

Minutes

DEVELOPMENT CONTROL COMMITTEE

**MINUTES OF THE MEETING OF THE DEVELOPMENT CONTROL COMMITTEE HELD ON
TUESDAY 19 JULY 2016 IN MEZZANINE ROOMS 1 & 2, COUNTY HALL, AYLESBURY,
COMMENCING AT 10.00 AM AND CONCLUDING AT 11.25 AM**

MEMBERS PRESENT

Mrs L Clarke OBE, Mr C Ditta, Mr A Huxley, Mr D Martin, Mr R Reed, Mr B Roberts,
Mr D Shakespeare OBE and Mr W Chapple OBE

MEMBERS IN ATTENDANCE

Mr P Hardy

OTHERS IN ATTENDANCE

Ms R Jones, Mrs O Stapleford, Ms A Herriman, Ms S Griffin, Ms L-L Briggs, Mr A Sierakowski
and Mr D K Symes, Mr T Webb and Mr N Coxhead.

Agenda Item

1 APOLOGIES FOR ABSENCE / CHANGES IN MEMBERSHIP

Apologies for absence were received from Mrs N. Glover.

Mr B Chapple, substituted for Mrs Glover.

Members of the Committee were advised that Rachel Jones, Planning and Enforcement Team Leader would be leaving Buckinghamshire County Council in August. The Chairman thanked Mrs Jones for the work she had undertaken on behalf of the Committee and wished her every success for the future.

2 DECLARATIONS OF INTEREST

Mr Chapple declared an interest in Item 6, Berton Church of England School as the Local Member for Berton.

3 MINUTES

The minutes of the meeting held on the 14 June 2016 were agreed as a correct record.

4 HOLTSPUR COMBINED SCHOOL, CHERRY TREE ROAD, BEACONSFIELD, HP9 1BH

The Planning Officer presented the application which was the proposed demolition of the existing scout hut and pre-school building; erection of a two storey building comprising of pre-school accommodation and associated external play areas on the ground flood and facilities for the 1st Holtspur Scout Group, gates and car parking; single storey extensions to primary school building to create 3 additional classrooms, the erection of a temporary single classroom mobile unit and the removal of the unit upon completion of the proposed classroom block.

The Committee received a presentation showing the access to the site, the location of the existing school building, car park and scout hut and the proposed new and temporary classrooms and were advised of the following points:

- Subsequent to the receipt of comments from ecologists, about the possible presence of bats on the site, the recommendations had been revised to include the following conditions within the planning consent:-
- Prior to the commencement of the development, details of the phased construction of the development and details of any survey(s) to be carried out shall be submitted to and approved in writing by the County Planning Authority.
- Highways did not have any objection to the application but have asked for the addition of the five conditions and an informative (attached).

In response to questions raised, Members of the Committee were advised:

- In response to concerns around the provision of parking for parents and the effectiveness of a Traffic Management Plan: Highways stated that there was currently no provision for parking for parents and that the applicant had advised that the school currently had an arrangement in place with Beacon Sport Centre and Theatre to allow parents to park in their car park at the beginning and end of the day. It had been acknowledged that an increase of traffic was likely around the school and any impact of traffic of parking was to be localised for a short period of time. Highways had also advised that the level of parking provision and the proposed drop off area was considered to be adequate.
- With regard to the future proofing of classrooms, the Schools Service could only require the extension to be constructed to meet the needs of that school at that time and to which the school had agreed. Where possible, the Schools Service tried to build flexibility into development so to accommodate pressure within the extension.
- The proposal was that the temporary classrooms would be in use for one year.
- A condition of the planning application was the inclusion of a Traffic Management Plan detailing the permissible delivery times for materials and construction related deliveries to the school (between 07:30 and 08:30, 09:00 – 15:00 and after 15:00 to avoid pick up and drop off times).
- Another condition of the application was for the school to have a School Travel Plan; however the content of the Plan was believed to be outside the remit of the Development Control Committee.
- The current capacity of the school was 210 pupils. The proposal for two new classrooms would increase the capacity of the school to 272 pupils and the provision of an additional 40 nursery places. The staff numbers at the school would increase from 35 to 38, staff numbers at the nursery from 6 to 10. As part of the project, car parking would be increased from 14 spaces to 27 spaces of which 4 spaces would be designated for the pre-school or Scouts (out of hours) and a new drop off area close to the main school entrance would be included.

