

18/07842/FUL

Consultations and Notification Responses

Ward Councillor Preliminary Comments

Councillor I McEnnis There are genuine concerns regarding this application. Particularly to development in the AONB and traffic congestions. I would request that this application is determined by the Planning Committee.

Councillor J E Teesdale Due to significant local concern, I ask that this application should be considered at committee, with a site visit, if minded to permit.

Parish/Town Council Comments/Internal and External Consultees

Lane End Parish Council

Arboriculture Spatial Planning

Comments: Arboricultural method statement is needed to demonstrate feasibility of proposal. Including - Location and installation of services/ utilities/ drainage. Methods of demolition within the root protection area. Details of construction within the RPA or that may impact on the retained trees. A full specification for the construction of any roads, parking areas and driveways, including details of the no-dig specification. A specification for protective fencing to safeguard trees during both demolition and construction phases. Details of relevant site activities e.g. site access, temporary parking, site office, storage of equipment, concrete mixing etc.) Also recommend arboricultural supervision and inspection by a suitably qualified tree specialist

Additional comments: Arboricultural Implications Assessment had been provided. However, there is no Tree Protection Plan (TPP) only the Tree Constraint Plan (TCP). Noted the large Ash T9 should be removed for reasons of safety given the presence of a significant wood degrading fungus. There is another tree not referred to within the survey schedule or plotted on the TCP but is shown on the plan proposed site plan playgrounds and pitched located behind the Assembly / Gymnasium and the all-weather astro pitches. Also part of H3 is to be removed to create a second parallel access road to the adjoining fields. Areas of concern are service runs for lighting, route of the acoustic fencing and site demolition including hard standing to be removed. The trees for the most part are off site however they are also important for screening and their contribution to the visual amenity from the public footpath

Ecological Officer

Comments: Further bat surveys are required in May 2019, the application could not be determined favourably until these are received and the mitigation measures are updated to reflect them. Four ecological documents have been submitted with the application;

1. Preliminary Ecological Assessment (PEA),
2. Preliminary bat roost assessment,
3. Interim bat survey and
4. Draft bat mitigation plan.

On the subject of bats I have the following observations: the investigation of potential bat roosts only considered the buildings on site to be affected by the proposals but it neglected to consider trees. The proposals will see a large tree removed and this should have been assessed as part of the preliminary bat roost assessment. The interim bat survey only contains two of the three emergence/re-entry surveys required to be able to assess the likely presence/absence of bat roosts and it needs to be

updated in May 2019. Therefore it is too early to be able to conclude what mitigation might be necessary. Considering the high level of bat activity recorded in the area, it is important that we have the final surveys and mitigation report before a decision is made. There is a need for more information to be produced on wider ecological mitigation and enhancement, an outline of these measures have been set out in the PEA but it is necessary for details to be submitted showing how these are to be incorporated. These broader mitigation and enhancement measures can be submitted by condition.

Submission of a letter from the applicant seeking a decision on the application before all bat surveys are fully completed.

Comments: The high level of bat activity recorded indicates that bats are likely roosting on or near the site.

Noctule bats were recorded during surveying, this species typically roost in trees, and yet the trees have not been investigated for their bat roost potential and no emergence/re-entry surveying of the trees has been undertaken.

Therefore the further surveying which is required, must investigate as yet unexplored bat roosting potential, the findings of this may result in quite different requirements in line with the mitigation hierarchy and so it should not be done to simply tweak the mitigation.

Until the nature of bat roosting on the site is properly understood, and it is clear that appropriate measures can be put in place, this application should not be determined favourably.

Control Of Pollution Environmental Health

1. Identified Environmental Services issues relevant to Planning:
 - Contaminated Land
 - Environmental noise impacts from major roads
 - Noise impact from proposed development
 - Odour and noise from extraction equipment
 - Air Quality from additional vehicle movements effecting the health of local residents in the nearby Air Quality Management Area.

The application is supported by a Landmark Geo-Tech Report, which details the historical land uses and likely risk of contamination. Due to the current use (agricultural) further investigation shall be required to determine the actual level of contamination in the land and once this has been established a remediation scheme. The contamination report and remediation scheme shall need to be submitted, approved in writing by Wycombe District Council and fully implemented.

There are significant environmental noise sources the Marlow Road (120m) and the M40 (240m) these can both have a significant impact on the proposed development. A scheme shall be required that complies with Building Bulletin 93 (BB93) minimum performance standards for the acoustics of school buildings. This shall need to be included in the design and positioning of noise sensitive areas of the school and complied with fully.

There are no details submitted for any plant or associated equipment which may be a noise source originating from the development. This could include but may not be limited to air-conditioning units, extraction or air handling systems, public address systems, alarms, and noise directly associated with the provision of education. This should be included in the design and layout of the proposed development to ensure that there is minimal impact to any nearby noise sensitive areas. All consideration should be made to ensure that the best practicable means of sighting this equipment and attenuating any resulting unwelcome sound is made. There may be a requirement to use building structures or other natural barriers to achieve this.

