

# Agenda

## *DEVELOPMENT CONTROL COMMITTEE*

**Date:** Monday 31 July 2017  
**Time:** 10.00 am  
**Venue:** Mezzanine Rooms 1 & 2, County Hall,  
Aylesbury

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**Those wishing to speak at Development Control Committee regarding any of the items below must register by 10.00am on the Thursday before the meeting date as stated above. Please see details on how to register at the bottom of the Agenda.**

<b>Agenda Item</b>	<b>Page No</b>
<b>1 APOLOGIES FOR ABSENCE / CHANGES IN MEMBERSHIP</b>	
<b>2 DECLARATIONS OF INTEREST</b> To disclose any Personal or Disclosable Pecuniary Interests	

- |           |   |                  |
|-----------|---|------------------|
| <b>3</b>  | <b>MINUTES</b><br>The minutes of the Committee held on 19 June 2017, to be confirmed as a correct record and signed by the Chairman   | <b>5 - 18</b>    |
| <b>4</b>  | <b>CC/65/16 NEW RELIEF ROAD BETWEEN THE A355/MAXWELL ROAD AND WILTON PARK ON LAND TO THE EAST OF BEACONSFIELD</b>   | <b>19 - 58</b>   |
| <b>5</b>  | <b>CM/32/17, CM/33/17, CM/34/17 &amp; CM/35/17 VARIATION OF CONDITIONS TO PROVIDE FOR CONTINUED MINERAL EXTRACTION AND PROCESSING AND SITE RESTORATION UNTIL 31 OCTOBER 2017, WITH THE EXCEPTION OF PHASE 11 WHICH IS TO BE RESTORED BY 31 DECEMBER 2020 AT PARK LODGE QUARRY, PINWOOD ROAD, IVER HEATH</b> | <b>59 - 100</b>  |
| <b>6</b>  | <b>DATE OF NEXT MEETING</b><br>Monday 4 September 2017, Mezzanine 1, County Hall, 10.00am   |                  |
| <b>7</b>  | <b>EXCLUSION OF THE PRESS AND PUBLIC</b><br>To resolve to exclude the press and public as the following item is exempt by virtue of Paragraph 1 of Part 1 of Schedule 12a of the Local Government Act 1972 because it contains information relating to an individual  |                  |
| <b>8</b>  | <b>CONFIDENTIAL MINUTES</b><br>The confidential minutes of the Committee held on 19 June 2017, to be confirmed as a correct record and signed by the Chairman   |                  |
| <b>9</b>  | <b>ENFORCEMENT REPORT</b><br>To be presented by Miss O Stapleford   | <b>101 - 106</b> |
| <b>10</b> | <b>PLANNING PERFORMANCE UPDATE</b><br>To be presented by Mrs E Catcheside   | <b>107 - 112</b> |

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*For further information please contact: Rachel Bennett on 01296 382290, email: [rbennett@buckscc.gov.uk](mailto:rbennett@buckscc.gov.uk)*

## **Members**

Ms J Blake	Mrs B Gibbs
Mr N Brown	Ms N Glover
Mr C Clare	Mr R Reed
Mr C Ditta	Mr D Shakespeare OBE

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- **Registering on the website at:**  
<http://www.buckscc.gov.uk/moderngov/mgCommitteeDetails.asp?ID=105>
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**The Committee will not consider anyone wishing to address the meeting, unless your request to speak has been received by 10.00am on the Thursday preceding the Committee meeting at which the item will be presented. (This applies when Committee Meetings are held on a Monday).**



# Minutes

## *DEVELOPMENT CONTROL COMMITTEE*

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**MINUTES OF THE MEETING OF THE DEVELOPMENT CONTROL COMMITTEE HELD ON  
MONDAY 19 JUNE 2017 IN MEZZANINE ROOMS 1 & 2, COUNTY HALL, AYLESBURY,  
COMMENCING AT 10.00 AM AND CONCLUDING AT 12.30 PM**

### **MEMBERS PRESENT**

Ms J Blake, Mr C Clare, Mr C Ditta, Mrs B Gibbs, Ms N Glover and Mr R Reed

### **OTHERS IN ATTENDANCE**

Ms G Crossley, Ms A Herriman, Ms L Briggs, Ms S Kupczyk, Ms R Bennett, Mr D Sutherland,  
Marsh and Winkels

### **Agenda Item**

#### **1 ELECTION OF CHAIRMAN**

Mr R Reed proposed Mrs N Glover be the Chairman of the Committee. This was  
seconded by Mr C Clare.

#### **RESOLVED**

**That Mrs Glover be elected as Chairman of the Development Control Committee  
for the ensuing year.**

#### **2 APPOINTMENT OF VICE CHAIRMAN**

Mrs Glover proposed Mr Reed as Vice Chairman of the Committee. This was seconded  
by Mrs J Blake

#### **RESOLVED**

**That Mr Reed be elected as Vice Chairman of the Development Control Committee  
for the ensuing year.**

#### **3 APOLOGIES FOR ABSENCE / CHANGES IN MEMBERSHIP**

Apologies were received by Mr D Shakespeare and Mr N Brown.

#### **4 DECLARATIONS OF INTEREST**

Mr Clare declared a non pecuniary interest relating to agenda item 9, as he was a  
member of Great Moor Sailing Club.

## 5 MINUTES

The minutes of the meeting held on 10 April 2017 were agreed as a correct record.

## 6 CM/17/17 - CHANGE OF USE FROM PARKING OF EMPTY SKIPS TO WASTE STORAGE AND SORTING - UNIT 25B, MARSWORTH AIRFIELD NORTH SITE, CHEDDINGTON LANE, MARSWORTH, HP23 4QR

Miss A Herriman, Senior Planning Officer gave an overview of the application which sought agreement for change of use from parking of empty skips to waste storage and sorting at Marsworth Airfield North Site.

Miss Herriman gave the following updates since the publication of the report:

- The applicants name was Mr Cattigan and not Mr Calligan
- Following the site visit on Friday 16 June the applicant had informed planning officers that they wished to change the location of storage of some of the materials. This is considered a minor amendment and therefore the Committee were advised that if they were to approve the application, the applicants would submit a revised plan prior to the consent being issued so that the amended layout could be correctly referenced within the consent.
- Members were asked to also approve an added condition which would set out the permitted waste type as construction, demolition and excavation of no more than 25,000 tonnes per annum
- A further 27 objections had been received since 14 June mainly on the grounds of traffic, health and safety, pollution, noise, type of development, location and amenity

The Committee received a presentation showing the site plans and photographs. Members of the Committee had visited the site prior to the Development Control Committee in June.

Miss Herriman highlighted the following points in relation to the site and photographs:

- Most of the airfield industrial estate was covered under a Certificate of Lawfulness Use issued by AVDC in 1985, this did not place any limitation on vehicle movements or routeing
- There were currently other permissions on the Marsworth Industrial estate site at Unit F and Units 32, 32A and 33. The application for permission at Unit 25B is in relation to Waste King
- The application looked to set a limit on vehicle movements as at present there were not any for the Waste King unit. This would put a restriction on traffic, which would be GPS tracked, recorded and a routeing agreement signed

### Public Speaking

Those registered to speak were invited to address the Committee in turn

### Mrs P Thomas, local resident – Objecting

Mrs Thomas highlighted the following points:

- Mrs Thomas was speaking on behalf of the 9,000 residents living in the villages surrounding the site
- A decade ago two retrospective planning applications were rejected as it would generate disturbance to residents and there would be an impact with the proposed increase to vehicles and HGV traffic. The later appeal was also dismissed by an independent planning inspector, who stated the road network serving the site was not well suited to accommodate substantial volumes of HGV traffic

The Committee discussed the following points:

- The benefits of the restriction that would be put in place on vehicle movements at 40 a day (20 in and 20 out) and setting a routeing agreement as there was currently no restriction
- Mrs G Crossley, Development Management Officer confirmed to Members that if they were minded to agree the application this would result in a restriction on vehicles movements being put in place, monitored and any breaches enforced. Mrs Crossley also confirmed that there had been no objections to the application by the Highways officer consulted and that a routeing agreement agreed with Highway officers was the most appropriate route to the strategic highways network

#### **Mr R Brake, Chairman of Marsworth Parish Council – Objecting**

Mr Brake highlighted the following points:

- It was outlined in the planning officer's report that Brownlow bridge on B488 needed repair and Cheddington Rail bridge on Station Road required rebuilding which are on the preferred route. This would mean Waste King would be using other routes through villages whilst the bridges were repaired
- Previous applications to increase vehicle movements had been turned down due to the road network not being suitable and Mr Brake stated that nothing had changed
- Mr Brake highlighted that there would be noise and dust pollution from the site, despite bunds being in place
- Mr Brake questioned the starting point figure of the vehicles that currently used the site and suspected that this was inaccurate
- Mr Brake informed the Committee that all surrounding Parishes were against the application

The Committee discussed the following points:

- Reiterated that the application included capping vehicle movements where there were currently no restrictions and confirmed that this would be monitored and enforced if there were any breaches

#### **Mr P Brazier, Chairman of Mentmore Parish Council - Objecting**

Mr Brazier highlighted the following points:

- Mr Brazier was speaking on behalf of the other surrounding Parish Councils
- Mr Brazier suggested that the application was legally flawed due to four main points:
  1. Failure to publish the applications traffic counts and relating information
  2. Failure to comply under the legal duty Section 72 of the listed building act considering the impact on a conservation area and listed buildings
  3. Section 553 of the Bucks Mineral and Waste Local Plans stated that the applicants past record of compliance would be considered as part of the application; Mr Brazier raised that the applicant making retrospective planning application after complaints were made of misuse on the site were not mentioned in the report
  4. The report wrongly assumed that the existing traffic to the site was the correct baseline to assess traffic at the site, when the site was currently under a different usage
- Mr Brazier also raised concerns about any routeing agreement being clearly defined and enforced and consultation with the Parishes on any routeing agreement would be welcomed

The Committee discussed the following points:

- The change on use of the site and if this would increase or decrease current vehicles movements. Mrs Crossley commented that any vehicle movements currently on the site were uncontrolled so it could currently exceed the amount stated in the application of 40 per day, although there was no evidence
- Mrs Briggs, legal advisor to the Committee confirmed that there was no evidence that the application or report were legally flawed
- Mrs Crossley confirmed that a routeing agreement would be defined with the permitted route clearly identified; this would be except for deliveries e.g. a skip delivery to Cheddington. All Waste King vehicles had GPS and the routeing plan would be signed by the operator, the County Council and the land owner
- Mrs S Winkles, Highways Development Management Team Leader also confirmed that there would be no impact on the highways because of the change of use and that the application was seen as a benefit as it would mean that a routeing agreement be put in place with a restriction on vehicle movements. Mrs Winkles also confirmed that there had been no recorded accidents in the area relating to HGVs

### **Mr A Cattigan, Director and Co-Owner of Waste King Limited**

Mr Cattigan highlighted the following point to the Committee:

- The GPS tracking on their vehicles including the tracking of 3 blackspots with the area. If one of their vehicles were to enter a blackspot area an email was sent to Waste King notifying them so that this could be investigated. Mr Cattigan stated that the system had been in place since 2016 and there had been no reason for any HGV to be in any of the villages unless carrying out local work
- Mr Cattigan stated that recycling was key to Waste King and they recovered 100% of materials bought into their depot, 94% of which are recycled. They regularly report to the Environment Agency on what materials have been collected, their weight and their final destination
- Waste King were looking to become FORS (Fleet Operator Recognition Scheme) accredited
- Waste King had provided support to the local community with free of charge litter pickers and free skips at local events and continued to explore working with local schools
- Mr Cattigan thanked County Council colleagues for their help and guidance

The Committee discussed the following points:

- Questions were asked as to how the 40 vehicles a day were calculated and if this reflected what they currently do or took into account an expansion. Mr Cattigan confirmed that this was based on an average after carrying out a traffic survey. Mr Cattigan also stated that they were happy to share any of that data with the County Council
- Following a question from the Committee, Mr Cattigan confirmed that there had been no instances of vehicles being in the wrong location

### **Mrs A Wight, Local Member for Ivinghoe – Objecting**

Mrs Wight highlighted the following points to the Committee:

- It was reiterated that the 2007 application for Unit F on the site was refused due to the impact it would have on the road network; local residents had questioned what had materially changed since the last application
- The retrospective planning application called into question the applicants willingness to adhere to planning conditions and restrictions
- Within the routeing agreement there was nothing to state what constituted a local delivery and when the routeing agreement would apply



- Mrs Wight highlighted the impact of increasing HGV movement would have on the road network but also from a health and safety point of view
- Mrs Wight highlighted the concerns in the change of use from just storing skips to processing waste and the increase in vehicle movement this would create from the current baseline, even though there was no restriction at the moment this was still believed to be less than what it will be under the new usage

The Committee made the following comments:

- The site currently had a Certificate of Lawful Use for Light Industry and Storage and there were Other Members of the Committee stated that whilst they understood residents' concerns, it was felt that the restrictions imposed as part of the application would help control and monitor the situation in regard to vehicle movements with also the benefit of a routing agreement being put in place

Mrs Wight was thanked for her comments.

The Vice Chairman proposed that the Committee agreed the recommendation as set out in the report, however under current condition 4 relating to vehicle movements, that it be added that a log of vehicle movements be kept and provided to the Local Authority upon request. Mrs Crossley agreed to add this.

**ACTION Mrs Crossley**

**Recommendation:**

The Development Control Committee APPROVE planning application CM/17/17, subject to the following:

- A S106 Agreement to secure the routing of vehicles to ensure that HGVs do not travel through the villages of Long Marston and Cheddington (Appendix B) as well as a HGV routing
- The conditions as set out in Appendix A of the Committee Report.

**RESOLVED: Members of the Committee unanimously AGREED the planning application, with the suggested change to Condition 4.**

**7 CC/01/17 - CREATION OF NEW 2 STOREY ENTRANCE BLOCK WITH CLASSROOMS AND KITCHEN EXTENSION, CENTRAL ATRIUM AND LIFT ACCESS IN PHASE 1; CREATION OF 3 STOREY LINK BLOCK WITH CLASSROOMS, NEW DROP-OFF AREA, ADDITIONAL CAR PARK SPACES AND NEW CYCLING BAYS AND DEMOLITION OF SOME PARTS OF THE SCHOOL BUILDINGS IN PHASE 2 AND ASSOCIATED LANDSCAPING IN BOTH PHASES - PRINCES RISBOROUGH SCHOOL, MERTON ROAD, PRINCES RISBOROUGH**

The Chairman of the Committee addressed Members to outline that Mr B Bendyshe Brown, Local Member had requested to defer the item until he had an opportunity to discuss the application with the Headteacher. It was agreed that there was nothing in the report that suggested the local Member had not had sufficient time as part of the consultation to engage with the school and that the Committee would proceed in hearing the Officer report and speakers to see determine whether a deferment was deemed necessary.

Mrs S Kupczyk, Planning Officer gave an overview of the application which sought agreement to create a new 2 storey entrance block with classrooms and kitchen extension, central atrium and lift access in phase 1; creation of 3 storey link block with classrooms, new drop-off area, additional car park spaces and new cycling bays and demolition of some parts of the school buildings in phase 2 and associated landscaping in both phases.

Mrs Kupczyk highlighted the following points to the Committee:

- Additional representation from residents had been submitted since the report was released, this was in relation to traffic on Clifford Road and Merton Road and confirmed that highway issues had been discussed and addressed in paragraphs 8.14 and 8.22
- Concerns had been raised regarding the opening and closing of the gate early in the morning and late at night due to the use of the sports hall and also parking problems on the highways. Based on discussions with the School Commissioning Team and subject to the application being approved it was recommended to add an additional condition that would bring construction of the drop off into phase 1 so that it could be in use prior to the expansion of the school

The Committee received a presentation showing the site location, plans and photographs.

## **Public Speakers**

### **Mr C Stevenson and Mr P Dixon, local residents– Objecting**

Mr Stevenson highlighted the following concerns to the Committee:

- Mr Stevenson stated that he did not object to the expansion of the school but that he had concerns around the road safety element in Merton Road and Clifford Road
- Merton and Clifford Road were currently being used as drop off points for the school by parents and taxi's which was causing congestion
- The school had no control over the use of Merton Road traffic and that this was only likely to get worse as the school expands
- Mr Stevenson suggested that this issue could be addressed by closing the pedestrian and traffic gates during drop off and pick up at Clifford and Merton Road or by introducing a 'no drop off' zone in Merton and Clifford road that could be enforced

Mr Dixon highlighted the concerns to the Committee

- Pictures were presented of the surrounding houses to the school that were not included in the application plans
- Mr Dixon suggested that if the application for the whole site to be submitted now was to be built it would either be refused or if not access via New Road would be enforced as it was a double width road so easier to access

Mrs Crossley confirmed that the school car park off Merton Road was for staff and the school did not allow parents to use that car park to drop off. The school and the County Council were unable to prevent members of the public driving up Merton Road and dropping off their children. The school were trying to improve the situation by creating a drop off and pick up area which was accessed from New Road, which the school were willing to bring forward to phase 1.

Mrs Crossley also stated that there was a proposed condition on the consent which required the school to put in place a School Travel Plan.

Following a question from the Member of the Committee Mr Dixon went onto to suggest closing the access to the school via Merton Road completely and that this suggestion was supported by the Headteacher as with both access points open, security had been an issue

Mr Dixon raised the issue of early morning deliveries with lorries arriving as early as 5.30am to the school and the closing of the school becoming later and later due to the Sports hall being used for community activities. He suggested that if the entrance could not be closed then a time limit could be imposed. Mrs Crossley confirmed that Mr Dixon's comments that had been submitted prior to the meeting and that they had also been submitted to the Education Team and therefore they could respond to this when addressing the Committee.

Mrs Crossley confirmed that the County Council could not control or condition members of the public using Merton Road and Mr Stevenson asked if there could be parking restrictions enforced on the road; Mrs Crossley confirmed this would have to be carried out by Highways and was not something to be considered as part of this application

**Mrs P Campbell-Balcomb, School Commissioning Team BCC** with responsibility for School Place Planning and the School Capital programme and **Mr I Moore, representing Princes Risborough School**

Mrs Campbell-Balcomb highlighted the following points to the Committee:

- The County Council had a statutory duty to ensure sufficient school places and the most recent population figures in High Wycombe area indicated the need to expand secondary school provision by at least an additional 3 forms of entry over the next 3 years
- Wycombe District Council were currently consulting on proposals to build 500 homes per year in Wycombe up to 2033, largely concentrated in High Wycombe and Princes Risborough
- Committee Members to be aware that a proposal for a new secondary free school in Penn which officers worked with the DfE on had failed to come to fruition and therefore the Local Authority needed to consider alternative options
- Initial plans for the school had been developed and a public consultation was held in 25 February 2016
- The development would be undertaken in 2 phases to allow for additional form of entries as and when required, however it was prudent to submit a plan for the longer term rather than in stages
- As part of the development it was proposed there would be a new parent drop off area and coach park from New Road that would seek to reduce the impact of traffic on Merton Road

Mr Moore highlighted the following points to the Committee:

- The school is currently full. There are 187 children starting in Year 7 in September 2017. The popular Sixth Form is also expected to grow 21 of the classrooms are below the governments recommended area which makes efficiently teaching a class of 30 students very difficult. Added to that the classrooms overheat in the summer and are difficult to keep warm in the winter. The proposal replaces the majority of these classrooms
- The proposal addressed drainage and building issues throughout the school and would rationalise the buildings
- The current school environment was not helping recruitment
- The school and Town Council had discussed building a new school in the town centre and selling the current site. It was anticipated that this would cost an additional £20m in funding which would need to be taken from other infrastructure projects in the town. This idea had not been progressed

The Committee had the following discussion:

- The Committee asked if there was a direction from the school to parents in order to minimise the impact at drop off and pick up. Mr Moore confirmed that every term a letter was sent to parents giving instruction and asking them to be considerate when dropping off or picking up their children
- A Member of the Committee suggested that there could be a compromise of when there is non-school activity taking place that the New Road entrance is used. Mr Moore responded that this would then restrict teachers accessing and leaving the site/car park. He also mentioned that an alternative access from the sports hall was tested out a few weeks ago due to a road closure but this created some health and safety issues. As part of the development and talking to contractors it could be that the road between the school and the sports hall is widened, this would eliminate the health and safety issues. This could be considered as a long term option. The Committee suggested that the widening of the path be part of this phase of the development. It was also suggested that the pedestrian and cycle entrance to the school at Merton Road would remain open
- Mrs Crossley asked Mr Moore to confirm the use of the gate for deliveries; it was advised that the catering manager opened the gate from approximately 6.30am onwards. This had been done prior to the site becoming congested from 8am onwards.

**Mr B Bendyshe-Brown, Local Member and Mr D Knights, local resident and District Councillor**

Mr Bendyshe Brown highlighted the following points:

- Mr Bendyshe Brown reiterated his reasons for wanting the item to be deferred
- His involvement in the 2013 planning application saw that New Road had restrictions on timing and usage which was then removed in order for it to be used as the main access to the site and primary route to the sports hall
- There needed to be a building standard included as part of the conditions as this was a requirement of WDC
- There needed to be a travel plan produced and in place before the application could continue
- That the proposed drop off areas for phase 1 should be completed within 6 months of the commencement of the development

Mr Knights highlighted the following points

- Merton Road entrance could be closed and the link road from the sports hall that had already been mentioned could be used for deliveries as the road also leads to the back of the kitchens
- Mr Knight also made reference to a footpath that was not shown on the plans coming into the school from Bell Street, this did provide pedestrian and cycle access to the school, although this access had been closed by the school
- Asked the Committee to consider the closure of Merton Road entrance and the reopening of the footpath and mentioned concerns about the reliance on a school travel plan when they could not be enforced

The Committee discussed the following points:

- A Member of the Committee asked for clarification of the suggested road to be used for deliveries if Merton Road was closed, this was shown on the plans as the link road between the New Road access and the car park via the road running alongside the sports hall
- The Committee asked for an explanation as to why the school had closed the footpath from Bell Street and Mrs Crossley confirmed that the footpath was closed for the students own safety due to others accessing the footpath

Mrs Crossley stated to the Committee that this application was to give permission to the building of additional buildings and a new car park and that whilst the school clearly had some issues to address in terms of access, these would not be addressed as part of the application. Mrs Crossley suggested that these issues be fed back to the Education team to work with the school in addressing these concerns and to possibly come forward with an application to make improvements to that part of the school as suggested.

Mrs Crossley stated that the issues discussed in terms of access were outside of the application and therefore the decision did not need to be deferred.

Mrs Crossley drew the Committees attention to paragraph 8.1 in the report, 5<sup>th</sup> bullet point that *'Local Authorities should ensure that the process for submitting and determining state-funded schools' applications is as streamlined as possible'* and that decisions are to be made promptly.

The Chairman confirmed that the Committee would take a decision on the application at the meeting and suggested that Mr Bendyshe Brown pick up the issues as discussed directly with the school and the Education Team.

The Committee agreed for a condition to be added to allow the access arrangements to the school to be reconsidered in light of the objections to the proposal and for this to be delegated to Head of Planning and Environment following conversations with the School and Education Team.

