

17/06820/FUL

Consultations and Notification Responses

Ward Councillor Preliminary Comments

Councillor Graham Peart - Can you give me your thoughts on this application please? It is not a simple decision so if you are thinking of a refusal I may consider requesting that it be determined by committee. Local sentiment is that the club should be able to continue.

Further Comments:

Thank you for the Delch report that is well constructed and easy to read.

I carefully read all the documentation and then made an unannounced site visit that happened to be on an evening when around a dozen scouts and their parents were enjoying an introduction to the sport of air rifle shooting. There was no noise or light pollution, around 10 cars in the car parking area and there was great joy from all attending for being able to experience a new activity in ideal surroundings. The site was tidy, unlit and well managed on the evening. It is so well camouflaged by the holly thicket that I was unaware of the facility until this visit.

Subsequently I reviewed the paperwork and I have to conclude that the objections to this application in the Delch report and the neighbours comments are overstated particularly when describing the supposed harm to the environment and wildlife that appears to be minimal or non-existent and in any case, some further mitigation is possible that could be dealt with by conditions. The conditions could include complete removal of the shelter if the club ceased to operate there, something that I would like to see imposed for the longer term.

The club is well established and very tightly run with regards to safety, safeguarding and general standards and has a number of members who compete at a high level. It has some older members whose only activity outside of home is shooting. There are a number of young and older members who are significantly disabled and this club is an extremely important part of their activities.

The recent report on social isolation and loneliness in Bucks by the Director of Public Health, identified social isolation as a problem for some older residents in rural areas and loneliness felt by a significant number of young people living in towns. Clubs such as the Wendover Air Rifle Club and the Whiteleaf Bowmen who also offer similar social and sporting activity in another part of my ward are very important facilities to provide recreation and social interaction especially for those who are not interested in more mainstream activities. I note that the Whiteleaf Bowmen have a very visible full clubhouse built in a field within AONB while the Wendover Air Rifle Club only require a simple open sided shelter that is not visible to anyone unless they visit the site.

Therefore I suggest that any supposed harm to the environment is minor and is heavily outweighed by the wider positive benefits to the community.

I request that this matter is determined by the Planning Committee, a format that will allow a wider debate on the issues raised in the Delch report.

Parish/Town Council Comments/Internal and External Consultees

Great and Little Hampden Parish Council

Comments: None received.

Ecological Officer

Comments: Development is within Ancient Woodland 15m buffer, the increased use of the 'forestry' track through the woodland and use of the shooting range will cause a significant negative impact to the ancient woodland and this is contrary to Natural England's Standing advice. A preliminary ecological survey would need to be forthcoming to assess the ecological impact of the proposals. There is likely to be multiple detrimental impacts upon the ecology of this important priority habitat.

Additional comments:

A Preliminary Ecological Appraisal has been submitted which identifies the vegetation growing on the site and evidence of animal species on and around the site.

Two key local policies are relevant to the proposal DM13 'Conservation and enhancement of sites, habitats and species of biodiversity and geodiversity importance' and DM14 'Biodiversity in development'. Natural England and Forestry Commission's Standing Advice on Ancient Woodland is also of great relevance. DM 13 is relevant as the track leading to the site is through Ancient Woodland and a large part of the development (buildings, container and hard surfaced car parking) is within the 15m buffer.

Part 2 of DM13 suggests that harm to sites such as this would only be permitted, if 1, there is no alternative, 2 the impact can be mitigated or compensated and 3, that it has been clearly demonstrated that the benefits of the development outweighs the harm.

Part 3 of DM13 goes on to require reports relevant to the wildlife impacts to be submitted. The harm in relation to the site have not been properly addressed. Some are directly related to the Ancient Woodland some are related to development within the 15m buffer and some are related to what happens beyond. Furthermore, some impacts are directly related to the physical development and some are related to its use. These impacts have not been fully addressed and so part 3 of the policy has not been complied with.

The track through the ancient woodland affects the special nature of the soil through introduction of materials and compaction but it also means that there is vehicular traffic which introduced chemical, noise, smell and light pollution this cuts diagonally through the woodland causing a degree of fragmentation.

The main part of the development is within the 15m buffer, this has included scraping away of woodland soil importation of granular stone material to form the parking areas and the erection of timber structures and placement of a shipping container. This will have damaged the valuable soils and the soil fauna and some of the trees growing there, if this is not reinstated that this will permanently alter the way in which wildlife uses the woodland. More significant is the impacts associated with the use of the area. Cars and people making chemical, noise and light pollution on the edge of the Ancient Woodland but in a central location within the wider woodland will mean that more sensitive wildlife will be repelled and confined to smaller areas, this will have a negative impact upon the functioning of the habitat.

The shooting range extends perhaps 30 metres beyond the Ancient woodland buffer, the impact of this includes the distribution of poisonous lead into the woodland, the loud and noise of air guns being fired and targets being hit and the physical aspect of targets fencing and the like which have been installed within the area.

The extent of the impact has not been fully addressed in the report and mitigation and compensation have only be touched upon with regards to the avoidance of shooting wild animals and trees and the suggestion that lead pellets could be collected. Neither of these measures could be effectively enforced.

It is my assertion that harm is caused to the conservation interest of the site and so with regards to part 2 of DM13 the question is then raised about whether it can be permitted despite this. The question of 2a relates to alternative sites for the proposed development: the site is owned by the Hampden estate and they have a large amount of other land which could be more suitable, but the club needn't confine themselves to renting from only one land owner, there are likely to be many other sites owned by others where this activity would be more suited.

In relation to 2b: only a small number of the impacts could be mitigated and there will be a net loss in biodiversity as a result of this application.

In relation to 2c: it has not been demonstrated that the benefits of this development outweigh the harm.

