



Buckinghamshire Council

Central Buckinghamshire Area Planning Committee

Agenda

Date: Thursday 9 December 2021

Time: 2.30 pm

Venue: The Oculus, Buckinghamshire Council, Gatehouse Road, HP19 8FF - Aylesbury

Membership: M Rand (Chairman), N Brown, M Caffrey, B Chapple OBE, M Collins, P Cooper, R Gaster, R Khan, R Newcombe, G Smith, D Thompson and A Waite

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Agenda Item	Time	Page No
1 APOLOGIES		
2 MINUTES To approve as a correct record the minutes of the meeting held 14 September 2021.		3 - 4
3 DECLARATIONS OF INTEREST		

APPLICATIONS

- 4 **CM/0037/21 - BUILDING 214 (WASTE RECYCLING FACILITY AT HANGAR 5 AND ON SURROUNDING LAND) WESTCOTT VENTURE PARK, WESTCOTT, HP18 0XB** 5 - 28
- 5 **AVAILABILITY OF MEMBERS ATTENDING SITE VISITS (IF REQUIRED)**
To confirm Members' availability to undertake site visits on [insert date] if required.
- 6 **DATE OF THE NEXT MEETING**
-

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Central Buckinghamshire Area Planning Committee minutes

Minutes of the meeting of the Central Buckinghamshire Area Planning Committee held on Tuesday 14 September 2021 in The Oculus, Buckinghamshire Council, Gatehouse Road, Aylesbury HP19 8FF, commencing at 2:50pm and concluding at 4:18pm.

Members present

M Rand, N Brown, M Caffrey, B Chapple OBE, M Collins, R Gaster, R Newcombe, G Smith, D Thompson and A Waite

Agenda Item

1 Apologies

Members heard apologies from Councillor Cooper and Councillor Khan.

2 Minutes

The Minutes of the meetings held on 30th June, 2021 were agreed as a correct record.

3 Declarations of Interest

Councillor Thompson declared a personal and prejudicial interest on agenda item 4 (20/04435/APP) following advice from the Legal Officer, owing to the nature of his close and personal relationship with both the Applicant and Agent. He withdrew from the meeting for the duration of that agenda item.

Councillor Newcombe declared a personal interest in agenda item 4 (20/04435/APP) as the Applicant and Agent were also Members of the Wendover, Halton and Stoke Mandeville Ward and worked with him on Council business. However, he made clear that the nature of this relationship was not prejudicial in this instance.

Councillor Chapple OBE declared a personal interest in agenda item 4 (20/04435/APP) as both the Applicant and Agent were known to him. However, he confirmed the nature of this relationship was not prejudicial in this instance.

4 20/04435/APP - 6 Witchell, Wendover

It was Proposed by Councillor Collins, Seconded by Councillor Brown

Resolved: That application 20/04435/APP be **approved** subject to the conditions on pages 8 and 9 of the Officer's report.

**5 20/00799/APP - Green Park Activities And Training Centre, Green Park,
Stablebridge Road, Aston Clinton**

Speakers

Agent: Mr Oliver Neagle

It was Proposed by Councillor Thompson, Seconded by Councillor Smith

Resolved: That application 20/00799/APP be **approved** subject to the conditions on pages 8 and 9 of the Officer's report.

6 Date of the Next Meeting
Wednesday 13th October, 2021



Report to Central Buckinghamshire Area Planning Committee

Application Number:	CM/0037/21
Proposal:	Continuation of the development at Hangar 5 and on adjoining land at variance to conditions 6 (Vehicle Movements) and 11 (Waste Throughput) attached to planning permission CM/0022/19, to increase vehicle movements and the annual waste throughput limit.
Site Location:	Building 214 (Waste Recycling Facility At Hangar 5 And On Surrounding Land) Westcott Venture Park Westcott Buckinghamshire HP18 0XB
Applicant:	Bucks Recycling Limited
Case Officer:	James Suter
Ward(s) affected:	Stone and Waddesdon
Parish-Town Council:	Westcott Parish Council
Date valid application received:	17th August 2021
Statutory determination date:	16th November 2021
Recommendation	It is recommended that application CM/0037/21 is APPROVED subject to conditions set out in Section 7 of this report.

1.0 Summary & Recommendation/ Reason for Planning Committee Consideration

- 1.1 Planning application CM/0037/21 seeks to vary conditions 6 and 11 of planning permission CM/0022/19 to increase the permitted total amount of HGV vehicle movements and the annual waste throughput for the site.
- 1.2 Key considerations include: the provision of waste management capacity, amenity impacts and highways impacts.
- 1.3 Application CM/0022/19 has been brought to the Central Buckinghamshire Area Planning Committee as the three local members for Stone and Waddesdon have 'called in' the application. Therefore, in line with the constitution the trigger has been met for a committee decision.
- 1.4 It is recommended that application CM/0037/21 is APPROVED subject to conditions set out in Section 7 of this report.

2.0 Description of Site and Proposed Development

- 2.1 Hangar 5 is situated within a former airfield and RAF station now named Westcott Venture Park. Access to the site is taken through the Venture Park from a recently revised roundabout junction which joins the Venture Park access to the A41 (Planning permission ref: 18/01605/APP).
- 2.2 The Venture Park covers an area of approximately 190 hectares and contains a mix of uses including distribution offices, workshops, stores, warehouses, light industrial and manufacturing buildings, a music school and an anaerobic digestion facility.
- 2.3 The nearest residences in Westcott Village are approximately 200 metres to the east of the application site yard area. Between the operational area of the site and the residences is a bund which provides acoustic and visual mitigation permitted under planning permission ref: CM/24/14. This bund is the subject of a retrospective application to allow for an alternative bund design under planning application ref: CM/0043/21, this has not yet been determined.
- 2.4 Other businesses within the wider Venture Park lie to the north and west with agricultural land lying beyond the Venture Park boundary. Public footpaths run to the east and south-east of the application area into Westcott village.
- 2.5 Westcott Venture Park is designated as an Archaeological Notification Site and contains several listed buildings linked to its former status as an airfield. No such buildings are located on the application site.
- 2.6 Outside the Venture Park site and to the east of the application site yard area and adjacent to Westcott Village are the remains of a medieval village. Within Westcott Village itself is the Grade II* listed Church of St Mary and three other Grade II listed buildings. Approximately 900 metres to the east of the application site yard area and outside the Venture Park site is the western limit of the Grade I Registered Parks and Gardens of Waddesdon Manor. Within the curtilage of this park are several Grade I

listed buildings, including the Grade I listed Waddesdon Manor approximately 1.6km to the south east of application site yard area. Approximately 1.7km to the west of the application site yard area and again outside the Venture Park site boundary is the Grade I Registered Parks and Gardens of Wotton House.