**ACTION Mr D Sutherland**

**Recommendation:**

**The Development Control Committee APPROVE planning application no. CC/01/17 subject to conditions as set out in APPENDIX A of the report plus two conditions as agreed at the Committee:**

- To bring the construction of drop-off zone into phase one of development
- In relation to the management of vehicles arriving and departing the school grounds

**RESOLVED: Members of the Committee unanimously AGREED the planning application.**

**8 CC/08/17 - EXTENSIONS AND ALTERATIONS TO JOHN HAMPDEN SCHOOL AND WENDOVER SCHOOL BY CREATING A NEW 1 FORM OF ENTRY (CONSOLIDATING PREVIOUS BULGE EXPANSION), NEW NURSERY, NEW COACH PARKING AT JOHN HAMPDEN AND AMENDMENTS TO ENTRANCES OF JOHN COLET PARKING TO IMPROVE VEHICULAR ACCESS TO THE COMBINED SITE - JOHN HAMPDEN SCHOOL, WENDOVER SCHOOL AND JOHN COLET SCHOOL, WHARF ROAD, WENDOVER HP22 6HF**

Miss A Herriman, Senior Planning Officer gave an overview of the application which sought agreement to create a new 1 form of entry, new nursery, new coach parking at John Hampden and amendments to entrances of John Colet parking to improve vehicular access to the combined site

The Committee received a presentation showing the location of the school and the proposed changes to the development.

Mrs Herriman highlighted the proposed changes across the 3 sites, John Hampden School, Wendover CE Junior School and The John Colet School.

Mrs Herriman updated the Committee that she had since received feedback from the Local Member Mr S Bowles and she summarised his points as follows:

- He was in support of the school campus development however agreed with residents that the revised parking development would have a negative impact on Manor Crescent, directing more traffic down the road
- Mr Bowles referred to the alternative plans submitted to the Committee which suggests that the proposed plans would also increase health and safety issues for children walking to school and suggested an alternative entrance be used. Mr Bowles supported this suggestion
- Mr Bowles urged the Committee to take into consideration Mr Holt's plans

## **Public Speakers**

### **Mr M Holt, local resident - objecting**

Mr Holt addressed the Committee and referred to the written representation that had been sent to Committee Members prior to the meeting, which included concerns, photos of the area and an alternative plan. Mr Holt raised the following concerns held by local residents:

- Danger to parked cars due to restricted turning circle of proposed exit from car park
- Two day care businesses on Manor Crescent, one in close proximity to proposed exit
- Blind bend with single lane width
- Single lane width - due to parking - on all but one area of Manor Crescent
- Road erosion
- Traffic build up and difficult junction at the south/residential end of Manor Crescent
- Extra traffic flow on busy corner. Danger to Pupils who cross anywhere on this bend

Mr Holt ran through his alternative plan which he outlined would make use of one entrance and increase the amount of car parking spaces, addresses the concerns of local residents about the impact of traffic on Manor Crescent and the safety of pupil.

It was noted that Mr Holt's alternative plans had been sent to the applicant and that no amendments had come forward. The Committee were required to determine the application before them.

### **Mrs P Campbell-Balcomb, School Commissioning Team BCC with responsibility for School Place Planning and the School Capital programme and Mr J Holland, Architect**

Mrs Campbell-Balcomb highlighted the following points:

- The projections for Wendover Planning Areas showed an increase in demand on places year on year and the Local Authority sought expressions of interest from schools wishing to expand to meet the rising need – John Hampden and Wendover Junior School came forward to not only expand but to take a bulge class which was required for September 2014
- Following an initial consultation revised plans had been worked up to address the issues raised by local residents
- Both John Hampden Infant School and Wendover Junior School had excellent Travel Plans and were actively engaged with the Travel Planning Team at the County Council
- All three schools on the site staggered start and finish times in order to reduce congestion
- If the application was not successful the Local Authority would fail to meet its statutory duty and would not be able to accommodate the rise in pupils due to housing development approved

Mr Holland highlighted the following points:

- The architects had worked closely with the school to produce plans that balanced the proposed increase in pupil numbers with an improvement to the flow of all visitors to and from the site
- The covering consultation had covered many points and it was the offerings of external space from the John Colet School that gave rise to creating a reservoir for parking on site
- By arranging for the buses to enter the site in an allocated defined area at the start and end of the school day would go a long way to remove the issue around the school entrance
- Parking had been reallocated in an underused area to the front of the John Colet school increasing the parking capacity onsite and prioritise access on foot which supports the schools Travel Plan

The Chairman thanked speakers and asked the Committee if there were any further questions, of which there were none.

The Chairman proposed that the Committee approved the recommendation as set out below and this was seconded by Mr Reed.

**Recommendation:**

**The Development Control Committee is invited to APPROVE application number CC/08/17 subject to the conditions as outlined in the report.**

**RESOLVED: Members of the Committee unanimously AGREED the planning application.**

**9 CM/18/18 - RETROSPECTIVE (PART) APPLICATION FOR REMEDIAL WORKS TO LEVEL AND RE-CAP AN AREA OF EXPOSED HISTORIC DOMESTIC LANDFILL THROUGH THE IMPORTATION ON INERT SUB SOILS AND TOP SOIL - GREAT MOOR SAILING CLUB, GAWCOTT ROAD, TWYFORD, MK18 2GJ**

Mr Clare left the meeting.

Miss Herriman, Senior Planning Officer gave an overview of the application which sought retrospective agreement for remedial works to level and re-cap an area of exposed historic domestic landfill through the importation of inert sub soils and top soil.

Miss Herriman updated the Committee that Planning Officers had received a further update from the Rights of Way officer who had no objection to the application.

There had also been a further letter from an original objector received since the reports for the Committee had been published, these points were summarised as follows:

- The objector stated that having spoken to the Local Parish Council of Twyford they said they had not been consulted on the application. Miss Herriman confirmed that the County Council records show that Twyford Parish Council was sent a consultation to the Clerk of both Parish Councils on 24 March, 12 weeks ago. Planning Officer had since tried to contact them by phone, with no success. Miss Herriman also confirmed that they were not required to consult any neighbouring Parish Councils but at their own discretion they had consulted with two additional Parish Councils on this occasion

- The objector questioned if the Environment Agency (EA) had received the consultation as no responses had been received when the reports were published. Miss Herriman confirmed that following a conversation with the EA they confirmed receipt of the consultation on 24 March and assessed it as low risk and therefore did not formally respond as they had no comments on land use planning matters. The EA did state that the site may well need an Environmental permit and therefore planning officers suggested that the applicant contact the EA to discuss this further
- The objector questioned the type and volume of the material that had been tipped on the site. Miss Herriman stated that these had been addressed in the report and that the EA were aware of the development and have visited the site with Enforcement Officers
- The objector claimed that the tipping operation had been going on for 6 years. The duration of the tipping was of no consequence in this retrospective application. The objectors comments had been forwarded to the Enforcement Team and EA for their consideration as to whether further investigation may be necessary
- The objector requested what he referred to as “*a proper independent technical survey of the historic dumping before planning permission is granted and that you obtain the decisions from the EA and Parish Councils.*” Miss Herriman confirmed that this was a matter for the EA under the Permitting regime, which was separate to the Planning regime

Miss Herriman concluded that she did not consider there to be any outstanding matters that warranted the application being deferred, nor did she consider there to be any matters which altered the recommendations as set out within the report.

Miss Herriman also referred to an update received from the applicant regarding condition 10 set out in the report that stated the development, including the proposed top soiling would be completed by 31 July 2017. The applicant had stated that as a Members club they rely on club members to carry out the work and would struggle to achieve the deadline; in order to avoid amending the application at a later date Officers had requested the Committee to approve the extension of the deadline to the end of August 2017.

The Committee received a presentation showing the location of the site and photos of the work that had already been done.

The Chairman thanked speakers and asked the Committee if there were any further questions, of which there were none.

The Chairman proposed that the Committee approved the recommendation as set out below and this was seconded by Mr Reed.

**Recommendation:**

**The Development Control Committee is invited to APPROVE application number CM/18/17 subject to the conditions as outlined in the report.**

**RESOLVED: Members of the Committee unanimously AGREED the planning application.**



**10 DATE OF NEXT MEETING**

31 July 2017, Mezzanine 1&2, County Hall, 10am.

**11 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 1 of Part 1 of Schedule 12a of the Local Government Act 1972 because it contains information relating to an individual**

**12 CONFIDENTIAL MINUTES**

The confidential minutes of the meeting held on 10 April were agreed as an accurate record and signed by the Chairman.

**CHAIRMAN**



## Development Control Committee - 31 July 2017

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<b>Application Number:</b>	<b>CC/65/16</b>
<b>Title:</b>	<b>New relief road between the A355 / Maxwell Road and Wilton Park on land to the east of Beaconsfield</b>
<b>Site Location:</b>	<b>A355 Land East of Beaconsfield</b>
<b>Applicant:</b>	<b>Buckinghamshire County Council</b>
<b>Author:</b>	<b>Head of Planning &amp; Environment</b>
<b>Contact Officer:</b>	<b>Gemma Crossley <a href="mailto:dcplanning@buckscc.gov.uk">dcplanning@buckscc.gov.uk</a></b>
<b>Contact Number:</b>	<b>01296 382092</b>
<b>Electoral divisions affected:</b>	<b>Gerrards Cross</b>
<b>Local Members:</b>	<b>Barbara Gibbs</b>

### Summary Recommendation(s):

Subject to no unresolved objections being received from outstanding consultees, the Development Control Committee is invited to:

- a) INDICATE SUPPORT for application number CC/65/16 for the proposed New Relief Road between the A355 / Maxwell Road and Wilton Park on land to the east of the A355, Beaconsfield;
- b) RESOLVE that the application be forwarded to the Secretary of State in accordance with the provision of the Town and Country Planning (Consultation) (England) Direction 2009;
- c) DELEGATE authority to the Head of Planning and Environment to APPROVE application CC/65/16 for a New Relief Road between the A355 / Maxwell Road and Wilton Park on land to the east of the A355, Beaconsfield subject to conditions to be determined by the Head of Planning and Environment, including those set out in Appendix A – in the event that the Secretary of State does not intervene.



INVESTOR IN PEOPLE



## **Appendices:**

### **Appendix A: Draft Conditions**

### **Appendix B: Plan**

## **SUPPORTING INFORMATION**

### **Introduction**

1. Application CC/65/16 was submitted by Jacobs UK Ltd on behalf of Buckinghamshire County Council, being received on 4<sup>th</sup> October 2016. The application was accompanied by an Environmental Statement (ES). The application was registered and sent out for consultation on 29<sup>th</sup> November 2016. It was advertised as a departure by newspaper advert, site notice and neighbour notification. Further information was submitted and a further consultation was being undertaken, the deadline for which was 15<sup>th</sup> June 2017. The sixteen-week determination deadline was the 21<sup>st</sup> March 2017, although this has been extended to the 31<sup>st</sup> August 2017 with the agreement of the applicant.
2. The applicant submitted a request for a Scoping Opinion to Buckinghamshire County Council Planning and Enforcement Team (BCC) on 6<sup>th</sup> March 2015, reference SCOP0915, for the proposed development to be screened in accordance with the Environmental Impact Assessment (EIA) Regulations (The Town and Country Planning (Environmental Impact Assessment) Regulations 2011). BCC adopted a Screening Opinion on 6<sup>th</sup> May 2015 concluding that the development is EIA development and therefore that an ES should be submitted with any forthcoming application.
3. The applicant further submitted a formal request for a Scoping Opinion on 28<sup>th</sup> August 2016 under the EIA Regulations. This went out to consultation and BCC adopted a Scoping Opinion dated 10<sup>th</sup> November 2016, which advised on the matters to be included within any forthcoming ES.

### **Site Description**

4. The application site is located to the east of the A355 Amersham Road, east of the town of Beaconsfield, in South Buckinghamshire District (see Appendix B for plans for the site). The A355 Amersham Road provides the main north-south transport connection from Amersham and the A413 in the north to Beaconsfield and the M40 at Junction 2 to the south. The development site is linear, running northwest – southeast from Maxwell Road in the north to Wilton Park in the south. It bisects agricultural land, a tree and hedgerow belt and a public right of way (no. BEA/15/2) which runs in a southeast-northwest orientation from the A355 near Ronald Road to the woodland surrounding Beaconsfield Golf Club.
5. The site is bordered to the east by agricultural land, woodland and the Beaconsfield Golf Club; to the north by agricultural land, and the Beaconsfield to Gerrards Cross railway line; to the west by the A355 and residential properties bordering the A355 Amersham Road; and to the south by Minerva Way and Wilton Park (old Ministry of Defence site now proposed for residential development).
6. The nearest residential receptors are located on Maxwell Road, Hyde Green, Waller Road and Alastair Mews at the north-western end and existing properties at Wilton Park.

7. Public Right of Way BEA/15/2 runs from the A355 opposite Ronald Road in a northeast direction, at the woodland it splits into two, PROW BEA/15/1 runs through the woodland and golf course in a north-easterly direction towards a footbridge crossing of the railway line and onwards to Longbottom Lane and Coleshill village, while PROW BEA/16/1 heads north along the edge of the woodland towards the railway line and Longbottom Lane.
8. The site is located within the Green Belt and lies approximately 500m south of the Chilterns Area of Outstanding Natural Beauty (AONB). Hodgemoor Wood Site of Special Scientific Interest (SSSI), which is designated as a broadleaved, mixed and yew lowland woodland, lies approximately 2.5km to the southwest.
9. The Mount, which is a Scheduled Ancient Monument lies approximately 300m to the east. It is a circular mound, circa 23m in diameter and 2.8m high overgrown with trees and scrub.
10. Some parts of the woodland around the western edge of the Golf course are designated as Ancient Woodland, including two areas either side of the railway line to the north of the development site and one part close to the southern section of the relief road and to the north of Wilton Park.
11. Beaconsfield Old Town is designated as a Conservation Area, which includes the London End roundabout, the bottom of the A355 Park Lane and western end of Minerva Way. It is located circa 470m to the southwest of the application site.
12. Wilton Park, which is a 37.5 hectare site located at the southern end of the development site, is designated as an Opportunity Area for residential and employment development by South Bucks District Council. This site was home to the Ministry of Defence (MOD) School of Languages, until it closed in 2014 and the site was sold to Inland Homes plc. It current contains housing and a building used by local Air Training Cadets, but the remaining buildings are unused.

### **Proposed Development**

13. Application CC/65/16 seeks permission for new relief road between the A355 / Maxwell Road and Wilton Park on land to the east of Beaconsfield. The proposal is designed to divert traffic away from the A355 and the congested London Road roundabout as well as to meet the demands of future growth in the surrounding area
14. The road would be approximately 1km in length and would tie into the existing A355 at the northern end via a new three-arm roundabout. The access to Maxwell Road and Hyde Green would from a priority controlled T junction to the south of the new roundabout. At the southern end of the proposed new road, it would connect with a permitted new roundabout and network of new roads (ref: 14/01467/FUL), which is planned to serve a proposed mixed-use development at Wilton Park. This would provide a link through to the Pyebush roundabout and south to the M40.
15. The road is proposed to be single carriageway, 10-15m wide, designed to Design Manual for Roads and Bridges (DMRB) standards for 40mph roads. The road would vary between 1.5m below existing ground level at the southern end, to approximately 1.5m above existing ground level in the north. The development includes a 3m wide shared cycleway/pedestrian path on the western side of the new road and a crossing for pedestrians and cyclists where the new road meets the existing Public Right of Way BEA/15/12.

16. If planning permission is granted, construction is due to commence in 2018 with an approximate 8 month construction period. The new road is proposed to be open in 2019.
17. The proposal incorporates measures to protect existing woodland; a landscaping scheme including the planting of new hedgerows and trees along the boundary of the new road; sustainable drainage systems (SuDS) and wetland habitats; enhanced grassland, scrub, woodland and hedgerows to provide net gain in biodiversity and ensure connectivity; and noise attenuation features (2m high fencing).
18. A total of 19 new LED lighting columns are proposed for the new roundabout junction at the northern end of the road, with amendments to the existing lighting columns along the A355 Amersham Road in proximity to the new roundabout. No lighting is proposed along the remaining main line section of the road.
19. The application is supported by an Environmental Statement (ES) which sets out the assessments of potential impacts of the proposed development on the environment, it identifies mitigation measures and consider the 'residual environmental effects' after mitigation is implemented. The ES includes the following assessments:
  - Air Quality
  - Cultural Heritage
  - Landscape and Visual
  - Nature Conservation and Ecology
  - Noise and Vibration
  - Effect on All Travellers
  - Community and Private Assets
  - Road Drainage and Water Environment
  - Cumulative Effects
20. The ES also includes information on the Community Engagement undertaken by the applicant throughout the development design. This public engagement involved member of the public, residents' representatives, local interest groups, bus companies, the local MP, adjacent landowner and other stakeholders. The applicant states that throughout this process the stakeholders and local residents have been largely supportive of the scheme and welcome the relief road as a means of mitigating existing congestion in the area.
21. At the early community engagement, as well as the Screening and Scoping stages, the development incorporated proposed improvements to the Ledborough Lane/Longbottom Lane and Gore Hill roundabout junctions. These were subsequently removed from the scheme prior to submission of this application and the applicant proposes to address the congestion at these junctions by separate development.
22. Alternative options considered include alternative alignment of the road, the eastern option being chosen as it received greater support from landowners, wider public preference and would result in reduced severance impacts; alterations to the construction boundary to reduce potential effects on existing woodland; and modification of the drainage scheme to improve ecological connectivity and reduce flood risk.
23. The EIA concludes that there would be significant effects on receptors close to the proposed scheme, including properties along the existing A355, during the construction period, specifically in terms of noise and visual intrusion. These effects would be temporary and of a short duration. Once operational, the majority of these

temporary construction effects will end, although longer-term effects such as from tree removal and temporary land take, would take time to re-establish/re-instate.

24. During the operational phase of the development there would be significant residual effects on landscape and visual receptors, i.e. users of the Public Rights of Way and residual noise effects on properties on Maxwell Road and A40/Burnham Avenue.
25. The new relief road is proposed to:
  - Provide high quality transport improvements required to support and facilitate sustainable housing and employment growth in Beaconsfield as identified in the South Bucks Core Strategy;
  - Manage identified congestion hotspots and maintain or improve the reliability of journey times on the A355; and
  - Improve connectivity and access between key centres and the strategic road network.
26. The A355 currently accommodates high volumes of traffic, particularly during peak periods, which results in difficult access conditions from residential side roads and delays to journey times.

### **Relevant Planning History**

27. In October 2014 planning permission ref: 14/01467/FUL was granted by SBDC for the demolition of existing residential and non-residential buildings, construction of a new road from the A40 Pyebush Roundabout to the northern boundary of the Wilton park site to provide access to Wilton Park. The Wilton Park site is proposed for mixed-use development including residential and employment uses. The new access road to the Wilton Park site forms Phase 1 of the Beaconsfield Eastern Relief Road, while the proposed application (CC/65/16) forms Phase 2.

### **Planning Policy**

28. Planning applications must be determined in accordance with the Development Plan, which should be considered as a whole, unless material considerations indicate otherwise (the Town and Country Planning (General Development Order) 1990). The Development Plan in this case consists of the following, with the most relevant policies to the proposed development listed below:

#### South Buckinghamshire District Local Plan (SBDLP) (adopted 1999)

29. The SBDLP was adopted in March 1999 as a statutory plan for the District. In 2007, 75 policies in the SBDLP were saved for continued use, while the remaining expired. The South Bucks Core Strategy (SBCS) replaced a further 22 policies and therefore only 53 policies of the saved SBDLP policies are in place. The relevant saved policies to this application are:

Policy GB1: Green Belt boundaries and the Control over Development in the Green Belt

Policy EP3: The Use, Design and Layout of Development

Policy EP4: Landscaping

Policy EP6: Design to Reduce Crime

Policy TR5: Accesses, Highway Works and Traffic Generation

Policy TR10: Heavy Goods Vehicles

### South Bucks Core Strategy (SBCS) (2011)

30. The Core Strategy is the key document in the South Bucks Local Development Framework, setting the long-term vision, objectives and broad strategy for accommodating future development in the District. The Core Strategy was adopted in February 2011. The relevant policies to the determination of this application include:

Core Policy 1: Housing Provision and Delivery  
Core Policy 6: Local Infrastructure Needs  
Core Policy 5: Open Space, Sport and Recreation  
Core Policy 7: Accessibility and Transport  
Core Policy 8: Built and Historic Environment  
Core Policy 9: Natural Environment  
Core Policy 13: Environmental and Resource Management  
Core Policy 14: Wilton Park (Opportunity Site)

### Other Policy and Guidance

Also to be taken into consideration are the National Planning Policy Framework, March 2012 (NPPF) and Planning Policy Guidance (NPPG).

### Wilton Park Development Brief SPD (2015)

31. The Wilton Park Development Brief was adopted in March 2015 and provides a guide for the preparation of detailed plans for the development of the Wilton Park Opportunity Site. It includes information on the history of the site; explains the community and stakeholder engagement that has been undertaken and the comments and feedback received; it sets out the policy framework; addresses constraints and opportunities; and how the scheme will be delivered.

### Emerging Chiltern and South Bucks Local Plan (2014-2036)

32. Chiltern District Council and South Bucks District Council are preparing a new emerging joint Local Plan for Chiltern and South Bucks Districts. A consultation on the Issues and Option took place between January and March 2016, followed by consultation on the Preferred Green Belt Options between October and December 2016. The responses are now being processed and analysed to inform decision on a draft Local Plan, which is expected for Publication and consultation in October/November 2017, with adoption in November 2018.
33. The Preferred Green Belt Options Consultation documents includes a proposal to release land to the east of Beaconsfield from the Green Belt. This area includes the Wilton Park Opportunity Site, land to the south of Wilton Park, the A40, Pyebush roundabout, land to the southwest of Pyebush roundabout and southeast of Beaconsfield, as well as land to the east of the A355. It partly includes or borders the proposed alignment of the relief road, but does not fully incorporate it. It is proposed that between 1,500 and 1,700 dwellings (including some 300 dwellings at Wilton Park) and 5ha of employment space could be developed. It also requires the delivery of the Beaconsfield Relief Road, the northern and major part of which is the subject of this application.



## CONSULTATIONS

### Local Member

34. A response from the Local Member has not been received.

### South Bucks District Council

35. South Bucks District Council raises no objection to the proposed relief road.
36. The **District Tree Preservation Officer** provided information regarding 4 Tree Preservation Orders (TPO) within the vicinity of the development site, including a woodland strip which is protected by TPO/CC/7306, which runs in a north-south orientation and is situated to the south of the junction between footpath BEA/15/2, BEA/15/1 and BEA/16/1 TPO/CC/7306. The proposed development would bisect this woodland strip and result in the removal of 20 trees from this block.
37. **Beaconsfield Town Council** make the following observations:
1. Concern was expressed about the lack of clarity about the section near the Pyebush roundabout.
  2. Issues concerning the junction of Ledborough Lane had not been addressed.
  3. It was felt that it was not clear what would happen to the traffic in the event of an accident along the carriageway as it was not wide enough for vehicles to get past an incident.
  4. The Committee was not happy that these proposals would have a negative impact on the cycle path along this road.
38. **Seer Green Parish Council** are generally supportive of the application, although their main concern is regarding access from Seer Green onto the A355 at the Longbottom Lane/ Ledborough Lane junction, which is a long standing problem due to traffic volume at rush hour and the hazard of traffic speed at other times. They would like to see major improvement at this junction and are disappointed that the suggested improvements are not included with this application. They have further responded following the additional information received, reiterating their previous comments but also noting the Highways Officer's response relating to Ledborough Lane / Longbottom Lane.
39. **The Environment Agency** have assessed the application as having a low environmental risk and therefore have no comments to make.
40. **Natural England** (NE) initially raised an objection to the application, stating that there was insufficient information for them to provide a substantive response regarding the landscape and visual impact of the development on the AONB. The applicant subsequently submitted an addendum to the Landscape and Visual Impact Assessment and Natural England has since confirmed that they are satisfied that the specific issues raised had been addressed and as such the objection was withdrawn.
41. It is recommended that a landscape mitigation scheme, in line with the submitted details is controlled by condition.
42. The **South Bucks Strategic Environment Team** require that the Construction Environmental Management Plan should be adhered to in order to protect receptors and that any deviation should be notified to the Council before it occurs. Further, they state that noise and dust should be managed according to the Construction Management Plan, as they have a high potential to cause nuisance to local receptors. They also note that the road is to be constructed above a "Principal" and "Secondary

A” aquifer and in an area designated as Source Protection Zone 3 and as there is a risk to contamination, recommend conditions requiring a contaminated land assessment and the reporting of any unexpected contamination. They also advise on additional tree planting and consideration of the species to mitigate air pollution and that the cycleway should be separated from motorised vehicles in order to increase the distance to pollution source (Nitrogen Dioxide) and reduce risk to health.

