



## Strategic Sites Committee agenda supplement

Date: Wednesday 23 June 2021

Time: 9.30 am

Venue: The Oculus, The Gatehouse, Gatehouse Way, Aylesbury, HP19 8FF

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### **Health and safety (Covid-19) notice for members of the public wishing to attend the strategic sites committee meeting 23 June 2021**

Due to the extension of covid-19 restrictions until 19 July 2021, unfortunately there are limited facilities for members of the public to observe this meeting in person due to government and Public Health England social distancing guidance. You will be able to watch a livestream broadcast of the meeting which will be available online at the Buckinghamshire Council website via <https://buckinghamshire.public-i.tv/core/portal/home>.

If you would like to attend a meeting, but need extra help to do so, for example because of a disability, please contact us as early as possible, so that we can try to put the right support in place.

For further information please contact: Sally Taylor on 01296 531024, email [democracy@buckinghamshire.gov.uk](mailto:democracy@buckinghamshire.gov.uk).

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## **Corrigendum to The Strategic Sites Committee – 23 June 2021**

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**Application Number:** PL/19/2260/OA

**Proposal:** Outline application, accompanied by an Environmental Statement, for the erection of a Motorway Service Area with all matters reserved with the exception of access from the M25, comprising a facilities building, fuel filling station, electric vehicle charging, up to 100 bedroom hotel, service yard, parking facilities, vehicle circulation, landscaping, woodland and amenity spaces, Sustainable Drainage Systems (SuDS)/attenuation, pedestrian and cycle links, retaining structures and associated mitigation, infrastructure and earthworks/enabling works.

**Site Location:** Land Between Junctions 16 and 17 of the M25, near Chalfont St Peter, Buckinghamshire

**Applicant:** Extra MSA Group

**Case Officer:** Gary Murphy

**Ward(s) affected:** Chalfont St Peter

**Parish-Town Council:** Chalfont St Peter

**Date valid application received:** 12 July 2019

**Statutory determination date:** 30 September 2020

**Recommendation:** Had Buckinghamshire Council as LPA still been the decision maker, the recommendation would have been that Members resolve to grant planning permission for the proposed development subject to: referral to the Secretary of State to consider whether to call-in the planning application on Green Belt grounds; and, the recommended planning conditions and the completion of an agreement under s106 of the Town and Country Planning Act (as amended) in relation to the Planning Obligations, broadly in accordance with the details set out in the main body of the report and in this Corrigendum Report.

### **Further Representations Received**

Since the publication of the committee report six further representations of objection have been received, some of which are from third parties who have previously commented on the application. The majority raise no new substantive material planning issues that would change the recommendation. The following additional matters have been raised;

- The impacts of Covid-19 has changed the way people live and work. This brings into question the viability of a 100-bed hotel.
- Proposed multi user access route is located next to the Garden of Rest – a tranquil and peaceful place.
- This use will divert custom away from existing high streets.
- Impact on Cheena Meadow car park (Denham Lane).
- Proposed development presents a risk to former landfill areas, any disturbance in these areas could lead to possible leakages/contaminants from this site. Who will be responsible for monitoring activity?

It is understood that Members of the committee have been sent Chalfont St Peter Parish Council's appeal statement that has been lodged with the Planning Inspectorate.

A further representation has been made by the applicants for the Colne Valley Services (CVS) MSA site (proposed on land near Iver Heath) raising a number of matters and concerns about inaccuracies in the officer's committee report. It is understood that the representation has been circulated to all Members of the committee. In response to the alleged inaccuracies in the Table 1.8 at paragraph 22.64 (page 109-124) of the committee report, these are addressed below:

- Green Belt assessment: the report makes it clear that the Warren Farm proposal conflicts with 3 out of the 5 Green Belt purposes. The Buckinghamshire Green Belt assessment provides a high level assessment and reference is made to this in the committee report. The MSA applications provide a greater level of scrutiny of the criteria and assessment based on the information submitted. Whilst there may be a difference in the number of conflicts with the 5 Green Belt purposes, consideration also needs to be made on the contribution of the site to and any conflict with these purposes.
- Build space: the figures used in the report are related to the facilities/amenities and filling station areas. CVS has a gross internal area of 5300sqm and 5560sqm gross external (footprint). The figures used for Warren Farm MSA of 8250sqm excludes the hotel which is in addition to the facilities building and filling station. The total including the hotel is 12,400sqm.
- The economic benefits in terms of jobs sets out the net additional (operational) jobs, post construction. The operational jobs are correctly stated taken from the application information.

The representation also refers to the Buckinghamshire Council's position on the CVS site in relation to land ownership. The Council (BC) is the Local Planning Authority with responsibility for regulating the development of land. Members will be aware of the need to consider planning applications under the legislative framework, in coming to a decision on the proposals, and to only determine the proposals on the basis of the relevant planning issues.

Additional representation has been received from Spring Green Planning Ltd (on behalf of Denham Aerodrome), further to the report issued by the Airfield Advisory Team (AAT) at the Civil Aviation Authority (CAA). The Aerodrome maintains its objection to the proposed development.

The LPAs aviation consultants, Alan Stratford and Associates, have reviewed this and indicated they disagreed with the CAA AAT's and Eddowes Aviation Safety's view (on behalf of Denham Aerodrome) that the alternative sites for a forced landing near the MSA site were limited due to the size, slope and angle of turn needed to make a successful forced landing. Alan Stratford and Associates are of the view that many successful forced landings are achieved at restricted sites and that the loss of the MSA site, if the MSA is built, would not alter the overall safety risk.

Furthermore, Alan Stratford and Associates did not agree with the CAA AAT's analysis, which appears to be endorsed by Eddowes Aviation Safety Ltd, that some 61.5% of available land for a forced landing would be lost if the MSA were built and that this should be regarded as significant in terms of the impact on aviation safety. The LPAs aviation consultants maintain that quantifying the safety risk in this way is incorrect as the MSA site would only be an option for a forced landing for a relatively small proportion of flights at or close to Denham Aerodrome. Furthermore, a significant part of the MSA site would be suitable for a forced landing anyway, particularly if it is landscaped to make this as open and obstacle-free as possible.

In terms of all the additional representations, these have been addressed already within the report and would not change the recommendation.

#### **Consideration of Alternatives - update**

Since the publication of the committee report Three Rivers District Council has published its committee report relating to its consideration of the alternate MSA application in its area, at junction 20 of the M25 (application ref; 19/0646/OUT).

The officer recommendation to committee is that outline planning permission be refused. The recommended reasons for refusal relate to

- Harm to the Green Belt by reason of inappropriateness
- Actual harm to the openness of the Green Belt and to the character and appearance of the landscape
- Additional reasons for refusal are recommended to address matters relating to highways considerations; namely, the failure to demonstrate a safe and adequate means of access can be provided and that development would be not detrimental to the free flow of traffic, the absence of an adequate Road Safety Audit, the unsustainable location for the proposed development and the limited accessibility by non-car modes of travel, and lastly the failure to demonstrate that the proposed development would have an acceptable impact on the highway safety of the M25.

This application is to be formally considered at the next Three Rivers District Council Planning Committee meeting, on 24 June 2021.

#### **Planning Conditions – update**

Since the main report was written the recommended conditions have been refined. The final set of conditions, including any amendments to them and any additional ones, is to be delegated to Planning Officers to inform the appeal process.

Refinements will be required in respect of conditions relating to sustainable design and construction, lighting, travel plan, landscaping, ecology, Construction Environmental Management Plan (CEMP), noise, Denham Lane access, waste and recycling and, a restriction on uses and retail/commercial floorspace as well as any others as deemed appropriate.