Consideration should be given to negative impacts on the air quality of the district and outlying areas. It would be beneficial for electric charging points to be included in this development to promote the

current Air Quality Action Plan and the underlying principles of the National Planning Policy Framework with regard to the improvement of air quality and its ongoing health impacts. As with any development of this type it would help to promote the corporate and social responsibility of the school in the district

The proposed development should look to comply with:

- WHO Guidelines for community noise
- Environmental Noise Directive: 2002/49/EC (Article 3)
- National Planning Policy Framework (2018) para 8(c)178, 179, 180, 181, 182, 183
- Noise Policy Statement for England (Observable Adverse Effect Levels)
- Planning Policy Guidance
- BS8233:2014, BS4142:2014
- BB93) minimum performance standards for the acoustics of school buildings

To overcome these concerns conditions would be required for:

1. Contaminated land
2. Remediation of Contamination
3. Sound Insulation Traffic Noise
4. Control of Noise from associated plant
5. Ventilation, Extraction and Odour Control System

Buckinghamshire County Council (Major SuDS)

Buckinghamshire County Council as Lead Local Flood Authority has reviewed the information provided in the Flood Risk Assessment (4148 FRA, October 2018, Ambiental) and Sustainable Drainage Strategy (August 2018, Ealing Education Resources Trust) . The LLFA **objects** to the proposed development **due to insufficient supporting evidence to support the proposed surface water drainage scheme.**

Overcoming our objection

We still require the following from the applicant:

- Consideration of above-ground SuDS components such as rain gardens
- Ground investigations including infiltration testing to full BRE365 standard, if infiltration is found to be unfeasible then an alternative discharge receptor will need to be investigated.
- Demonstration including calculations that the active rainwater harvesting system complies with British Standard 8515
- Details of how the surface water displaced as a result of all hardstanding areas will be formally managed
- Drainage layout including all components
- 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 40% climate change storm event should be safely contained on site.
- Calculation detail of the existing and proposed discharge rate of the site.

Further consultation

Additional information was submitted Surface Water & Foul Drainage Strategy (25th January 2019) and Ground Investigation and Soil Infiltration Testing 23rd January 2019)
LLFA has no objection subject to proposed conditions

Condition 1

No works (other than demolition) shall 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:

- Assessment of SuDS components as listed in the CIRIA SuDS Manual (C753) providing justification for exclusion if necessary, demonstrating that water quality, ecological and amenity benefits have been considered.
- Infiltration components to be located in areas of demonstrated suitable infiltration.
- Groundwater level monitoring over the winter period
- Full construction details of all SuDS and drainage components
- Detailed drainage layout with pipe numbers, gradients and pipe sizes complete, together with storage volumes of all SuDS components
- 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.
- Calculations to demonstrate compliance of the active rainwater harvesting system with BS8515
- Details of proposed overland flood flow routes in the event of system exceedance or failure, with demonstration of flow direction.

Reason: The reason for this pre-start condition is to ensure that a sustainable drainage strategy has been agreed prior to construction in accordance with Paragraph 163 of the National Planning Policy Framework to ensure that there is a satisfactory solution to managing flood risk.

Condition 2

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 shall set out how and when to maintain the full drainage system (e.g. a maintenance schedule for each drainage/SuDS component) **during and 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.

Reason: The reason for this being a pre-start condition is to ensure that maintenance arrangements have been arranged and agreed before any works commence on site that might otherwise be left unaccounted for.

Buckinghamshire Education Authority

I can confirm that the LA is not consulted on any decisions regarding the establishment of independent schools. The Department for Education (DfE) is the regulator for the independent schools in England. The DfE registers independent schools, sets standards that they must meet, commissions inspections against those standards, and acts where schools fail to meet the standards. The school would not receive public funding and are typically governed by a board of governors which is elected independently of government, and has a system of governance that ensures its independent operation.

The proposal (as set out in the attached Design & Access Statement) is for an independent faith school of 275 students (including 79 Primary) with a curriculum taught by non- Plymouth Brethren Christian Church teachers. The school will serve a number of Brethren communities in the surrounding area, and the location of the school is considered central to the congregations for the most convenient travel times for the students. The intention is that all pupils would arrive at school by a fleet of 26 minibuses, most of which would be parked on site during the day. BCCs projections already adjust for a proportion of children going into the private sector based on historic trends. We would not expect this new provision to have a significant impact on the intake of existing Bucks primary and secondary schools as many of the children may already be educated outside the mainstream system (and the expectation is that the school community will come from outside the area). We would therefore not expect this new provision to impact on the LA’s sufficiency duty.

Landscape Officer

The proposal would have a significant adverse effect on the character of the landscape and on views from the surrounding lanes and footpaths. The site is located in a sensitive, rural landscape designated as an Area of Outstanding Natural Beauty (AONB). The proposal is most likely to affect views from Chequers Lane (viewpoint 8), Marlow Road (viewpoint 10) and public footpath LAE/47/1 (viewpoints 12 & 13). It is also likely to have an effect on the character of the landscape through the effects of lighting, traffic and noise. The supporting Landscape and Visual Impact Assessment does not consider the effect of increased lighting, traffic movements or noise levels on the character of the local landscape, or on views from the surrounding landscape. The overall effects of the proposal are therefore likely to be more significant than the LVIA concludes. In my opinion the:-

1. combination of increased lighting, traffic movements and noise would have a significant adverse effect on the character of this relatively isolated, rural landscape-
2. double width access from Chequers Lane would be a visually intrusive and alien feature on this otherwise narrow, rural lane.-width and formality of the proposed access to the adjacent field are beyond what would normally be expected for a simple field access and this raises concerns about the future, intended uses for that field

The change of use from equestrian centre to school would introduce activities and noise that are alien to the rural location and could not realistically be controlled by condition. This would result in a permanent adverse impact on the AONB.

Sport England

Sport England supports the application as it is considered to meet our planning objective 3 to provide new facilities to meet demand but would ask that consideration is given to potential community use of the school's sport facilities. Sport England's **support for** this application is subject to the following conditions:

- 1) a) No development of the playing field/pitches shall commence [or other specified time period] until the following documents have been submitted to and approved in writing by the Local Planning Authority after consultation with Sport England:
 - i) a detailed assessment of ground conditions (including drainage and topography) of the land proposed for the school playing field which identifies constraints which could adversely affect playing field quality; and
 - ii) Where the results of the assessment to be carried out pursuant to (i) above identify constraints which could adversely affect playing field quality, a detailed scheme to address any such constraints. The scheme shall include a written specification of the proposed soils structure, proposed drainage, cultivation and other operations associated with grass and sports turf establishment and a programme of implementation.
- b) The approved scheme shall be carried out in full and in accordance with the approved programme of implementation [or other specified time frame – e.g. before first occupation of the educational establishment]. The land shall thereafter be maintained in accordance with the scheme and made available for playing field use in accordance with the scheme.