- 2.7 The application site lies within the Westcott Claylands Landscape Character Area. This is a large area of gently sloping low ground in predominantly pastoral use. Within the Landscape Character Area, Westcott Airfield is described as extensive with the sheds, runway and chain link fencing visually intrusive in a small area close to the A41. The site is not within an Area of Attractive Landscape nor a Local Landscape Area. The site is located in Flood Zone 1.

Proposed Development

- 2.8 This application is made under S73 of the Town and Country Planning Act 1990 (as amended) to vary conditions 6 and 11 of planning permission CM/0022/19 relating to vehicle movements and maximum waste throughput.

- 2.9 Planning condition 6 currently states:

“The maximum total number of heavy goods vehicle movements (vehicles over 3.5 tonnes unladen weight) shall not exceed 100 per day (50 in, 50 out). Records of the daily heavy good vehicle movements shall be provided to the Planning Authority within seven days of the end of each quarter of the calendar year with the end of each quarter being 31st March, 30th June, 30th September and 31st December respectively.”

- 2.10 The applicant is seeking to vary this planning condition to state:

“The maximum total number of heavy goods vehicle movements (vehicles over 3.5 tonnes unladen weight) shall not exceed 1,400 per week (700 in, 700 out), with no more than 300 movements (150 in and 150 out) on any one day. Records of the daily heavy good vehicle movements shall be provided to the Planning Authority within seven days of the end of each quarter of the calendar year with the end of each quarter being 31st March, 30th June, 30th September and 31st December respectively.”

- 2.11 Planning condition 11 currently states:

“The maximum throughput of waste shall not exceed 50,000 tonnes per annum”

- 2.12 The applicant is seeking to vary this planning condition to state:

“The maximum throughput of waste shall not exceed 75,000 tonnes per annum”

- 2.13 No built development is proposed under this application, only the above variations to conditions

- 2.14 This application is made under Section 73 of the Town and Country Planning Act 1990 (as amended). Although often referred to as an application to vary or remove a condition an application under this section of the Act actually has no effect on the

original permission it is not an amendment to the earlier permission. Should this application be approved it would be a separate freestanding permission that the applicant is entitled to implement or ignore. This application must therefore be capable of being implemented in its own right and therefore all appropriate conditions and obligations must be imposed.

2.15 The merits of the condition(s) must be assessed against an up to date development plan. Section 73 of the Town and Country Planning Act 1990 (as amended) states:

“Determination of applications to develop land without compliance with conditions previously attached.

(1) This section applies, subject to subsection (4), to applications for planning permission for the development of land without complying with conditions subject to which a previous planning permission was granted.

(2) On such an application the local planning authority shall consider only the question of the conditions subject to which planning permission should be granted, and—

(a) if they decide that planning permission should be granted subject to conditions differing from those subject to which the previous permission was granted, or that it should be granted unconditionally, they shall grant planning permission accordingly, and

(b) if they decide that planning permission should be granted subject to the same conditions as those subject to which the previous permission was granted, they shall refuse the application.”

3.0 Relevant Planning History

References	Development	Decision	Decision Date
11/20005/AWD	Application for a temporary change of use for Hangar 5 including the installation of a weighbridge on the adjacent hardstanding	PER	17 February 2012
CM/10/13	Variation to condition 3 of planning permission 11/20005/AWD so as to allow continued use of Hangar 5 and associated hardstanding for the purposes of a waste recycling and transfer station together with the retention of three modular buildings and external fire escape for a temporary period until 17 February 2017	PER	12 February 2014
CM/24/14	Variation to conditions 2 (restriction on temporary period of use) and 13 (sound mitigation including formation of acoustic bund) of planning permission CM/10/13	PER	29 April 2014
18/01605/APP	Development of a roundabout at the junction of the A41 and High Street, Westcott	PER	28 June 2019

CM/0022/19	Part retrospective application for Waste Recycling Storage and Transfer Operations within Hangar 5 and on adjoining land including ancillary activities, plant, building and offices.	PER	22 December 2020
21/02135/APP	Change of use of an existing industrial premises at Bucks Recycling Ltd, Unit 214, from a maintenance, storage and repair workshop and to install a biomass boiler into the building as a renewable energy source. There is one 300mm diameter hole cut into the roof for an exhaust chimney stack and three small holes cut into the rear for water pipes (Retrospective).	WDN	N/A
CM/0043/21	Continuation of the development at Hangar 5, and adjoining land at variance to conditions 3 (Approved Plans) and 13 (Bund Landscaping) attached to planning permission CM/24/14 to allow for an amended bund design.	PCO	N/A
21/03833/ACL	Application for a Lawful Development Certificate for an existing use of building for repair and maintenance of equipment and vehicles	PER	22 nd November 2021

3.1 The development has been screened under the Environmental Impact Assessment Regulations and the local planning authority has concluded that an environmental impact assessment will not be required in this case.

4.0 Policy Considerations and Evaluation

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the development plan unless material considerations indicate otherwise.

