



# Growth, Infrastructure & Housing Select Committee agenda

Date: Thursday 15 December 2022

Time: 10.00 am

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

## Membership:

D Carroll (Chairman), T Hogg (Vice-Chairman), A Baughan, N Brown, S Chapple, Q Chaudhry, I Darby, C Etholen, T Hunter-Watts, M Hussain, N Marshall, C Poll, S Rouse, D Town and S Wilson

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<b>Agenda Item</b>	<b>Time</b>	<b>Page No</b>
<b>1 Apologies for Absence/Changes in Membership</b>		
<b>2 Declarations of Interest</b>		
<b>3 Minutes of the Previous Meeting</b>		<b>5 - 12</b>

That the minutes of the meeting held on 6 October 2022 be confirmed as a correct record.

#### **4 Public Questions**

Public Questions is an opportunity for people who live, work or study in Buckinghamshire to put a question to a Select Committee. The Committee will hear from members of the public who have submitted questions in advance relating to items on the agenda. The Cabinet Member, relevant key partners and responsible officers will be invited to respond.

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|----------|---|--------------|------------------|
| <b>5</b> | <b>Call in of the decision on Little Marlow Lakes Country Park taken at Cabinet on 11th October 2022</b><br><b>Contributors:</b><br>Cllr Peter Strachan, Cabinet Member for Planning and Regeneration<br>Cllrs Stuart Wilson and David Watson<br>Steve Bambrick, Service Director, Planning & Environment<br>Nick Graham, Service Director, Legal and Democratic Services<br><br><b>Supporting Papers:</b><br>Call in Report and Appendices<br>Call in Request<br>Monitoring Officer response to Call in<br>Cabinet Report and Appendices considered at Cabinet on 11 <sup>th</sup> October 2022<br>Cabinet Minutes Extract from 11 <sup>th</sup> October 2022<br>Extract of Buckinghamshire Constitution detailing Call In Procedure<br><a href="#">Cabinet Decision and Supporting Papers</a> | <b>10:15</b> | <b>13 - 104</b>  |
| <b>6</b> | <b>Aylesbury Garden Town Update</b><br>Members will receive a programme update on the Aylesbury Garden Town programme and Aylesbury town centre activity.<br><br><b>Contributors:</b><br>Cllr Martin Tett, Leader of the Council<br>Claire Phillips, Head of Strategy & Partnerships  | <b>11:30</b> | <b>105 - 116</b> |
| <b>7</b> | <b>Member Engagement in Planning Review Update</b>  | <b>12:10</b> | <b>117 - 132</b> |

Members will receive an update on the Member engagement in Planning review.

**Contributors:**

Cllr Peter Strachan, Cabinet Member for Planning and Regeneration

Steve Bambrick, Service Director, Planning & Environment

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| <b>8</b> | <b>Work Programme</b>   | <b>12:30</b> | <b>133 - 134</b> |
|          | The Committee will discuss and note the Work Programme for future meetings. |              |                  |
| <b>9</b> | <b>Date of Next Meeting</b>   |              |                  |
|          | The next meeting will take place on 16th February 2023 at 10.00 a.m.        |              |                  |

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## Growth, Infrastructure & Housing Select Committee minutes

Minutes of the meeting of the Growth, Infrastructure & Housing Select Committee held on Thursday 6 October 2022 in The Oculus, Buckinghamshire Council, Gatehouse Road, Aylesbury HP19 8FF, commencing at 10.00 am and concluding at 12.26 pm.

### Members present

D Carroll (Chairman), T Hogg, A Baughan, Q Chaudhry, I Darby, M Hussain, N Marshall, C Poll, S Rouse, S Wilson, P Brazier and S Morgan

### Others in attendance

R Stuchbury, T Fowler, J Chilver, M Winn, P Strachan, J Cheston, N Dicker, D Eggleton, R Hart and R Brake

### Agenda Item

#### **1 Apologies for Absence/Changes in Membership**

Apologies for Absence had been received from Councillors Nic Brown, Sue Chapple, Carl Etholen.

Councillor Susan Morgan was in attendance substituting for Councillor Tom Hunter-Watts.

Councillor Peter Brazier was in attendance substituting for Councillor Derek Town.

#### **2 Declarations of Interest**

Councillor Thomas Hogg declared an interest in item 7, National Modern Design Code Pilot Update, due to involvement in work establishing the code.

#### **3 Minutes of the Previous Meeting**

The minutes of the previous Joint Select Committee – Communities & Localism and Growth, Infrastructure & Housing meeting held on 13<sup>th</sup> July 2022 were agreed as an accurate record.

#### **4 Chairman's update**

The Chairman noted the response received from the Leader regarding the Visitor Economy Item discussed at the previous meeting.

## 5 Public Questions

There were no public questions.

## 6 Local Plan for Buckinghamshire Update

The Chairman welcomed Cllr Peter Strachan, Cabinet Member for Planning and Regeneration, Darran Eggleton Head of Service for Planning, Policy and Compliance, John Cheston, Planning Policy Manager and Rosie Brake, Planning Policy Team Leader to the meeting.