ACTIONS

- **The school would to be asked to provide an up to date Travel Plan – Planning**

- **Officer.**
- **Current and revised pupil numbers resulting from the expansion of a school would be included in future reports for planning applications- Planning Officers.**
- **The Cabinet Member for Transportation would be contacted to request that Local Members would be informed of any matters relating to a school within their local division – Chairman**
- **Officer advice would be taken on whether School Travel Plans were beyond the remit of the Development Control Committee – Chairman.**
- **The Chairman of the Transport, Environment and Communities Select Committee would be contacted to request that School Travel Plans be added to the work programme of the Committee – Committee Assistant.**

RESOLVED

Committee Members unanimous AGREED application CC/13/16 on the proviso of the inclusion of an up to date School Travel Plan.

5 LENT RISE SCHOOL, COULSTON WAY, BURNHAM, BUCKS SL1 7NP

The Planning Officer presented the application for the proposed extensions and internal alterations to expand the hall and classroom and provide a new servery, classroom, staffroom and reception area to accommodate a bulge class.

The Committee received a presentation showing an aerial view of the site, with the location of the proposed classroom and reallocated parking spaces, during which the Planning Officer made the following points:

- A single bulge class had been created in the school in September 2015 which had been possible with only a few internal changes to the reception area.
- The proposed works would ensure that the school was able to accommodate the increased number of pupils until they left for Secondary School and would also address some current safeguarding issues.
- The Local Member had advised that he supported the application.

In response to questions raised, Members of the Committee were advised:

- The school currently had a Travel Plan in place which had been included in the application and would be reviewed annually.
- In terms of partnership working between schools and parents to try to address issues such as parking, a School Travel Planning Officer, not based within the Planning Development Management structure, worked very closely with as many schools as possible to develop and maintain School Travel Plans. Planning Development Management could recommend that a school had a School Travel Plan and it was also a requirement for a school to have a Travel Plan in place if it wanted to expand.

ACTIONS

- **An updated School Travel Plan would be requested from the school– Planning Officer**
- **The School Travel Planning Officer would be advised of the views of the Committee about Schools Travel Plans – Planning Officer**

RESOLVED

Members of the Committee unanimously AGREED application CC/05/16

6 BIERTON CHURCH OF ENGLAND COMBINED SCHOOL, PARSONS LANE, BIERTON, HP22 5DF

The Planning Officer presented the application which related to proposed single storey extensions, alterations to Bierton C of E Combined Schools including the creation of a

new external Multi Use Games Area (MUGA) and additional car parking spaces, and the change of use of an adjacent area of Glebe land to school playing field.

The Committee received a presentation showing the site of the main schools, location of the current car park, site of the new park, MUGA, the proposed nursery and classroom facilities and were advised the following:

- In response to the issue raised about the possible presence of bats, great crested newts and badgers/mammals on the site, the Ecologists had advised that *'it should be a condition of any consents that an updated landscape plan is submitted to Buckinghamshire County Council with the details of the enhancements contained within Section 5.4 of the ecological assessment and Recommendations contained within Section 5 be included within the plans. These should be agreed with the Ecology Adviser prior to start of works'*.
- The Local Member raised concerns about the amount of traffic on the A418/Parsons Road, the access to the school, the width and of the pavement on Parsons Lane, the safety of parents and children using this pavement and parking for parents during school drop-off and collection times. In response the Planning Officer explained that these issues were outside the application site and therefore the remit of planning and that the only way to secure this would be by entering into an s106 agreement, which was not possible as the County Council itself was the developer. In addition, the only option to control school traffic would involve all vehicles turning left and go into Aylesbury which was considered to be impractical.