The Development Plan for this area comprises of:

- Buckinghamshire Minerals and Waste Local Plan (BMWLP) 2016 – 2036
- Vale of Aylesbury Local Plan (2013-2033)

Other documents that need to be considered in determining this development include:

- National Planning Policy Framework (NPPF)
- National Planning Policy for Waste (NPPW)

The Buckinghamshire Minerals and Waste Local Plan (BMWLP) policies most relevant to this development are:

- Policy 11 Waste Management Capacity Needs
- Policy 13 Spatial Strategy for Waste Management
- Policy 14 Development Principles for Waste Management Facilities
- Policy 16 Managing Impacts on Amenity and Natural Resources
- Policy 17 Sustainable Transport
- Policy 18 Natural Environment
- Policy 19 Historic Environment
- Policy 24 Environmental Enhancement

- Policy 26 Safeguarding of Minerals Development and Waste Management Infrastructure

The Vale of Aylesbury Local Plan policies considered to be most relevant to the proposed development include:

- S1 Sustainable development for Aylesbury Vale
- E1 Protection of key employment sites and enterprise zones
- NE1 Biodiversity and geodiversity
- NE5 Pollution, air quality and contaminated land
- BE1 Heritage asset
- BE3 Protection of the amenity of residents
- T4 Capacity of the transport network to deliver development
- T5 Delivering transport in new development

Principle and Location of Development

Policy 11 Waste Management Capacity Needs

Policy 13 Spatial Strategy for Waste Management

Policy 14 Development Principles for Waste Management Facilities

Policy 26 Safeguarding of Minerals Development and Waste Management

Policy E1 Protection of key employment sites and enterprise zones

Waste Management Capacity

- 4.1 Policy 11 of the BMWLP sets out the waste management capacity needs within the county over the plan period (2016-2036). Policy 11 states the total waste management capacity needs will be delivered via existing commitments, extensions to existing commitments and new facilities. The extant permission which is sought to be varied restricts the waste to be imported at the site to construction, demolition and excavation, commercial and industrial waste only. The proposal would seek to increase capacity at an existing site to recycle, recover and process these waste streams. The application seeks to increase capacity at the site from 50,000 tonnes per annum (tpa) to 75,000 tpa to match the limit set on the Environmental Permit. The proposal does not seek to change the type of waste being brought onto the site.
- 4.2 Table 7 of the BMWLP identifies the capacity gap over the plan period (i.e. the existing capacity subtracted from the projected waste management needs). It identifies a capacity gap for both the recycling of inert construction, demolition and excavation waste and the recycling of municipal, commercial and industrial waste. The estimated capacity gap for 2026 for the recycling of inert construction, demolition and excavation waste and the recycling of municipal, commercial and industrial waste are 0.51 mega tonnes per annum (Mtpa) and 0.12Mtpa respectively. While, no Annual Monitoring Report for waste management capacity within

Buckinghamshire has been produced by the council since 2018 it is understood that the county has a recognised deficit of capacity is the type of waste handled by this site.

- 4.3 While the catchment for the application site includes areas within Oxfordshire and so not all of the increase of capacity provided by the increase in throughput of the site would be relating to waste arising within Buckinghamshire, it is expected that a large proportion would be; the local plan recognises cross-boundary movements for commercial waste will continue to occur and should occur in line with the proximity principle, this rule would also apply to neighbouring authorities who might also deal with some waste from Buckinghamshire.
- 4.4 It is considered that the principle of an increase of throughput, in light of current deficit of provision and capacity need, weighs in favour of the application and is supported by adopted policy.

Spatial Strategy

- 4.5 Policy 13 of the BMWLP sets out the spatial strategy for waste management. It states that the growth of Buckinghamshire's sustainable waste management network will be delivered by primarily focusing on the main urban areas and growth locations of High Wycombe, Aylesbury, and Buckingham. As a secondary focus, the policy states that locations in key settlements outside of the primary areas will be supported within industrial and employment areas. As set out in table 9 of the BMWLP the Venture Park is listed as a secondary area of focus. With this listing the site has support from this policy as it is within an area of focus and the site help address the capacity gap.
- 4.6 Policy 14 of the BMWLP requires waste proposals to be in compliance with the spatial strategy, facilitate the delivery of Buckinghamshire's waste management capacity requirements, that the waste streams, catchment for sites and end fates of outputs should be identified and enable communities to take more responsibility for their own waste and support the management of waste in line with the waste hierarchy and the proximity principle.
- 4.7 The supporting information accompanying the application identifies the specific waste streams to be handled by the site within the limits of existing conditions restricting waste types that can be imported and deposited at the site. This application does not change the waste streams handled by the site, this has already been deemed acceptable.
- 4.8 The applicant has identified a catchment for the operations which is split into three tiers: Tier 1 (Bicester and Aylesbury), Tier 2 (Tring) and Tier 3 (Stokenchurch, Watlington, Biddlesden, Stowe and Brackley). The applicant accepts that there would occasionally be collections outside of this radius, but this is not considered to be a regular occurrence. The BMWLP accepts that there will be cross boundary movements of waste between Buckinghamshire and adjacent authorities and

recognises that these will continue and should occur in line with the proximity principle. The extant permission does not have any controls upon catchment of waste received, but it is understood that present catchment does not differ substantially from the identified catchment for this proposal, and as such no objections on this point are raised.

- 4.9 It is considered that given the nature of the proposal which seeks an increase in movements / throughput for the site a greater amount of local waste will be able to be managed at the site in line with this policy.
- 4.10 The applicant has also provided further information pertaining to the end fates for the variety of waste streams managed at the site. Sites within Buckinghamshire include Calvert EFW, Marston Airfield, and ASM Metal Recycling.
- 4.11 It is therefore considered that the application is in accordance with policies 13 and 14 of the BMWLP.
- 4.12 In the VALP, Westcott Venture Park is identified as a key employment site on the policies map. Policy E1 of the VALP supports Light Industrial, General Industrial, Storage and Distribution and other similar uses (provided those similar uses would not have a significant adverse impact on the surrounding land use or prejudice the use of the remainder or the employment area) in these areas. It is considered the application is in accordance with this policy.
- 4.13 Policy 26 safeguards existing waste sites from other kinds of development. This proposal seeks to vary conditions on an existing waste permission and is considered to be in accordance with this policy.

Summary

- 4.14 The development would provide further capacity at a secondary area of focus through the variation proposed. It is therefore considered that the proposal is supported in principle by the above policies so long as the application is in accordance with other local policies.