Reason: To ensure that the playing field is prepared to an adequate standard and is fit for purpose and to accord with Development Plan Policy **

- 2) The playing field and artificial grass pitch shall be used for Outdoor Sport and for no other purpose (including without limitation any other purpose in Class D2 Use Classes Order 2005, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: To protect the playing field/artificial grass pitch from loss and/or damage, to maintain the quality of and secure the safe use of sports pitch/es and to accord with LP Policy **.

- 3) No development of the artificial grass pitch (AGP) shall commence until details of the design and layout of the (AGP) facility have been submitted to and approved in writing by the Local Planning Authority after consultation with Sport England. The AGP facility shall not be constructed other than in accordance with the approved details.

Reason: To ensure the development is fit for purpose and sustainable and to accord with Development Plan Policy **.

Officer note: The playing pitch is deliberately to be unlit to minimise impact upon the AONB. A detailed traffic plan has been provided in an attempt to limit the traffic impact of the development. Given the need to control these aspects of the development there would be very limited opportunity for the facilities to provide community use.

Cadent Gas Ltd Plant Protection Department

Comments: No comments received

Ministry Of Defence Safeguarded Areas

Comments:

The application site is approximately 15.3km to the west of the runway at RAF Benson and occupies statutory aerodrome height 10.7metres.

The applicant has submitted a full planning application for the above proposal. On reviewing the application plans, I can confirm that the MOD has no safeguarding objections to this proposal.

Environment Agency (south-east)

Comments:

Due to increased workload prioritisation we are unable to make a detailed assessment of this application. We have checked the environmental constraints for the location and have the following guidance.

The proposal is for/includes a change of use from Equine Centre to a School and the environmental risks in this area relate to foul drainage/wastewater.

Foul drainage

New development should be connected to the public mains (with the prior written approval of the statutory undertaker) where possible. Proliferation of individual treatment plants can cause deterioration in local water quality (ground and surface water). This would be contrary to the principles of the EU Water Framework Directive 1) and is supported by paragraph 170 of the National Planning Policy Framework which requires the planning system to ensure the environment is not adversely affected by water pollution.

If it is shown not to be feasible to connect to the public foul sewer, you may need an Environmental Permit from the Environment Agency. Please see the following details: Foul water treatment and discharge

County Highway Authority

Comments:

I am aware that these are contentious proposals, and that at least one transport consultant has been commissioned to make an objecting representation. Whilst reviewing information both submitted in support and against this application, the following is the determination of the Highway Authority based upon the proposed school's likely impact upon highway safety and convenience of use.

Site Access

The historical/lawful use of the site is for equestrian purposes. According to information submitted in

support of the application, it was a commercial operation. Although the site is being wound down in terms of its operations and owners using it to accommodate their horses and equipment, as far as I am aware there are no physical or lawful reasons as to why the facility could not be brought back to full-scale operations with immediate effect.

The site is served by Chequers Lane which is, aside from a short section in close proximity to its junction with the B482, single track road linking Fingest Lane and Marlow Road (B482). It is unlit and only benefits from a short length of substandard footway between Nos. 1 and 4 Chequers Lane. Furthermore it is evident from the verge overrun on each side of the single track section that it is insufficient to allow simultaneous two-way vehicle flows.

Therefore, as a result of the inherent deficiencies of this part of the highway network, the critical issue for consideration is the comparative vehicle trip generation between the lawful equestrian use and the D1 non-residential school use sought.

As mentioned earlier within this response, information in support of the application has provided trip rates estimated by the site owner/operator during times when the site had a higher occupancy rate. Conversely, objectors have commissioned a transport consultant to record vehicle movements at the site access during a period in November 2018. Whilst useful indicators, there are factors in each methodology that may lead to misrepresentation of the actual potential of the site in terms of vehicle movements that could be generated under unrestricted lawful use.

I have therefore interrogated the TRICS (Trip Rate Information Computer System) database. This is an industry-standard program to extrapolate likely vehicle movements from specific land uses based upon surveys of sites whereby parameters can be chosen within an analysis to produce a trip rate allied to the application site being considered. This is frequently used by highway authorities and consultants, in addition to being viewed as an acceptable tool by the Planning Inspectorate to extrapolate likely trip rates from proposed developments.

In addition to a TRICS analysis on equestrian sites, I carried out an extrapolation of non-residential D1 facilities (both primary and secondary schools) in a scenario whereby an open consent exists. Nonetheless, I have also considered the applicant-submitted school trip rates in the event that a school in this location is subject to a personal permission for the specific educational use sought.

Table 1.1 – Comparative Use Trip Generation Potential

Land Use	Vehicle Movements Per Day	
	Applicant	TRICS analysis
Equestrian (D2)	72	85*
School (D1)	102 (with 21 minibuses remaining on site)	167**
	144 (with no minibuses remaining on site)	

* TRICS analysis based upon 1.47 hectares site area

** Primary School chosen on the basis of similar roll number to proposed facility and likely location

Taking the daily trip rate, and in a worst case scenario in terms of the maximum generation per day, it can be seen that the trip rate advised by the applicant for a standard school day would be greater than the equestrian use suggested by the applicant or that formulated by the TRICS analysis. It should be noted that the applicant rates were split into those occurring if all but five minibuses stayed on site and if they were to all leave after drop-off and return for pupil collection. In addition, I have to assume all

school staff came to the site in single-occupancy private motor car trips. This is an issue that will be discussed later with regard to the proposed scheme impact upon transport sustainability.