Councillor Robin Stuchbury submitted a question for the Cabinet Member and Officers to consider.

*While the local authority subgroup and officers are working on putting together a sustainable development plan for Buckinghamshire - What work is being undertaken to ensure policies are written into the new development plan, in respect to providing contributions from developers towards health services within Buckinghamshire through infrastructure levy or section 106 Agreements in partnership with the NHS? Noting at this point no serious contributions have been collected to mitigate from developers in North Buckinghamshire.*

*At what point will there be for consultation with the greater membership of Buckinghamshire Council, and are Buckinghamshire Council reaching out to partner councils and parishes soon to gain their involvement in these important matters? which will affect how Buckinghamshire grows and becomes prosperous in the coming years through the new Buckinghamshire development plan.*

The written response to the question has been attached to the minutes.

The following points were highlighted from the report:

- The Council was awaiting an update on proposed planning reforms from central government, this would provide a steer for the Council in how they can pursue development of the Local Plan.
- It had been rumoured that the Council would be permitted to take a more local approach - rather than the top-down approach of housing targets, the plan would be built with local support. The Cabinet Member emphasised that this is the ideal approach to development of the Local Plan.
- The timeline was outlined in the report, if Buckinghamshire Council followed the 30-month timetable from the first quarter of 2024, the Local Plan for Buckinghamshire could be submitted to the Secretary of State in quarter 2 of 2025.
- Technical work was ongoing, as well as the call for sites which would inform the housing and economic land availability assessment. The key components would be the housing allocations.
- Results from the attitudes survey findings had been outlined and published.

During discussion, comments and questions raised by the Committee included:

- Policy BE3 in Wycombe Local plan provides for medical centre facilities in Bourne End and Wooburn, however Section 106 funds were not allocated for this. The CCG had responded that they believe section 106 funds should be used for this. It was emphasised that existing policies should be followed.
- Officers were working to consider the Investment Zone proposals before any expression of interest was made. While investment zones attracted additional funding, there was the expectation that further development would be included.
- Members were assured that Green Belt protection continued to be pursued by the Council, with several recent planning applications rejected. It was recognised that it is possible to build on the Green Belt only under very special circumstances.
- The Head of Planning Policy and Compliance expressed their confidence that the budget set aside would be sufficient for development of the Local Plan.
- Referencing 2.6i in the report, concern was expressed that neighbourhood development plans were being interpreted poorly by the Council. Officers clarified they do have full weight in the determination of planning applications and appeals, the misinterpretation would be discussed with the Member concerned.
- Following adoption of the Local Plan, parishes have the option to update Neighbourhood plans to conform with any updated strategic policies.
- The Committee was reassured that there was adequate staffing in Planning teams to enable the development of the Local Plan. The large number of vacancies present at the formation of the Council had been subsequently filled successfully.
- The Council is obliged to complete the local plan by 2025, however it can only progress when information, regulations and raw data are available. There was a lack of clarity in the Levelling up and Regeneration Bill, and subsequent secondary legislation would be needed to provide greater detail on how local plans should be prepared. 2024 was envisioned for when a new planning system might be fully in place that could enable the Council to develop their local plan within its framework.
- The attitudes survey findings would allow residents' views to be incorporated into the plan, this included developing the objectives of the plan around environmental sustainability, housing and jobs. Policies would then be drafted to deliver against these objectives.
- The Plan policies would ensure that any greenfield developments would meet the specified requirements. These could include key infrastructure and education requirements.
- It was confirmed that Transport for Buckinghamshire were statutory consultees and the Council would co-ordinate with them and other key organisations during the development of the Local Plan.
- Affordable housing requirements currently vary by location, e.g. 48% on greenfield sites in the Wycombe area and 25% in Aylesbury Vale area which reflects land value. Evidence would be gathered in viability studies on land

values to determine affordable housing targets in the new Local Plan.

- The five-year housing supply is currently calculated using former district council areas, as this allows more control over development. Once the Local Plan is adopted, it would be calculated using the county as a whole.
- A decision has not yet been made to equalise Community Infrastructure Levy (CIL) across the county. The national Infrastructure Levy proposal by central government, if implemented, would bring levy payments to the former Aylesbury Vale area. The charging schedules would be reviewed should the Infrastructure Levy be implemented nationally.
- S106 contributions received for particular projects or initiatives need to be spent within the timescales specified to avoid the need for money to be returned to developers after the expiry period. CIL was noted as less prescriptive than section 106 agreements, which increased clarity for the developer.
- Members were supportive of cooperation with the Health and Social Care Select Committee on the topic of Primary Care. This would be reviewed by the Chairman and Officers to decide the best approach.
- Concern was expressed over the number of second homes in Buckinghamshire, Officers would look into the statistics and compare them to Devon, Cornwall and other authorities. **ACTION: Darran Eggleton**

The Chairman thanked all contributors to the discussion.