43. The **Ecology Officer** initially raised an objection, pending more information about bat mitigation and biodiversity enhancements. However, following the submission of additional information, the officer has removed that objection subject to the following conditions/obligations:

- All mitigation included within the documents submitted with the planning application, including that within the ES, the bat management plan and the restoration plan should be put into place. This will all feed into the biodiversity net gain outcomes for the scheme.
- A mitigation, aftercare, management and monitoring plan will be agreed with the County Council as an obligation. This will last for a period of 5 years for aftercare and a further 10 years for management and monitoring. In particular the monitoring of bat commuting routes and net gain outcomes will be secured and reported to the County Council throughout this period.

However, Members are advised that a revised lighting scheme was received by the applicant on 6<sup>th</sup> July to overcome concerns raised by the Council’s lighting advisors. The Ecology Officer is currently reviewing this scheme to ensure there would be no unintended impact on wildlife, including bats, and an update will be provided to the committee at the meeting on 31<sup>st</sup> July.

44. The **Senior Archaeology Officer** provided an initial response, which set out the requirement for pre-determination trial trenching. Trial trenching was subsequently undertaken and a report provided to set out the findings. The Archaeological Officer welcomed the geophysical survey, Cultural Heritage chapter of the ES and the Trial Trenching summary report. He concluded that the proposed development is likely to affect heritage assets of archaeological interest from a number of periods. He goes on to say that if planning permission is granted for this development then it is likely to harm a heritage asset’s significance, in that it will be destroyed, however it is not of such significance/importance to warrant preservation in situ, but it is worthy of recording prior to the development taking place. Therefore, a condition should be applied to require the developer to secure appropriate investigation, recording, publication and archiving of the results in conformity with NPPF paragraph 141.

45. The **SuDS Officer** as the **Lead Flood Authority** raises no objection to the proposal, subject to a condition requiring the submission of a surface water drainage scheme based on sustainable drainage principles, to be implemented in full for the duration of the development; and a planning obligation requiring of a “whole-life” maintenance plan for the drainage system.

46. The **Strategic Access Officer** is satisfied with the scheme although comments that the crossing of footpath BEA/15/2 is shown on a slightly different alignment to the definitive footpath and therefore it is advised that either the footpath will need to be formally diverted or the section that crosses the highway can be deleted.

47. A **Landscape Review** was undertaken by LDA Design on behalf of the County Council Planning and Enforcement Team. It is stated that the effects on landscape fabric is considered in greater detail than the effects on landscape character, although these two aspects are considered with a ‘twin-track’ approach. This over complicates the assessment, leading to an over-emphasis on impacts on individual components, which in turn loses sight of the more important ‘character’ of the site and study area. Despite this, in LDA’s opinion the overarching conclusion of the LVIA, which points towards a significant effect on character, arising from erosion of distinctive / valued features, is correct. The betterment of landscape in general terms arising from mitigation over time (which is reflected in judgements in the LVIA) is also deemed to be correct.
48. The visual impact assessment considers a range of visual receptors and concludes that significant effects are likely to arise for users of the PRoW within the site and for some residential receptors. LDA broadly agree with this, particularly effects on users of PRoW. However, LDA feel the assessment of effects on residential receptors is overly generalised and does not fully reflect the nature of different views experienced. They state that only a relatively small number of the 156 properties assessed would be deemed to experience high magnitude impacts because of construction activities, and these comprise properties at the northern end of Amersham Road that face on to the new junction arrangement and construction compound. Specifically, the judgement that there will be significant long-term effects for all 16 properties (included in the assessment) on Maxwell Road is not supported.
49. Finally, the mitigation proposals are considered to be appropriate and respond positively to the landscape context whilst serving to lessen, over time, the landscape and visual impacts that are described in the assessment.
50. In response to the LVIA addendum dated May 2017 and the revised Landscape Mitigation Design Figure 7.5 Revision 2, LDA provide further landscape advice, notably that they *“concur with the findings of the assessment and agree that there would be no direct impacts arising from the proposed scheme on the AONB, and specifically no substantial (significant) harm to the character and special qualities of the AONB...”* The Landscape Consultant agrees that there is *“very limited intervisibility”* between the site and the adjacent areas of the AONB, that the *“the site (and, by implication, the associated development) is not a distinctive or readily identifiable component of the wider AONB setting”*, and that the *“dense and mature woodland cover to the north of the site and on land bordering the AONB provides primary mitigation by way of screening. Whilst the landscape proposals will deliver localised mitigation benefits, it is not anticipated by the Landscape Consultant that they will contribute to any meaningful diminution of impacts on the setting of the AONB. He concludes that the changes are acceptable.*
51. The **Chilterns Conservation Board** make the following comments:
- They acknowledge that the previously incorporated aspects of the scheme at Gore Hill roundabout and the Lenborough Lane / Longbottom Lane junction have been removed from the proposal at this stage. They state that this materially reduces the direct impact on the AONB, although indirectly, the new road is a consequence of growing traffic pressures and those movements exert a cumulative impact on the future tranquillity of the Chilterns.
  - They agree that the lighting design must take account of the semi-rural nature of development. They would be interested to know if 19 new LED columns at the northern roundabout is the absolute minimum and again if a 3-arm roundabout with lighting along each arm at the approaches, is the most environmentally appropriate solution when technology such as intelligent road

studs also exists, because at some point these designs may be deployed to the next stage of works, which will then exert a direct impact on the AONB and/or its immediate setting.

- CCB accepts that the new road element is set away from the AONB and is visually separated by the railway and intervening residential development. Although they make the point that setting is not solely confined to visual impacts and that increasing car volumes and associated noise may also affect setting. They accept that the existing road as currently proposed does not visually affect the setting of the AONB but they also promote consideration of other relevant issues, including tranquillity and noise as additional road capacity will inevitably lead to the routing of more vehicles, travelling north towards Amersham and therefore the AONB. Should this lead to pressures for future traffic calming and other measures the County would need to strictly apply appropriate designs to avoid urbanisation of the roads/junctions here.
- The CCB state that it is important that this new road does not further increase the audible and visual impact of the A404 and A355 as a consequence of design and/or increased flows.
- They confirm that their peer review of the LVIA does not affect AONB matters in this case, but suggest that a peer review of the lighting design is undertaken.

52. Following the further information, CCB make the following further comments:

*“CCB would only wish to comment on these addendum details to the extent that we do make the wider point that cumulative longer term consequences may exert an impact on the AONB. CCB would, therefore, seek that some attention and weight is given to the potential for the reduction of any urbanising effects as a consequence of future traffic growth, which may lie beyond the immediate spatial boundaries of this application. It is important to mention this as the officer's report should, in our view, acknowledge that the future tranquillity of the AONB can be affected by noise and activity associated with traffic movements and that this new relief road should not be permitted to increase urbanising pressures where cumulative longer term consequences may arise, such as at the Ledborough lane / Longbottom Lane junction.”*

53. The **Highways Development Management** response confirms that the A355 Amersham Road experiences considerable peak hour congestion during peak periods, with significant queuing and the London End roundabout has considerable delays as a result of high volumes of conflicting movements and restricted capacity. The strategic model output data confirms that the London End junction (London End/A40/Minerva Way) will have a reduction in traffic which will clearly improve the existing situation as a result of the relief road.

54. Following the receipt of requested additional information, the Highways Officer has stated that he is satisfied that the applicant has demonstrated the strategic merits of the link road provision and that any minor changes to existing junction operation are not considered severe. Therefore, the officer has no objection to the application subject to conditions to secure:

- The submission of details of adoptable roads and highways;
- The submission of details of the connection between the northern and southern sections of the relief road;
- The submission of a surface water drainage scheme;
- The submission of a construction traffic management plan.

55. A **Lighting Review** was undertaken by Atkins on behalf of the County Council Planning and Enforcement Team, which identified a number of aspects of the lighting scheme which required further information and/or clarification. The review concludes that the documents do not contain sufficient information to determine the application, stating:

*“The preliminary scheme and classifications do not sufficiently demonstrate and evidence the decision making process for the proposals and fail to identify constraints in the form of external receptors to the development area. This is particularly noted in the selection of road and environmental classes.*

*The Environmental Statement (ES) and External Lighting Report (ELR) do not appear as coordinated documents for example the external lighting report is not referred to by the ES and vice-versa.*

*It is normal practice to recommend a lighting strategy during construction works due to the changing nature of the works and the lower standards expected and achieved. This has not been addressed and as such constraints and limitations to be adhered to by the contractor are not identified.*

*Overall a more detailed lighting design and accompanying assessment is required to determine full compliance, best practice, appropriateness, mitigation and residual impacts of the scheme proposed.”*

The applicant submitted a revised lighting scheme on 6<sup>th</sup> July 2017 to overcome the concerns raised and further comments from the lighting consultant are awaited. Officers will therefore provide a further update to the Committee at the meeting on 31<sup>st</sup> July on this matter.

56. **Full consultee responses are available at:**

<http://publicaccess.buckscc.gov.uk/online-applications/applicationDetails.do?activeTab=consulteeComments&keyVal=OGOUVNDS03F00>

## **Representations**

57. 49 representations have been received raising objection to the proposed development for the reasons summarised below:

- Little gain for considerable pain – minimal highways benefit and therefore not worth the financial and environmental expense.
- Will be used to subsequently build houses between Amersham Road and Minerva Way, which is unacceptable.
- Effect on health - Impacts upon local residents and users of the public rights of way across and adjoining the site in terms of traffic emissions, noise and health.
- Effect on wildlife - Impacts upon local wildlife
- Application doesn't mention the local plan designation as a Built Area Extension Option – this omission fundamentally understates the traffic modelling, proposed 1700 additional properties could lead to 1000+ additional cars.
- Air Quality
- Green Belt / AONB – Green Belt land will be lost
- Noise
- Traffic or highways
  - Increased traffic along the A355 and Ledborough Lane

- Modelling understate the impact of potential HS2 traffic along the A355 and Ledborough Lane
- Visual effects
- Infrastructure planning required – more train services and entrances/exits at train station

58. 1 neutral comment has been provided which welcomes the proposals in the hope they will serve to reduce congestion in Beaconsfield Old Town and provide a useful cycling connection between Wilton park and Beaconsfield New town. However reservations include:

- a) Proximity of trees to cycleway, should be greater than 5m to reduce potential for heave of cycle surface by roots
- b) Minimise delay at traffic lights
- c) Lighting – ensure cycleway is clearly lit to make it useable to cyclist after dark.
- d) Alignment of cycleway along old Amersham Road / new Maxwell Road extension should follow the old road, cycleway should have priority along this stretch, the light controlled crossing (preferably Toucan) of the realigned Amersham Road should be accessed from a short cycleway spur for cycles to approach perpendicularly, thereby improving visibility.
- e) Design on cycleway ends – protected ramps, cyclists should not have to dismount.
- f) Cycle friendly access should be provided to the cycleway at all suitable points.
- g) Cycleway should be extended along the west side of Amersham Road south of Waller Road.

## DISCUSSION

59. The main issues for consideration in relation to application CC/65/16 for the proposed New Relief Road between the A355 / Maxwell Road and Wilton Park on land to the east of the A355, Beaconsfield are sustainable development, need, highways/traffic, Public Rights of Way (PROW), green belt, Chilterns Area of Outstanding Natural Beauty (AONB), landscape, agricultural land, lighting, ecology, flood risk, cultural heritage and potential amenity impacts.

### Sustainable Development

60. The NPPF sets out a presumption in favour of sustainable development, which is also adopted within the MWCS, WDCCS and DSA. Policy CS1 of the WDCCS refers to the need to “*contribute positively to the social, environmental and economic improvements that comprise sustainable development.*” It goes on to say that development should achieve high quality environments for the present and protect the quality of life of future generations. Policy DM1 of the DSA states that applications that accord with the Local Plan will be approved without delay, unless material considerations indicate otherwise.

61. The proposal is for a new relief road to ease existing traffic congestion around the south-eastern side of Beaconsfield, in particular on the A355, A40 and London End roundabout. The proposed development would divert traffic away from the current A355 at Maxwell Road, taking it southeast to the Pyebush roundabout via a new link road and Wilton Park. This would reduce traffic volumes along the southern section of the A355 and at the London End roundabout, which will in turn relieve congestion along the A355, A40 and smaller adjoining roads, thereby reducing waiting times. This will benefit highway users of both private and public transport; it will reduce impacts to neighbouring residential properties by moving traffic away from them and making it easier for them to access their properties; it will benefit the economy by reducing

waiting times, easing congestion in Beaconsfield Town Centre and reducing impacts upon local businesses; and improve the environment by reducing congestion and therefore noise and air pollution. As the proposal meets the social, economic and environmental strands of sustainable development and accords with the NPPF, permission should be granted without delay, unless material considerations indicate otherwise.

## Need

62. The South Bucks Core Strategy (SBCS) sets out the vision for the County over the life of the plan, which includes new housing provision in the key towns of South Buckinghamshire, including Beaconsfield. Core Policy 1 sets out that provision will be made for a net increase of 2,200-2,800 dwellings between 2006 and 2026. It goes on to say that the focus for new residential development will be Beaconsfield, Gerrards Cross and Burnham. A key site proposed for new residential development in Beaconsfield is the Opportunity Area at Wilton Park, which is addressed in Core Policy 14. The SBCS explains that the 40 hectare Ministry of Defence School of Languages site accommodates housing, open space, sport and recreation facilities. Core Policy 14 sets out that any redevelopment of the Wilton Park site should deliver a high quality mix of residential and employment development, community facilities and open space. It also states that an acceptable means of vehicular access should be provided, with any access off the Pyebush roundabout constructed so that it is capable of future upgrading and extension to form an A355 Relief Road. The access off the Pyebush roundabout, which was permitted in October 2014 and has since been constructed, forms Phase 1 of the A355 relief road. Phase 2, the northern and largest section, is proposed under this application. The Phase 1 access road has been designed so it meets the requirements of Core Policy 14, which specifically states that *'any access off the Pyebush Roundabout must be constructed so that it capable of future upgrading and extension to form an A355 Relief Road'*.
63. The Wilton Park Development Brief, adopted in March 2015, sets out the principles for the development of the former MOD site, including for residential and employment uses. This site is now under private ownership and at the time of writing, no planning application has been submitted.
64. The NPPF at Section 4 (Promoting Sustainable Transport) recognises that transport policies have an important role to play in facilitating sustainable development as well as contributing to wider sustainable and health objectives. It supports giving people a choice about how they travel and encourages transport solutions which support reductions in greenhouse gas emissions and congestion.
65. Core Policy 6 of the SBCS states that the Council will work in partnership with service and infrastructure providers to ensure new or improved infrastructure is delivered where and when it is needed (to support planned growth and development), including that set out in the Infrastructure Schedule (Appendix 6 of the SBCS), which includes to *"relieve congestion on the A355 by a range of measures, potentially including a relief road."*
66. Core Policy 7 sets out the Council's aim to improve accessibility and ensure a safe and sustainable transport network and how it will go about achieving this. The policy goes on to say that *"existing traffic congestion to the east of Beaconsfield will be addressed through a range of measures, which could include provision of an A355 / A40 Relief Road later in the Plan period."*

67. Local Plan policy TR5 (Access, Highways Works and Traffic Generation) requires any new highway proposals to have regard to their effect on safety, congestion and the environment.
68. The Buckinghamshire Local Transport Plan 4 (LTP4), which covers the period 2016-2036, sets out a high level approach to transport in the county and includes commitments to achieve reliability, capacity and connectivity of roads for the growth expected in Buckinghamshire. Improvements to the A355 corridor have been identified as key elements of the transport solution that is required to deliver growth and improve connectivity within Buckinghamshire.
69. The Buckinghamshire Thames Valley Local Enterprise Partnership (BTVLEP), which is responsible for investment in the wider Buckinghamshire area, has published its Strategic Economic Plan (SEP), which sets out infrastructure priorities and ambitions through to 2031. The SEP states that the A355 Improvement Scheme (Wilton Park / Gore Hill) *“will create a relief road, eliminate bottlenecks in Beaconsfield Old Town and provide a new access to the surplus Ministry of Defence strategic development site.”*
70. There is an obvious need to address the congestion issues around the A355 and London End roundabout in terms of existing traffic levels, but also in order to accommodate proposed future growth in the area and this is supported through policy at all levels, strategically and locally. The proposed scheme provides an alternative route for traffic travelling north-south, it will divert traffic away from this busy section of the A355 and London End roundabout, thereby easing traffic flows through Beaconsfield and reducing congestion and waiting times in the local area. The need for the development is therefore accepted in principle.

#### Highways / Traffic

71. Policy TR5 of the SBDLP states that for proposals involving the creation of a new highway, the District Council will have regard to their effect on safety, congestion and the environment. It goes on to say that development will only be permitted where the proposal complies with the standards of the relevant Highway Authority; the operational capacity of the highway would not be exceeded or exacerbate the situation where capacity had already been exceeded; and traffic movements or the provision of transport infrastructure would not have an adverse effect on the amenities of nearby properties on the use, quality or character of the locality in general.
72. Policy TR10 of the SBDLP refers to development which is likely to generative HGV trips. The proposal will generate HGV trips during the construction period, however these are proposed to be for the duration of the construction of the development, which is likely to be circa 8 months and not significant. A Construction Management Plan (CMP) is proposed to set out the management of HGV's, deliveries, parking and routing during the construction period. It is therefore considered that the proposed development accords with this policy.
73. Core Policy 7: Accessibility and Transport of the SBCS specifically refers to existing traffic congestion to the east of Beaconsfield, which will be addressed through a range of measures including the provision of an A355/A40 Relief Road.
74. Core Policy 14: Wilton Park of the SBCS addressed the proposed redevelopment of the Wilton Park Opportunity Site, including ensuring acceptable means of vehicular access and mitigating traffic impacts through the provision of high quality walking, cycling and public transport routes. The proposed development supports the aims of connectivity and the requirement of Core Policy 14 by providing a pedestrian and cycle route between Beaconsfield and Wilton Park.



75. As set out within the application, the proposed scheme sets out to improve traffic conditions along the existing A355 and has been designed with future growth in mind. Taking account of planned development in the area, including the proposed redevelopment of Wilton Park, future traffic congestion on the A355 is expected to worsen in the absence of the proposed scheme and by 2031; overall traffic volume on the A355 and approaching roads in Beaconsfield is anticipated to increase by 15% during peak periods.
76. The effect on all travellers, including vehicular travellers, public transport and non-motorised users, is assessed within Section 10 of the ES, which is supported by a Transport Assessment, provided in Appendix 10. The transport modelling undertaken as part of the Transport Assessment indicates improved journey times, reduced delays and forecast speeds closer to free-flow network speeds. Particular areas where delays would be reduced significantly are along the A355 Amersham Road the A40 approaches to the London End junction.
77. The applicant states that capacity of the new A355 northern roundabout and proposed T-junction with Maxwell Road are both shown to operate with an appropriate level of performance and the configuration of the proposed junction with Maxwell Road would resolve issues at the existing junction with the A355 and would contribute to a reduction in ratrunning traffic. The applicant also highlights that the proposed scheme would also deliver improved public transport journey time reliability and the potential for better accessibility to the proposed Wilton Park development.
78. The ES identifies that there will be adverse effects on road users during the construction period, but that mitigation measures such as diversion routes will be set up to ease the disturbance. Upon completion, the operational phase of the development will bring overall permanent moderate beneficial effects on vehicle users and for cyclists.
79. The new relief road is proposed in order to address an existing capacity and congestion issue on the A355 Amersham Road and at the London End roundabout. The transport modelling shows that the introduction of the relief road will lead to a significant proportion of traffic diverting away from the existing A335 route through Beaconsfield, with around 800 vehicles travelling southbound diverting in the morning peak and 600 diverting northbound in the evening peak. The Highways Development Management response confirmed that the proposed development would relieve congestion and queueing, particularly at peak times and particularly at the London End roundabout, as demonstrated by the strategic model output data. However, the Highways Officer requested further assessment on a number of junctions, as well as turning flows, swept path analysis, the designers' response to the Road Safety Audit and details of the link between the relief road and Wilton Park access road.
80. The applicant provided a response to the request for further information from the Highways Officer including turning flows, vehicle tracking, an explanation of the design interaction with the southern section of the relief road (Phase 1) and traffic counts for the London End roundabout and, subsequently, the Officer has confirmed that he is satisfied with the scheme and has no objections to it.
81. Beaconsfield Town Council raised concern about the lack of clarity regarding the southern section of the new relief road and its link with the approved Wilton Park access road. This point was also raised by the Highways Officer and the applicant has responded to say that the design team have engaged and continue to engage with Inland Homes, who are responsible for the Wilton Park access road. The join between the two sections of road will occur at the boundary of land ownership. Throughout the

detailed design phase communications will continue to ensure that the respective designs remain consistent with one another and it is noted that the Highway Officer has requested that the details of this connection are secured by condition as recommended in appendix A to this report.

82. The Town Council and Seer Parish Council also asked about the proposed improvements to the Ledborough Lane/Longbottom Lane junction. The early community engagement and pre-application meetings with the Planning Authority included improvements to this junction and that at Gore Hill roundabout to the north, however they have not been included within the submitted application. The applicant states that neither of the modelled options for Ledborough Lane/Longbottom Lane could be delivered within the budget and highway boundary restrictions of this scheme. Therefore it was agreed that these works would not be included within this application, although BCC continue to consider options for the improvement of this junction. Gore Hill roundabout, along with other junctions in the local area, is being assessed by HS2 as part of their project due to proposed use by HS2 construction traffic. BCC continue to work with HS2 on the consideration of works required to mitigate such impacts.
83. On the basis of the above, it is considered that the proposed development accords with policies TR5, TR10, Core Policy 7 and 14 in that it seeks to relief existing congestion and accommodates future proposed traffic growth within the area, as well providing access and connectivity between Beaconsfield and the proposed new development area at Wilton Park.

#### Public Rights of Way (PROW)

84. The proposed development cuts across Public Right of Way no. 7 Beaconsfield Parish BEA/15/2, which runs from the A355 opposite Ronald Road in a northeast direction towards the woodland west of the golf club, at which point it splits in two. Footpath BEA/15/1 continues in a northeast direction across the golf course and on to Longbottom Lane via a footbridge over the railway line, while footpath BEA/16/1 branches north towards the railway line.
85. The footpath would be diverted temporarily during the construction period and reinstated upon completion. It would be raised up to meet the elevation of the new road, which lies on an embankment in this northern section.
86. The proposed development includes provision for a formal crossing of the new relief road, which links to a new segregated cycleway on the southwestern side of the carriageway linking into and along footpath BEA/15/2. A new agricultural crossing of footpath BEA/15/2 is proposed. A small deviation is proposed of footpath BEA/1/2 at the crossing point and 'suitably graded' ramps to account for a proposed change in height. Footpath BEA/1/2 will close temporarily during the construction period.
87. The Strategic Access Officer does not object to the proposal and supports the proposed combined footway/cycleway as it will complement connectivity to Beaconsfield. He requests that planting along the north side of footpath BEA/15/2 is pulled back from the footpath, the applicant has amended drawing no. B12798C2-100/LANDSCAPE DESIGN/sheet 1 Rev 2 to show the trees at least 2m from the footpath. The Strategic Access Officer also recommends conditions requiring the implemented of the new agricultural access, submission of details of the footpath surfacing and the diversion/deletion of the section of footpath that crosses the new relief road.