In reflection of the development's anticipated vehicular intensification of the site, this would traverse the previously mentioned section of Chequers Lane replete with substandard width, no street lighting and a short length of width-deficient footway that does not connect to the site access point.

I am aware that the applicant has proposed the implementation of a passing place on Chequers Lane. However, and for the length of road between the Chequers Lane/Marlow Road junction and the site access, I would require at least two intervisible spaces (one on each respective side of the road) before this was considered.

Whilst one could be achieved due to the highway running adjacent with the application site's western boundary, there is insufficient highway on the western side of Chequers Lane to insert its counterpart. Therefore I do not consider that off-site works could be sufficient mitigation in order to offset the additional daily vehicle movements occurring on Chequers Lane should the application receive consent and the proposed school brought into operation.

You will note from the table that the TRICS analysis shows a significant amount of vehicle movements associated with a primary school of a similar size to the education facility proposed. Although I performed a TRICS interrogation for a secondary school (acknowledging that pupils of a secondary school-attending age would be expected to go to the school sought), I chose not to include this within Table 1.1 as secondary schools usually have a much higher roll number than a primary school or the proposed facility.

Turning toward the site access itself, it is apparent that there are visibility issues in this location by convex mirrors that have been erected within the verge on the opposite side of the access. It should be noted that the Highway Authority do not authorise the erection of such features as access point should be able attain the minimum requisite splays without hindrance by third party land or vertical features within the highway or land under the control of the applicant above 0.6m in height. That said, and in this particular case, I believe that the principle of providing minimum splays at the site access point on Chequers Lane (commensurate with recorded 85%ile speeds) could either be achieved by:

- 1) The lawful removal of vegetation from the application site and/or third party land, or
- 2) Amendments to the access, secured by condition, within land under the application site's curtilage

In consideration of this, I choose not to lodge an objection based upon site visibility issues.

Sustainability

I am aware and acknowledge the intention to bring pupils to the site via minibuses that will collect the children from various meeting halls throughout the county and adjoining areas and return them at the end of the school day. Even though there is a degree of sustainability in an operating protocol using multi-person vehicular transport, there are significant shortfalls that do not accord with local policies and national guidance.

Firstly, the site is not accessible by other means of transport or measures that could be classified as 'sustainable'. Specifically, the nearest bus stops to the site on Marlow Road do not offer frequent or reliable services that would be of any practical use to staff, pupils or visitors to the school. Even if this was the case, there is (aside from the previously mentioned substandard section outside Nos.1-4 Chequers Lane) no footway to connect the application site with these stops. Moreover, *if* there was a usable bus service and *if* there was the footway to get to the school, pedestrians would have to

crossover an unlit rural B-class road subject to a 50mph speed limit in between two junctions. In addition to this, the relative remoteness and unlit nature of the local highway network would deter all but the most experienced of cyclists, thus not being attractive to the majority of those who would otherwise make intra-urban cycle trips.

Secondly, even though proposed by the applicant, it would hard to impose a condition to ensure that only minibuses were utilised to ferry children to and from the school. Given the requirement to provide children with an education, should an issue occur with the minibus system, alternate means would have to be found to bring the children to school and collect them at the end of the day.

Although this may involve multi-person vehicles, it would likely lead to the use of private cars. Even if car sharing was involved, vehicle movements associated with the school would consequently increase over that which the applicant states. For this reason, it is this Authority's belief that a condition to stipulate that pupils only arrived and left the school via the minibus fleet would not be reasonable or enforceable.

Finally, and as much related to the intensification of Chequers Lane as it is to sustainability, there will be events that the school hosts that will generate vehicle movements to the school over and above those of everyday school traffic (i.e. assemblies, parents evenings, seasonal events etc.). Given the lack of usable (or any) sustainable transport options, this will likely lead to more vehicles associated with the site and no ability to get to and from the site without using private motor cars.

Mindful of these comments, the Highway Authority cannot support this application due to its anticipated impact upon highway safety and convenience of use, in addition to the site's remote nature hampering all-inclusive accessibility by sustainable transport. Ergo, I recommend that the application is refused for the following reasons:

Reason 1: The section of Chequers Lane serving the site is inadequate by reasons of its width to serve the proposed development with safety and convenience in consideration of the development's vehicular intensification of the site over its historical equestrian use. The development is therefore contrary to the National Planning Policy Framework (February 2019), Policy CS20 (Transport and Infrastructure) of the Wycombe Development Framework Core Strategy (adopted July 2008) and the Buckinghamshire County Council Highways Development Management Guidance document (adopted July 2018).

Reason 2: The location of the site is such that it has only limited access by non-car modes of travel. The absence of adequate infrastructure and the sites remoteness from major built up areas is such that it is likely to be reliant on the use of the private car contrary to local and national transport policy. The development is contrary to the National Planning Policy Framework (February 2019), Policy CS20 (Transport and Infrastructure) of the Wycombe Development Framework Core Strategy (adopted July 2008) and the Buckinghamshire County Council Highways Development Management Guidance document (adopted July 2018).

Following the receipt of this consultation the applicant produced a detailed rebuttal.

The Highway Authority have responded with the additional comments:

I write with regard to the 'Transportation Rebuttal Statement 2' (dated 1st April 2019) submitted by the applicant in support of the above application and rebutting the Highway Authority's consultation response dated 11th March 2019

Below is a counter-response to that document:

Paragraph 8

- The originally submitted Transport Statement dealt with traffic generation across a year, but did not take into account the concentration and intensification of the section of Chequers Lane between the B482 and the application site on weekdays throughout the academic year.

Paragraph 9

- Whilst stabling could be increased at the site, this may very well require further planning permission to do so, which would conceivably lead to further vehicle movements associated with the site and result in a similar objection from the Highway Authority to those proposals based upon the vehicular intensification of Chequers Lane. Therefore the potential increase in stabling at the site should not be used as a certainty to support the current planning application.