ACTION

The Cabinet Member for Transportation would be contacted to request that Local Members were informed of any matters relating to a school within their local division – Chairman

RESOLVED

Members of the Committee AGREED the application subject to the inclusion of the ecology conditions.

The Local Member for Bierton abstained from the vote.

7 SLADE FARM, HEDGERLEY LANE, HEDGERLEY, SLOUGH, BUCKINGHAMSHIRE, SL2 3XD

The Planning Officer presented the application for the proposed extraction and processing of sand and gravel with restoration to agriculture using imported inert materials, the installation and use of a mineral processing plant, a concrete batching plant and soil treatment plans, access onto Hedgerley Lane, and ancillary buildings, including a weighbridge, office, workshop and welfare facilities.

The Committee received a presentation during which the following points were highlighted:

- Access to the site was via Hedgerley Lane on its northern boundary, with vehicles turning left towards the A355 and Junction 2 of the M40.
- All vehicles would leave the site to the west towards the junction of the motorway services/M40 roundabout.
- The site was located in the Metropolitan Green Belt surrounded by areas of woodland and currently comprised of grade 3 agricultural land.
- The nearest residential properties at Slade Farm included Slade Farmhouse and Slade Farm Cottage. Slade Farmhouse and the adjacent outbuildings were

- separately listed as Grade II Listed Buildings.
- There was Rights of Way access in the south west corner of the site

Members of the Committee were asked to disregard paragraph 3 on page 58 of the report which had been included incorrectly and that page 70 of the report incorrectly stated that the Local Member for Gerrards Cross had not formally commented on the planning application. The Local Member's comments were tabled for the Committee to consider.

The Chairman welcomed Mr Thomas Webb, who spoke as a member of the public in objection to the application, Mr Neil Coxhead, who spoke on behalf of Hedgerley Parish Council in objection to the application, Mr Douglas Symes, agent for the applicant who spoke in support of the application and Mr Peter Hardy, Local Member for Gerrards Cross who spoke in objection to the application.

Mr Webb made the following points:

- Slade Farm was part of an important green space for residents over a wide area, which needed to be carefully preserved.
- 199 objections had been lodged against the application which included the local MP, County Councillor, District Council and all the local Parish Councils.
- Slade Farm was in the Green Belt and the ancillary developments proposed included a concrete batching plant using materials brought onto the site, were contrary to Green Belt policy.
- Following the rejection of a similar proposal some years ago the site was designated as an Area of Attractive Landscape and was therefore considered to have environmental merit.
- The development would directly impact a listed building, Slade Farm, which was considered a material planning consideration, but which had not been covered in the Planning Officer's report.
- There were two other listed buildings, two conservation areas and an RSPB Reserve within a short distance of the site. The site also adjoined ancient semi-natural woodlands.
- An average of 156 heavy lorry movements were expected each day carrying gravel, sand and concrete. These would travel on Hedgerley Lane which was a minor road leading onto a roundabout and road junction at the motorway service area which Mr Webb considered already overloaded and dangerous for long periods of the day with traffic accessing the MSA. Traffic was increasing with the success of the MSA with currently over 10,000 vehicle movements a day.
- Hedgerley Lane had no footpath and was used regularly by walkers, joggers and cyclists.

Mr Coxhead made the following points:

- Hedgerley Parish Council, along with neighbouring Gerrards Cross and Farnham Royal councils, objected to this application, not only because of the potential impact upon the amenity of our community, but because clearly there is no need for this Green Belt site to be opened up as a gravel pit at the present time: as already stated, the proposal was contrary to Policies CS4: Gravel Provision (there was more than sufficient landbank) and CS5: Preferred Areas (the site was not a preferred site).
- Contrary to the applicant's claim in his response to our comments: Hedgerley Parish Council did object to the application on the grounds that it was contrary to Policy CS20: Green Belt. Not only did it not meet Policies CS4 nor CS5, but the proposed ancillary use (notably a concrete batching plant) and the waste management use were not permitted in the Green Belt - the National Planning Policy Framework (NPPF) restricted development to minerals extraction only.
- The application was premature, given that a new Minerals plan was being produced.