Transport matters

Policy 17 Sustainable Transport

Policy T4 Capacity of the transport network to deliver development

Policy T5 Delivering transport in new development

- 4.15 Policy 17 of the BMWLP states proposals for minerals and waste development will require a Transport Assessment or Statement addressing a number of matters including identification of safe suitable access, traffic flows to be generated, catchment area for materials, capacity of the local highway network, identification of any adverse impacts and emission control measures.
- 4.16 Policy T4 of the VALP states new development will be permitted where there is evidence there is sufficient capacity in the transport network to accommodate the increase in travel demand.

- 4.17 Policy T5 of the VALP states new development will only be permitted if the necessary mitigation is provided against any unacceptable transport impacts which arise directly from that development.
- 4.18 Paragraph 111 of the National Planning Policy Framework states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 4.19 As set out in the previous sections, the application seeks to vary a condition which currently restricts the site to no more than 100 HGV movements (50 in and 50 out) per day to a condition which permits up to 300 HGV movements (150 in and 150 out) per day with a weekly limit of 1400 HGV movements (700 in and 700 out).
- 4.20 At the existing approved level the site may produce up to 100 movements per day with the average hourly trip generation being 12 movements per hour. The proposed changes could increase this to approximately 33 movements per hour, an increase of 21 movements per hour.
- 4.21 The proposed variation of wording for the vehicle movements also allows for greater flexibility for daily variations in vehicle movements for the operator with an overall weekly cap which is less than the cumulative number would otherwise be.
- 4.22 The increase in HGV movements is being sought to accommodate the proposed increase in throughput for the site but also how the waste is handled at the site. At present mixed waste is received and separated into specific waste streams manually. However, these streams can be further sorted into more subcategories which require separate storage and cannot be in one combined load for an HGV. These sorted streams would then be sent to other specialist recycling facilities. As a result, more HGV movements would be required for this approach and so the proposed increase in movements would provide for this.
- 4.23 The applicant considers that the separation of wastes into different categories produces more sustainable waste management. The alternative would maintain the status quo resulting in mixed wastes being subject to further transportation and sorted elsewhere or to be sent to landfill/incineration. While it is the view of the Council that the increase in vehicle movements cannot be fully attributed to a desire to move waste further up the hierarchy, the further sorting of waste is supported in line with the proximity principle, overall the Council supports the intention of the applicant in this respect. The proximity principle supports the management of waste as near as possible to its place of production as transporting waste itself has an environmental impact.
- 4.24 The applicant submitted a transport statement in support of the application meeting the requirements of policy 17 of the BMWLP. The Highway Authority was consulted upon the application and considered that the proposed increase in HGV movements would not adversely impact on the operation and safety of the surrounding highway

network. The Highway Authority noted that a new roundabout access to Westcott Venture Park off the A41 was opened to traffic in Autumn 2020. This increased the capacity and safety of the access to and from Westcott Venture Park.

- 4.25 Furthermore, the applicants Transport Statement includes a capacity assessment of the additional HGV traffic using the roundabout, based on an additional 22 HGV movements during peaks periods, which is a worst-case scenario, given site starts work before the morning peak on the A41 and there is a staggered finish at the end of the day.
- 4.26 The assessment distributes 60% of traffic to and from the Bicester direction, and 40% of traffic to and from the Aylesbury direction, based on the typical origin of materials to and from the site. This assessment demonstrates that the additional traffic would not adversely impact on the operation and safety of the new roundabout and the surrounding highway network.
- 4.27 The highway authority are satisfied that the proposed increase in the daily maximum HGV movements from to 300 vehicles per day would not adversely impact on the operation and safety of the surrounding highway network, but do recommend that this maximum is secured by planning condition. Noting 3rd party objections concerns about transport matters, a reason for refusal based on Highway capacity and/or safety is not considered sustainable if challenged at appeal.
- 4.28 It is considered in view of the above that the application is in accordance with policy subject to a revised condition set out in Section 7 of this report.

Amenity of existing and future residents

Policy 16 Managing Impacts on Amenity and Natural Resources

Policy BE3: Protection of the amenity of residents (Considerable)

Policy NE5 Pollution, air quality and contaminated land (Considerable)

- 4.29 Policy 16 of the BMWLP seeks to manage impacts upon amenity and natural resources. The policy requires minerals and waste development to demonstrate the development is environmentally feasible, secures a good standard of amenity and would not give rise to unacceptable adverse impacts including impacts upon human health and wellbeing. Policy BE3 of the VALP makes similar provision.
- 4.30 Policy NE5 of the VALP states that noise generating development will be required to minimise the impact of noise on the surrounding environment. Development which is likely to generate more significant levels of noise will only be permitted where appropriate noise attenuation measures are incorporated reducing impacts to acceptable levels. The policy adds that development which may have an adverse impact on air quality must prove that they would not materially affect the surrounding area.

4.31 Paragraph 188 of the NPPF states planning decisions should be on whether the proposed development is an acceptable use of the land, rather than the control of processes or emissions. Planning decisions should assume that pollution control regimes (such as that of the Environment Agency) will operate effectively.

4.32 Notably, the application attracted a number of objections citing matters including noise impacts, dust, air quality, health impacts and impacts from HGVs.

Noise

4.33 With regards to noise, the application is supported by a noise technical note which estimates the noise levels at two monitoring points east of the site near the High Street. It modelled that the additional HGV movements would result in an increase of the overall operational noise levels by 1dB(A) to approximately 43db(L_{Aeq,T}). This is substantially below the noise levels set under the previous conditions which require that noise levels as measured at the nearest residential properties shall not exceed 50 dB LAeq, 5 minutes and 65 dB L_{Amax}. These conditions are not proposed to be varied and will be retained and enforced as necessary. An increase of 1db(A) is not a significant increase and is not considered unacceptable.

4.34 The council's Environmental Health Officer (EHO) was consulted upon this application and states that there would be no objection with regards to noise from the site.

4.35 Mindful of the above, it is considered that with regards to noise generated from the site, the impacts would not be unacceptable and therefore the application is in accordance with above policy.

Dust and Air Quality

4.36 With regards to dust and air quality, there are concerns raised in comments upon the proposal that an increase in vehicle movements and waste throughput may exacerbate dust and air quality impacts to unacceptable levels and that there would be health impacts.