88. Subject to the conditions as recommended by the Strategic Access Officer, it is considered that the development is acceptable in terms of the effects to the existing public right of way and in the long-term (upon completion of construction) it provides benefits for accessibility and connectivity.

### Green Belt

89. The NPPF sets out that the Government attaches great importance to Green Belts, stating that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. The purposes of the Green Belt, as set out within the NPPF, are:
- to check the unrestricted sprawl of large built-up areas;
  - to prevent neighbouring towns merging into one another;
  - to assist in safeguarding the countryside from encroachment;
  - to preserve the setting and special character of historic towns; and
  - to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
90. The NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances (paragraph 87). The proposed development for a new relief road does not fall within one of the listed exceptions as set out in paragraph 89 of the NPPF, although paragraph 90 lists “local transport infrastructure which can demonstrate a requirement for a Green Belt location” as a form of development considered not inappropriate in the Green Belt provided it preserves the openness of the Green Belt and does not conflict with the purposes of including land in the Green Belt.
91. The proposed relief road is required in order to ease existing congestion and provide an acceptable route between the A355 and Wilton Park, as set out within Core Policy 14 of the SBCS. Such a route would need to pass through Green Belt land because the area between Wilton Park and the eastern edge of Beaconsfield is designated as Green Belt. It could therefore be argued that there is a requirement for a Green Belt location. However, the development must also not conflict with the purposes of including land in the Green Belt. One of the purposes of including land in the Green Belt is to assist in safeguarding the countryside from encroachment. As this development would create a new road crossing agricultural land and diverting traffic away from the existing A355 Amersham Road, which current marks the limit of built development on the eastern edge of Beaconsfield, it could be considered that it would extend the limit of development on this side of Beaconsfield, which would not safeguard the countryside from encroachment.
92. Further to this, the development would introduce transport infrastructure, traffic and associated noise into an area which is currently agricultural land with associated farm traffic and pedestrian use of the cross-cutting definitive footpaths. The development itself would not involve the construction of buildings or structures above ground level, other than lighting columns at the northern end of the scheme, and the road being on an embankment of circa 1.5m at the northern end and in a cutting of circa 2m at the southern end. Whilst these aspects are minor and less of an impact on openness than the construction of buildings, they are still considered to have an impact upon the openness of the Green Belt, however small and limited that may be.

93. Policy GB1 of the SBDLP states that planning permission will not be granted for development in the Green Belt other than for the change of use of existing buildings or land or the construction of new buildings or extensions to existing buildings as set out in (a) to (h). The construction of a new road is not listed within the policy and as such this application is contrary to this policy.
94. As set out above, the development site is located within the Green Belt and is not considered to be a listed exception as set out within Policy GB1 of the SBDLP or the NPPF and therefore it is considered inappropriate development within the Green Belt. As such, permission must be refused unless there are very special circumstances which exist. In this case it is considered that the following are considered to be very special circumstances:
- The scheme would provide essential transport infrastructure required to relieve existing traffic congestion, which is expected to worsen in the future.
  - The scheme would provide a key element in terms of the transport solution to deliver growth to the area, including necessary housing growth and in particular that proposed at Wilton Park, meeting the needs of Core Policy 14 of the SBCS.
  - The consultation on the Preferred Green Belt Options includes a proposal to release land to the east of Beaconsfield from the Green Belt (Preferred Option 9: Area East of Beaconsfield). This partly includes or borders the proposed alignment of the relief road.
95. As the development is considered to be contrary to Green Belt Policy, it is necessary for the application to be forward to the Secretary of State for Communities and Local Government for his consideration if members resolve to approve the application, as set out in the recommendation to the committee.

#### Area of Outstanding Natural Beauty (AONB)

96. Paragraph 115 of the NPPF states:

*“Great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty.”*

97. Paragraph 116 of the NPPF states:

*“Planning permission should be refused for major developments in these designated areas except in exceptional circumstances and where it can be demonstrated they are in the public interest. Consideration of such applications should include an assessment of:*

- *the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;*
- *the cost of, and scope for, developing elsewhere outside the designated area, or meeting the need for it in some other way; and*
- *any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.”*

98. Core Policy 9 of the SBCS states that the highest priority will be given to the conservation and enhancement of the natural beauty of the Chilterns Area of Outstanding Natural Beauty and its setting, and the integrity of Burnham Beeches Special Area of Conservation. The policy goes on to say that “*landscape*

*characteristics and biodiversity resources with South Bucks will be conserved and enhanced by:*

- *Not permitting new development that would harm landscape character or nature conservation interests, unless the importance of the development outweighs the harm caused, the Council is satisfied that the development cannot reasonably be located on an alternative site that would result in less or no harm and appropriate mitigation or compensation is provided, resulting in net gain in Biodiversity.*
- *Seeking the conservation, enhancement and net gain in local biodiversity resources within the Biodiversity Opportunity Area...*
- *Maintaining existing ecological corridors and avoiding habitat fragmentation.*
- *Conserving and enhancing landscapes, informed by Green Infrastructure Plans and the Districts Council's Landscape Character Assessment."*

99. The development site is not located within the AONB, although it is located circa 500m to the south of the Chilterns AONB and is considered to lie within its setting. Therefore, the development must be considered in terms of its potential impact upon the AONB and its setting and in particular to conserving landscape and scenic beauty.
100. Natural England (NE) initially raised an objection to the application requiring that the landscape and visual impact assessment (LVIA) took into account potential impacts upon the setting of the AONB. In response to this objection, the applicant produced an addendum to the LVIA, which addresses the potential impacts of the development upon the AONB and its setting. The addendum verifies that there is a lack of clear inter-visibility between the development site and the AONB. This is due to the distance between the two, the intervening vegetation, including the mature vegetation along the railway cutting to the north of the site and mature woodland to the east. The addendum confirms that there would be no direct landscape effects on the AONB and, when established, the proposed landscape mitigation would be effective in reducing the effects on the setting of the AONB to a low/insignificant level. Therefore, no further landscape mitigation is considered necessary.
101. The Chiltern Conservation Board (CCB) accept that the development is set away from the AONB and is visually separated by the railway and intervening residential development. They state that setting is not solely confined to visual impacts and that increasing car volumes and associated noise may also affect setting, however they accept that the existing road as currently proposed does not visually affect the setting of the AONB. They also promote consideration of other relevant issues, such as tranquillity and noise, which is addressed below.
102. The CCB comment that, in their view, *"the future tranquillity of the AONB can be affected by noise and activity associated with traffic movements and that this new relief road should not be permitted to increase urbanising pressures where cumulative longer term consequences may arise, such as at the Ledborough lane / Longbottom Lane junction"*. This relates to the proposed works on the A355 to the north of this development site, for example at the Ledborough Lane / Longbottom Lane junction, which was originally proposed as part of this development, but is now going to be addressed separately. Therefore, this issue relates to matters that are outside of this application.

103. The Landscape Consultant concurred with the findings of the LVIA addendum, which assessed the potential impacts of the development upon the AONB and its. He agreed *“that there would be no direct impacts on the AONB... and specifically no substantial (significant) harm to the character and special qualities of the AONB”*. The Landscape Consultant agrees that there is *“very limited intervisibility”* between the site and that the existing dense and mature woodland to the north of the site provides primary mitigation by way of screening.
104. It is not considered that the proposed development would result in direct impacts upon the AONB and it would not affect the landscape and scenic beauty of the AONB. It is considered that there are exceptional circumstances for the proposed development in terms of need and that there would be no significant detrimental effects on the environment, landscape and recreational opportunities. Where detrimental effects occur, these can be mitigated such that they are considered to be not significant. It is considered that the development would not result in significant detrimental effects to the setting of the AONB and as such complies with Core Policy 9 of the SBCS and with the NPPF.

### Landscape

105. Policy EP3 of the SBDLP requires that the scale, layout, siting, height, design, external materials and use are compatible with the character and amenities of the site itself, adjoining development and the locality in general. In terms of the proposed development for a new relief road, the 1km length single carriageway with footpath, drainage and landscaping provision is compatible with the proposed use and locality. Lighting is only proposed where it is considered essential for safety, which minimises any potential impacts from light pollution. The layout has been designed to minimise impact upon the agricultural use of the remainder of the land.
106. Policy EP4 of the SBDLP requires that proposals incorporate hard and soft landscaping as an integral part of the development; take account of and retain existing planting and landscape features, which may be important elements in the character and appearance of the wider area; provide additional planting where appropriate; and make proper provision for subsequent maintenance. The proposal includes a landscaping scheme which is designed to be in keeping with the existing landscape character, the setting of the AONB and nearby built and historic features (i.e. The Mount and the former Wilton Park parkland and woodland) and which includes linear blocks of woodland planting, individual tree planting, new hedgerows, ponds, as well as native, wildflower and damp grassland areas.
107. Core Policy 5 of the SBCS seeks to protect and enhance open space, sport and recreational facilities and states that the loss of open space, sport and recreational facilities will only be permitted in exceptional circumstances.
108. The planning application is accompanied by a Landscape and Visual Impact Assessment (LVIA) and an addendum to the LVIA was further produced dated May 2017 following an objection raised by Natural England regarding the need to assess the landscape and visual impact upon the Chilterns AONB.
109. The LVIA states that the construction works will give rise to significant adverse effects for all aspects of the physical landscape, except waterbodies. Notable long term effects include the loss of 43 mature trees including 20 within an area of woodland protected by a Tree Preservation Order. The central woodland belt protected by TPO/CC/7306, designed in 1973, consists of mature specimens of mixed species, including hornbeam, beech, Douglas fir and wild cherry. This tree belt will be directly

affected by tree clearance during construction period, considered to be a moderate adverse effect, which would be mitigated by new replacement planting.

110. The LVIA also sets out the gains, which include over 4ha of additional grassland (including native, wildflower and damp grassland areas), 4 new ponds, 770 m of hedgerow, 195 individual trees and over 2,000m<sup>2</sup> of new woodland. The LVIA states that landscape mitigation will be effective in reducing effects below a significant level for all landscape receptors by the 'design year'(15 years after opening), except agricultural land and woodland, which will remain at a moderate adverse level of significance. It is anticipated that with longer term maturation of the landscape mitigation scheme, there will be gradual improvement in effects, particularly for new woodland areas, hedges and individual trees. Construction effects will be minimised by good site management, including keeping a tidy site and installation of wheel cleaning facilities, such matters will be addressed within a Construction Management Plan (CMP), which is recommended to be required by condition.
111. The LVIA concludes that construction activities will give rise to significant adverse effects for 44 residential properties, one business, two footpaths, informal recreation access areas and the proposed residential development at Wilton Park. After the establishment of proposed landscape mitigation, including extensive hedgerow planting, new trees, woodland blocks and additional habitat creation, significant adverse effects will be reduced such that significant residual visual effects will remain for approximately 16 residential properties at Maxwell Road, informal recreational areas and one footpath. This will include the visual effect of the noise attenuation barrier along the north-eastern side of the carriageway, which will be difficult to mitigate.
112. Three areas of Ancient Woodland lie close to the development site, two close to the north-eastern boundary of the site, lying either side of the railway line and one close to the southern boundary, to the north of Wilton Park. The NPPF (at paragraph 118) states that local planning authorities should aim to conserve and enhance biodiversity by applying principles, which includes that permission should be refused if development results in the loss or deterioration of irreplaceable habitats, including ancient woodland. The Environmental Statement has made an assessment as to potential impacts associated with habitat modification due to changes in environmental conditions, such as air quality and direct loss or modification. None of the areas of Ancient Woodland would be directly affected by the proposed development, with no tree removal and with best practise working methods and stand-off from the root protection zone, there is not considered to be any adverse impacts. Based on air quality modelling significant effects are not anticipated.
113. Whilst the review of the LVIA undertaken by LDA concludes that there is an over-complication of assessment and that greater significance is given to visual impacts upon properties bordering the A355 Amersham Road, it is agreed that there would be a significant effect on character, arising from erosion of distinctive / valued features; betterment of landscape from mitigation over time would be provided; significant effects are likely to arise for users of the PRoW within the site and for some residential receptors; and that the mitigation proposals are considered appropriate and would respond positively to the landscape context whilst serving to lessen the landscape and visual impacts.
114. It is considered that the proposed development accords with Policies EP3 and EP4 of the SBDLP and whilst there will be a temporary closure of the footpath and long term visual impacts, it is considered that the development accords with Core Policy 5 of the SBCS as the existing footpaths would not be lost and impacts are being mitigated where possible. Whilst there would be permanent loss of individual trees and some

agricultural land, it is considered that the gains in planting and biodiversity outweigh these losses. Whilst the LVIA considered there would be significant effects to receptors, including to residential properties at Maxwell Road, the Council's Landscape Consultant's advice is that these effects would not be severe, in part due to the orientation of these properties and therefore that views across the development site are limited and oblique. They also consider that the mitigation measures proposed are appropriate. It is therefore considered that the development is acceptable in landscape terms.

### Agricultural Land

115. The proposed development would result in the permanent loss of circa 5.87ha of Grade 3 arable and pasture land with further impacts from severance and changes to access. This represents less than 1% of the land within the Portman Burtley Estate, within which the development site is located. Approximately 20% of this consists of former parkland at the southern end of the Proposed Scheme. There would also be a temporary loss of circa 1ha of additional agricultural land, which is proposed to be used as the Contractor's compound and haulage areas during construction. The LVIA considers this to be of large adverse significance, although Section 11: Community and Private Assets of the Environmental Statement assesses this as slight adverse. There is also a slight adverse impact associated with land severance, which would be mitigated by the provision of two new agricultural accesses from the new relief road and an additional access from the A355 and one from the new roundabout.
116. There is no mitigation possible for the permanent loss, although the temporary contractor's compound would be managed such that topsoil would be stripped and stored appropriately, to ensure retention of integrity for restoration purposes.
117. Natural England have not provided any comment upon the loss of agricultural land, although it is considered to be very small scale and as set out above and with the ES, of slight adverse significance and therefore acceptable.

### Lighting

118. It is proposed that the constructor's compound would be lit, as well as the access junction onto the A355, although details of this are yet to be provided. Lighting details would be provided within the required Construction Management Plan (CMP), which would include an automatic "Passive Infra-Red" (PIR) lighting system to ensure that any lighting is positioned and directed away from nearby receptors. This lighting would be temporary for use during the circa 8 month construction period. The standard construction hours of working would be 07:00-18:00 Monday to Friday, apart from exceptional circumstances including two nights where night-time working is likely to be required to tie the new roundabout in with the existing A355. Some lighting around the compound will be required over night for security reasons and it will be also be required during times of low light, particularly in the winter months.
119. A total of 19 new LED lighting columns are proposed for the new roundabout junction at the northern end of the road, with amendments to the existing lighting columns along the A355 Amersham Road in proximity to the new roundabout. No lighting is proposed along the remaining main line section of the road due to the semi-rural nature of the area. The lighting has been designed to minimise any light spill onto adjacent buildings and boundary features, including hedgerows and other habitats. There will be no tilt on the columns and a Central Management System (CMS) will be specified to control the lights which will allow the lighting levels to be dimmed after certain hours (depending on traffic levels and environmental factors) in line with the Council's existing system.



120. The application includes a Lighting Assessment, which makes an assessment of the level of lighting that will be required for the new relief road and amendments to the existing lighting on the current A355. It highlights that control of lighting due to the sensitive ecological nature of the area will be a priority in the detailed design, stating that lighting will be designed to minimise light spill onto adjacent buildings and boundary features, including hedgerows and other habitats.
121. The Lighting Assessment has been reviewed by a lighting Consultant at Atkins on our behalf, which concludes that the *“preliminary scheme and classifications do not sufficiently demonstrate and evidence the decision making process for the proposals and fail to identify constraints in the form of external receptors to the development area. This is particularly noted in the selection of road and environmental classes.”* The Lighting Consultant particularly requested the following:
- Clarity on the selection and application of Road Classes,
  - Identification of potential receptors requiring mitigation and commentary on approaches to be investigated (with accompanying sketch studies/sample test areas).
122. In response to this, the applicant has reviewed the existing and proposed lighting design, and has made amendments address the concerns raised. The applicant has also reviewed street lighting design with respect to potential impacts upon receptors, including residential, ecological and night-time views of the site. They have identified some residential receptors located within the 1lux contour and propose to mitigate this, for example by the installation of light shields on some of the lamp columns along the existing A355. An Ecological Mitigation Addendum is proposed which seeks to address amendments required to the scheme to reduce or remove potential conflict between amended proposed lighting provision and ecological receptors. This includes the removal of a proposed bat ‘hop-over’ in the same location as the pedestrian crossing and enhancement of the remaining ‘hop-overs’ to ensure bat routes are not detrimentally affected. The revised lighting scheme has been forwarded to the Lighting Advisor and the Ecological Advisor for comment and an update will be given the members at the Development Control Committee meeting of any comments received.
123. It is not considered that the proposed lighting will result in detrimental impacts to the wider landscape or to the AONB or its setting. Subject to no objections being raised by the Lighting Consultant and Ecology Advisor and a condition requiring the submission of a detailed lighting design for the scheme, as well as lighting proposals during the construction period, it is considered that the scheme is acceptable in lighting terms.

## Ecology

124. The NPPF seeks to contribute to and enhance the natural and local environment by:
- protecting and enhancing valued landscapes, geological conservation interests and soils;
  - recognising the wider benefits of ecosystem services;
  - minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government’s commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;
  - preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability; and

- remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

125. The NPPF also sets out the Local Planning Authorities should aim to conserve and enhance biodiversity by applying principles including:

- if significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;
- development proposals where the primary objective is to conserve or enhance biodiversity should be permitted;
- opportunities to incorporate biodiversity in and around developments should be encouraged.

126. Core Policy 9: Natural Environment of the SBCS, requires the highest priority is given to the conservation and enhancement of the natural beauty of the Chilterns Area of Outstanding Natural Beauty, and its setting. It further goes on to say:

“More generally, the landscape characteristics and biodiversity resources within South Bucks will be conserved and enhanced by:

- Not permitting new development that would harm landscape character or nature conservation interests, unless the importance of the development outweighs the harm caused, the Council is satisfied that the development cannot reasonably be located on an alternative site that would result in less or no harm and appropriate mitigation or compensation is provided, resulting in a net gain in Biodiversity.
- Seeking the conservation, enhancement and net gain in local biodiversity resources within the Biodiversity Opportunity Areas, on other non-designated land, on rivers and their associated habitats, and as part of development proposals.
- Maintaining existing ecological corridors and avoiding habitat fragmentation.
- Conserving and enhancing landscapes, informed by Green Infrastructure Plans and the District Council’s Landscape Character Assessment.
- Improving the rural/urban fringe by supporting and implementing initiatives in the Colne Valley Park Action Plan.
- Seeking biodiversity, recreational, leisure and amenity improvements for the River Thames setting where opportunities arise, for example at Mill Lane (see Core Policy 15).”

127. The application is supported by an Ecological Assessment, which identifies that the scheme will result in the loss of approximately:

- 5ha of semi-improved grassland
- 43 trees
- 240m of hedgerow

128. The scheme has the potential to impact protected species, including great crested newts, bats and reptiles, by way of the following:

- loss / damage to habitat during construction
- disturbance during construction and operation
- fragmentation or severance of habitat during construction and operation
- species mortality during construction and operation

- changes in environmental conditions such as water pollution during construction and operation

129. The scheme therefore proposes a number of measures to mitigation potential impacts and also to provide biodiversity enhancement in line with the requirements of the NPPF and Core Policy 9. Such measures include:

- New tree and shrub planting
- Approximately 2.8ha of wildflower grassland
- Circa 1ha damp grassland
- 0.28ha of new woodland
- 1km of new hedgerow
- Over 200 new trees
- 4 new ponds
- New and enhanced terrestrial and aquatic habitat suitable for great crested newt would be created on both sides of the road to minimise distance they would have to travel between ponds and to create liner habitats
- Road drainage systems will be 'permeable' to amphibian and reptile movement
- Amphibian ladders will be placed inside gully pots to allow escape
- Bat boxes
- Bat 'hop-overs'
- Environmental Management Plan (EMP) to ensure protection of existing habitats where retained and protection and management of new habitats to maximise their ecological interest.

130. The Ecology Officer initially raised an objection, requesting further information, including on potential bat impacts and mitigation and on 'net gain' in biodiversity.

131. In response to the Ecology Officer's objection and request for further information regarding bats and biodiversity net gain, the applicant provided information on Bat Mitigation and a Biodiversity Offsetting Assessment. The Bat Mitigation report addresses the objection from the Ecology Officer regarding potential impacts to commuting bats as a result of habitat severance/fragmentation and disturbance.

132. Bat activity surveys undertaken in 2015 identified the following three linear habitats that are regularly used by low numbers of common species of bat for foraging and/or commuting that will be affected by the Proposed Scheme:

- Hedgerow alongside the existing A355 that will be partially removed by the Proposed Scheme;
- Mature treeline that will be bisected by the Proposed Scheme; and,
- Block of retained broadleaved woodland to the east of the Proposed Scheme that may be affected by disturbance.

133. Without mitigation, the Proposed Scheme would be expected to have minor adverse impacts upon commuting bats in the above areas as a result of habitat severance / fragmentation and disturbance. However, severance impacts are to be mitigated through the planting of trees to create bat 'hop-overs' where linear habitats are severed by the Proposed Scheme. Bats will be guided to these hop-overs by existing and newly created linear habitat features such as hedgerows and lines of trees. Any residual effects of habitat severance would be mitigated by increasing habitat connectivity across the site and into the wider landscape through the planting of new areas of scrub, treelines and hedgerows.

134. Any new street lighting would be designed in accordance with relevant guidance to ensure that lighting is directional and does not unnecessarily illuminate habitats of value for bats, including the hop-over planting.
135. Existing dark areas alongside the retained woodland to the east of the scheme and the treeline through the centre of the scheme would be maintained as no street lighting is proposed in these areas; this would ensure the continued use of these habitat features by commuting bats. A noise fence is proposed to be installed to the eastern side of the new A355. This fence, in addition to tree and scrub planting along the length of the road, would mitigate any possible disturbance arising from the glare of car headlights and traffic noise impacting upon the woodland to the east of the scheme, thus allow continued use by foraging and commuting bats.
136. On maturation of the proposed landscape planting, the impact of severance and disturbance is considered to be negligible adverse.
137. A Biodiversity Offsetting Assessment (BOA) has been submitted following request from the Ecology Officer for evidence of the net gain provided for biodiversity. The BOA considers existing habitat within the development site that will be lost, as well as the proposed habitat upon reinstatement and mitigation. It utilises Defra's Biodiversity Offsetting Metric methodology to conclude that the scheme will provide +3.04 units of non-linear habitat and +7379.25 units of linear habitats (hedgerows and treelines) and an increase of 60 scattered trees. Therefore, the landscaping scheme will provide a 'net gain' for biodiversity.
138. Following this additional information the Ecology Officer has removed her objection, subject to conditions requiring:
- mitigation measures proposed within the Ecology Assessment, Bat Management Plan and Restoration Plan are implemented; and
  - mitigation, aftercare, management and monitoring plan is agreed and implemented for a period of 5 years for aftercare with a further 10 years for management and monitoring.
139. In response to comments from the Lighting Consultant regarding the potential conflict of proposed lighting for safety and the requirement to reduce lighting for the proposed bat 'hop-over', the proposed bat 'hop-over' located at the pedestrian crossing has been removed and those further south have been further enhanced. It is considered by the applicant that the current route used by bats is along the woodland strip to the southeast of the pedestrian crossing and around the field boundaries and therefore that the two southern most 'hop-overs' are more likely to be used now and in the future. They also consider that the proposed 'hop-over' at the pedestrian crossing is not likely to be utilised by bats in the future as new features are not very successful and due to the close proximity of existing features, which would be favoured.
140. The Ecology Officer has been consulted on these recent proposed amendments and it is anticipated that their comments will be available in order to update Members at Committee.
141. Subject to the Ecology Officer's acceptance of the amendments proposed in relation to the reduction in bat 'hop-overs', it is considered that the development scheme accords with the NPPF and Core Policy 9 of the SBCS. The development scheme seeks to protect, conserve and enhance the existing landscape and habitat where possible, it protects biodiversity and provides biodiversity enhancement, as set out within the Biodiversity Offsetting Assessment. It is therefore considered acceptable in ecological and biodiversity terms.