It was noted that the applicant had already put forward Slade Farm as a potential preferred site, to be tested alongside other potential sites in accordance with that new plan.

- Hedgerley Parish Council fully supported the Planning Officer's recommendation for refusal of the application, and urged the Committee to follow this recommendation.

Mr Symes asked The Committee to consider the following points:

- NPPF guidance on decision making in the absence of Local Plan.
- NPPG advice which was clear that that decisions should be made on the merits of the application regardless of landbank.
- The LLA did not address the significance of quarry closures.
- Consistency in decision making.
- There current Minerals Local Plan did not identify the preferred mineral sites from which a steady and adequate supply would be maintained. Within this vacuum some 5 quarries had become worked out, with output or supply noticeably reduced.
- Government Policy stated that in the absence of a Local Plan, permission should be granted unless any adverse impacts outweighed the benefits. (NPPF#14)
- The report made clear there were no statutory objections demonstrated nor any adverse impacts. In terms of benefits, the Government put great weight on the benefits of mineral extraction. (NPPF#144).
- The reason given to reject the application due to the decline in the demand for sand and gravel over the past ten years, and therefore no current need for a new mineral extraction site in the County was based on the current level of the landbank being over the 7-year minimum based on the latest Local Aggregate Assessment (LAA). Mr Symes argued that as the landbank should always be above this figure, it was not appropriate to use the figure as an indication of 'adequate'.
- The NPPG paragraph 84 should be applied: 'each application should be judged on its own merits regardless of the length of the landbank'.
- In relation to consistency in decision making, Mr Symes referred the Committee to the last 'greenfield' mineral application in George Green 3 years ago where there were greater statutory concerns but it was approved because of the absence of any up-to-date Mineral Local Plan despite the landbank being over 7 years.

Mr Hardy made the following points:

- He gave his full support to the comments made by colleagues from Hedgerley Parish Council and from Mr Webb.
- He concurred with the comments made by the Case Officer that there was no need for the site at the present time.
- The Aggregate assessment for 2015 was quite clear on this point and with the addition of the expected post Brexit slowdown in construction activity, the landbank would remain in excess of the need for the foreseeable future and beyond that.
- If the need had been demonstrated, the Council would decide how that need should be met.
- The current Minerals and Waste Plan had been approved by Buckinghamshire County Council 4 years ago and was democratically based.
- The annual review of the minerals requirements was soundly based.
- That the Local Member concluded that in his view the application was without merit and urged the Committee to follow the advice of the Case Officer and refuse the application.

In response to questions and issues raised, the Planning Officer advised the following:

- In terms of whether the plant would be contrary to Green Belt Policy: there was the distinction to be drawn between plant which was provided as part of a mineral extraction operation and would operate in conjunction with the mineral extraction operation and a plant which would be separate and free standing and would not

- operate in conjunction with the operation.
- The County Council had a legal obligation to have regard to the setting and importance of listed buildings. South Bucks District Council was consulted as part of the application and had not commented. The two listed buildings were close to the site but their main elevations were to the south and looked away from the site and there were other buildings between the listed building and the site. The assessment provided by the applicant on the possible impact to the listed buildings concluded that there was no impact on the settings of the buildings.
- In relation to making a decision in the absence of a Local Plan: Buckinghamshire County Council had a Minerals and Waste Local Plan and a Core Strategy which were due to be updated. A public consultation had been undertaken and submissions had been made by the industry about possible sites in response to the consultation.
- That the decision to approve the application raised the issue of prematurity given the current review of the Minerals and Waste Local Plan, for the reasons set out in the report. The Planning Officer advised that prematurity should only be used where approval of an application may be prejudicial to the objective of the future plan. In the context of the current application, the issues arose because it raised the question of whether consent should be granted for a new greenfield site in the Green Belt when policy favoured extensions to existing sites, and at a time when there was a question of whether there was any need for further permitted reserves.
- In relation to the landbank: Planning Practice Guidance provided advice on the refusal of planning permissions relating to landbanks. It stated that a landbank below the minimum (7 years for sand and gravel) was a strong indicator of need. Based upon the latest LLA, the landbank on the site in question was 11.8 years. The key judgement to be made around this application related to the point at which the County Council considered the need for additional reserves to maintain the landbank.
- The LAA did not address the significance of quarry closures. However, there was validity in the point made that that reduction in the number of operational minerals sites over the last 10 years potentially impacted on the level of demand. The possible need for additional reserve and new sites would be addressed as part of the Mineral and Waste planning process.
- The report set out the grounds for the refusal of the application in relation to the issues of landbank, need and prematurity, and in particular because of the position of the current review of the current Minerals and Waste Plan.