Paragraph 10

- The Highway Authority has received confirmation from the Local Planning Authority that a personal permission cannot be applied to the use sought, and that an open D2 use must be assumed as the use that would be permitted should the application receive consent.

Paragraph 11

- As with all TRICS interrogation outputs produced by the Highway Authority, the results were retained at the time of the analysis. These are contained as Appendix A of this response.

Paragraph 12

- Section 4 of the submitted application form states the total area as 1.47 hectares. As far as the Highway Authority is aware, only the land within the red edge will receive a change from equestrian to a D2 use. The assumption was made that this comprises land within the red edge and not the blue edge. As a result, the TRICS analysis focuses on land where permission is sought to change its lawful use.

Paragraph 13

- Given that even one vehicle would constitute intensification under the definition of the word, an additional 17(no) vehicles would most certainly be considered as a vehicular intensification of Chequers Lane. Whilst the Highway Authority note the applicant's view of the amount of vehicular trips over an extended period of time, it is the regularised and intensified amount of vehicle movements throughout 9 months of the year that contributed toward the concerns over highway safety.

Paragraph 14

- As with all applications upon which it comments, the Highway Authority have to assume a 'worst case scenario' within the confines of what could be expected by a use of a site enabled by the granting of planning permission or under Permitted Development rights. In terms of car sharing, and when considering the large catchment area of the school, the basis of the pupils being educated therein and the remote location of the site (for educational purposes), it has to be assumed that the teachers employed by the school will live in various locations that are not conducive to car sharing, or at least to an extent that it would have an impact upon the vehicular intensification of the site during term times.

Paragraph 15

- The intensification created as a result of the proposed facility is not offset by the daily distribution of the trips into and out of the site. Furthermore, even when viewing the ingress movements in the morning and egress toward the end of the day, the mainstay of the concerns

about the impact of upon highway safety is how school-related vehicles interact with other vehicles on Chequers Lane.

Paragraph 16

- The traffic generation potential for the dwelling subject to extant planning permission would not offset the Highway Authority's projections of the vehicular intensification created by the current proposals.

Paragraph 17

- As with the principle retort within paragraph 14, the Highway Authority has to look at the maximum capacity of the site in terms of its ability to generate the maximum amount of vehicles possible. Although the roll number for the school may decrease in the future, without a reduction in the physical nature or facilities of the school that would cater for the maximum amount of pupils, it is highly likely that the number of pupils will fluctuate toward or even reach maximum capacity in future years.

Paragraph 18

- I am aware that the OneSchool minibus service operates or strives toward maximum reliability. However, even with the best preparation, situations can easily arise that lead to changes in the intended operation of a commercial entity. This is another instance of having to consider that a worst case scenario may arise and consequently effect vehicular traffic associated with the proposed use.

Paragraph 20

- It is recognised that the applicant envisages minimal events taking place at the proposed school. However, there would be no way to control these or prevent them from occurring.

Paragraph 21 – 30

- Extracurricular activities at the site could theoretically occur throughout the proposed school's yearly calendar, and generate the vehicle movements allied with the school. Although the applicant has provided information to suggest that these would be limited to a small handful of occasion during the scholastic year, this something that could not be controlled by condition.

Whilst aware that extant planning permission has been issued for the construction of a manege, I can only give this limited weight in consideration that it has not been built or generated toward the site's traffic generation potential.

- I would also point out that the sites contained within the interrogation of the TRICS analysis conducted by the Highway Authority were carried out over weekends. Ergo this would take into account the events that the applicant states could inflate the equestrian's vehicle movements. Conversely, should the surveys have been taken during weekdays, it would show a much lower generation on Mondays to Fridays, which would sharply contrast with the intensification expected from the proposed school use.

Paragraph 32

- It is not doubted that the students would almost entirely be brought to the school and taken away from it by minibus. However, these are movements generated because there are no public transport options that would allow the number of these dedicated minibus journeys to decrease.

Paragraph 33

- Although Travel Plans are a useful framework document to discourage private motor car journeys, they rely upon the availability of other means of transport or infrastructure to give viable alternatives to car use. However, in terms of the application site, there is very little to no

footway provision, is connected by or to narrow lanes or a B-class road subject to a higher speed limit, no street lighting and infrequent bus services.

The applicant states that the Travel Plan could be written into the consent for the proposed school, but the Highway Authority would be reluctant to accept such an arrangement because of the very narrow band in which it could operate and be effective at promoting sustainable travel.

- The Highway Authority reviewed the claims of the applicant that the minibus arrangement is compliant with the National Planning Policy Framework's consideration of sustainable transport and does not concur.

Paragraph 34

- In terms of the minibuses, and as discussed earlier within this response, the LPA has decreed that a personal permission cannot be placed upon the consent sought, and therefore the use of them cannot be secured as part of such permission.

Paragraph 35

- Whilst the respective 4 and 6-mile radius population figures are correct, this doesn't take into account that the application site itself is rural, is located in variable topographic surroundings and comparatively isolated from urban populations. Furthermore, and as mentioned previously, the roads leading to the application site are either subject to high speeds, are restrictive in width, do not benefit from street lighting or segregated cycleways to make travelling to the site on bicycle attractive or a reasonable option. In that sense, securing cycling facilities at the school (parking and showers) as part of the Travel Plan would be largely redundant.

Paragraph 36, 37 and 38

- The application is judged upon its own merits and, given the importance of sustainability as enshrined by the NPPF, new developments should maximise their sustainability particularly when concentrated trips to a new facility will be regularised.
- The applicant states that "the remoteness of the application site should not be used as a reason to condemn its re-use or to imply travel unsustainability." However, the frequent and constant use of the site as a school when compared with its historical/lawful equestrian use will create concentrated frequent and regular travel demands in a location where it cannot currently support those demands and the proposals are of an insufficient size to augment them via financial contributions.