## **7 National Model Design Code Pilot Update**

The Committee received an update from Cllr Peter Strachan, Cabinet Member for Planning and Regeneration and Rebecca Hart, Natural Environment Manager on the Buckinghamshire National Model Design Code Pilot.

During the presentation, the following points were highlighted:

- A design code is a set of concise codes for the physical development of a site or area.
- In 2021, the government published a draft national model design code and invited Councils to take part in a pilot programme to test the production and use of Design Codes. Buckinghamshire was 1 of 15 successful pilot teams and 1 of only 3 producing an authority-wide code.
- Buckinghamshire Council was developing a 2 tier code, a high level “A Code”, focusing on strategic and structural issues, and a more specific local code “B Code”, including architectural designs and materials.
- In absence of a local design code, the Council would have to refer to the National Model design code as a material planning consideration. This could be problematic for Buckinghamshire as the National Model Design code has a more metropolitan focus.
- Engagement with the public took place through the website [Bucks.place](https://www.bucks.place). This was developed during the COVID Pandemic, where face-to-face interaction wasn't possible. This is the primary method for the public to engage prior to a formal consultation, expected winter 2023. It was noted that this



engagement method wasn't the best method for every demographic/age group.

- The project has overrun past the original 6 months' timescale set by the pilot. This was due to the extensive work required in developing a design-code, and none of the 3 local authorities producing an authority-wide code finished within 6 months.
- Following completion of the Design Code, options included full adoption as a Supplementary Planning Document (SPD), partial adoption as a SPD, guidance only with some weight, or further iteration and eventual inclusion in the Buckinghamshire Local Plan.

During discussion, comments and questions raised by the Committee included:

- Communications had been issued, including Twitter and Facebook advertisements. Due to the project taking place during the pandemic, the budget was structured around the use online engagement. Findings from the pilot projects noted that interest was higher for the more local codes and engagement via in-person events would've attracted a wider audience.
- A draft design code draft was expected to be ready for testing within the next few months. Once the Council is confident, public engagement will take place for feedback.
- Additional time was required due to the scale of the code and the need to ensure the code is correct. There was no expected additional cost to the Council from this project.
- A Member expressed concern over the work required for local Town & Parish Councils to develop a design code, and the amount of guidance necessary from Buckinghamshire Council which could incur high costs.
- The lessons learnt from the Pilot would be used to apply the codes. Guidance was being developed to assist Town & Parish Councils. It was noted that local codes could also be developed by Buckinghamshire Council.
- Localised Codes, "B Codes" could be within a Town/Parish area, or a particular character area. The difficulty was recognised in building codes suitable for a whole area and that codes could be limited in scope to address this. Codes when designed would have flexibility built in for modern architectural differences.
- It was clarified that Section 106 agreements were not affected by the use of design codes.

## **8 Affordable Housing Update**

The Chairman welcomed Cllr Mark Winn, Cabinet Member for Homelessness and Regulatory Services, Cllr John Chilver, Cabinet Member for Accessible Housing and Resources, and Nigel Dicker, Service Director, Housing and Regulatory Services to the meeting.

The following points were highlighted from the report:

- The Cabinet Member for Homelessness and Regulatory Services noted and recognised the difficulty in addressing the need for affordable

housing within Buckinghamshire.

- Housing costs in Buckinghamshire are far above average for the whole of England. The price of land was expensive and this affected the ability to house key workers and recruit staff for key sectors.
- In Buckinghamshire, developers continued large house building projects, averaging 643 homes a year (Aylesbury & Wycombe areas) affordable homes since the unitary authority formed in 2020.
- Affordable Housing by definition is up to 80% of market rent. It was acknowledged that this was too expensive for many within the county due to high costs.
- There are 4800 people registered on Bucks Home Choice awaiting social housing.
- Discussion was ongoing with Buckinghamshire Councils registered providers to see how we could increase the number of affordable homes. A small development was set to be announced that looked at providing affordable homes at social rent level for over 55's who are looking to downsize.
- The number of empty homes has been catalogued for Buckinghamshire, work would now take place to review these properties. This would be part of the Housing Strategy.
- Opportunities were available to use Section 106 funds to convert affordable housing to socially rented. Within the planning system, breaking down the definition of required affordable housing to include socially rented could be looked at.
- The delivery of affordable housing on council owned land continued to be investigated. An update on the progress of the former Stoke Mandeville sports & social club site was highlighted in the report. Cabinet approval was given for 30 units out of 100 for affordable housing units. This was called into GHIS and was again considered by Cabinet on 12/7/2022 when permission was given to work towards submitting an outline planning application
- Outline planning permission had been secured for the site at Horns Lane which included affordable housing provision of 48 percent in accordance with the Wycombe Local Plan. This followed a public consultation which included local Members and other stakeholders.
- The Cabinet Member for Accessible Housing and Resources drew attention to several developments. Outline planning consent had been secured for 68 apartments of affordable housing on Bellfield Road in High Wycombe subject to reserved matters. Collins House on Desborough Road was in the process of being transferred to a Housing association, where the Council will retain 100 percent of nomination rights on units constructed, ensuring they are usable by those on the Buckinghamshire Housing register.