4.37 It is accepted that an increase in HGV movements would likely increase the amount of pollutants emitted. The council's EHO was consulted on the proposal and refers to guidance produced by the Institute of Air Quality Management (IAQM). It is stated that as the proposal would not result in an increase of more than 100 Annual Average Daily Traffic Movements in an area outside an Air Quality Management Area no Air Quality Assessment is required. Moreover, the majority of these movements are anticipated to utilise the strategic roads such as the A41 and would likely only utilise roads through the villages of Westcott and Ashendon for access for local collections and deliveries. The EHO stated that the proposed increase in vehicles accessing the site will not have an adverse impact on air quality within the village of Westcott. It is not considered that a refusal on this matter would not be sustainable if challenged at appeal.

4.38 Concerning emissions from the site, the EHO further notes that the site operates under an Environmental Permit issued and regulated by the Environment Agency and

that the site is subject to a condition securing dust management measures, which is to be retained. The EHO concludes that they do not envisage that there will be any adverse impact on residents in connection with dust from the site.

HGV Disturbance

4.39 With regards to the disturbance from HGV movements, the noise impacts from operation within the site have been assessed above. A number of comments state concern about the disturbance resulting from HGV movements using routes through nearby villages. The catchment information provided by the applicant suggests approximately 60% of the HGV traffic would use the A41 towards Bicester with the other 40% using the A41 towards Aylesbury, this is considered by officers to be a reasonable estimation. While some local movements will occur these are likely to be as a result of local drop off and pickups rather than normal through traffic. To implement a routing requirement as part of a S106 agreement would require a clear demonstration for the routing to be necessary to make the proposal acceptable. The use of rural lanes by HGVs is also inefficient unless being used for access and so it is not considered that a requirement for the routing to avoid their use could be sustained. Undoubtedly, there would be an impact arising from the proposal, but it is not considered this would be unacceptable. It is noted that the original consent is not subject of a S106 routing agreement. It is not considered reasonable to request such an agreement as part of this application.

Conclusion

4.40 In conclusion, noting 3rd party comments, it is the Council's view that with regards to amenity matters, it is considered that any impacts arising from the proposal can be satisfactorily mitigated to a level where they would not be unacceptable. It is therefore considered that the application is in accordance with above policy.

Ecology

Policy 18 Natural Environment

Policy 24 Environmental Enhancement

Policy NE1 Biodiversity and geodiversity

4.41 Policy 18 of the BMWLP seeks to protect and enhance natural assets and resources and states developments should provide net gains in biodiversity. Policy NE1 makes similar provision.

4.42 Policy 24 of the BMWLP states proposals for new or extensions to existing waste development must incorporate measures on-site and/or off-site to enhance Buckinghamshire's environmental assets and green infrastructure networks. This includes opportunities to deliver net gains for biodiversity and the positive integration of the site within the wider landscape.

4.43 As aforementioned, the application is an application made under section 73 of the Town and Country Planning Act 1990 (as amended) which refers to applications for

the development of land without complying with conditions subject to which previous permissions were granted. Environmental impacts associated with the operation of the waste transfer station were considered under previous applications at this site. No further built development is proposed under this application. This application is restricted to consideration of the potential impacts arising from the proposed amendment of the vehicle movement condition and the increase in waste throughput and whether they are / can be made acceptable.

4.44 The council's Ecologist was consulted upon this proposal and noted a number of biodiversity enhancement measures already secured at the site and held no objection.

4.45 It is considered the application is in accordance with the above policies given the scope, scale and kind of application being made.

Historic Environment

Policy 19 Historic Environment

Policy BE1 Heritage Assets

4.46 Policy 19 of the BMWLP and policy BE1 of the VALP both seek to ensure the preservation of the historic environment and where possible enhance it.

4.47 Paragraph 195 of the NPPF states that local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by the proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

4.48 Paragraph 199 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The same paragraph states that this great weight should be applied irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

4.49 Historic England were consulted upon this application and offered no comments.

4.50 The council's heritage team were also consulted upon this application and found that due to the nature of the proposals there was not likely to be any impact on the setting of listed buildings.

4.51 It is considered that the application to increase throughput and the permitted HGV movements would not cause harm to the nearby heritage assets above that already permitted. It is considered the application is in accordance with the above policy.

Sustainable Development

Policy S1 Sustainable development for Aylesbury Vale

- 4.52 Policy S1 of the VALP states all development must comply with the principle of sustainable development set out in the NPPF i.e. that achieving sustainable development has three overarching objectives, economic, social and environmental. It also states that when assessing proposals consideration should be given to minimising impacts on local communities, minimising impacts on heritage assets, sensitive landscapes and biodiversity. As set out above the development would have impacts but it is considered that these could be mitigated acceptably through conditions.
- 4.53 The development would continue to provide employment and a waste management service which is considered to have both economic and social benefits. Furthermore, as set out above, the development is also considered to be consistent with policy 13 of the BMWLP which sets out the development plan policy for the delivery of a sustainable waste management network.

Other Matters

- 4.54 A number of comments have been received concerning the screening bund which lies to the east of the site. An application (Ref: CM/0043/21) has been received seeking to regularise the shape of the bund and to provide planting.
- 4.55 Nevertheless, as set out above, it is considered by technical consultees that the proposal to increase vehicle movements and waste throughput would be acceptable.

5.0 Weighing and balancing of issues / Overall Assessment

- 5.1 In determining the planning application, section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. In addition, Section 143 of the Localism Act amends Section 70 of the Town and Country Planning Act relating to the determination of planning applications and states that in dealing with planning applications, the authority shall have regard to:
- a. Provision of the development plan insofar as they are material,
 - b. Any local finance considerations, so far as they are material to the application (such as CIL if applicable), and,
 - c. Any other material considerations
- 5.2 The development would accord with the development plan and no material considerations dictate that a decision should be taken other than in accordance with the development plan. In summary the proposal:
- Would not result in unacceptable impacts upon amenity
 - Is in accordance with the Spatial Strategy for Waste Management
 - Would not result in unacceptable impacts upon the highways network

- 5.3 Local Planning Authorities, when making decisions of a strategic nature, must have due regard, through the Equalities Act, to reducing the inequalities which may result from socio-economic disadvantage. In this instance, it is not considered that this proposal would disadvantage any sector of society to a harmful extent.