Paragraph 40

- The Highway Authority did indeed take into account the ability of Chequers Lane to accommodate simultaneous two-way vehicle flows within its consultation response dated 11th March 2019 by referencing a 'single track section'.

Paragraph 41

- The deceleration lane on Marlow Road and the wide-radii junction do not contribute toward the width deficiencies of Chequers Lane once one has progressed past the initial 35-40m of Chequers Lane from the Chequers Lane/Marlow Road junction centreline.

National guidance for lane widths states that a 4.8m width is required in order for a car and larger vehicle to pass each other (or larger vehicle and bicycle, or to allow a more satisfactory gap between two passing cars). Therefore it is the Highway Authority's position that a 4.5m

carriageway width is insufficient for general vehicle passage, especially in consideration of intensification, be it focused or general.

- The applicant also states that there is an informal passing place of Chequers Lane. However, site inspection only shows that this occurs in the driveway areas for Nos.1 – 4 Chequers Lane and/or involves verge overrun (and consequently damage to the latter highway asset).

Paragraph 42 and 43

- The Highway Authority does not anticipate a decrease in vehicular movements as part of the proposed school at the equestrian centre site and strongly refutes the point that it has produced an 'inaccurate assessment' of Chequers Lane. In fact the applicant appears to assign more positive attributes to a road unsuitable to cater for the facility for which they seek planning permission.

It is noted that the applicant was originally willing to construct a passing bay on Chequers Lane between its junction with Marlow Road and the site access point. Now they state within their rebuttal that, whilst disagreeing with the reason to construct it, they are willing to construct a second passing space. However, and discussed within this Authority's consultation response, a second would be required on the northbound Chequers Lane carriageway and the applicant does not control sufficient land to implement this counterpart.

Paragraph 44

- The Highway Authority maintains that there is insufficient width to the verge stated (in addition to the carriageway) in order to construct a suitable passing place.

Paragraph 45

- Cyclists and pedestrians, particularly where they are walking on the road, should have the best intervisibility possible. Therefore street lighting would assist in making them visible to motorists as soon as possible should they need to take appropriate or evasive action.
- However, of more relevance is that should anyone want to cycle to the site (as the applicant asserts would be a viable option available to staff), the nearest continuous set of street lighting is over 2km to the west (as the 30mph limit begins/terminates in Stokenchurch, 2.6km to the north (at the Copse Drive/Bigmore Lane junction) and 2.9km to the west in Bolter End). Ergo cyclists would have to use unlit roads that were either subject to higher speed limits (Marlow Road) or restrictive in width (Bigmore Lane when connecting to the site from the A40 in Studley Green) on their journey to and from the application site.

Paragraph 47

- Any footway that falls below the national guidelines of 2m for the majority of its length (with reductions permitted along very short lengths) is substandard. If a site is to be considered sustainable under the NPPF then it should allow sustainable access using infrastructure adhering to national guidance and local policy. By changing the very nature of the site from an equestrian use to a school (without chance of a personal permission), it subsequently changes the trip characteristics and modal split.

In the context of the proposed change of use, to say that its equestrian use of the practically non-existent infrastructure did not present a detrimental issue in transport terms does not overcome this Authority's sustainability concerns.

Mindful of these comments, I maintain the objections and recommended reasons for refusal as contained within my previous response.

Additional drawings provided by the applicant indicating two passing places between the section of

Chequers Lane closest to the B482 and the site access.

Third response of Highway Authority

One of the objections was based upon the inadequacies of Chequers Lane to accommodate the expected vehicular intensification generated by the proposed D1 facility, with the other relating to the site's relative remoteness and lack of opportunities to offer sustainable transport to all facets of people expected to frequent the school (and the inability of the proposals to secure adequate and relevant contributions or new infrastructure).

In an effort to overcome the intensification of Chequers Lane without sufficient width, the applicant has provided drawings indicating two passing places between the section of Chequers Lane closest to the B482 (where simultaneous two-way vehicle flow can occur) and the site access.

At each passing place exists a 5.5m carriageway width that should, according to Manual for Streets guidance, allow (at maximum) two rigid delivery vehicles to pass each other. The submissions demonstrate a minibus and refuse vehicle satisfactorily passing at each feature. However, the refuse vehicle used is markedly shorter than those used to collect waste in the Wycombe District.

The applicant should produce a swept path analysis with a 10.32m refuse vehicle. Furthermore, it would be prudent for the applicant to commission a Stage 1 Road Safety Audit on a drawing featuring that particular vehicle type and size.

Mindful of these comments, and on the proviso of satisfactory submissions in line with the recommendations above, this would facilitate the removal of Reason 1 as featured within my consultation response dated 11th March 2019. Nonetheless, it should be noted that I would still be objecting to the proposed development based on the site's relative remoteness and lack of opportunities to offer sustainable transport.

The Chilterns AONB Planning Officer

Comments:

CCB Objection (unresolved LVIA matters and unsustainable location) 7th December 2018

Thank you for consulting the Chilterns Conservation Board. Within the AONB the key decision-making duty is set out at section 85 of the Countryside and Rights of Way (CROW) Act 2000 which states that 'in exercising or performing any functions in relation to, or so as to affect, land in an area of outstanding natural beauty, a relevant authority shall have regard to the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty'. Paragraph 172 of the National Planning Policy Framework establishes that 'Great weight should be given to conserving and enhancing 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 these issues' (and continues) 'The scale and extent of development within these designated areas should be limited. Planning permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest'. The nature of the development must fall within the major development test in this case.