During discussion, comments and questions raised by the Committee included:

- Members expressed concern on the length of time it was taking to achieve development of affordable housing. The Council aimed to

accelerate delivery as quickly as possible, however the complexity of affordable housing proposals could limit these efforts.

- The Cabinet Member for Accessible Housing and Resources assured the Committee that there were significant potential numbers of truly affordable housing from Council owned assets. Where development was pursued, it was noted there had been significant pushback from local Town and Parish Councils in some cases.
- The Key Worker Housing definition was considered wide ranging and the need for Key Working Housing questioned. A survey was done to establish the case for a need for key worker housing, and recruitment shortages for key workers was noted as prevalent for Police/NHS/Fire service and internally for front line Council staff which key worker housing could address.
- Affordable Housing could be converted from affordable rented [up to 80% of market rate] to around the more affordable social rented level [50% of market rate] levels through a variety of means including the use of section 106 and right to buy receipts and this had been achieved previously at Aylesbury Vale District Council.
- Concerns were raised about flooring - when new tenants moved into social housing in some cases flooring was not provided. There were charities and support mechanisms in place to assist those who needed this. Previous Carpets were sometimes gifted to new occupants where appropriate.
- The affordable housing position statement was noted as an interim statement while the Housing Strategy was being put together. Milestones were not present in the interim statement but these could be incorporated into the Housing Strategy.
- Purchasing new properties to convert to Affordable Housing had also been considered however wasn't considered viable.
- The purpose of the development of the former Bucks sports and social club was confirmed as a net loss to the council, but was being developed to deliver on the aspiration for affordable and key worker housing and to regenerate a site in decline. The development would still allow for significant public green space.
- The Cabinet Members recognised the urgent need for affordable housing. Along with the use of Council owned assets, and development agreements, the development of the local plan which would include provisions to address this. The Housing Strategy would also examine the efficient use of the Housing stock, as well as possible usage of Section 106 funds to convert 'affordable housing' to socially rented.
- The number of households awaiting social housing was increasing. A Member reported that there were 480 new social housing applications per month, but only 154 lettings per month.
- Members raised concerns about the existing level of registrations on Bucks Home Choice and the additional pressures that might arise with demand from Ukrainian refugees and possible increase in homelessness due to the cost of living crisis.

- All vacant properties were under constant review and brought back into use where possible. The Council was actively seeking new opportunities where they could house people on a temporary basis. These include looking at opportunities for using former care homes.
- Waiting times for social housing were reported to vary across the county, from several months to years and might be dependent on the size of property required and the location. For example those seeking 1-bed housing typically had lower waiting times compared to families seeking larger homes and residents in the south of the county could face longer waiting times.
- Resources were acknowledged as a limiting factor in pursuing Affordable Housing aims and Members were assured that Cabinet Members were pursuing all avenues to achieve this.
- The Cabinet Members were happy to attend the committee in future and further address Members concerns. The Housing Strategy would likely return to the committee at a future date for scrutiny. **ACTION: Nigel Dicker/Michael Veryard**

## **9 Work Programme**

Members were advised to contact the Scrutiny Officer for the committee with any additional topics they wished to be included in the Growth, Infrastructure and Housing work programme.

## **10 Date of Next Meeting**

The next meeting of the Growth, Infrastructure and Housing Select Committee would be on 1st December 2022 at 10am.

*\*Subsequent to the meeting the date was changed to 15th December 2022 at 10am.*



## Report to Growth Infrastructure & Housing Select Committee

**Date:** 15 December 2022  
**Title:** Little Marlow Lakes Country Park  
**Author:** Steve Bambrick

**Recommendation: To take no further action in relation to the Cabinet Resolution of 11 October 2022 regarding Little Marlow Lakes Country Park and to enable the development of a scheme and business case to proceed on land within the Council's ownership; which as a minimum would meet the criteria of being designated as a Suitable Alternative Natural Green Space.**

### Background

1.1 On the 11 October 2022 Cabinet considered a report on the future of Little Marlow Lakes Country Park and resolved:

- (1) That the lack of formal designation for Little Marlow Lakes Country Park be NOTED.
- (2) That the Service Director of Culture, Sport and Leisure be authorised, in consultation with the Cabinet Members for Accessible Housing and Resources, and Culture and Leisure, to develop a scheme and pursue formal designation of land within the Council's ownership as a Country Park which as a minimum would be a Suitable Alternative Natural Greenspace (SANG) compliant facility.
- (3) That it be agreed not to pursue formal designation to regularise the status of the whole area allocated in the Wycombe Local Plan (RUR4) as a Country Park as part of the initial phase of delivery but instead to retain a commitment to the wider Country Park as and when circumstances and resources permit.
- (4) That the Service Directors of Property and Assets, and Culture, Sport and Leisure, in consultation with the Cabinet Members for Accessible Housing and Resources, and Culture and Leisure, be delegated authority to agree a suitable business plan and operating model for the Country Park

which ensures the facility is delivered as a cost neutral enterprise. The business plan to be brought back to Cabinet for approval.