## Flood Risk

142. The NPPF states that *“new development should be planned to avoid increased vulnerability to the range of impacts arising from climate change.”* It goes on to say that *“inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere.”*
143. Core Policy 13 of the SBCS seeks to ensure the prudent and sustainable management of the District’s resources by, inter alia, incorporating sustainable drainage systems, protecting and enhancing water quality and seeking improvements to air quality.
144. The development site lies within Flood Zone 1 which is at the lowest risk of flooding from rivers and sea. According to the Environment Agency’s Risk of Flooding from Surface Water map, the proposed development would intercept a surface water overland flow route, which is shown as high risk, meaning that in each year the chance of surface water flooding is greater than 3.3%. In addition, the proposed scheme will result in an increase in impermeable area, which will increase the surface water runoff on the site.
145. As the proposed scheme has a high risk of flooding from surface water and would increase the runoff due to decreased permeability of the site, mitigation measures are proposed, including the provision of attenuation ponds, to be located at an existing low point in the northeast of the development site, with a culvert beneath the proposed highway to allow the unimpeded flow of surface water. This will require a rigorous maintenance regime to ensure blockages do not impeded flow.
146. The SuDS Officer acknowledged that in order to prevent the obstruction of the surface water overland flow paths on site, the proposed scheme incorporates a 600mm culvert to allow surface water to pass under the road.
147. The SuDS Officer requested some points of clarification from the applicant, as well as requesting that a rigorous maintenance schedule be established to ensure that the proposed culvert is adequately maintained to prevent the likelihood of blockage and resultant surface water flooding upstream.
148. The applicant responded to the requests from the SuDS Officer and provided a revised Flood Risk Assessment (FRA) to address the issues raised. Subsequently, the SuDS Officer has responded to say they are pleased that the applicant has sought to address the concerns raised and has produced a revised FRA and Drainage Strategy Report. In addition to the information provided, the SuDS Officer has recommended that a surface water drainage scheme and a “whole-life” maintenance and management plan for the site is provided prior to the commencement of development (see draft conditions in Appendix A).
149. Subject to the conditions as recommended by the SuDS Officer, it is considered that the development accords with the NPPF and Core Policy 13 and as such, it is considered acceptable in terms of flood risk matters.

## Cultural Heritage

150. The NPPF seeks to conserve the historic environment, stating that great weight should be given to the conservation of heritage assets. It goes on to say (paragraph 133) that *“where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss...”*
151. It goes on to say that *“where a development proposal will lead to less than substantial harm to the significance of a heritage asset, this harm should be outweighed against the public benefits of the proposal...”*
152. With regard to non-designated heritage assets, paragraph 135 of the NPPF states:  
  
*“The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.”*
153. Paragraph 137 of the NPPF states:  
  
*“Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites and within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably.”*
154. Core Policy 8 of the SBCS seeks to protect and where possible enhance the District’s historic environment, in particular nationally designated historic assets and their settings.
155. The Mount, a Bowl Barrow, is a Scheduled Ancient Monument. located approximately 300m to the east of the development site. Bowl barrows are roughly hemispherical mounds of prehistoric date comprising turf, soil, and redeposited bedrock, covering one or more burials contained within wooden or stone structures.
156. Beaconsfield Old Town is designated as a Conservation Area, which includes the London End roundabout, the bottom of the A355 Park Lane and western end of Minerva Way and is located 470m to the southwest of the application site. The site is agricultural land which has not been disturbed previously and as such geophysical surveying and trial trenching were carried out to inform the Archaeological Assessment. No historic buildings are located within the study area
157. A Cultural Heritage Assessment is provided in Section 6 of the Environmental Statement accompanying the application, it identifies heritage assets with the potential to be affected by the proposed development by means of a desk-based assessment, walkover survey and archaeological geophysical survey. The assessment recommended that trial trenching be carried out to established likely archaeological remains and further identify features identified during the geophysical survey, such as a possible Bowl Barrow within the north of the development site.

158. As set out above (see paragraphs 45-46), the Archaeology Officer provided an initial response, which set out the requirement for trial trenching pre-determination. He also commented as follows:

*“If heritage assets could be adversely affected by the development then the preferred option is normally for the applicant to preserve them within the development. Where substantial harm would be caused to the significance of a designated heritage asset then NPPF paragraph 133 will apply and planning permission should normally be refused. If planning permission is granted for development that would damage a heritage asset’s significance then a condition should normally be applied to require the developer to secure appropriate investigation, recording, publication and archiving of the results in conformity with NPPF paragraph 141.”*

159. The Archaeological Trial Trenching involved 54 trenches across the site and identified a number of finds from the 18<sup>th</sup> and 19<sup>th</sup> Century, Roman and post-medieval times. The possible Bowl Barrow was identified as a large ring ditch, circa 12m across, although the purpose of this feature is still unclear. The Archaeological Officer concluded that the proposed development is likely to affect heritage assets of archaeological interest from a number of periods. He responded to say that if planning permission is granted for this development then it is likely to harm a heritage asset’s significance, in that it will be destroyed, however it is not of such significance/importance to warrant preservation in situ, but it is worthy of recording prior to the development taking place. Therefore, he recommends that a condition should be applied to require the developer to secure appropriate investigation, recording, publication and archiving of the results in conformity with the NPPF. It is considered that such a condition to enable the recording would make the loss acceptable.

160. Subject to a condition as recommended by the Archaeological Officer to secure the implementation of a programme of archaeological work, it is considered that the development complies with the NPPF and Core Policy 8.

### Potential Amenity Impacts

161. Paragraph 109 of the NPPF states that *“the planning system should contribute to and enhance the natural and local environment by ...preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability...”*

162. Core Policy 13: Environmental and Resource Management of the SBCS sets out that the Council will seek to ensure the prudent and sustainable management of environmental resources by protecting and enhancing water quality, and seeking improvements to air quality. It goes on to say that new development will be directed away from existing sources of noise and air pollution to avoid adverse impacts on local communities.

163. The application is supported by an Air Quality Assessment at Section 5 of the Environmental Statement. The proposed scheme is anticipated to result in improvements as a result of directing existing vehicular traffic away from the existing A355, which is heavily used and as such becomes congested at peak times.

164. Predicted annual mean NO<sub>2</sub> and PM<sub>10</sub> are below AQO thresholds both with and without the proposed scheme. The majority of modelled receptors are predicted to receive improvements in annual mean concentrations and the overall direction of change is predicted to be an improvement. There is also predicted to be a low risk of non-compliance with EU Limit Values. No conflict with planning policy is therefore expected with regard to air quality.
165. It is proposed that a Construction Management Plan (CMP), which will be required by condition, will outline any necessary mitigation measures during the construction period, although these should include the measures as set out within Section 5.6 of the ES, including:
- Develop and implement a Dust Management Plan (DMP), which may include measures to control other emissions, approved by the Local Authority. The level of detail will depend on the risk, and should include as a minimum the highly recommended measures in this document. The desirable measures should be included as appropriate for the site. The DMP may include monitoring of dust deposition, dust flux, real-time PM<sub>10</sub> continuous monitoring and/or visual inspections.
  - Record all dust and air quality complaints, identify cause(s), take appropriate measures to reduce emissions in a timely manner, and record the measures taken.
  - Carry out regular site inspections to monitor compliance with the DMP, record inspection results, and make an inspection log available to the local authority when asked.
  - Plan site layout so that machinery and dust causing activities are located away from receptors, as far as is possible.
  - Ensure all vehicles switch off engines when stationary - no idling vehicles.
  - Only use cutting, grinding or sawing equipment fitted or in conjunction with suitable dust suppression techniques such as water sprays or local extraction, e.g. suitable local exhaust ventilation systems.
  - Re-vegetate earthworks and exposed areas/soil stockpiles to stabilise surfaces as soon as practicable.
  - Ensure aggregates are stored in bunded areas and are not allowed to dry out, unless this is required for a particular process, in which case ensure that appropriate additional control measures are in place.
  - Use water-assisted dust sweeper(s) on the access and local roads, to remove, as necessary, any material tracked out of the site. This may require the sweeper being continuously in use.
166. The AQA concludes that with the above mitigation measures in place, it is anticipated that the residual effects of construction will not be significant and that the risk of significant health effects of PM<sub>10</sub> for construction activities is assessed as low.
167. The air quality modelling for the operational phase concluded that air quality effects on NO<sub>2</sub> and PM<sub>10</sub> will not be significant.
168. The application is supported by a Noise Assessment at Section 9 of the Environmental Statement. The assessment concludes that there will be significant effects during construction for both noise and vibration as a result of the works that need to be undertaken in close proximity to existing properties. These impacts will be managed through best practise means, as set out within a Construction Management Plan (CMP) to be required by condition, however there will be very short-term significant residual noise effects, which cannot be mitigated. It is also anticipated that there will be significant noise level increases during the operational phase, mitigation measures



include the installation of noise attenuation fencing, although there will remain residual operational effects on Maxwell Road and A40/Burnham Avenue.

169. The following mitigation measures (which are considered examples of Best Practicable Means (BPM)) are proposed during the construction period:

- switching off plant and equipment when it is not in use for longer periods of time;
- establish agreement with the local authority on appropriate controls for undertaking significantly noisy works or vibration-causing operations close to receptors;
- minimise the potential for higher vibration levels from the vibratory roller, by taking into account the guidance within TRL report 429 (ensure that the vibratory roller is not started, stopped, or the direction of travel reversed close to sensitive receptors). TRL report 429 (Hiller and Crabb, 2000) states that:  
*“...it should be remembered that for vibrating rollers there are likely to be transients at starting and stopping which may generate particle velocities which can be twice as large as for steady state operation. Significantly lower speeds than the 1.5 to 2.5 kph specified will also result in higher particle velocities. The implications of this are that rollers should not be started, stopped, or the direction of travel reversed near to sensitive structures.”*
- consider the use of low-vibration or non-vibratory compaction techniques where such works are proposed in close proximity to sensitive receptors at the northern end of the scheme, particularly if such works are proposed at night;
- ensure that local residents are fully informed with respect to the construction programme, and particularly with regards to proposed periods of night-time working;
- programming works so that the requirement for working outside normal working hours is minimised (taking into account the highway authority’s statutory duties under the *Traffic Management Act 2004*);
- use of low noise emission plant where possible;
- the use of temporary noise screens around particularly noisy activities; and,
- regular plant maintenance.

170. Mitigation measures during the operational phase of the development include the following:

- the route selection, which minimises the number of sensitive receptors in close proximity to the scheme;
- siting of parts of the scheme within a cutting;
- two 3-4m high earth screening mounds included within the Wilton Park Link Road development are designed to attenuate noise from road traffic for residents of Maude Road;
- 2m high reflective noise barrier between the proposed new road and the Golf Course

171. Some of the properties within Maxwell Road, Hyde Green and Waller Road, close to the A355 and the proposed new roundabout are anticipated to experience minor changes in noise levels as a result of the proposed development. In some places, for example in Hyde Green, there would be a minor beneficial effect. However, two properties in Maxwell Road are anticipated to experience an increase in noise levels of 1dB or more in the long term, which is not a significant increase, but the noise levels are predicted to be above 68dB and therefore considered a significant effect. Mitigation of these properties using noise barriers for example will be difficult whilst maintaining access. It is therefore considered that noise mitigation is not feasible in this location.

172. The District Environmental Health Officer, who advises on air quality and noise aspects, has not raised concern regarding the proposal subject to the Construction Environmental Management Plan (CEMP) being adhered to and subject to conditions requiring the submission of a Contaminated Land Preliminary Risk Assessment, investigation and remediation where necessary.
173. Whilst, significant impacts from noise cannot be fully mitigated, it is considered that the residual impacts will either be short-term during the construction period and subject to specific mitigation measures and agreement from the LPA; or they are assessed as negligible adverse magnitude of impact i.e. a very minor increase, although it is an increase to an existing high noise baseline level. Subject to the mitigation measures as set out within the Environmental Statement, the submission of a Construction Environmental Management Plan (CEMP), consideration of further mitigation during short-term construction and night-time working and a condition relating to contaminated land as recommended, it is considered that the development is acceptable in terms of noise and air quality effects.

### Benefits

174. There are a number of environmental benefits from the scheme, which have been identified within the Environmental Statement, including:
- Landscape and visual – Reducing traffic on the existing A355 and moving it further away from residential properties and businesses.
  - Noise and vibration – Reduce effects on properties along the existing A355 by reducing traffic.
  - All Travellers – Improvements to journey times, include bus journeys.
  - Community and Material Assets – Job creation during construction and reduced congestion with Beaconsfield once the development is operational.

### **CONCLUSION**

175. Application CM/65/16 seeks planning permission for a new relief road between the A355 / Maxwell Road and Wilton Park on land to the east of Beaconsfield, which is supported in principle by strategic and local policies. The development is required in order to reduce existing congestion on the current A355, particularly at the southern end near London End roundabout, as well as to accommodate predicted future increases in traffic in this area as a result of proposed new housing development.
176. The application is supported by an Environmental Statement which identifies potential environmental and amenity impacts associated with the proposed development, where significant effects are anticipated mitigation measures are proposed, where possible, to reduce the effects to an acceptable level. It is not considered that the development will result in detriment to the amenities of local residents beyond the construction phase, and in the long term it is expected to result in environmental, amenity, social and economic benefits.
177. It is considered that the development complies with the Development Plan as a whole and therefore, in accordance with the NPPF, which supports sustainable development, it is considered that application CM/65/16 for a new relief road between the A355 / Maxwell Road and Wilton Park on land to the east of Beaconsfield, should be approved.

## **BACKGROUND PAPERS**

Application CC/65/16

Consultee responses and representations received between December 2016 and June 2017

South Buckinghamshire District Local Plan (SBDLP) (adopted 1999)

South Bucks Core Strategy (SBCS) (2011)

Wilton Park Development Brief SPD (2015)

Emerging Chiltern and South Bucks Local Plan (2014-2036)

National Planning Policy Framework (NPPF), March 2012

National Planning Policy Guidance (NPPG)

## **APPENDIX A: Recommended Conditions**

### **General**

1. The development to which this permission relates must be begun before the expiration of three years from the date of this permission.
2. Unless agreed otherwise in writing by the County Planning Authority, the development hereby permitted shall not be carried out otherwise than in complete accordance with the details submitted with the application, accompanying Environmental Statement and plans.

### **Construction**

#### Construction Management Plan

3. Prior to the commencement of any works on the site a Construction Management Plan (CMP) detailing the management of construction traffic, including deliveries and parking of site operatives vehicles to include a plan showing the construction layout of the site shall be submitted to and approved in writing by the County Planning Authority. The CMP shall include, but not be limited to, the following:
  - a. Hours of construction;
  - b. Layout of construction compound, designed to minimise impacts;
  - c. Proposed mitigation for dust, including:
    - i. Dust Management Plan (DMP)
  - d. Proposed mitigation for noise;
  - e. Recording of complaints and measures to identify cause and to take appropriate measures to reduce emissions;
  - f. measures to be taken to manage any contaminated material that may be encountered during the construction process and shall comply with any relevant Construction Code of Practice; and
  - g. How compliance will be monitored, including site inspections and the recording compliance matters.

The CMP shall then be implemented and adhered to as approved.

#### Hours of Construction

4. Notwithstanding the details submitted and approved pursuant to condition 3, the construction works shall not be carried out other than within the following hours:

07:00 to 18:00 Monday to Friday;

No working on Saturdays, Sundays and Bank Holidays.

Any proposed works outside of those hours to be approved by LPA and specific mitigation measures proposed.

#### Submission of Details

5. Prior to the installation of the noise barrier, details of the noise barrier shall be submitted to and approved in writing by the County Planning Authority. The noise barrier shall then be constructed and maintained thereafter in accordance with the approved details and installed prior to the operational use of the development.

6. Within three months of the commencement of the development hereby permitted details of the footpath / cycleway shall be submitted to and approved in writing by the County Planning Authority and shall be constructed and maintained thereafter in accordance with the approved details prior to the operational use of the development.
7. Prior to the commencement of Phase 1D of the development hereby permitted a detailed tree survey shall be submitted to and approved in writing by the County Planning Authority, to include details of the trees proposed for removal, particularly those within the woodland block protected under TPO/CC/7306. The scheme shall then be implemented in accordance with the approved details.
8. Prior to the commencement of the development hereby permitted details of tree protection measures shall be submitted to and approved in writing by the County Planning Authority, to include details of measures to protect the root systems of mature trees, particularly those within ancient woodlands. The scheme shall then be implemented in accordance with the approved details.
9. Prior to the operation of the development hereby permitted, a detailed lighting scheme shall be submitted to and approved in writing by the County Planning Authority. The scheme shall then be implemented in accordance with the approved details prior to the operational use of the development.

#### Highways

10. Prior to the commencement of Phase 1C of the development hereby permitted, details of the link between the proposed development and the permitted Wilton Park access road shall be submitted to and approved in writing by the County Planning Authority. The development shall be constructed and maintained thereafter in accordance with the approved details.

#### Public Rights of Way

11. No other part of the development shall be occupied until the a new means of agricultural access has been sited and laid out in accordance with the approved drawing and constructed in accordance with Buckinghamshire County Council's guide note "Commercial Vehicular Access Within Highway Limits" 2013.
12. Prior to the first use of the development, a scheme for the resurfacing, upgrade and provision of Footpath BEA/15/2 running through the site, showing details of above ground system to be used and a method statement of its construction, shall be first submitted to and approved in writing by the LPA. The footpath shall be resurfaced, upgraded and provided in accordance with the approved details prior to the opening of the relief road hereby approved.
13. The public footpath crossing the relief road site shall be diverted/deleted and a new path shall be constructed in accordance with a scheme to be submitted to and approved in writing by the local planning authority. The scheme shall include details of approach ramps and surfacing. The diverted footpath shall be constructed in accordance with the approved details.

## Environmental Controls

### Noise

14. Prior to first use of the development hereby permitted, a Noise and Vibration Mitigation and Management Plan shall be submitted to and approved in writing by the County Planning Authority. The plan shall include details (including cross sections) and specifications of the proposed mitigation measures including but not necessarily limited to the construction of a 3m high reflective noise barrier between the proposed new road and the golf course along the northeast boundary of the site.

The development shall not thereafter be carried out other than in accordance with the approved details for the duration of the development.

### Dust

15. Prior to the commencement of the development hereby approved, a Dust Mitigation and Management Plan, in respect of both the construction and operational phases of the development hereby permitted shall be submitted to and approved in writing by the County Planning Authority. The plan shall include mitigation measures set out within the Air Quality Assessment, including the dampening down of surfaces to minimise dust generation; avoiding dust generating activities in windy conditions; storage of materials away from sensitive receptors; and use of a road sweeper where necessary. The development shall be carried out in accordance with the approved Dust Mitigation and Management Plan for the duration of the development.

### Flood Risk and Drainage

16. Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include:
  - Discharge rate is limited to 8.89l/s (5.03l/s/ha)
  - Ground investigations including infiltration in accordance with BRE365;
  - Detailed drainage layout with pipe numbers, gradients and pipe sizes complete with full construction details, together with storage volumes of all SuDS features;
  - Sustainable drainage features to be included where appropriate such as attenuation ponds and swales;
  - Phasing;
  - Calculations to demonstrate that the proposed drainage system can contain up to the 1 in 30 storm event without flooding. Any onsite flooding between the 1 in 30 and the 1 in 100 plus climate change storm event should be safely contained on site;
  - Details of overland flood flow routes in the event of system exceedance or failure, with demonstration that such flows can be appropriately managed on site without increasing flood risk to adjacent or downstream sites;
  - Location of outfalls of the drainage network.

17. Development shall not begin until a “whole-life” maintenance plan for the site has been submitted to and approved in writing by the local planning authority. The plan should set out how and when to maintain the full drainage system (e.g. a maintenance schedule for each drainage/SuDS component) following construction, with details of who is to be responsible for carrying out the maintenance. The plan shall subsequently be implemented in accordance with the approved details.

### Contaminated Land

18. Prior to the commencement of development approved by this planning permission, the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:
- i) A preliminary risk assessment which has identified:
    - all previous uses
    - potential contaminants associated with those uses
    - a conceptual model of the site indicating sources, pathways and receptors
    - potentially unacceptable risks arising from contamination at the site.
  - ii) A site investigation scheme, based on (i) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site. This should include an assessment of the potential risks to: human health, property (existing or proposed) including buildings, crops, pests, woodland and service lines and pipes, adjoining land, ground waters and surface waters, ecological systems, archaeological sites and ancient monuments.
  - iii) The site investigation results and the detailed risk assessment (ii) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
  - iv) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (iii) are complete and identifying any requirements for longer term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

The above must be undertaken in accordance with DEFRA and the Environment Agency’s ‘Model Procedures for the Management of Land Contamination, CLR 11’.

19. No development shall commence until the applicant, or their agents, have secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the planning authority.

Reason: To ensure the protection of archaeology remains.

## Landscape and Ecology

20. Within three months of the commencement of the development, a detailed Landscape and Woodland Management Plan and Ecological Enhancement Strategy, shall be submitted to and approved in writing by the County Planning Authority. The scheme shall include, but not be limited to:
- i. Details of the locations, species (native), size and planting densities of all grassed areas, trees and shrubs to be planted, removed and retained;
  - ii. Details of the protection measures to be provided for all new and retained grass areas, trees and shrubs, including during the construction period;
  - iii. Details of the design, planting and management of the attenuation ponds, including how the design will maximise ecological value e.g. natural lands and bed to encourage marginal vegetation, provide filtration to improve water quality prior to discharge into the river;
  - iv. Details of ecological protection including for reptiles, bats, badgers and breeding birds;
  - v. Details of enhancement measures, including specification of additional habitat creation (including bat and bird boxes and reptile refugia among others), details of provision of bat features and details of dark zones and 'hop-overs' to be provided for bats;
  - vi. Details of ecological management and monitoring;
  - vii. A maintenance programme to include the replanting of any new or retained grassed areas, trees or shrubs which die or become diseased.

The approved scheme shall be implemented in the first planting season following the completion of the development and maintained in accordance with the requirements of this condition and the approved details for the duration of the development.