6.0 Working with the applicant / agent

- 6.1 In accordance with paragraph 38 of the NPPF (2021) the Council approach decision-taking in a positive and creative way taking a proactive approach to development proposals focused on solutions and work proactively with applicants to secure developments.
- 6.2 The Council work with the applicants/agents in a positive and proactive manner by offering a pre-application advice service, and as appropriate updating applications/agents of any issues that may arise in the processing of their application.
- 6.3 In this instance the applicant/agent:
- was provided with pre-application advice,
 - was updated of any issues after the initial consultation period,
 - The applicant was provided the opportunity to submit amendments to the scheme/address issues.
 - The application has been brought to the Planning Committee where the applicant/agent had the opportunity to speak to the committee and promote the application.

7.0 Recommendation

- 7.1 It is recommended application CM/0037/21 is APPROVED subject to the following conditions and reasons:-
1. The development hereby permitted shall not be carried out other than in complete accordance with the details submitted with the planning application and the following documents and drawings:
 - E-mail from Ashley Strong (8.08.2020)
 - E-mail from Bentley Properties (28.10.2020)
 - E-mail from J. Haverson (30.10.2020)
 - Response to Drainage and Flood Risk Comments (DKS/yw/ab/1116, 18.11.2019)
 - Technical Note – Surface Water Drainage Strategy second issue (Baynham Meikle, 12767 – JH – BR) 09.10.2020
 - BRE Report and Appendixes (Your Environment, YE9052 – September 2020)
 - Storm Sewer Design (30.10.2020)
 - Updating Preliminary Ecological Appraisal (ECOSA, 4770.F1, 09.01.2020)
 - Westcott Venture Park Great Crested Newt Master Plan 2020-2025 (4 Acre Ecology Ltd, issue 2, 28.08.2020)
 - Westcott Venture Park Hangar 5 GCN Appraisal (4 Acre Ecology Ltd, Issue 2, 08.11.2020)
 - 1116/WM/A/1 v2 (01.04.2019) Application Plan
 - 1116/WM/SA/1 v7 (26.11.2020) Location Plan showing Access Route

- 1116/WM/S/1 v10 (27.02.2020) Site Plan
- 1116/WM/S/3 v3 (27.02.2020) Areas of Replacement/New Concrete
- 12767/400 Rev A (30.10.2020) Schematic Drainage Plan

Reason: To define the development permitted and to control the operations in accordance with Buckinghamshire Minerals and Waste Local Plan Policy 16.

2. There shall be no external storage of any materials, skips or equipment other than in the areas marked on drawing no. 11116/WM/S/12 v10. Furthermore, such storage shall not exceed 4 metres in height.

Reason: In the interests of the visual amenity of the locality and to comply with policy 16 of the Buckinghamshire Minerals and Waste Local Plan.

3. No development hereby permitted shall be carried out without the bund as permitted by planning permission no. CM/24/14 being in situ as shown on drawing no. 1116/WM/S/1 v10.

Reason: In the interests of local amenity and to comply with policy 16 of the Buckinghamshire Minerals and Waste Local Plan.

4. No vehicle shall enter or leave the site and no operations authorised by this consent shall be carried out other than between the following hours:

- 7:00 am to 6:00 pm Mondays to Fridays; and,
- 7:00 am to 1:00 pm Saturdays.

No operations shall be carried out on Sundays or Public Holidays.

Reason: In the interests of highway safety and the amenities of the local area and to comply with policy 16 of the Buckinghamshire Minerals and Waste Local Plan.

5. No wood shredding shall be carried out other than between 8:00 am to 4:00 pm Mondays to Fridays. No wood shredding shall be carried out on Sundays or Public Holidays.

Reason: In the interests of highway safety and the amenities of the local area and to comply with policy 16 of the Buckinghamshire Minerals and Waste Local Plan.

6. The maximum total number of heavy goods vehicle movements (vehicles over 3.5 tonnes unladen weight) shall not exceed 1,400 per week (700 in, 700 out), with no more than 300 movements (150 in and 150 out) on Mondays to Fridays. On Saturdays the maximum total number of heavy good vehicle movements (vehicles over 3.5 tonnes unladen weight) shall not exceed 150 movements (75 in and 75 out). Records of the daily heavy good vehicle movements shall be provided to the Planning

Authority within seven days of the end of each quarter of the calendar year with the end of each quarter being 31st March, 30th June, 30th September and 31st December respectively.

Reason: In the interests of highway safety and the amenities of the local area and to comply with policies 16 and 17 of the Buckinghamshire Minerals and Waste Local Plan.

7. The scheme for parking and manoeuvring indicated on drawing no. 1116/WM/S/1 v10 shall be maintained for duration of the development hereby permitted.

Reason: To enable vehicles to draw off, park and turn clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway and to comply with policy 17 of the Buckinghamshire Minerals and Waste Local Plan.

8. No loaded heavy goods vehicle shall enter or exit the site without being securely sheeted or netted.

Reason: In the interests of highway safety and the amenities of the local area and to comply with policies 16 and 17 of the Buckinghamshire Minerals and Waste Local Plan.

9. Sole access and egress to and from the site shall be via the internal access route to and from the roundabout junction with the A41 as shown on drawing no. 1116/WM/SA/1.

Reason: In the interests of highway safety and the amenities of the local area and to comply with policies 16 and 17 of the Buckinghamshire Minerals and Waste Local Plan.

10. No wastes other than construction, demolition and excavation, commercial and industrial waste shall be imported to and deposited at the site.

Reason: Because the importation of waste materials outside these categories would raise environmental and amenity issues which would require consideration afresh and to comply with policy 16 of the Buckinghamshire Minerals and Waste Local Plan.

11. The maximum throughput of waste shall not exceed 75,000 tonnes per annum.

Reason: In the interests of highway safety and the amenities of the local area and to comply with policies 16 and 17 of the Buckinghamshire Minerals and Waste Local Plan.

12. No additional illumination shall be erected or otherwise provided on the site without the prior written approval of the Planning Authority.