(5) That the Service Directors of Property and Assets, and Planning and Environment, in consultation with the Cabinet Member for Accessible Housing and Resources, be delegated authority to negotiate and agree a suitable restoration plan in consultation with Natural England for the Spade Oak Lake site which would be SANG compliant.

(6) That the planning and enforcement strategy that may be required in order to protect the Local Planning Authority position and to facilitate an amended restoration plan at Spade Oak Lake be NOTED.

(7) That the Service Director of Property and Assets in consultation with the Cabinet Member for Accessible Housing and Resources and the S151 Officer be delegated authority to negotiate and agree funding for the Country Park from S106 monies as set out in the Cabinet report.

(8) That the Service Director of Property and Assets, in consultation with the Cabinet Member for Accessible Housing and Resources, be delegated authority to enter into negotiations with the Thameside Preservation Trust on terms that would see the Country Park proposed in the Cabinet report to include both pieces of land set out in the Appendix.

- 1.2 The full Cabinet Report can be found in appendix one of this report.
- 1.3 A Call In request was subsequently submitted by Councillor Stuart Wilson supported by 32 Councillors. The Monitoring Officer considered the request to be valid to allow further consideration of the technical issues raised relating to the deliverability of Suitable Alternative Natural Green (SANG) requirements.
- 1.4 The purpose of this report is to review the ability of the Council to deliver a SANG within the constraints of the Cabinet decision on Little Marlow Lakes Country Park.

## **Main content of report**

- 2.1 The Call In request is attached in appendix two of this report. The Monitoring Officer considered that the first and second grounds for Call-In relating to the lack of consultation and insufficient scrutiny and alternative legal advice, respectively, are not valid however the third ground for Call-In relating to the Council being unable to deliver SANG requirements is valid, namely the issues raised were of a technical nature and require further consideration.

### **Planning Policy Context**

- 2.2 The site in question is the land between Globe Park/A404 Marlow and Bourne End, bounded to the south by the River Thames and the north by the A4155. Most of the

site– including the former Gravel Yard at Spade Oak Lane – is former landfill or former gravel pits. The area is dominated by Thames Water’s large sewage works (which uses the Council’s Muschallick Road, which also serves the former Gravel Yard, for frequent HGV access.

- 2.3 The site is designated Green Belt and adjacent to the Chilterns Area of Outstanding Natural Beauty. The site is allocated in Wycombe District Local Plan for outdoor recreation. Whilst the Local Plan does not purport to make the site a Country Park, it is proposed that the site should act as an alternative leisure destination to the nearby Burnham Beeches Special Area of Conservation (please refer to Policy RUR4 in Appendix Three).
- 2.4 In preparing the Wycombe District Local Plan, the Council needed to demonstrate that developments allocated in that plan, such as Hollands Farm and Slate Meadow in Bourne End, would not have an adverse impact on the National Protected Habitat and Species at Burnham Beeches Special Area of Conservation (SAC). This meant that the Council needed to undertake an Appropriate Assessment to satisfy both the Council and Natural England that residents of the new developments had a suitable alternative natural greenspace (known as a SANG) to use rather than increase the recreational impact on Burnham Beeches.
- 2.5 The Appropriate Assessment concluded;
- “Provided that the mitigation measures identified in the Local Plan are implemented, no adverse effects on the SACs integrity due to recreational pressures are foreseen, either as a result of the plan alone or in combination with other plans and programmes”*
- 2.6 The Appropriate Assessment that was completed did not rely on this area becoming a designated Country Park, but there was an expectation that the area would be available and used for public recreational purposes as an alternative country park destination, in other words, a SANG;
- "by providing an alternative local Country Park destination, improvement to the park provide an opportunity to off-set the impacts of proposed housing growth...."*
- 2.7 Policy RUR4 of the [Wycombe District Local Plan \(2019\)](#) allocates the land in its entirety for outdoor recreation. It is clearly set out in the adopted policy that any development within the country park should provide for environmental improvements, including the provision of publicly accessible open space, ecological and biodiversity enhancements, and contribute to the continued development and long-term management of the Country Park.
- 2.8 It is important to note that Policy RUR4 continues to apply to planning applications as part of the planning process. Policy RUR4 specifically states:

*Planning permission will not be granted for development within the Country Park that has an adverse effect upon the amenities or setting the River Thames, watercourses, lakes, wet woodlands, adjoining conservation areas, or listed buildings, or which prejudices the function of the area for the purposes of a Country Park.*