21. Prior to the first use of the development, a landscape and biodiversity aftercare, management and monitoring plan shall be submitted to and agreed in writing by the County Planning Authority. The plan shall allow for a five year aftercare period and a ten year period for management and monitoring. The approved scheme shall thereafter be implemented in accordance with the approved details.
22. Landscape mitigation measures shall be implemented in accordance with drawings B12798C2-100/LANDSCAPE DESIGN/Sheet 1 & 2

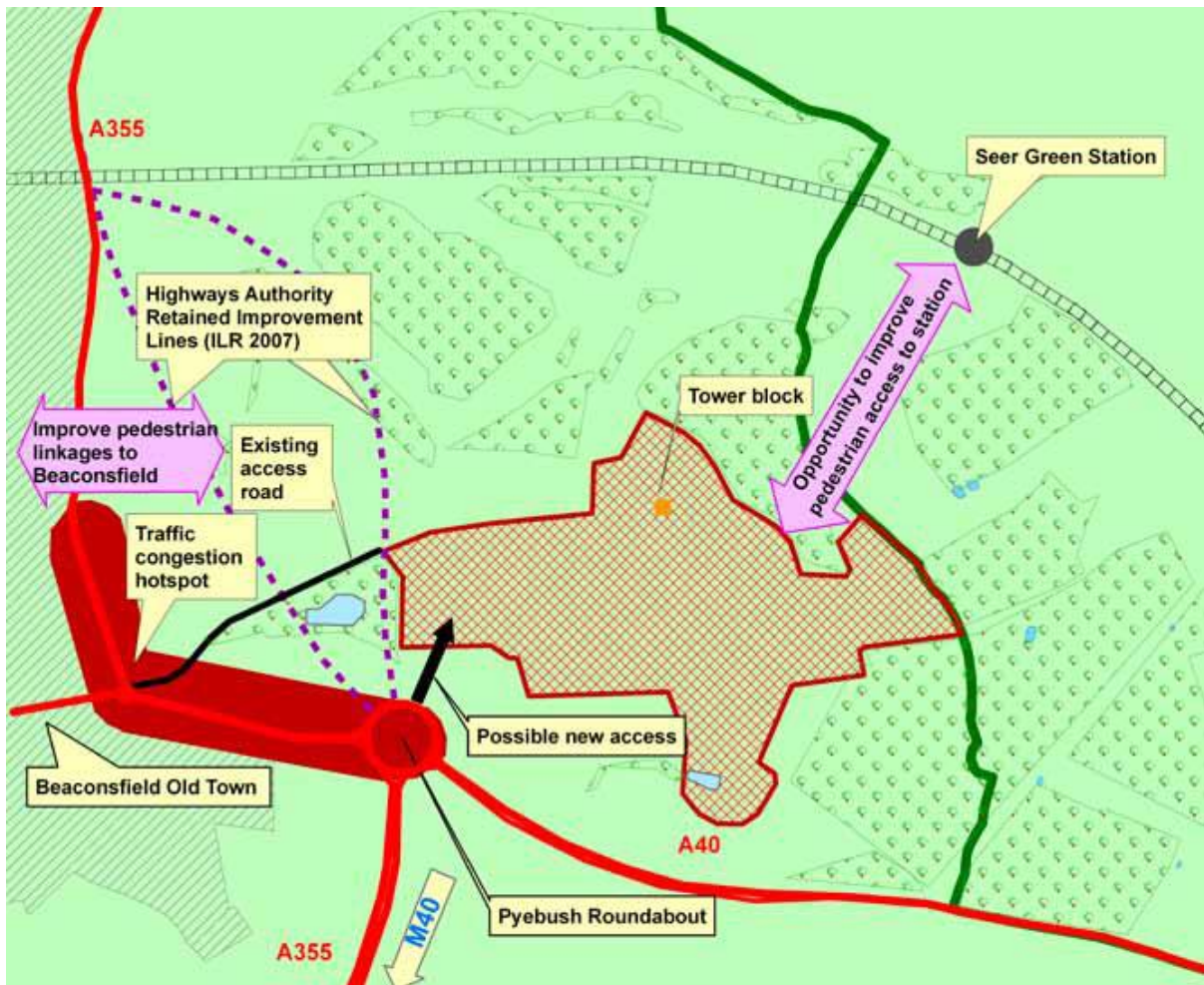
## Lighting

23. Prior to the commencement of the development hereby permitted, a lighting scheme shall be submitted to and approved in writing by the County Planning Authority. The scheme shall cover both the construction and operational phases of development and include specification, positions and mechanism for control of the lights, details of the light spill, and measures to prevent light spillage from the site and particularly into the designated 'dark zones'. The approved scheme shall be implemented in accordance with the approved details and thereafter maintained for the duration of the development.
24. No lighting shall be used on site, other than that approved under condition 49 and during the approved hours of construction as set out in condition 4.



## APPENDIX B: Plans

### Plan 2: Wilton Park Opportunity Area



Map 4 of the South Bucks Core Strategy 2011 showing the proposed Wilton Park redevelopment and proposed connections with Beaconsfield and Seer Green



## Committee Report – 31<sup>st</sup> July 2017

**Application Number:** i) CM/32/17, ii) CM/33/17, iii) CM/34/17 and iv) CM/35/17

- Title:**
- i) Variation to condition 1 of planning permission CM/36/16 to provide for the continuation of mineral extraction and processing and site restoration until 31 October 2017 , with the exception of Phase 11 which is to be restored by 31 December 2020 at Park Lodge Quarry, Pinewood Road, Iver Heath, Buckinghamshire
  - ii) Variation to condition 2 of planning permission CM/37/16 to provide for the continuation of mineral extraction and processing and site restoration until 31 October 2017, with the exception of Phase 11 which is to be restored by 31 December 2020 at Park Lodge Quarry, Pinewood Road, Iver Heath, Buckinghamshire
  - iii) Variation to condition 1 of planning permission CM/38/16 to provide for the continuation of mineral extraction and processing and site restoration until 31 October 2017, with the exception of Phase 11 which is to be restored by 31 December 2020 at Park Lodge Quarry, Pinewood Road, Iver Heath, Buckinghamshire
  - iv) Variation to condition 1 of planning permission CM/39/116 to provide for the continuation of mineral extraction and processing and site restoration until 31 October 2017, with the exception of Phase 11 which is to be restored by 31 December 2020 at Park Lodge Quarry, Pinewood Road, Iver Heath, Buckinghamshire



INVESTOR IN PEOPLE



**Site Location:** Park Lodge Quarry  
Pinewood Road  
Iver Heath  
Iver Heath

**Applicant:** Brett Aggregates Ltd  
Robert Brett House  
Milton Manor Farm  
Ashford Road  
Canterbury

**Case Officer:** Mrs Sabina Kupczyk

**Electoral divisions affected  
& Local Member:** Iver, Cllr Luisa Sullivan

**Valid Date:** 17 May 2017

**Statutory Determination Date:** 16 August 2017

**Summary Recommendation(s):**

The Development control Committee is invited to APPROVE application no. CM/32/17 subject to the conditions set out in Appendix A, CM/33/17 subject to the conditions set out in Appendix B, CM/34/17 subject to the conditions set out in Appendix C, CM/35/17 subject to the conditions set out in Appendix D

**Appendices:**

**Appendix A: Draft Consent CM/32/17**  
**Appendix B: Draft Consent CM/33/17**  
**Appendix C: Draft Consent CM/34/17**  
**Appendix D: Draft Consent CM/35/17**

## 1.0 Introduction

1.1 The applications were submitted by Brett Aggregates Limited on 15<sup>th</sup> May 2017 and validated on 17<sup>th</sup> May 2017. Consultations were sent out on 22<sup>nd</sup> May 2017. The applications were advertised by site notices, neighbour notifications and newspaper advertisement. The target for determination of the applications will expire on 16<sup>th</sup> August 2017.

## 2.0 Site Description

2.1 Park Lodge Quarry is a consented sand and gravel working with progressive restoration to agriculture using inert waste infill.

2.2 The site lies to the west of Iver Heath and has access from Pinewood Road. It is close to the junction of the A412 (Uxbridge Road) and A4007 (Slough Road) at the Five Points roundabout. The site is located approximately 3km west of Uxbridge and 5km north east of Slough. Residential properties are located along Uxbridge Road and Pinewood Road. The closest to the operations are Park Lodge (lies in the centre of the quarry with adjacent areas being restored) and Fir Tree Cottage (lies in the south east corner of the quarry).

2.3 The extraction and restoration is currently continuing in the remainder of the southern part of the site. The quarry covers approximately 30ha.

2.4 The site of the applications is located within Colne Valley Park and Metropolitan Green Belt. Black Park SSSI lies approximately 800 meters to the north west of the quarry within Black Park Country Park.

## 3.0 Site History

3.1 The majority of the application site was first identified as a Preferred Area for mineral working in the 1989 Review of the Replacement Local Plan for Buckinghamshire (MLP) and an application was made in 1990 to work the site. Following a Public Inquiry into the Minerals Local Plan the application was granted planning permission in 1994. The extraction of the quarry commenced in 1999. Since 1999 there have been a number of additional planning applications for new working areas and/or plant as well as numerous applications to vary conditions on existing planning permissions. The site is currently governed by four planning permissions (CM/36/16, CM/37/16, CM/38/16, and CM/39/16) each granted in November 2016, and each of which permit extraction and progressive restoration of different parts of the overall site.

3.1 The current four planning permissions for the site require extraction and restoration to cease by 30<sup>th</sup> June 2017 with the exception of phase 11, the silt lagoon, which is to be restored by 31<sup>st</sup> December 2020. A detailed planning history is as follows:

CM/36/16	Variation of conditions 1 of CM/03/14 of original planning permission 11/01719/CM in order to allow extension of operational period until 31 December 2020	Application Permitted	23.11.2016
CM/37/16	Variation of condition 2 of CC/01/14 of original planning permission 11/01717/CM in order to allow extension of operational	Application Permitted	23.11.2016

	period until 31 December 2020		
CM/38/16	Variation of condition 1 of CM/02/14 of original planning permission 11/01718CM in order to allow extension of operational period until 31 December 2020	Application Permitted	23.11.2016
CM/39/16	Variation of condition 1 of CM/04/14 of original application 11/01720/CM in order to allow extension of operational period until 31 December 2020	Application Permitted	23.11.2016
CM/02/14	Variation to conditions 1, 3 and 16 of planning permission 11/01718/CM in order to allow the use of mobile processing plant until 31 December 2015 and to allow final restoration to be completed by 31 December 2020.	Application Permitted	14.02.2014
CM/03/14	Variation to conditions 1, 2 and 15 of planning permission 11/01719/CM in order to allow the use of mobile processing plant until 31 December 2015 and to allow final restoration to be completed by 31 December 2020.	Application Permitted	14.02.2014
CM/04/14	Variation to conditions 1, 3 and 22 of planning permission 11/01720/CM in order to allow the use of mobile processing plant until 31 December 2015 and to allow final restoration to be completed by 31 December 2020. Open for Comment Park Lodge Quarry Pinewood Road Iver Heath Iver Heath	Application Permitted	14.02.2014
CM/01/14	Variation to conditions 2, 3 and 16 of planning permission 11/01717/CM in order to allow the use of mobile processing plant until 31 December 2015 and to allow final restoration to be completed by 31 December 2020.	Application Permitted	14.02.2014
11/01719/CM	Application to vary conditions 2, 7, 8 and 20 of planning permission SBD/8202/07 to amend the approved phasing scheme and extend the lifetime of the site to 31st December 2015	Application Permitted	2.07.2012

11/01718/CM	Application to vary condition 2 of planning permission SBD/8203/05 to extend the lifetime of the site until 31st December 2015.	Application Permitted	2.07.2012
11/01720/CM	Application to vary condition 2 of planning permission SBD/8220/04 to extend the lifetime of the site until 31st December 2015	Application Permitted	2.07.2012
11/01717/CM	An application involving the extraction of sand and gravel from 0.9 hectares (2.2 acres) of land within a 1.4 hectare parcel of land and restoration mainly to agriculture following infilling the void with inert waste with a narrow tree belt on the north-eastern boundary	Application Permitted	2.07.2012
SBD/8202/07	Variation of conditions 3 and 5 of planning permission SBD/8220/04 and conditions 3, 4 and 5 of consent SBD/8203/05 in relation to phasing of work	Application Permitted	24.09.2007
SBD/8203/05	Application to extract sand and gravel from 1 hectare with restoration to agricultural land	Application Permitted	4.10.2005
SBD/8209/01	Extension of area of extraction of sand and gravel upon western margin of permitted site	Withdrawn	30.05.2002
SBD/8220/04	Application to vary conditions 1 and 5 of consent No. SBD/8218/02	Application Permitted	17.02.2005
SBD/8212/03	Variation of condition 2 of permission SBD/595/90 to modify the site access.	Application Permitted	5.12.2003
SBD/8214/00	Proposed extension of area of extraction of sand and gravel from western margin of permitted site	Withdrawn	20.11.2000
SBD/8218/02	Establishment of a recycling facility, extension of sand and gravel working and re-phasing of site	Application Permitted	15.07.2003
SBD/8213/00	Erection of ready mixed concrete plant	Application Permitted	2002
SBD/595/90	Extraction and processing of sand and gravel with re-filling with inert material and restoration to agriculture	Application Permitted	25.09.1994

**3.2** A planning obligation exists which controls the routing of HGV movements from the site to ensure they travel to and from the site via the southern part of Pinewood Road

via the Five points roundabout. Vehicles are not permitted to use the part of the B470 between its junctions with Wood Lane and Thorney Lane which includes Iver High Street, except where local deliveries are required in these areas. The planning obligation also requires the developer to carry out groundwater monitoring, to remain the proprietor of Fir Tree Cottage for the duration of operations, and to ensure that Fir Tree Cottage remains vacant for the duration of the operations. The S106 Agreement covers all planning permissions at the site and would be carried forward to any new permissions granted.

#### **4.0 Description of the Proposed Development**

**4.1** The four planning applications hereby considered seek to amend conditions which currently require the cessation of mineral extraction, processing and restoration of the site by 30<sup>th</sup> June 2017, with the exception of Phase 11 which is to be restored by 31<sup>st</sup> December 2020. The planning applications seek permission to extend the period within which sand and gravel is extracted and processed until 31<sup>st</sup> October 2017 but not to amend the overall end date of 31<sup>st</sup> December 2020.

**4.2** Members of the Committee may recall that four similar applications to extend the time period for extraction and restoration of the site (other than phase 11) were permitted in November 2016. In support of those applications, it was stated that there has been a delay in the set-up of the replacement quarry at George Green and therefore the bagging operation was not relocated from Park Lodge quarry to George Green quarry until early 2016. The sand and gravel remaining to be dug beneath the bagging operation area and haul road was, at that point, delayed by some 18 months.

**4.3** In support of the current applications, the applicant has stated that since the permissions were granted in November 2016, it has been established by the operator that more sand and gravel is to be found beneath the haul road than was initially envisaged and that extraction has been delayed due to the need for the electricity supply to be disconnected (to allow access) which has been rescheduled by the utility company from May to August 2017. Therefore a short extension of time is required to ensure all mineral is extracted.

**4.4** The applicant states that there is approximately 60kt of material remaining to be extracted, which would take approximately three months to extract and process.

#### **5.0 Planning Policy & Other Documents**

**5.1** The planning policies relevant to the proposed extension of time at Park Lodge quarry include the following:

Buckinghamshire Minerals and Waste Core Strategy:

Policies CS1 (Minerals Safeguarding), CS4 (Maintaining the Level of Sand and Gravel), CS5 (Preferred Areas), CS18 (protection of Environmental Assets of Local Importance), CS/LP1 (Presumption in Favour of Sustainable Development), and CS20 (Green Belt)

Buckinghamshire County Council Minerals and Waste Local Plan (MWLP), 2004-2016:

Policies 28 (Amenity), 29 (Buffer Zones), and 31 (Restoration and Aftercare)

South Bucks District Local Plan (SBDLP), adopted March 1999 and consolidated in February 2011- saved policies

Policies GB1 (Green Belt), TR5 (Accesses, Highway Works and Traffic Generation) and TR10 (Heavy Goods Vehicles)



## 6.0 Consultation Responses

Local Member	23.05.2017	No objection to time extension to complete the extraction. Comments made in relation to mud on road and wheel washer facility
Environment Agency		No comments have been received.
Highways Development Management	21.06.2017	No objection
Iver Parish Council	20.06.2017	Objects to applications. Based on the information from previous meetings held by BAL it was understood that no further extension of time is required. General lack of communication and keeping Iver PC up to date. Comments made in relation to mud on road and wheel washer facility. Iver PC is concerned over increased traffic in the area in relation to the quarry site, Pinewood studios phase 2 and additional quarry at Richings Park. Lack of monitoring and enforcement of the conditions at Park Lodge. Request for stringent conditions on wheel washing, noise and resident notification and regular monitoring is being requested should the application be approved. The liaison meetings should be taking place.
SBDC District Planning Officer	20.06.2017	South Bucks District Council raised concerns about the excessive level of lorry movements in the vicinity and further extending the time for the works will only add to the adverse environmental impact.

## 7.0 Representations

- 7.1 2 residents objected to the applications. Comments were made in relation to mud on the road and odour associated with the workings and poor enforcement action from BCC in relation to ensuring that the road stays free of mud and stones.

## 8.0 Discussion

- 8.1 The key issues for consideration in the determination of these applications are the principle of the development, the potential impact of the continuing development in the Green Belt, Colne Valley Park and other environmental assets and impact upon local amenity.

### Principle of the Development

- 8.2 The application site is one of the 10 sites shown on Map 4 of the MWLP as active workings and permitted reserves, all of which fall within the Mineral Safeguarding Area.

As stated above, the application site is an existing active sand and gravel quarry therefore the principle of extracting mineral in this location, and restoring the site with inert waste, is already established in principle. Moreover, Policy CS1 of the MWCS seeks to prevent the sterilisation of mineral within the Mineral Safeguarding Area. The matter for consideration by the committee is whether any harm arising from the extended time period of operations would be significant enough to allow the sterilisation of mineral from beneath the quarry haul road, which would result from the refusal of planning permission.

- 8.4** As per policy CS5, priority is given to the extension of existing sites, where environmentally acceptable. It is considered that the continuation of this site until 31st October 2017 with the exception of the Phase 11 which is to be restored by 31st December 2020 accords with criteria b to g of this policy, as it would not result in further detriment to the environment of amenities of local residents. The overall date for the restoration of the site is not proposed to be extended and it would remain as 31<sup>st</sup> December 2020
- 8.5** Policy CS4 of the MWCS refers to the need to maintain an adequate and steady provision of sand and gravel equivalent to at least 7-years' worth of supply. This site, in its final months of extraction, will continue to assist the Council in meeting this need for a minimum 7-year land bank. Therefore, unless the committee is of the view that the extension of extraction and restoration until the end of October 2017 would cause sufficient harm to warrant refusal, the committee is advised that the development is acceptable in principle.

### **Green Belt, Colne Valley Park and protection of environmental assets**

- 8.8** Mineral extraction and subsequent restoration is listed as acceptable development within Green Belt as per policy CS20 of the MWCS. Policy GB1 of the SBDLP sets out a presumption against development within Green Belt other than a number of listed exceptions which include "*mineral working and subsequent restoration of the land (...)*" Where the development complies with parts I to iv. As the site is nearing completion and has the necessary mitigation measures in place to minimise any potential environmental or amenity impacts, it is considered for the development to be in accordance with parts i to iv.
- 8.9** Policies CS18 and CS19 of the MWCS seek to protect environmentally important sites and assets in Buckinghamshire, including Colne Valley Park from adverse impacts of mineral development. To date, the quarrying operations have not had a detrimental impact on environmental assets. There are existing measures in place to protect the environment, which will continue throughout the extended operational workings (such as monitoring of groundwater boreholes, to ensure that adjacent Black Park Country Park SSSI remains unaffected). Subject to the ongoing conditions, the development would be in accordance with policies CS18, CS19 and CS20 of the MWCS and policy GB1 of the SBDLP.

### **Impact on amenities of Local Residents**

- 8.10** Policy 28 of the MWLP seeks to protect the amenity of receptors from significant levels of disturbance from noise, vibration, dust, fumes, gases, odour, illumination, litter, birds or pests. The site has existing mitigation measures which will be retained, such as planning conditions to control the hours of operations, thereby minimising potential disturbance. The whole site will be restored by 31<sup>st</sup> December 2020 and no changes are proposed to this end date.
- 8.11** Concerns have been raised over poor or lack of monitoring of the existing workings

and especially issues with the mud on the road and lack of wheel washer facility on site. BCC has recently undertaken a site monitoring visit on 2<sup>nd</sup> May 2017 during which lack of wheel washer facility was documented. The wheel washer which was broken and taken off site has been replaced on 18<sup>th</sup> May 2017. Officers visited the site post monitoring visit to check if the wheel washer is in working condition and if any mud on the road is present. The additional checks took place on 18<sup>th</sup> May 2017 and 23<sup>rd</sup> May 2017. It is envisaged that there will be 4 planned site monitoring visits a year to the quarry with additional visits undertaken if complaints are generated.

- 8.12** The conditions controlling the amenity impacts of the quarrying will continue to be attached to any forthcoming planning permissions. Subject to the inclusion of such conditions on any planning permissions issued, the development would be acceptable on amenity grounds and would be in accordance with policy 28 and 29 of the MWLP.

## **Conclusion**

- 9.0** Planning applications CM/32/17, CM/33/17, CM/34/17 and CM/35/7 seek permission to vary consents CM/36/16, CM/37/16, CM/38/16 and CM/39/16 to provide a further 4 months to allow extraction of the mineral from the area where bagging operation took place and entrance haul road to ensure that the mineral is not sterilised and the site is restored in accordance with the approved restoration scheme.
- 9.1** The proposal would not result in any further detriment to the environment or amenities of nearby receptors and it accords with the policies of the Development Plan and therefore should be approved. Subject to retaining and amending where necessary, the relevant conditions on the existing permission applications are recommended for approval.





Application No: CM/32/17

**BUCKINGHAMSHIRE COUNTY COUNCIL  
TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)  
(DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND)  
ORDER 2015**

To: Brett Aggregates Ltd,  
Robert Brett House,  
Milton Manor Farm,  
Ashford Road,  
Canterbury,  
CT4 7PP

In pursuance of their powers under the above-mentioned Act and Orders the Buckinghamshire County Council as Local Planning Authority **HEREBY PERMIT** planning application no. CM/32/17

**Variation to condition 1 of planning permission CM/36/16 to provide for the continuation of mineral extraction and processing and site restoration until 31 October 2017 , with the exception of Phase 11 which is to be restored by 31 December 2020 at Park Lodge Quarry, Pinewood Road, Iver Heath, Buckinghamshire**

Permission is granted subject to the following **CONDITIONS**:

**Ongoing conditions:**

1. The development hereby approved shall not be undertaken other than in complete accordance with the following time limits:
  - a) With the exception of phase 11, shown on plan DP/PLQ/3 dated September 2013, all mineral extraction shall have ceased and final restoration shall have been completed no later than 31 October 2017.
  - b) All mineral extraction in phase 11, shown on plan DP/PLQ/3 dated September 2013, shall have ceased no later than 31 October 2017 and final restoration shall have been completed no later than 31 December 2020.
  - c) All plant, machinery and equipment, other than that required for the restoration and ongoing maintenance of phase 11, shall be removed from the land no later than 31 October 2017.

Reason: To control the operations within the timescale that has been judged by the County

Council to be acceptable and to comply with policies 28 and 36 of the Buckinghamshire Minerals and Waste Local Plan.

2. The development hereby permitted shall not be carried out other than in complete accordance with the details submitted with the application, and the following drawings:
  - Site Plan (PLF.142) - 22 March 2005
  - Borehole Location Plan - March 2005
  - Site Layout - March 2005
  - Proposed Working - March 2005
  - Restoration Plan - March 2005
  - DP/PLQ/1 - Approved working phases
  - DP/PLQ/2 - Diagrammatic representation of quarry in August 2013
  - DP/PLQ/3 - Proposed amended working phases
  - DP/PLQ/4 - Proposed modular processing plant
  - DP/PLQ/5 - Silt lagoon restoration

Reason: To define the development that has been submitted and to control the operations and to comply with policies 28 and 36 of the Buckinghamshire Minerals and Waste Local Plan.

3. No operations authorised by this consent shall occur other than between the following hours:
  - 7.30 am to 5.30 pm Mondays to Fridays
  - 7.30 am to 12 noon Saturdays for maintenance only

No operations shall be carried out on Saturday afternoons, Sundays or Bank and Public Holidays.

Reason: In the interests of the local amenity and to comply with policy 28 of the Buckinghamshire Minerals and Waste Local Plan.