Reason: In order to minimise light spill beyond the boundaries of the site and to comply with policy 16 of the Buckinghamshire Minerals and Waste Local Plan.

13. The internal sound insulation measures to Hangar 5 approved on 28th March 2012 pursuant to condition 12 of planning permission no. 11/20005/AWD shall be maintained for the duration of the development hereby permitted.

Reason: In the interests of local amenity and to comply with policy 16 of the Buckinghamshire Minerals and Waste Local Plan.

14. Noise levels as measured at the nearest residential properties shall not exceed 50 dB LAeq, 5 minutes and 65 dB LAm_{ax}, F at the two positions measured in approved document Appendix 4: Noise Monitoring LFAcoustics Consulting Engineers Noise Monitoring at Bucks Recycling, Westcott Venture Park Bucks Recycling Ltd dated January 2019.

Reason: In the interests of local amenity and to comply with policy 16 of the Buckinghamshire Minerals and Waste Local Plan.

15. The crushing or other processing of inert waste material external to the Hangar 5 building shall take place on no more than 28 days per annum. At least seven days prior notification of the commencement of each such period shall be provided in writing to Buckinghamshire Council and Westcott Parish Council. For the avoidance of doubt, notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), no further crushing or other processing of inert waste material external to the Hangar 5 building shall separately take place in accordance with Part 4 of Schedule 2 to that Order.

Reason: In the interests of local amenity and to comply with policy 16 of the Buckinghamshire Minerals and Waste Local Plan.

16. The development shall be carried out in accordance with the details submitted to and approved by the Local Planning Authority on 17th March 2021 pursuant to condition 16 of permission CM/0022/19 and detailed in the application AOC/0005/21. For avoidance of doubt the details pertain to dust management, movement of traffic within the site and the erection of an acoustic barrier.

Reason: To protect the occupants of nearby residential premises from loss of amenity from dust and so air quality and to comply with policy 16 of the Buckinghamshire Minerals and Waste Local Plan.

17. The development shall be conducted in accordance with the surface water drainage scheme details submitted to and approved by the Local Planning Authority on 6th May 2021 pursuant to condition 17 of permission CM/0022/19 and detailed in the application AOC/0007/21.

Reason: To ensure that a sustainable drainage strategy has been approved prior to the carrying out of further wood shredding or crushing or waste material in

accordance with Paragraph 163 of the National Planning Policy Framework to ensure that there is a satisfactory solution to managing flood risk.

18. No further wood shredding or crushing of waste material shall occur 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), with details of who is to be responsible for carrying out the maintenance. The plan shall also include as-built drawings and/or photographic evidence of the drainage scheme carried out by a suitably qualified person. The plan shall subsequently be implemented in accordance with the approved details.

Reason: To ensure that arrangements have been approved for the long-term maintenance of the drainage system as required under Paragraph 165 of the NPPF.

19. The development shall be implemented in accordance with the approved mitigation and enhancement plan set out in the approved document Westcott Venture Park Hangar 5 GCN Appraisal (4 Acre Ecology Ltd, Issue 2, 08.11.2020). Any variation to the approved document shall be submitted to and approved in writing by the Local Planning Authority before such change is made.

Reason: To ensure that any Great Crested Newts that may be present on the site are protected and in accordance with policy 18 of the Buckinghamshire Minerals and Waste Local Plan.

20. The liaison group required to be convened by condition 17 of planning permission CM/24/14 shall continue to be held in accordance with approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of providing a forum for discussion between the site operator and neighbours as may be required and to comply with policy 16 of the Buckinghamshire Minerals and Waste Local Plan.

APPENDIX A: Consultation Responses and Representations

Councillor Comments

Cllr Paul Irwin – The three Stone and Waddesdon Councillors wish to call this in please.

Cllr Mick Caffrey -

Cllr Ashley Waite –

Parish/Town Council Comments

Westcott Parish Council –

1). We are totally opposed to any removal of the condition which prevents hgv's travelling through the village due to the increased noise for residents as lorries travel through and that the roads are not suitable for HGV's particularly through Ashendon therefore raising safety issues.

2). We are very concerned that there is a suggestion the bund is complete. We are not convinced it has been built to the correct spec (species & quantity) and planting is completely inadequate. The planting that has been done is not compliant to planning conditions (conifers have been planted which is not as stated).

3). We are concerned that noise and dust issues are not taken seriously. A tripling of vehicle movements is going to triple noise and dust for the village. We already have major issues with noise and dust which are not being addressed. Suggesting that it will have no effect on the village is extremely short sighted. An increase in vehicle movements on this scale will have a detrimental effect on not only the village but also on local roads. We are also concerned with the content of the dust and how it is (or is not) monitored.

4). We are concerned with the proximity to the village school and the potential detrimental effect to children's health

Consultation Responses

Ecology – The proposals to vary conditions 6 and 11 of planning permission CM/0022/19 are highly unlikely to result in any adverse ecological impact. We therefore have no objection to the proposed changes.

LLFA – No comments due to the planning conditions being varied having no relevance to drainage.

Highways DM – Satisfied that the proposed increase in daily maximum HGV movements would not adversely impact on the operation and safety of the surrounding highway network but recommended a limit is secured by conditions. No objection.

Heritage Team – This application is within the heritage consultation criteria, given the adjacent listed buildings. However, given the continued nature of the proposals there is not felt to be any likely impact on the setting of the listed buildings and therefore there is no need for detailed heritage comments.

BC Public Health – No comments received.

Waste Management BC – No comments received.

North Area Conservation and Design – No comments received.

Minerals and Waste Policy – No comment received.

Environment Agency – No comments received.

Historic England – No comments.

Environmental Health Officer –

Noise

The acoustic assessment carried out by LFA acoustics indicates that the additional traffic movements associated with the variation of condition 6 would result in a 1dB increase in overall site noise at the nearest receptors. Site noise would still be well within the previous planning limits. This memo does not include comments relating to air quality and contaminated land, where relevant, these comments will be provided separately. There are therefore no environmental health objections to the variation of conditions 6 and 11.

Air Quality

I have reviewed the documentation which has been submitted with this planning application including the Air Quality Statement, reference J00765/VAR-AQS-V1, written by Integrated Skills.