- 2.9 The decision taken by Cabinet does not change the allocation of the land in the Wycombe Local Plan or the protection it affords, which is understood to be a concern of local ward members given the speculative applications currently under consideration in this area. Nevertheless, the Cabinet decision would be a material consideration.
- 2.10 In 2002 Wycombe District Council adopted Supplementary Planning Guidance (SPG) for Little Marlow Gravel Pits, which includes a masterplan framework “vision” for the country park, please refer to **picture 1** below. The 2002 SPG recognised that the Council would not be implementing the masterplan directly but would look to work with developers to bring forward the proposal in the context of the existing policy framework and the guidance. Whilst the policy framework has changed, with the adoption of Wycombe District Local Plan in 2019, the SPG still carries weight in planning decisions (until it is replaced with any updated guidance note).
- 2.11 The masterplan identified a Nature Reserve on the Council’s own land, which could include a car and cycle parking and a single storey environmental visitor centre comprising a small reception area and shop, public toilets, a permanent exhibition room and a small lecture theatre. In addition, it was envisaged that picnic areas and barbeque facilities could be provided in a number of locations throughout the area.
- 2.12 It was also anticipated that a hogging footpath be provided around the perimeter of the lake, with viewing points set down at the waters’ edge at regular intervals. Additional native trees and shrub planting would be required in appropriate locations around the perimeter of the lake, with possible wet land area. A further facility could be the introduction of hides for bird watchers.



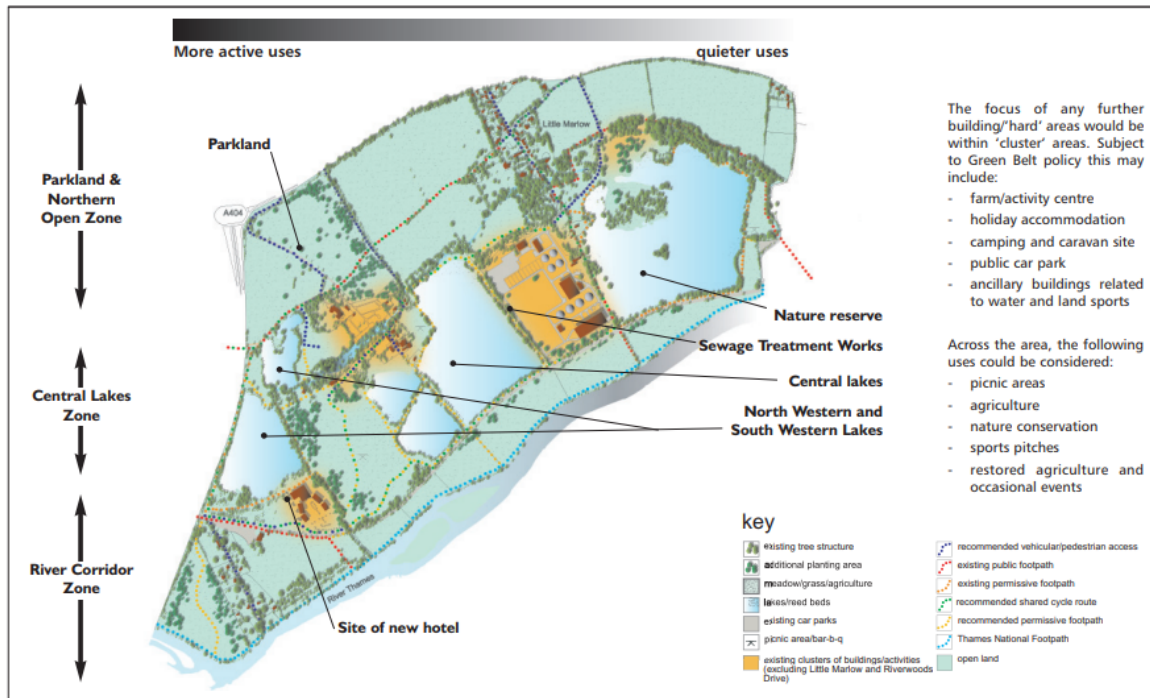


Figure 9 - Masterplan

*"A Vision for Little Marlow Lakes Country Park"*

**Picture 1 – Masterplan for Little Marlow Lakes Country Park (2002)**

- 2.13 In August 2021 the Council adopted a Development Brief for Hollands Farm allocation at Bourne End, policy 'BE2' of the Wycombe Local Plan. As part of the Development Brief an Appropriate Assessment was undertaken to satisfy the Council as Competent Authority in consultation with Natural England that residents of the new development would have a SANG to use rather than increase the recreational impact on Burnham Beeches. A list of mitigation measures was identified at Little Marlow Lakes Country Park, utilising land within the Council's ownership and the existing rights of way network (please refer to appendix 4). The total value of the works identified was £1,198,259 and included improvements to footpaths/cycleways, provision of new signposts, Way markers and information boards, dog waste bins, benches and a new car park.
- 2.14 It was deemed, in consultation with Natural England, that the mitigation identified in the Development Brief, would provide suitable SANG to support the Hollands Farm allocation in the Wycombe District Local Plan if the identified priorities are implemented.