4. The total number of heavy goods vehicle movements to and from the site shall not exceed 146 per day (73 in, 73 out) in conjunction with those permitted pursuant to planning permission nos. CM/33/17, CM/34/17 and CM/35/17

Reason: In the interests of highway safety and the amenities of the local area and to comply with policy 28 of the Buckinghamshire Minerals and Waste Local Plan and policy TR5 of the South Bucks District Local Plan.

5. Sole access to the site shall be via the existing access onto Pinewood Road.

Reason: In the interests of highway safety and the amenities of the local area and to comply with policy 28 of the Buckinghamshire Minerals and Waste Local Plan and policy TR5 of the South Bucks District Local Plan.

6. No laden heavy goods vehicles shall access or egress the site without being securely sheeted.

Reason: Reason: To prevent mud and debris from being carried onto the public highway and

to comply with policy 28 of the Buckinghamshire Minerals and Waste Local Plan and policy TR5 of the South Bucks District Local Plan.

7. All heavy goods vehicles leaving the site shall use the existing wheel cleaning facilities prior to exiting the site.

Reason: To prevent mud and debris from being carried onto the public highway and to comply with policy 28 of the Buckinghamshire Minerals and Waste Local Plan and policy TR5 of the South Bucks District Local Plan.

8. No waste other than naturally occurring excavated materials and construction waste of a non-putrescible nature shall be imported to and deposited at the site.

Reason: The importation of waste materials outside of these categories would raise environmental and amenity issues which would require consideration afresh and to comply with policy 28 of the Buckinghamshire Minerals and Waste Local Plan and policy CS23 of the Buckinghamshire Minerals and Waste Core Strategy.

9. Any oil storage tanks shall be sited on site on impervious bases and surrounded by oil tight bund walls which shall be capable of containing 110% of the tanks volume and shall enclose all fill and drain pipes.

Reason: To protect groundwater and surface water from pollution policy CS23 of the Buckinghamshire Minerals and Waste Core Strategy.

10. The surface water drainage scheme submitted pursuant to consent no. SBD/8203/05 and approved in writing by the County Planning Authority by letter dated 5th May 2009 shall continue to be implemented for the duration of the development hereby permitted.

Reason: To ensure that surface water flooding is managed to protect the occupants of nearby residential properties from flooding and to comply with policy CS23 of the Buckinghamshire Minerals and Waste Core Strategy.

11. Noise from the operations shall not exceed 55 dB LAeq 1hr (free field) as measured at the facades of the nearest residential properties as shown on the plan submitted to the County Planning Authority pursuant to consent no. SBD/8203/05 and approved in writing by the County Planning Authority by letter dated 5th May 2009. Measurements taken to check compliance shall have regard to the extraneous noise and shall be corrected for any such effects.

Reason: To protect the occupants of nearby residential properties from loss of amenity from noise disturbance and to comply with policy 28 of the Buckinghamshire Minerals and Waste Local Plan.

12. All plant and machinery used at the site shall be silenced in accordance with the best available technology not entailing excessive cost and maintained in accordance with the manufacturer's specifications. Any pumps on the site shall be positioned and acoustically screened such that noise level during operating hours does not exceed

55dB LAeq 1hr free field as measured at the site boundary with the nearest residence. All machinery and equipment shall be constructed, maintained and operated in such a way that any intermittent noises that are likely to be clearly audible above the background noise level at the nearest residential property including the garden, are reduced to a minimum in accordance with the details submitted to the County Planning Authority pursuant to consent no. SBD/8203/05 and approved in writing by the County Planning Authority by letter dated 5th May 2009 to address continuing noise nuisance issues.

Reason: To protect the occupants of nearby residential properties from loss of amenity from noise disturbance and to comply with policy 28 of the Buckinghamshire Minerals and Waste Local Plan.

13. The scheme for the monitoring and mitigation of dust submitted pursuant to condition 18 of consent no. SBD/8203/05 and approved in writing by the County Planning Authority by letter dated 5th May 2009 shall continue to be implemented for the duration of the development.

Reason: To protect occupants of nearby residential properties from the loss of amenity from dust generation and to comply with policy 28 of the Buckinghamshire Minerals and Waste Local Plan.

14. The landscaping scheme submitted pursuant to condition 19 of consent no. SBD/8203/05 and approved in writing by the County Planning Authority by letter dated 5th May 2009 shall be implemented in the first planting season following completion of phase 8.

Reason: To ensure the satisfactory restoration of the site and in the interests of the local amenity and to comply with policy 28 of the Buckinghamshire Minerals and Waste Local Plan and policy CS23 of the Buckinghamshire Minerals and Waste Core Strategy

#### **Development phase conditions**

15. Prior to the commencement of soil stripping in any phase as shown on Figure 5 which is not yet disturbed, a soil handling scheme shall be submitted to and approved in writing by the County Planning Authority. The scheme shall include the following details:
- The methods to be used for soil stripping, handling, storage and replacement;
  - Machinery to be used for soil stripping, handling, storage and replacement;
  - The location of any internal haul routes to be created.

The approved scheme(s) shall be implemented for the duration of working in the phase thereafter.

Reason: To ensure the careful handling and storage of soil resources to enable the site to be restored satisfactorily and to comply with policy 28 of the Buckinghamshire Minerals and Waste Local Plan.

16. Each phase shall be capped and covered with a minimum depth of one metre of suitable cover material, which shall include a minimum of 200mm of subsoil, or other approved substitute material and then a minimum depth of 300mm of topsoil.



Reason: To ensure the careful handling and storage of soil resources to enable the site to be restored satisfactorily and to comply with policy 31 of the Buckinghamshire Minerals and Waste Local Plan.

17. Before the fill material in any phase is within two metres of the final pre-settlement levels, profile markers shall be erected in that phase to show the final levels of fill material, capping material, subsoil and topsoil respectively.

Reason: To ensure the satisfactory restoration of the site and to comply with policy 31 of the Buckinghamshire Minerals and Waste Local Plan.

18. No topsoil shall be placed until the following operations have been carried out over the filled areas to be restored to agriculture:
  - All depressions and hollows shall be filled with subsoils or approved subsoil substitute material to achieve even gradients;
  - Subsoil or approved subsoil substitute material shall be ripped or deeply cultivated in the event of there being compaction;
  - The top 1000mm shall be free of large solid objects (of greater size than 75mm in any direction) and voids left by the removal of obstructions shall be backfilled with subsoil and topsoil.

Reason: To ensure the satisfactory restoration of the site and to comply with policy 31 of the Buckinghamshire Minerals and Waste Local Plan.

19. Within three months of the date of the final replacement of topsoil on any phase to be restored in whole or in part to agriculture (and subsequent to the period of interim restoration), an aftercare scheme for a period of five years for that area shall be submitted to and approved in writing by the County Planning Authority. The scheme shall include the annual aftercare programme which shall be carried out in the first year of the aftercare period. A revised annual aftercare programme shall be submitted to the County Planning Authority showing the aftercare measures which shall be carried out in the following year. Following approval in writing of the annual aftercare programme by the County Planning Authority, the annual aftercare programme shall be implemented for the following twelve months.

Reason: To ensure the satisfactory restoration of the site and to comply with policy 31 of the Buckinghamshire Minerals and Waste Local Plan.

20. Within one month of the date of this permission, a timetable for the extraction and restoration of the remaining operations at the site shall be submitted for approval to the County Planning Authority. The scheme shall include details of the areas where extraction and restoration operations have already taken place at the site and where operations are anticipated to have reached at the end of each calendar month ending 31 October 2017. At the end of each calendar month up to and including 31 October June 2017, the following information shall be submitted to and approved in writing by the County Planning Authority to show progress against the timetable:
  - The remaining tonnage of aggregate to be removed from the site and the remaining void to be backfilled.

- Monthly tonnages of exported aggregate and imported inert waste.
- A written assessment of the likelihood of achieving the approved timetable based on the actual rate of extraction and restoration in the preceding month.
- Further works to be undertaken if the operations have not achieved the target in any calendar month.

Reason: To ensure the satisfactory restoration of the site and to comply with Policy 31 of the Buckinghamshire Minerals and Waste Local Plan.

## **Informatives**

### **1. Compliance with Article 35 of the Town and County Planning (Development Management Procedure) Order 2015**

In determining this planning application, the County Planning Authority has worked with the applicant in a positive and pro-active manner based on seeking solutions to problems arising during the planning application process by liaising with consultees, respondents and the applicant/agent and discussing changes to the proposal where considered appropriate or necessary. In this instance the applicant has been informed of the progress of the application. This approach has been taken positively and proactively in accordance with the requirements of the National Planning Policy Framework as set out in the Town and Country Planning (Development Management Procedure) (England) Order 2015.

### **2. Site Notice**

Please remove any site notice that was displayed on the site to advertise this planning application.

Dated:

.....  
David Sutherland  
Head of Planning and Environment  
For and on behalf of the County Council

**NOTES:**

**TOWN AND COUNTRY PLANNING ACT 1990**

**Appeals to the Secretary of State**

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.
- If this is a decision on a planning application relating to the same or substantially the same land and development is already the subject of an enforcement notice, if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.
- If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of service of the enforcement notice, or within 6 months of the date of this notice, whichever period expires earlier.
- Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at [www.planningportal.gov.uk/pcs](http://www.planningportal.gov.uk/pcs).
- The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.





Application No: CM/33/17

**BUCKINGHAMSHIRE COUNTY COUNCIL  
TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)  
(DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND)  
ORDER 2015**

To: Brett Aggregates Ltd,  
Robert Brett House,  
Milton Manor Farm,  
Ashford Road,  
Canterbury,  
CT4 7PP

In pursuance of their powers under the above-mentioned Act and Orders the Buckinghamshire County Council as Local Planning Authority **HEREBY PERMIT** planning application no. CM/33/17

**Variation to condition 2 of planning permission CM/37/16 to provide for the continuation of mineral extraction and processing and site restoration until 31 October 2017, with the exception of Phase 11 which is to be restored by 31 December 2020 at Park Lodge Quarry, Pinewood Road, Iver Heath, Buckinghamshire**

Permission is granted subject to the following **CONDITIONS**:

**Ongoing conditions:**

1. The development hereby permitted shall not be carried out other than in complete accordance with the details submitted with the application, and the following drawings:  
Figure 1 - Location of the Application Site  
Figure 2 - Diagrammatic Representation of Quarry in September 2011 and View of Southern Extension  
Figure 3 - Approved Restoration and Existing Contours and Vegetation on the Application Site  
Figure 4 - Sites and Monuments Record  
Figure 6 Rev 1 - Method of Working and Sections Showing Landform Before and After Extraction  
Figure 7 - Proposed Restoration of the Southern Extension  
Figure 8 - Visual Screening on Uxbridge Road  
Figure 9 - Location of Trees on Northern Boundary and Access Route to Plant  
Figure 10 - Photographic View of the Northern Boundary

Figure 1 Rev A - Hedgerow Survey  
DP/PLQ/1 - Approved working phases  
DP/PLQ/2 - Diagrammatic representation of quarry in August 2013  
DP/PLQ/3 - Proposed amended working phases  
DP/PLQ/4 - Proposed modular processing plant  
DP/PLQ/5 - Silt lagoon restoration

Reason: To define the development that has been submitted and to control the operations and to comply with policies 28 and 36 of the Buckinghamshire Minerals and Waste Local Plan.

2. The development hereby approved shall not be undertaken other than in complete accordance with the following time limits:
  - a) With the exception of phase 11, shown on plan DP/PLQ/3 dated September 2013, all mineral extraction shall have ceased and final restoration shall have been completed no later than 31 October 2017.
  - b) All mineral extraction in phase 11, shown on plan DP/PLQ/3 dated September 2013, shall have ceased no later than 31 October 2017 and final restoration shall have been completed no later than 31 December 2020.
  - c) All plant, machinery and equipment, other than that required for the restoration and ongoing maintenance of phase 11, shall be removed from the land no later than 31 October 2017.

Reason: To control the operations within the timescale that has been judged by the County Council to be acceptable and to comply with policies 28 and 36 of the Buckinghamshire Minerals and Waste Local Plan.

3. No operations authorised by this consent shall occur other than between the following hours:
  - 7.30 am to 5.30 pm Mondays to Fridays
  - 7.30 am to 12 noon Saturdays for maintenance only

No operations shall be carried out on Saturday afternoons, Sundays or Bank and Public Holidays.

Reason: In the interests of the local amenity and to comply with policy 28 of the Buckinghamshire Minerals and Waste Local Plan.

4. The total number of heavy goods vehicle movements to and from the site shall not exceed 146 per day (73 in, 73 out) in conjunction with those permitted pursuant to planning permission nos. CM/32/17, CM/34/17 and CM/35/17

Reason: In the interests of highway safety and the amenities of the local area and to comply with policy 28 of the Buckinghamshire Minerals and Waste Local Plan and policy TR5 of the South Bucks District Local Plan.

5. Sole access to the site shall be via the existing access onto Pinewood Road.

Reason: In the interests of highway safety and the amenities of the local area and to comply with policy 28 of the Buckinghamshire Minerals and Waste Local Plan and policy TR5 of the

South Bucks District Local Plan.

6. No laden heavy goods vehicles shall access or egress the site without being securely sheeted.

Reason: Reason: To prevent mud and debris from being carried onto the public highway and to comply with policy 28 of the Buckinghamshire Minerals and Waste Local Plan and policy TR5 of the South Bucks District Local Plan.

7. All heavy goods vehicles leaving the site shall use the existing wheel cleaning facilities prior to exiting the site.

Reason: To prevent mud and debris from being carried onto the public highway and to comply with policy 28 of the Buckinghamshire Minerals and Waste Local Plan and policy TR5 of the South Bucks District Local Plan.

8. No waste other than naturally occurring excavated materials and construction waste of a non-putrescible nature shall be imported to and deposited at the site.

Reason: The importation of waste materials outside of these categories would raise environmental and amenity issues which would require consideration afresh and to comply with policy 28 of the Buckinghamshire Minerals and Waste Local Plan and policy CS23 of the Buckinghamshire Minerals and Waste Core Strategy.

9. Any oil storage tanks shall be sited on site on impervious bases and surrounded by oil tight bund walls which shall be capable of containing 110% of the tanks volume and shall enclose all fill and drain pipes.

Reason: To protect groundwater and surface water from pollution policy CS23 of the Buckinghamshire Minerals and Waste Core Strategy.

10. The development shall not be carried out other than in complete accordance with the document entitled "Proposed Extension Flood Risk Assessment" dated February 2011.

Reason: To ensure that surface water flooding is managed to protect the occupants of nearby residential properties from flooding and to comply with policy CS23 of the Buckinghamshire Minerals and Waste Core Strategy.

11. Noise from the operations shall not exceed 55 dB LAeq 1hr (free field) as measured at the facades of the nearest residential properties as shown on the plan submitted to the County Planning Authority pursuant to consent no. SBD/8203/05 and approved in writing by the County Planning Authority by letter dated 5th May 2009. Measurements taken to check compliance shall have regard to the extraneous noise and shall be corrected for any such effects.

Reason: To protect the occupants of nearby residential properties from loss of amenity from noise disturbance and to comply with policy 28 of the Buckinghamshire Minerals and Waste Local Plan.

12. All plant and machinery used at the site shall be silenced in accordance with the best available technology not entailing excessive cost and maintained in accordance with the manufacturer's specifications. Any pumps on the site shall be positioned and acoustically screened such that noise level during operating hours does not exceed 55dB LAeq 1hr free field as measured at the site boundary with the nearest residence. All machinery and equipment shall be constructed, maintained and operated in such a way that any intermittent noises that are likely to be clearly audible above the background noise level at the nearest residential property including the garden, are reduced to a minimum in accordance with the details submitted to the County Planning Authority pursuant to consent no. SBD/8203/05 and approved in writing by the County Planning Authority by letter dated 5th May 2009 to address continuing noise nuisance issues.

Reason: To protect the occupants of nearby residential properties from loss of amenity from noise disturbance and to comply with policy 28 of the Buckinghamshire Minerals and Waste Local Plan.

#### **Development phase conditions**

13. Extraction of phase 9 shall be conducted in accordance with the dust monitoring and mitigation scheme approved by the County Planning Authority on 8 October 2012.

Reason: To protect occupants of nearby residential properties from the loss of amenity from dust generation and to comply with policy 28 of the Buckinghamshire Minerals and Waste Local Plan.

14. Extraction shall not be commenced within phase 9 until a landscaping scheme for phase 9 has been submitted to and approved in writing by the County Planning Authority. The scheme shall include the following:

- Details of the numbers, sizes and species of specimens to be planted;
- Details of the location of proposed planting;
- Details of the protection measures to be applied to existing vegetation and proposed planting;
- Location and details of fencing;
- A five year commitment to replace any planting that dies or becomes diseased within 5 years of the final replacement of topsoil within phase 9.

Reason: To ensure the satisfactory restoration of the site and in the interests of the local amenity and to comply with policy 28 of the Buckinghamshire Minerals and Waste Local Plan and policy CS23 of the Buckinghamshire Minerals and Waste Core Strategy

15. Prior to the commencement of soil stripping in any phase as shown on Figure 5 which is not yet disturbed, a soil handling scheme shall be submitted to and approved in writing by the County Planning Authority. The scheme shall include the following details:

- The methods to be used for soil stripping, handling, storage and replacement;
- Machinery to be used for soil stripping, handling, storage and replacement;
- The location of any internal haul routes to be created.



The approved scheme(s) shall be implemented for the duration of working in the phase thereafter.

Reason: To ensure the careful handling and storage of soil resources to enable the site to be restored satisfactorily and to comply with policy 28 of the Buckinghamshire Minerals and Waste Local Plan.

16. Soil shall not be stripped, moved, placed or otherwise handled other than when it is in a dry and friable condition. Prior to any stripping, movement, placement or other handling of soils a field test shall be carried out as set out in section 3.2 of the planning application Supporting Statement and in addition the assessment shall be carried out on representative samples on each major soil type, including sandy loams, loamy sands and sands, shall be carried out to identify whether it is in a dry and friable condition.

Reason: To ensure the careful handling and storage of soil resources to enable the site to be restored satisfactorily and to comply with policy 31 of the Buckinghamshire Minerals and Waste Local Plan.

17. All topsoil shall be stored in bunds no more than 2 metres in height as in the location shown on Figure 6, All subsoil shall be stored in bunds no more than 3 metres in height on the southern boundary as shown on Figure 6.

Reason: To ensure the careful handling and storage of soil resources to enable the site to be restored satisfactorily and to provide an acoustic screen to Pleasant Cottage and to comply with policy 28 of the Buckinghamshire Minerals and Waste Local Plan and policy CS23 of the Buckinghamshire Minerals and Waste Core Strategy.

18. No vegetation shall be removed during the bird nesting season (1st March – 31st August inclusive). Vegetation removal shall not be carried out other than by the use of hand tools.

Reason: To protect the ecological interest of the site and policy CS23 of the Buckinghamshire Minerals and Waste Core Strategy and policy 36 of the Buckinghamshire Minerals and Waste Local Plan.

19. Each phase shall be capped and covered with a minimum depth of one metre of suitable cover material, which shall include a minimum of 750mm of subsoil, or other approved substitute material and then a minimum depth of 250mm of topsoil.

Reason: To ensure the satisfactory restoration of the site and to comply with policy CS23 of the Buckinghamshire Minerals and Waste Core Strategy.

20. Before the fill material in any phase is within two metres of the final pre-settlement levels, profile markers shall be erected in that phase to show the final levels of fill material, capping material, subsoil and topsoil respectively.

Reason: To ensure the satisfactory restoration of the site and to comply with Policy 31 of the Buckinghamshire Minerals and Waste Local Plan.

21. No topsoil shall be placed until the following operations have been carried out over the filled areas to be restored to agriculture:

- All depressions and hollows shall be filled with subsoils or approved subsoil substitute material to achieve even gradients;
- Subsoil or approved subsoil substitute material shall be ripped or deeply cultivated in the event of there being compaction;
- The top 1000mm shall be free of large solid objects (of greater size than 75mm in any direction) and voids left by the removal of obstructions shall be backfilled with subsoil and topsoil.

Reason: To ensure the satisfactory restoration of the site and to comply with policy 31 of the Buckinghamshire Minerals and Waste Local Plan.

22. Between 1st and 31st January in each calendar year during the period of the operations hereby authorised, a plan at not less than 1:2500 scale shall be submitted to the County Planning Authority showing the progress of soil stripping and storage, excavation, landfill and restoration at a date within 14 days prior to submission.

Reason: To ensure the satisfactory restoration of the site and to comply with policy 31 of the Buckinghamshire Minerals and Waste Local Plan.

23. Within three months of the date of the final replacement of subsoil on any phase to be restored in whole or in part to agriculture (and subsequent to the period of interim restoration), an aftercare scheme for a period of five years for that area shall be submitted to and approved in writing by the County Planning Authority. The scheme shall include the annual aftercare programme which shall be carried out in the first year of the aftercare period. A revised annual aftercare programme shall be submitted to the County Planning Authority showing the aftercare measures which shall be carried out in the following year. Following approval in writing of the annual aftercare programme by the County Planning Authority, the annual aftercare programme shall be implemented for the following twelve months.

Reason: To ensure the satisfactory restoration of the site and to comply with policy 31 of the Buckinghamshire Minerals and Waste Local Plan.

24. Within one month of the date of this permission, a timetable for the extraction and restoration of the remaining operations at the site shall be submitted for approval to the County Planning Authority. The scheme shall include details of the areas where extraction and restoration operations have already taken place at the site and where operations are anticipated to have reached at the end of each calendar month ending 31 October 2017. At the end of each calendar month up to and including 31 October 2017 the following information shall be submitted to and approved in writing by the County Planning Authority to show progress against the timetable:

- a) The remaining tonnage of aggregate to be removed from the site and the remaining void to be backfilled.
- b) Monthly tonnages of exported aggregate and imported inert waste.
- c) A written assessment of the likelihood of achieving the approved timetable based on the actual rate of extraction and restoration in the preceding month.

- d) Further works to be undertaken if the operations have not achieved the target in any calendar month.

Reason: To ensure the satisfactory restoration of the site and to comply with Policy 31 of the Buckinghamshire Minerals and Waste Local Plan.

**Informatives**

**1. Compliance with Article 35 of the Town and County Planning (Development Management Procedure) Order 2015**

In determining this planning application, the County Planning Authority has worked with the applicant in a positive and pro-active manner based on seeking solutions to problems arising during the planning application process by liaising with consultees, respondents and the applicant/agent and discussing changes to the proposal where considered appropriate or necessary. In this instance the applicant has been informed of the progress of the application. This approach has been taken positively and proactively in accordance with the requirements of the National Planning Policy Framework as set out in the Town and Country Planning (Development Management Procedure) (England) Order 2015.

**2. Bats**

Works to trees should be carried out by a suitably qualified tree surgeon who should carry out a visual check before felling and identify any potential bat roosting sites (natural holes, woodpecker holes, cracks, splits, and loose bark). If ivy is present, it is necessary to consider whether bat roosts might be hidden. If roosts are identified, further ecological advice must be sought. Each potential roost should be treated as if bats are present. The sections containing the potential roosts need to be cut and carefully lowered to the ground. Limbs with internal fissures, when felled, should avoid closure of fissures. Cross cutting should avoid cavities and hollow sections. The sections containing potential bat roosts should be left on the ground for a period of at least 24 hours. If any bats are found at any point, all work should cease immediately.

**3. Site Notice**

Please remove any site notice that was displayed on the site to advertise this planning application.