The site is located in the south western part of Westcott Venture Park with access taken through the Venture Park to the roundabout junction with the A41 and to the wider main road network. There is no direct access to the local Westcott village. The above application proposes an increase in the number of heavy goods vehicles accessing the site from 50 per day to 150 per day. This will result in a total increase of 100 vehicles per day.

The Institute of Air Quality Management has issued planning guidance (Land-Use Planning and Development Control: Planning for Air Quality (January 2017)) outlining when an air quality assessment is required as part of a planning application. Table 6.2 of this guidance states that when a development will cause a significant change in Heavy Duty Vehicle (HDV) flows on local roads with relevant receptors and there will be a change of HDV flows of more than 100 AADT (Annual Average Daily Traffic) in areas outside an Air Quality Management Area (AQMA) an air quality assessment will be required.

As outlined above this application proposes to increase the number of heavy goods vehicles entering the site by 100 vehicles per day. The site is also not within or adjacent to an Air Quality Management Area. Therefore, the criteria set out above has not been met so an air quality impact assessment will not be required.

In addition, section 1.9 in the Air Quality Statement and section 4.27 of the Planning Statement states that there will be no reason to travel through Westcott village unless making local deliveries or collections. Therefore, the proposed increase in the number of vehicles accessing the site will not have an adverse impact on air quality within the village of Westcott.

With regards to emissions from the site, the site operates under an Environment Permit issued and regulated by the Environment Agency. This permit will contain several conditions including

condition(s) in relation to the emissions of dust from the site which the operator must meet. If these conditions are breached enforcement action can be taken by the Environment Agency. A Dust Management Plan has also been written for the site which has been approved by the Environment Agency in addition to a Dust Suppression Scheme for the wood and inert storage yard which is already in place. Therefore, I do not envisage that there will be any adverse impact on local residents in connection to dust from the site.

Recommendation: An Air Quality Impact Assessment is not required to be submitted for the above application and there is no requirements for any conditions in relation to air quality

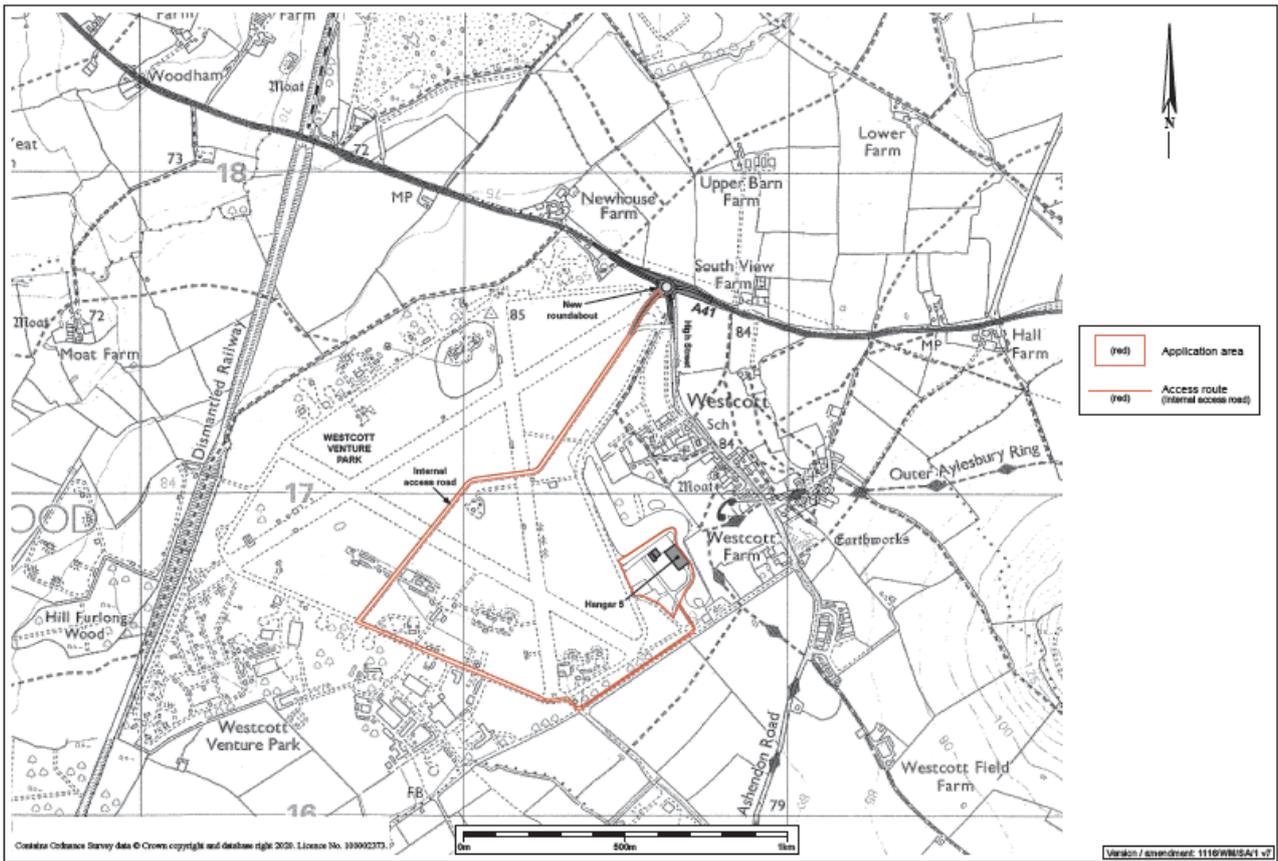
Oxfordshire County Council – No comment received.

Representations

12 Comments have been received supporting the proposal and 43 comments objecting to the proposal. In summary the comments raised the following matters:

- Noise Impacts
- Dust
- Land use conflict with the wider Venture Park uses and proximity to Westcott.
- Traffic / Congestion (Especially via Westcott and Ashendon)
- Lighting impacts
- Impacts upon health
- Highway Safety

APPENDIX B: Site Location Plan



D.K. Symes Associates

Location Plan showing Access Route

Scale - 1:10,000 (at A3)

Date - 26-11-2020

Plan No. 1116/WMSA/1

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