## **SANG Requirements**

- 2.15 Guidance on what would make an area SANG compliant (alongside Country Park accreditation) is contained in appendix 5. This needs to be read in the context that this guidance was created by Natural England for the Thames Basin Valley Heath Special Protection Area but is promoted by Natural England to guide council's in preparing their SANG mitigation strategies. Whilst the guidance offers criteria for the likely requirements, each site will be assessed by the Council as Competent Authority in consultation with Natural England and considered in the local context.
- 2.16 The Call-In request raises a number of technical concerns regarding the ability of Buckinghamshire Council to deliver a SANG within the constraints of the Cabinet decision. In particular, within the limitations of land within the Council's ownership. The following section seeks to address the concerns raised in relation to the deliverability of SANG to support allocated development in the Wycombe Local Plan.

### **The dominance of the Little Marlow Treatment Works**

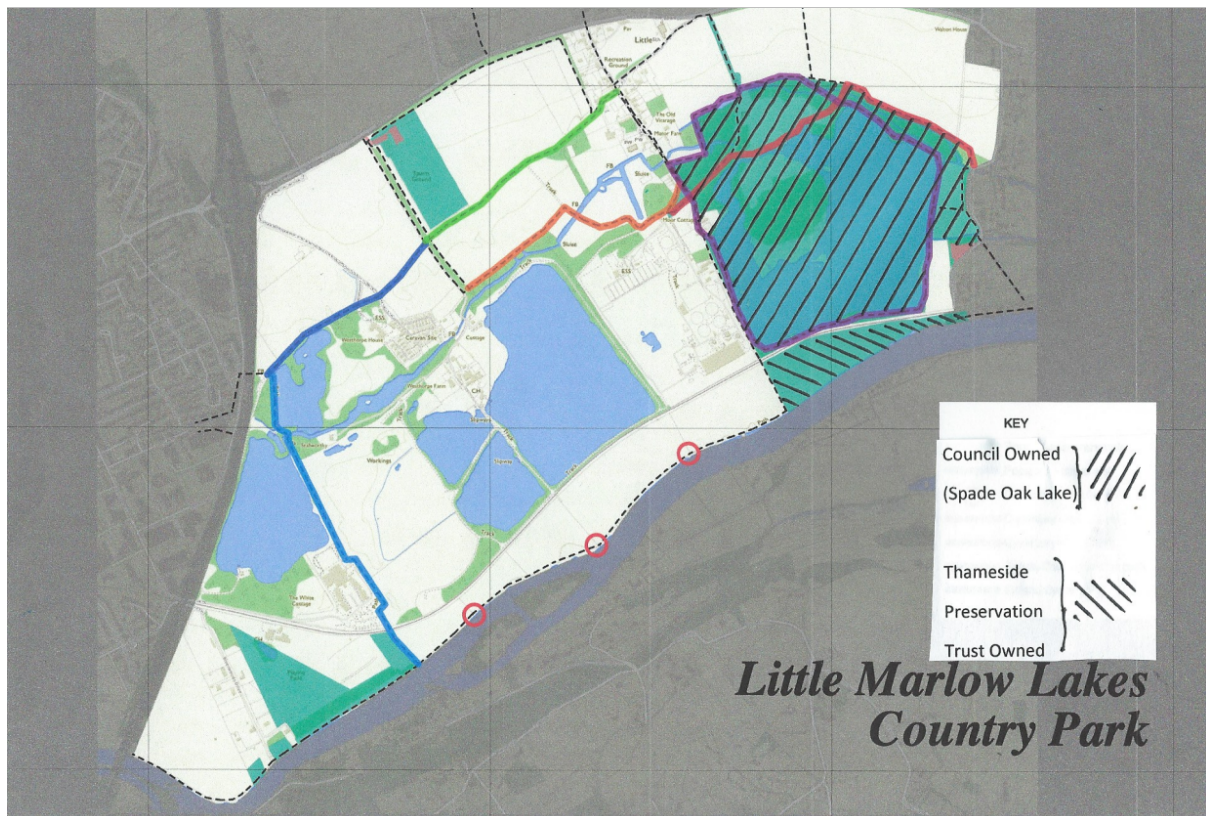
- 2.17 The Cabinet Report noted the dominance of the Little Marlow Treatment works and this was a consideration in the decision-making process. For ease the Little Marlow Treatment works is edged red on the aerial photo in **picture 2** below.



**Picture 2 – Location of Little Marlow Sewage Treatment Works**

- 2.18 Concerns have been expressed that the presence of the Little Marlow Treatment works would limit the Council’s ability to deliver a SANG on the land within the Council’s ownership, as defined in **picture 3** below.
- 2.19 The SANG guidance contained in Appendix 5 states as a criterion to assess quality of provision that there should be “*no unpleasant intrusions (e.g. sewage treatment smells etc)*”. It should however be noted that this is guidance produced for the Thames Basin Valley Heath Special Protection Area. Whilst this provides useful context of the likely requirements, the suitability of each site must be individually assessed in consultation with Natural England.
- 2.20 In this regard it is important to note that the site was allocated in Wycombe District Local Plan, in consultation with Natural England, for recreation purposes as an alternative Country Park destination to Burnham Beeches. In doing so consideration would have been made to the presence of the Little Marlow Treatment works.