Dated:

.....  
David Sutherland  
Head of Planning and Environment  
For and on behalf of the County Council

## **NOTES:**

### **TOWN AND COUNTRY PLANNING ACT 1990**

#### **Appeals to the Secretary of State**

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.
- If this is a decision on a planning application relating to the same or substantially the same land and development is already the subject of an enforcement notice, if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.
- If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of service of the enforcement notice, or within 6 months of the date of this notice, whichever period expires earlier.
- Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at [www.planningportal.gov.uk/pcs](http://www.planningportal.gov.uk/pcs).
- The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.



Application No: CM/34/17

**BUCKINGHAMSHIRE COUNTY COUNCIL  
TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)  
(DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND)  
ORDER 2015**

To: Brett Aggregates Ltd,  
Robert Brett House,  
Milton Manor Farm,  
Ashford Road,  
Canterbury,  
CT4 7PP

In pursuance of their powers under the above-mentioned Act and Orders the Buckinghamshire County Council as Local Planning Authority **HEREBY PERMIT** planning application no. CM/34/17

**Variation to condition 1 of planning permission CM/38/16 to provide for the continuation of mineral extraction and processing and site restoration until 31 October 2017, with the exception of Phase 11 which is to be restored by 31 December 2020 at Park Lodge Quarry, Pinewood Road, Iver Heath, Buckinghamshire**

Permission is granted subject to the following **CONDITIONS**:

**Ongoing conditions:**

1. The development hereby approved shall not be undertaken other than in complete accordance with the following time limits:
  - a) With the exception of phase 11, shown on plan DP/PLQ/3 dated September 2013, all mineral extraction shall have ceased and final restoration shall have been completed no later than 31 October 2017.
  - b) All mineral extraction in phase 11, shown on plan DP/PLQ/3 dated September 2013, shall have ceased no later than 31 October 2017 and final restoration shall have been completed no later than 31 December 2020.
  - c) All plant, machinery and equipment, other than that required for the restoration and ongoing maintenance of phase 11, shall be removed from the land no later than 31 October 2017.

Reason: To control the operations within the timescale that has been judged by the County

Council to be acceptable and to comply with policies 28 and 36 of the Buckinghamshire Minerals and Waste Local Plan.

2. The development hereby permitted shall not be carried out other than in complete accordance with the details submitted with the application, and the following drawings:
  - Site Plan (PLF.142) - 22 March 2005
  - Borehole Location Plan - March 2005
  - Site Layout - March 2005
  - Proposed Working - March 2005
  - Restoration Plan - March 2005
  - DP/PLQ/1 - Approved working phases
  - DP/PLQ/2 - Diagrammatic representation of quarry in August 2013
  - DP/PLQ/3 - Proposed amended working phases
  - DP/PLQ/4 - Proposed modular processing plant
  - DP/PLQ/5 - Silt lagoon restoration

Reason: To define the development that has been submitted and to control the operations and to comply with policies 28 and 36 of the Buckinghamshire Minerals and Waste Local Plan.

3. No operations authorised by this consent shall occur other than between the following hours:
  - 7.30 am to 5.30 pm Mondays to Fridays
  - 7.30 am to 12 noon Saturdays for maintenance only

No operations shall be carried out on Saturday afternoons, Sundays or Bank and Public Holidays.

Reason: In the interests of the local amenity and to comply with policy 28 of the Buckinghamshire Minerals and Waste Local Plan.

4. The total number of heavy goods vehicle movements to and from the site shall not exceed 146 per day (73 in, 73 out) in conjunction with those permitted pursuant to planning permission nos. CM/32/17, CM/33/17 and CM/35/17

Reason: In the interests of highway safety and the amenities of the local area and to comply with policy 28 of the Buckinghamshire Minerals and Waste Local Plan and policy TR5 of the South Bucks District Local Plan.

5. Sole access to the site shall be via the existing access onto Pinewood Road.

Reason: In the interests of highway safety and the amenities of the local area and to comply with policy 28 of the Buckinghamshire Minerals and Waste Local Plan and policy TR5 of the South Bucks District Local Plan.

6. No laden heavy goods vehicles shall access or egress the site without being securely sheeted.

Reason: Reason: To prevent mud and debris from being carried onto the public highway and

to comply with policy 28 of the Buckinghamshire Minerals and Waste Local Plan and policy TR5 of the South Bucks District Local Plan.

7. All heavy goods vehicles leaving the site shall use the existing wheel cleaning facilities prior to exiting the site.

Reason: To prevent mud and debris from being carried onto the public highway and to comply with policy 28 of the Buckinghamshire Minerals and Waste Local Plan and policy TR5 of the South Bucks District Local Plan.

8. No waste other than naturally occurring excavated materials and construction waste of a non-putrescible nature shall be imported to and deposited at the site.

Reason: The importation of waste materials outside of these categories would raise environmental and amenity issues which would require consideration afresh and to comply with policy 28 of the Buckinghamshire Minerals and Waste Local Plan and policy CS23 of the Buckinghamshire Minerals and Waste Core Strategy.

9. Any oil storage tanks shall be sited on site on impervious bases and surrounded by oil tight bund walls which shall be capable of containing 110% of the tanks volume and shall enclose all fill and drain pipes.

Reason: To protect groundwater and surface water from pollution policy CS23 of the Buckinghamshire Minerals and Waste Core Strategy.

10. The surface water drainage scheme submitted pursuant to consent no. SBD/8203/05 and approved in writing by the County Planning Authority by letter dated 5th May 2009 shall continue to be implemented for the duration of the development hereby permitted.

Reason: To ensure that surface water flooding is managed to protect the occupants of nearby residential properties from flooding and to comply with policy CS23 of the Buckinghamshire Minerals and Waste Core Strategy.

11. Noise from the operations shall not exceed 55 dB LAeq 1hr (free field) as measured at the facades of the nearest residential properties as shown on the plan submitted to the County Planning Authority pursuant to consent no. SBD/8203/05 and approved in writing by the County Planning Authority by letter dated 5th May 2009. Measurements taken to check compliance shall have regard to the extraneous noise and shall be corrected for any such effects.

Reason: To protect the occupants of nearby residential properties from loss of amenity from noise disturbance and to comply with policy 28 of the Buckinghamshire Minerals and Waste Local Plan.

12. All plant and machinery used at the site shall be silenced in accordance with the best available technology not entailing excessive cost and maintained in accordance with the manufacturer's specifications. Any pumps on the site shall be positioned and acoustically screened such that noise level during operating hours does not exceed

55dB LAeq 1hr free field as measured at the site boundary with the nearest residence. All machinery and equipment shall be constructed, maintained and operated in such a way that any intermittent noises that are likely to be clearly audible above the background noise level at the nearest residential property including the garden, are reduced to a minimum in accordance with the details submitted to the County Planning Authority pursuant to consent no. SBD/8203/05 and approved in writing by the County Planning Authority by letter dated 5th May 2009 to address continuing noise nuisance issues.

Reason: To protect the occupants of nearby residential properties from loss of amenity from noise disturbance and to comply with policy 28 of the Buckinghamshire Minerals and Waste Local Plan.

13. The scheme for the monitoring and mitigation of dust submitted pursuant to condition 18 of consent no. SBD/8203/05 and approved in writing by the County Planning Authority by letter dated 5th May 2009 shall continue to be implemented for the duration of the development.

Reason: To protect occupants of nearby residential properties from the loss of amenity from dust generation and to comply with policy 28 of the Buckinghamshire Minerals and Waste Local Plan.

14. The landscaping scheme submitted pursuant to condition 19 of consent no. SBD/8203/05 and approved in writing by the County Planning Authority by letter dated 5th May 2009 shall be implemented in the first planting season following completion of phase 8.

Reason: To ensure the satisfactory restoration of the site and in the interests of the local amenity and to comply with policy 28 of the Buckinghamshire Minerals and Waste Local Plan and policy CS23 of the Buckinghamshire Minerals and Waste Core Strategy

#### **Development phase conditions**

15. Prior to the commencement of soil stripping in any phase as shown on Figure 5 which is not yet disturbed, a soil handling scheme shall be submitted to and approved in writing by the County Planning Authority. The scheme shall include the following details:
- The methods to be used for soil stripping, handling, storage and replacement;
  - Machinery to be used for soil stripping, handling, storage and replacement;
  - The location of any internal haul routes to be created.

The approved scheme(s) shall be implemented for the duration of working in the phase thereafter.

Reason: To ensure the careful handling and storage of soil resources to enable the site to be restored satisfactorily and to comply with policy 28 of the Buckinghamshire Minerals and Waste Local Plan.

16. Each phase shall be capped and covered with a minimum depth of one metre of suitable cover material, which shall include a minimum of 200mm of subsoil, or other approved substitute material and then a minimum depth of 300mm of topsoil.



Reason: To ensure the careful handling and storage of soil resources to enable the site to be restored satisfactorily and to comply with policy 31 of the Buckinghamshire Minerals and Waste Local Plan.

17. Before the fill material in any phase is within two metres of the final pre-settlement levels, profile markers shall be erected in that phase to show the final levels of fill material, capping material, subsoil and topsoil respectively.

Reason: To ensure the satisfactory restoration of the site and to comply with policy 31 of the Buckinghamshire Minerals and Waste Local Plan.

18. No topsoil shall be placed until the following operations have been carried out over the filled areas to be restored to agriculture:
  - All depressions and hollows shall be filled with subsoils or approved subsoil substitute material to achieve even gradients;
  - Subsoil or approved subsoil substitute material shall be ripped or deeply cultivated in the event of there being compaction;
  - The top 1000mm shall be free of large solid objects (of greater size than 75mm in any direction) and voids left by the removal of obstructions shall be backfilled with subsoil and topsoil.

Reason: To ensure the satisfactory restoration of the site and to comply with policy 31 of the Buckinghamshire Minerals and Waste Local Plan.

19. Within three months of the date of the final replacement of topsoil on any phase to be restored in whole or in part to agriculture (and subsequent to the period of interim restoration), an aftercare scheme for a period of five years for that area shall be submitted to and approved in writing by the County Planning Authority. The scheme shall include the annual aftercare programme which shall be carried out in the first year of the aftercare period. A revised annual aftercare programme shall be submitted to the County Planning Authority showing the aftercare measures which shall be carried out in the following year. Following approval in writing of the annual aftercare programme by the County Planning Authority, the annual aftercare programme shall be implemented for the following twelve months.

Reason: To ensure the satisfactory restoration of the site and to comply with policy 31 of the Buckinghamshire Minerals and Waste Local Plan.

20. Within one month of the date of this permission, a timetable for the extraction and restoration of the remaining operations at the site shall be submitted for approval to the County Planning Authority. The scheme shall include details of the areas where extraction and restoration operations have already taken place at the site and where operations are anticipated to have reached at the end of each calendar month ending 31 October 2017. At the end of each calendar month up to and including 31 October June 2017, the following information shall be submitted to and approved in writing by the County Planning Authority to show progress against the timetable:
  - The remaining tonnage of aggregate to be removed from the site and the remaining void to be backfilled.

- Monthly tonnages of exported aggregate and imported inert waste.
- A written assessment of the likelihood of achieving the approved timetable based on the actual rate of extraction and restoration in the preceding month.
- Further works to be undertaken if the operations have not achieved the target in any calendar month.

Reason: To ensure the satisfactory restoration of the site and to comply with Policy 31 of the Buckinghamshire Minerals and Waste Local Plan.

**Informatives**

**1. Compliance with Article 35 of the Town and County Planning (Development Management Procedure) Order 2015**

In determining this planning application, the County Planning Authority has worked with the applicant in a positive and pro-active manner based on seeking solutions to problems arising during the planning application process by liaising with consultees, respondents and the applicant/agent and discussing changes to the proposal where considered appropriate or necessary. In this instance the applicant has been informed of the progress of the application. This approach has been taken positively and proactively in accordance with the requirements of the National Planning Policy Framework as set out in the Town and Country Planning (Development Management Procedure) (England) Order 2015.

**2. Site Notice**

Please remove any site notice that was displayed on the site to advertise this planning application.

Dated:

.....  
 David Sutherland  
 Head of Planning and Environment  
 For and on behalf of the County Council

**NOTES:**

**TOWN AND COUNTRY PLANNING ACT 1990**

**Appeals to the Secretary of State**

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.
- If this is a decision on a planning application relating to the same or substantially the same land and development is already the subject of an enforcement notice, if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.
- If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of service of the enforcement notice, or within 6 months of the date of this notice, whichever period expires earlier.
- Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at [www.planningportal.gov.uk/pcs](http://www.planningportal.gov.uk/pcs).
- The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.





Application No: CM/35/17

**BUCKINGHAMSHIRE COUNTY COUNCIL  
TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)  
(DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND)  
ORDER 2015**

To: Brett Aggregates Ltd,  
Robert Brett House,  
Milton Manor Farm,  
Ashford Road,  
Canterbury,  
CT4 7PP

In pursuance of their powers under the above-mentioned Act and Orders the Buckinghamshire County Council as Local Planning Authority **HEREBY PERMIT** planning application no. CM/35/17

**Variation to condition 1 of planning permission CM/39/16 to provide for the continuation of mineral extraction and processing and site restoration until 31 October 2017, with the exception of Phase 11 which is to be restored by 31 December 2020 at Park Lodge Quarry, Pinewood Road, Iver Heath, Buckinghamshire**

Permission is granted subject to the following **CONDITIONS**:

**Ongoing conditions:**

1. The development hereby approved shall not be undertaken other than in complete accordance with the following time limits:
  - a) With the exception of phase 11, shown on plan DP/PLQ/3 dated September 2013, all mineral extraction shall have ceased and final restoration shall have been completed no later than 31 October 2017.
  - b) All mineral extraction in phase 11, shown on plan DP/PLQ/3 dated September 2013, shall have ceased no later than 31 October 2017 and final restoration shall have been completed no later than 31 December 2020.
  - c) All plant, machinery and equipment, other than that required for the restoration and ongoing maintenance of phase 11, shall be removed from the land no later than 31 October 2017.

Reason: To control the operations within the timescale that has been judged by the County

Council to be acceptable and to comply with policies 28 and 36 of the Buckinghamshire Minerals and Waste Local Plan.

2. The development hereby permitted shall not be carried out other than in complete accordance with the details submitted with the application, and the following drawings:
  - NL05361/03 - Site Location Plan
  - NL05361/09 – Existing Site
  - NL05361/10E – Proposed Development
  - NL05361/11 – Proposed Restoration
  - NL05361/0 – Hydrological Features
  - NL05361/05 – Groundwater Contours
  - NL05361/06 – Phase 1 Habitat Plan
  - NL05361/07 – Photoview Locations
  - NL05361/08 – Noise Monitoring Locations
  - DP/PLQ/1 - Approved working phases
  - DP/PLQ/2 - Diagrammatic representation of quarry in August 2013
  - DP/PLQ/3 - Proposed amended working phases
  - DP/PLQ/4 - Proposed modular processing plant
  - DP/PLQ/5 - Silt lagoon restoration

Reason: To define the development that has been submitted and to control the operations and to comply with policies 28 and 36 of the Buckinghamshire Minerals and Waste Local Plan.

3. No operations authorised by this consent shall occur other than between the following hours:
  - 7.30 am to 5.30 pm Mondays to Fridays
  - 7.30 am to 12 noon Saturdays for maintenance only

No operations shall be carried out on Saturday afternoons, Sundays or Bank and Public Holidays.

Reason: In the interests of the local amenity and to comply with policy 28 of the Buckinghamshire Minerals and Waste Local Plan.

4. The total number of heavy goods vehicle movements to and from the site shall not exceed 146 per day (73 in, 73 out) in conjunction with those permitted pursuant to planning permission nos. CM/32/17, CM/33/17 and CM/34/17

Reason: In the interests of highway safety and the amenities of the local area and to comply with policy 28 of the Buckinghamshire Minerals and Waste Local Plan and policy TR5 of the South Bucks District Local Plan.

5. Sole access to the site shall be via the existing access onto Pinewood Road.

Reason: In the interests of highway safety and the amenities of the local area and to comply with policy 28 of the Buckinghamshire Minerals and Waste Local Plan and policy TR5 of the South Bucks District Local Plan.

6. No laden heavy goods vehicles shall access or egress the site without being securely sheeted.

Reason: Reason: To prevent mud and debris from being carried onto the public highway and to comply with policy 28 of the Buckinghamshire Minerals and Waste Local Plan and policy TR5 of the South Bucks District Local Plan.

7. All heavy goods vehicles leaving the site shall use the existing wheel cleaning facilities prior to exiting the site.

Reason: To prevent mud and debris from being carried onto the public highway and to comply with policy 28 of the Buckinghamshire Minerals and Waste Local Plan and policy TR5 of the South Bucks District Local Plan.

8. No waste other than naturally occurring excavated materials and construction waste of a non-putrescible nature shall be imported to and deposited at the site.

Reason: The importation of waste materials outside of these categories would raise environmental and amenity issues which would require consideration afresh and to comply with policy 28 of the Buckinghamshire Minerals and Waste Local Plan and policy CS23 of the Buckinghamshire Minerals and Waste Core Strategy.

9. Any oil storage tanks shall be sited on site on impervious bases and surrounded by oil tight bund walls which shall be capable of containing 110% of the tanks volume and shall enclose all fill and drain pipes.

Reason: To protect groundwater and surface water from pollution policy CS23 of the Buckinghamshire Minerals and Waste Core Strategy.

10. The surface water drainage scheme submitted pursuant to consent no. SBD/8203/05 and approved in writing by the County Planning Authority by letter dated 5th May 2009 shall continue to be implemented for the duration of the development hereby permitted.

Reason: To ensure that surface water flooding is managed to protect the occupants of nearby residential properties from flooding and to comply with policy CS23 of the Buckinghamshire Minerals and Waste Core Strategy.

11. Noise from the operations shall not exceed 55 dB LAeq 1hr (free field) as measured at the facades of the nearest residential properties as shown on the plan submitted to the County Planning Authority pursuant to consent no. SBD/8203/05 and approved in writing by the County Planning Authority by letter dated 5th May 2009. Measurements taken to check compliance shall have regard to the extraneous noise and shall be corrected for any such effects.

Reason: To protect the occupants of nearby residential properties from loss of amenity from noise disturbance and to comply with policy 28 of the Buckinghamshire Minerals and Waste Local Plan.

12. All plant and machinery used at the site shall be silenced in accordance with the best available technology not entailing excessive cost and maintained in accordance with the manufacturer's specifications. Any pumps on the site shall be positioned and acoustically screened such that noise level during operating hours does not exceed 55dB LAeq 1hr free field as measured at the site boundary with the nearest residence. All machinery and equipment shall be constructed, maintained and operated in such a way that any intermittent noises that are likely to be clearly audible above the background noise level at the nearest residential property including the garden, are reduced to a minimum in accordance with the details submitted to the County Planning Authority pursuant to consent no. SBD/8203/05 and approved in writing by the County Planning Authority by letter dated 5th May 2009 to address continuing noise nuisance issues.

Reason: To protect the occupants of nearby residential properties from loss of amenity from noise disturbance and to comply with policy 28 of the Buckinghamshire Minerals and Waste Local Plan.

13. The scheme for the monitoring and mitigation of dust submitted pursuant to condition 18 of consent no. SBD/8203/05 and approved in writing by the County Planning Authority by letter dated 5th May 2009 shall continue to be implemented for the duration of the development.

Reason: To protect occupants of nearby residential properties from the loss of amenity from dust generation and to comply with policy 28 of the Buckinghamshire Minerals and Waste Local Plan.

14. The landscaping scheme submitted pursuant to condition 19 of consent no. SBD/8203/05 and approved in writing by the County Planning Authority by letter dated 5th May 2009 shall be implemented in the first planting season following completion of phase 8.

Reason: To ensure the satisfactory restoration of the site and in the interests of the local amenity and to comply with policy 28 of the Buckinghamshire Minerals and Waste Local Plan and policy CS23 of the Buckinghamshire Minerals and Waste Core Strategy

### **Development phase conditions**

15. Prior to the commencement of soil stripping in any phase as shown on Figure 5 which is not yet disturbed, a soil handling scheme shall be submitted to and approved in writing by the County Planning Authority. The scheme shall include the following details:

- The methods to be used for soil stripping, handling, storage and replacement;
- Machinery to be used for soil stripping, handling, storage and replacement;
- The location of any internal haul routes to be created.

The approved scheme(s) shall be implemented for the duration of working in the phase thereafter.

Reason: To ensure the careful handling and storage of soil resources to enable the site to be restored satisfactorily and to comply with policy 28 of the Buckinghamshire Minerals and



Waste Local Plan.

16. Each phase shall be capped and covered with a minimum depth of one metre of suitable cover material, which shall include a minimum of 200mm of subsoil, or other approved substitute material and then a minimum depth of 300mm of topsoil.

Reason: To ensure the careful handling and storage of soil resources to enable the site to be restored satisfactorily and to comply with policy 31 of the Buckinghamshire Minerals and Waste Local Plan.

17. Before the fill material in any phase is within two metres of the final pre-settlement levels, profile markers shall be erected in that phase to show the final levels of fill material, capping material, subsoil and topsoil respectively.

Reason: To ensure the satisfactory restoration of the site and to comply with policy 31 of the Buckinghamshire Minerals and Waste Local Plan.

18. No topsoil shall be placed until the following operations have been carried out over the filled areas to be restored to agriculture:
  - All depressions and hollows shall be filled with subsoils or approved subsoil substitute material to achieve even gradients;
  - Subsoil or approved subsoil substitute material shall be ripped or deeply cultivated in the event of there being compaction;
  - The top 1000mm shall be free of large solid objects (of greater size than 75mm in any direction) and voids left by the removal of obstructions shall be backfilled with subsoil and topsoil.

Reason: To ensure the satisfactory restoration of the site and to comply with policy 31 of the Buckinghamshire Minerals and Waste Local Plan.

19. Within three months of the date of the final replacement of topsoil on any phase to be restored in whole or in part to agriculture (and subsequent to the period of interim restoration), an aftercare scheme for a period of five years for that area shall be submitted to and approved in writing by the County Planning Authority. The scheme shall include the annual aftercare programme which shall be carried out in the first year of the aftercare period. A revised annual aftercare programme shall be submitted to the County Planning Authority showing the aftercare measures which shall be carried out in the following year. Following approval in writing of the annual aftercare programme by the County Planning Authority, the annual aftercare programme shall be implemented for the following twelve months.

Reason: To ensure the satisfactory restoration of the site and to comply with policy 31 of the Buckinghamshire Minerals and Waste Local Plan.

20. Within one month of the date of this permission, a timetable for the extraction and restoration of the remaining operations at the site shall be submitted for approval to the County Planning Authority. The scheme shall include details of the areas where extraction and restoration operations have already taken place at the site and where operations are anticipated to have reached at the end of each calendar month ending

31 October 2017. At the end of each calendar month up to and including 31 October June 2017, the following information shall be submitted to and approved in writing by the County Planning Authority to show progress against the timetable:

- The remaining tonnage of aggregate to be removed from the site and the remaining void to be backfilled.
- Monthly tonnages of exported aggregate and imported inert waste.
- A written assessment of the likelihood of achieving the approved timetable based on the actual rate of extraction and restoration in the preceding month.
- Further works to be undertaken if the operations have not achieved the target in any calendar month.

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## Informatives

### 1. **Compliance with Article 35 of the Town and Country Planning (Development Management Procedure) Order 2015**

In determining this planning application, the County Planning Authority has worked with the applicant in a positive and pro-active manner based on seeking solutions to problems arising during the planning application process by liaising with consultees, respondents and the applicant/agent and discussing changes to the proposal where considered appropriate or necessary. In this instance the applicant has been informed of the progress of the application. This approach has been taken positively and proactively in accordance with the requirements of the National Planning Policy Framework as set out in the Town and Country Planning (Development Management Procedure) (England) Order 2015.

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Dated:

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David Sutherland  
Head of Planning and Environment  
For and on behalf of the County Council

## NOTES:

### TOWN AND COUNTRY PLANNING ACT 1990

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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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