In relation to DM13 it is clear that this application does not maximise biodiversity and in fact has detrimental impacts.

The Local policy is supported by paragraph 118 of the NPPF 'planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss;'

Although the evaluation of the negative impacts has not been fully evaluated by the applicant it is clear that the development is harmful does not fit with the reasons why it should be approved anyway and so it is therefore against local and national planning policy and Natural England and Forestry Commission Standing Advice and should therefore be refused.

Arboriculture Spatial Planning

Comments: Development within a woodland. No tree detail and possible future pressures. I cannot support this application at the present time. Fence details will need to allow for wildlife movement.

Chiltern District Council

Comments: This Council has considered the above application and raises NO OBJECTION to the application subject to your authority ensuring that the proposal complies with all relevant policies contained in the adopted Development Plan and guidance contained in the National Planning Policy Framework.

County Highway Authority

Comments: Hampden Road is a C-class road subject to a 50mph speed restriction with no parking or waiting restrictions in place. The road does not benefit from pedestrian footways or street lighting.

The retrospective application proposes the change of use of the land from managed woodland to an air rifle range with erection of range compound building, siting of storage container, and toilet with associated boundary fencing and creation of a parking area for ten vehicles.

The change of use of the land to a proposed seventy member air rifle club constitutes an intensification of the existing access. The access itself cannot achieve the required visibility splay to the north of the access of one hundred and thirteen metres. However I note that the highway verge has significant vegetation limiting the available visibility. As such there is potential for additional information to overcome this objection. If the applicant can provide scale plans demonstrating visibility splays across the publically maintained highway and/or land under their control, these splays could be conditioned to be provided and maintained by the applicant.

I also note that the access does not meet the County Council's specification for commercial accesses, which is required for a development of this nature and quantum. As a result the access to the site would

be incapable of appropriately accommodating the vehicular movements associated with the development. This matter can also be conditioned to ensure that the applicant carries out the required alteration of the access. I note that these works would require a licence for working upon the publically maintained highway.

The proposed parking area has not demonstrated where within the demonstrated area ten parking spaces with 2.8 x 5 metre dimensions are available. The submitted plans also appear to demonstrate trees within the parking area which would prevent large areas within it from being used for parking provision. As such the plans lack the required demonstration of parking provision. I also note that the stated ten spaces falls short of the expected requirement of a club of seventy proposed members in a rural area with no public transport links within the vicinity of the site and no pedestrian footways.

Mindful of the above, I object to the retrospective application for the following reasons:

Reason 1: The proposed development would result in an intensification of use of an existing access at a point where visibility is substandard and would lead to danger and inconvenience to people using it and to highway users in general. The development is contrary to Policy CS20 (Transport and Infrastructure) of the Wycombe Development Framework Core Strategy (adopted July 2008).

Reason 2: The applicant has not included adequate provision for space within the site for parking and manoeuvring of vehicles clear of the highway. The development if permitted would therefore be likely to lead to additional on-street parking and to vehicles reversing onto or off of the highway to the detriment of public and highway safety. The development is contrary to Policy CS20 (Transport and Infrastructure) of the Wycombe Development Framework Core Strategy (adopted July 2008).

Representations

Great Missenden Parish Council – objection on the grounds of inappropriate development in the AONB and unauthorised removal of trees.

Comments have been received from 4 individuals objecting to the proposal:

- AONB decimated without planning consent
- Access was upgraded to benefit the rifle club – it would have been adequate for forestry.
- Should not be described as “continued use of land as an air rifle range” as it was not previously used for this. [Officer Note: the application is described in this way to reflect the fact the application is retrospective.]
- Air rifle club is an inappropriate use in this rural setting. Apart from tree felling for the access road, car park and range is inappropriate due to proximity to footpaths and annoyance to local residents.
- The noise is audible and annoying to those living close by.
- Likely to be protected species on site.
- Parking provided for 10 but the DAS refers to 40 attendees on Saturdays and an intention to increase membership to 50 – 70. Where will these people park? Parking on the road would be dangerous.
- Access is near a bend and has poor visibility.
- Felling of trees has influenced the local landscape.
- If permission is given the hours of use should be restricted to existing hours.
- The site and enlarged access are visible from the road and public footpaths.
- Disagree that the existing track has just been resurfaced because of the amount of trees removed.
- Destruction of ancient woodland to create the car park, club house, storage container and toilet.

All done without planning consent.

- Concern at lack of parking will result in parking on the road or track, or further incursions into the woodland.
- Current hours are Saturdays 8.00am – 2.00pm and Wednesdays 6.00pm – 8.00pm. The applicant intends to extend this to Monday to Friday 6.00 – 8.00pm and Saturdays 8.00 – 2.00pm. Concern about how the site will be illuminated in winter.
- Although the air rifles do not cause significant noise the member do – they can be heard cheering and shouting during opening times which is not acceptable in a peaceful and tranquil setting.
- Disregard for planning rules and regulations, wildlife and conservation.
- Quiet enjoyment of neighbouring land severely affected by this commercial use.
- As an owner of adjoining land there were restrictive covenants in place restricting use for commercial activities, including clay pigeon shooting, and use of motorised vehicles. [Officer Note: restrictive covenants are a civil matter between the parties concerned and cannot be taken into account in determining planning applications.]
- Concerned about the impact on wildlife. Have noticed a change in behaviour of wildlife as a result of airgun shooting.
- Concerned about extra traffic and pollution.
- Object to weekend use as it affects recreational use of adjacent woodland.
- There are badgers in the area and red kites nesting on adjacent land.
- Sound of the shots hitting the metal targets carries to adjacent land causing disturbance
- Use destroys the ambiance of the woodland, scares wildlife (there are muntjac and roe deer, badgers, foxes, rabbits and squirrels and red kites in the woodland).