Wycombe District Council consolidated saved policy L1 states that 'In consideration proposals for any development within the Chilterns AONB, special attention will be paid to the conservation of its scenic beauty and to any wildlife interest. Development will not be permitted if it is likely to damage the special character, appearance or natural beauty of the landscape or the future public enjoyment of the area' Core Strategy CS 17 echoes the policy need to deliver conservation and enhancement. The application land falls within Landscape Character Area LCA 16.1 Stokenchurch Settled Plateau of the Buckinghamshire Landscape Character Assessment by Land Use Consultants (2011). This landscape

is characterised, as found here, by 'A mosaic of arable fields, rough grazing, paddock and pasture are defined by hedgerows and wooden fencing, and interlocked with areas of woodland which create a landscape of both openness and enclosure. Smaller fields of paddock often closely associated with settlement edge'. Identified Landscape and Visual Sensitivities in this LCA include both the 'small number rural roads and lanes, which may be under pressure to expand and be widened and the undeveloped green space in between settlement, which are vulnerable to settlement expansion. Landscape guidelines for LCA 16.1 include the objective to 'Conserve common land and common edge settlement, and ensure proper management of these spaces. Conserve the loose settlement character preventing infilling and nucleation'.

This application raises a number of AONB issues, predominantly focused upon the wider impacts at or beyond the curtilage of the application site. CCB would accept that the existing use and structures also exert an impact and effectively create a baseline for assessment. The current proposal would need to demonstrably improve upon the existing situation as it impacts on the wider AONB, its setting and tranquillity. That improvement would need to be assessed against the special qualities of the nationally protected landscape here, the policies articulated in the AONB Management Plan and material points raised in the Bucks Landscape Character Assessment. The proposal included demolition of some prominent former barn structures and their replacement by lower rise school - institutional buildings with profiled metal clad roofing and larch clad elevations. Ultimately the nature of the site would change from equine/manage/paddock to education buildings with parking and sports fields. The key issue here must be the principle of a change from an equine centre to a school within the landscape context of the AONB and the degree to which external use and design/layout would conserve and enhance the special qualities and landscape beauty of the AONB.

The application involves both a change of use and operational development. An equine business of this type would not fall within the definition of agricultural under s 336 of the TCPA 1990. Floorspace will change from 2,885 sq. m (existing) and increase to 3,700 sq. m (proposed) while footprint will decrease from 2715 sq. m (existing) to 2,510 sq. m (proposed). That figure would increase if some existing stables are retained as we recommend below.

Comment on submitted application details. The application details comprise a primary and secondary one form entry school for up to 275 pupils when fully operational. The school will serve a wider faith based catchment beyond the local community and cannot therefore be deemed to serve a Chilterns specific need as is asserted in the supporting planning statement (planning statement paragraph 7.3). We say this because the community purpose is cited in the papers as a justification for the principle of development. The AONB Management Plan section 3 deals with social and economic well-being and the Chilterns Conservation Board has a statutory duty to foster the social and economic well-being of local communities when pursuing its primary aim of conserving natural beauty. In this case only a very limited amount of weight can be given to the delivery of this objective. This is a private school not a local community facility. The supporting planning statement argues that there is no adverse impact on the AONB but it must be remembered that the legislation and national and local policy set a much higher test than simply avoiding harm, and the revised NPPF 2018 not requires great weight to be given to enhancing as well as conserving the natural beauty of the AONB (para 172. The conservation and enhancement duties focus on positive improvements and tangible benefits to the special qualities of the AONB and the avoidance of major development within a nationally protected landscape. The AONB Management Plan deals with these special features which include, as listed in the Management Plan (but not exclusively confined to) the steep chalk escarpment with areas of flower rich downland, woodlands, commons, tranquil valleys, the network of ancient routes and villages with their brick and flint houses (and continues). The paper on economic benefits is not specifically relevant to the AONB and again little weight can be given as this benefit is not locally focused in the main part. Management Plan policies that seek social and economic well-being would ordinarily not apply to the merits of this case. The Design and Access Statement again makes the point that the use as a D1 community use supports the planning principle (7.3). There is no policy justification for this point. The demolition of

existing buildings and their replacement is presented as an enhancement by the project architect. New buildings are designed around a series of low elevations with wooden cladding and a number of existing brick structures will be reused. The exposure of the site to its southern and western boundaries, should the conifer tree screen be removed, is not considered and has potential to expose the site and be harmful. The Landscape and Visual Impact Assessment concludes that the proposal is unlikely to cause harm to the setting of the AONB. It notes that the existing tall conifer hedges to the south and western boundaries are 'incongruous' (7.11) and also acknowledges 'a rural area with a strong and identifiable character', also making the point that M40 traffic noise diminishes from the tranquillity here. The LVIA at 7.17 does suggest an overall enhancement based around traffic improvements (7.30) and no adverse visual impact (8.2). The overall assessment as to landscape character and visual impact is moderate with the most impact (major significance) being the impact upon the existing footpath LAE/47/1 that crosses the site. Again, there is no assessment on the assumption that the inappropriate coniferous screening is removed. The submitted tree constraints plan records these as category U, i.e. under the British Standard 5837 'Remove- Any existing value lost within 10 years'.