RESOLVED

Members of the Committee unanimously REFUSED application CM/59/15

8 DENHAM PARK FARM, DENHAM GREEN, BUCKINGHAMSHIRE, UB9 5DG

The Planning Officer presented the S.73 application to update the working programme phasing and consequential amendments following the submission of details required pursuant to conditions attached to Permission 11/01260/CM for progressive mineral extraction and infilling with inert material and restoration to agriculture.

Members of the Committee were advised of the following:

- The planning application submitted by Harleyford Aggregates Ltd for Pynesfield had been considered by Hertfordshire County Council Planning Committee on the 27 June and had been refused. The applicant had subsequently submitted an appeal.
- The lorry movements for the Denham Park Farm and Pynesfield sites had been assessed together and an aggregated total for the number of lorry movements presented as part of the original application. The refusal of the application for Pynesfield would result a reduction of 28 lorry movements per day.
- The applicant had advised that the general export of clay was no longer proposed and that the only material now to be moved was 200,000 cubic metres of clay to

- Pynesfield.
- The revised scheme would consolidate the original scheme into three main blocks of working, with two being excavated at the same time and would include revised Phasing Plans.
- The report recommended that the Head of Planning and Environment be instructed to submit representations on behalf of the County Council (if appropriate) in response to the Appeal against the refusal of Planning Application Ref. 8/1254-15 by Hertfordshire County Council for mineral extraction at Pynesfield, requesting a s.106 agreement in the event of a successful appeal, to regulate lorry movements at Denham Park Farm and Pynesfield, for the duration of mineral extraction and restoration works at Pynesfield

The Legal Service Representative advised that prior to the start of the appeal, Buckinghamshire County Council needed to complete and submit to the Inspector a s106 to evidence that a process was in place if the application were to be agreed.

The Chairman welcomed Mr Douglas Symes, agent for the applicant to the meeting who spoke in support of the application.

Mr Symes made the following points:

- Vehicle numbers were difficult, especially as they were of concern locally. In approving the revised working scheme there would be an increase in vehicle movements and the numbers put forward in the report were acceptable to the Company.
- The Company envisaged a strong market expecting minerals from fewer quarries which would be a challenge in balancing lorry numbers against demand.
- It was anticipated that with the 172 vehicle movements it would be possible to adequately meet demand. However, if Pynesfield was approved at appeal, then the position would need to be reviewed.
- If vehicle movements remained at 172, there would be the need to dedicate vehicle movements to clay which would reduce the output of mineral and would impact on the supply to the market and slow down work at Denham Park Farm Quarry.

ACTION

A draft of the s106 would be completed for submission to the inspector – Legal Representative.

RESOLVED

Members of the Committee unanimously AGREED application CM/04/16

9 EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED

That the press and public be excluded for the following item which is exempt by virtue of Paragraph 3 of Part 1 of Schedule 12a of the Local Government Act 1972 because it contains information relating to the financial or business affairs of any particular person (including the authority holding that information)

10 ENFORCEMENT UPDATE

Members discussed the Enforcement Update during the exempt session of the meeting.

11 DATE OF NEXT MEETING

30 August 2016, 10am, Mezzanine 1 and 2 , County Hall Aylesbury.

CHAIRMAN