assessment of the development, which has not occurred.

**Site Visit:** 19 March 2019 At: 10.30am

**Those Attending:** Members: Cllrs: Cooper, Bond

Local Member: Cllr Rand

Apologies: Cllrs: Mrs Glover, Town

Officers: Mrs Claire Bayley and Mrs Rebecca Jarratt

**Features inspected:**

Members met on the site, centrally on the hardstanding. Officers described the development, pointing out the existing boundary treatments, including the permitted fences to the rear and side, the retained hedgerow and unauthorised fence to the highway / front boundary. Members noted the existing hardstanding material laid, the existing hedge and standing water on the site.

The party moved into the area indicated as grass on the plan; Members noted the ground in this area was currently bare earth, and the extent of the hardstanding visible from that area. Members noted green waste piled on the bare earth, officer's confirmed commercial use of the site was not part of the proposal, and Cllr Rand commented that he had been advised that commercial waste brought onto the site would be a matter for Bucks County Council as the Waste Authority, and he has been in discussion with them. Members noted a distant house on the ridge; officers pointed out the location of public rights of way. Officer's confirmed for members that laying of some additional material, amount to that necessary to finish off the surface of the area indicated on the plans would be permitted if the application was approved.

The party left the site through the access and viewed the site from the verge on the opposite side of the road, in the vicinity of the site entrance. Members noted what was visible of the hard standing through the gate/entrance. The party then walked down the hill to view the site from the vicinity of the southern point, opposite the end of the unauthorised fence. The members noted the extent to which removal of the fence would open up views into the site, and distance to dwellings at the northern end of Oakley.

#### **Discussion:**

One Member expressed that if they are just looking at the hardstand for supporting an equestrian use, this is not problematic in itself. However, the loss of the fence would cause a problem in terms of views into the site. This could be resolved if the replacement of the fence with an appropriate treatment, a mixed hedge, could be secured and its provision enforced to reduce views from the road. No problems from distant view, no nearby footpaths, in terms of wider landscape impact. They could see no reason to refuse the development.

One member stated that they would not support the use of the land as a commercial yard, and that there was little evidence on site of any equestrian use of the land. They expressed that there would be a need for enclosure of the site, and if the fence were removed this would need to be replaced with something appropriate. However, what is the harm of the hardstanding if it cannot be seen from anywhere. The member expressed that this would be ok if for equestrian use but not for commercial.