The traffic impact assessment reports a material reduction in vehicular flows over existing. The new use would require 26 mini buses arriving and departing within a small timeframe before and at the end of the school day. Overall the wider impacts upon the landscape are viewed as largely benign by the applicant's project team. CCB would seek greater reassurances in a number of areas (set out below as unresolved matters) and has formed the view that the landscape implications have potential for considerable harm. Whilst we would accept the general point that the redevelopment within the existing frame of buildings may not harm the wider setting we revert to the higher duty that enhancement is sought. The design of the buildings is low rise but the long term maintenance and then removal of the coniferous hedging is required within the landscape strategy. Little weight can be attributed to the community purpose here and LCA 16.1 must be factored in because the loss of paddocks / equine uses around what is a settlement edge should not be replaced by any more apparently urban use. For that reason we would seek reassurances as to the impacts of removing the coniferous hedge. The LVIA is ambiguous on this point. The paddock features should be retained and the land parcel to the east (manage to sporting use) must appear as informal as possible with minimum structures and no external lighting. The general car parking and lighting strategy needs to be reconsidered so that cars are hidden within buildings and lighting is only required for the minimum purpose of orientation and not to illuminate large spaces. Part of the parking area requires demolition of the existing stables. These buildings should be retained and adapted to shield vehicles. In such a location it is essential to avoid light pollution and protect dark skies. Locations within AONBs are recommended by the Institute of Lighting Professionals as E1 for which the lighting environment is Intrinsically Dark zones. CCB places weight on guidance in the table on page 5 of Institution of Lighting Professional Guidance Notes for the Reduction of Obtrusive Light GN01, 2011 and available at <https://www.theilp.org.uk/documents/obtrusive-light> Access to the main highway remains a concern here because whilst a comparative analysis is undertaken between the existing and proposed use, it is the nature of the school use and its wider catchment that alters the frequency of vehicular generation from private cars to private cars and a small fleet of mini buses. Chequers Lane is a historic narrow lane with sunken and embanked features. The traffic assessment accepts that it is a single track road for 130 metres to the access point. Whilst a passing place is mooted (para 46 transport assessment) this would harm the appearance of the lane. The main access should maintain its rural feel and, accepting the need for some security, any gates should be concealed by being relocated further into the site. Our guidance note, prepared with the County Councils, entitled 'Environmental Guidelines for the Management of Highways in the Chilterns' explains the value of rural historic lanes to the character of the Chilterns, and summarises advice how to manage roads to conserve and enhance the special qualities of the AONB. This guidance is available at http://www.chilternsaonb.org/uploads/files/ConservationBoard/Environmental_Guidelines_Highways.pdf.

Unresolved matters CCB would make the point that an enhancement of the AONB is required when considering the impacts arising from a change of use as proposed. Further' that the potential for enhancement requires that weight is given to the landscape improvements and the relationship at the open and rural open edges of the site. Wider and distant views must not appear institutional but instead must reflect the open paddock edges that predominate within this landscape character area. The proposed landscape masterplan must reflect this and include the replacement of the conifer hedging. Should that reassessment result in an apparently visible series of institutional buildings, then that would be harmful to the wider AONB. CCB would resist the idea of altering Chequers Lane as this would diminish the historic and visual character of the AONB. The transport assessment notes a material reduction in the volume of vehicles compared to the existing use, which is a benefit. The nature of that use is different, however. The vehicular use is pulsed at two points of ingress and egress and dramatically different. From a planning, as opposed to highway safety, standpoint, this would need to be strictly managed and CCB would seek more details on that. A cross-cutting theme and section 4 of the AONB Management Plan seeks environmental sustainability in a host of policy objectives. A school in this location which is almost entirely based around mini bus transport across a very large catchment would not meet those objectives. CCB would welcome further details as discussed prior to any formal determination being made but would make the point that this proposal must be deemed unsustainable in such a location and major development within the policy test within the National Planning Policy Framework.

Representations

Amenity Societies
Residents Associations

Comments have been received supporting the proposal:

26 comments have been received objecting to the proposal:

- Unacceptable impact in terms of noise, increased traffic and extra waste
- Not a school that will meet local needs
- Unsustainable to bus children in from far away locations
- Impact upon the AONB
- Unfortunate loss of an equestrian facility which contributes to the community
- B482 is a busy road and the 25 minibus journeys and the extra vehicles of staff, suppliers etc. will have an impact on the junction of Bigmore Lane and Chequers Lane
- The road is used as a rat run when there are problems on the M40
- Overdevelopment in the AONB
- Unsuitable commercial use in the AONB
- New buildings, car parks and refurbished building will have a visual impact on the AONB
- This would set a precedent for inappropriate development in the area
- There is interest in the local community to purchase the buildings so they would not fall into disrepair
- This should be considered major development in the AONB and should be refused other than in exceptional circumstances and where they are shown to serve the public interest.
- The decision to locate a school in this location is a commercial decision which involves closing two existing schools
- This is not sustainable development
- The development by virtue of the re-cladding, new roof lights, solar panels and new buildings, playgrounds, sports area and car parking will bring a significant change to the rural setting
- Parking of 20 minibuses will look unsightly in the AONB

- There is a second large access point adjacent to the plot.
- Concerned about the impact on adjacent properties by reason of noise, traffic, school bells – any sound barrier erected would impact upon the character of the AONB
- There must be good reasons for allowing major development in a landscape that has national protection
- The double height glass walk ways will have a visually negative impact on the AONB
- Additional traffic journeys will result from the visit to sports centres on twice weekly visits.
- The increase in traffic along the rural road will have an impact on the safety of residents, horse riders, dog walkers and others
- Additional traffic likely to lead to increased air pollution
- Noise pollution will also adversely affect both humans and wildlife
- Light pollution – 6m high lighting to service the car parking area
- Plymouth Brethren are considered to be sectarian and non-inclusive and will not provide an wider benefits to the community
- Previous application for private schools the council appeared to give no consideration to the increased volume of traffic on existing roads and neighbourhoods and this will have a similar impact
- There has already been a traffic accident involving a 10 year old pupil in December 2016
- While the access will be from the B482 in times of problems on the M40 traffic will be forced to use the Fingest end of Chequers as an alternative
- The traffic report does not mention of school events such as parents evenings, school plays, sports days with parents invited to watch – there are no parking facilities for such events
- Queuing traffic along the lane will impact the privacy of the houses at the top of the lane
- Loss of peace and tranquillity to the public footpath