- 2.21 It was also recognised in the 2002 SPD, as part of the masterplan, that the area around the sewage works would benefit from additional structure planting to integrate any changes into the landscape. This would need to be considered as part of the development of the scheme for a Country Park, as resolved by Cabinet.



**Picture 3 - Council Owned Land**

- 2.22 Furthermore, the Hollands Farm Development Brief has identified a list of mitigation measures, utilising land within the Council's ownership and the existing rights of way network which has been deemed to be SANG compliant, in consultation with Natural England.
- 2.23 The Cabinet resolution to develop a scheme and pursue a formal designation of land within the Council's ownership as a Country Park, would therefore be able to deliver the necessary SANG to mitigate the impact of planned growth. This would however be further considered as part of the detailed design and associated business case.

### **Circular Walk**

- 2.24 The SANG guidance contained in Appendix 5 states as a criterion to assess quality of provision that there should be "A circular walk of 2.3-2.5km". This is possible within the site and utilising the existing rights of way network, as illustrated in Appendix 6 The principal of this has been accepted as part of Wycombe District Local Plan and

the adopted Hollands Farm Development Brief, both with Natural England’s support. The illustrated circular walk in the Final Appropriate Assessment is approximately 2.8 kilometres as shown in **Picture 4** below.

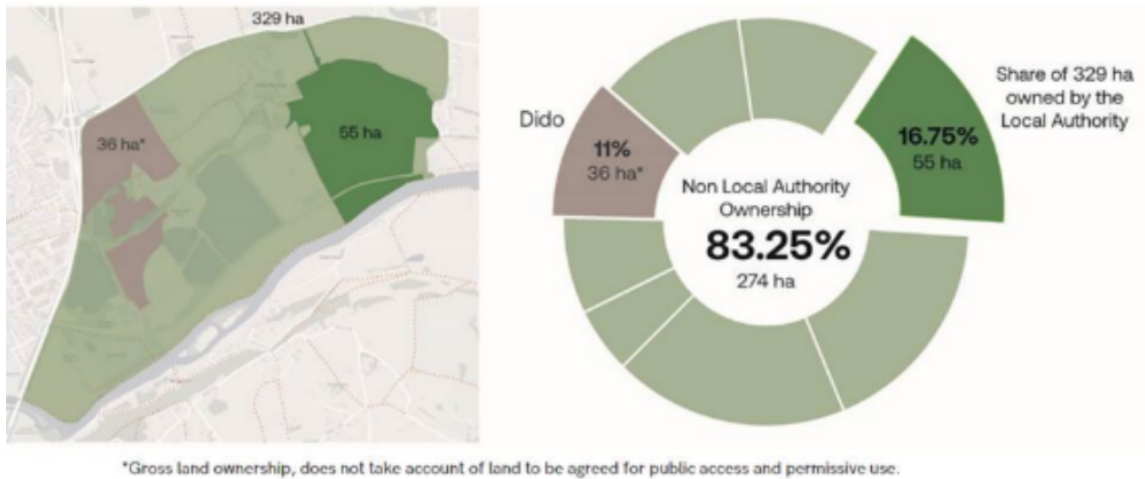


**Picture 4 – Hollands Farm Development Brief, Appropriate Assessment, Circular Walk**

- 2.25 In addition, as part of the Cabinet resolution, delegation has been given to the Service Director of Property and Assets in consultation with the Cabinet Member for Accessible Housing and Resources, to enter into negotiations with the Thameside Preservation Trust to include the pieces of land adjacent to the river Thames, as indicated on **picture two**. If successful, this will provide further opportunity to link into the Thames Path.
- 2.26 The location and design of the circular walk would form part of the scheme development and associated business case. Consideration will also need to be paid to the location of footways in relation to Marlow Gravel Pits Biological Notification Site, which covers approximately 20% of the total study area and is designated primarily for its bird interest.

**Council Land Ownership**

- 2.27 The Call-In request raises concerns that the Cabinet Report incorrectly states that the area of Council land is 80ha. The Cabinet Report sets out at paragraph 2.6 the total extent of the land owned by the Council, and by other parties.
- 2.28 **Picture 4** below (prepared in 2021 by Dido) indicates the total extent of the land and the land owned by the Council, and by other parties:



**Picture 4 - Extent of Landownership**

- 2.29 The illustration clearly denotes the share of the 329 ha is 16.75% (55ha). This is also referred to at paragraph 2.20 of the Cabinet Report. As such, in reaching a decision Cabinet were fully aware of the correct area of Council landownership.
- 2.30 The Call-In request raises concerns that the land within the Council’s ownership is made up of water, which limits the scope for free roaming beyond the existing footpaths. The SANG guidance contained in Appendix 5 states as a criterion to assess quality of provision that there should be *“Access unrestricted – plenty of space for dogs to exercise freely and safely off the lead”*. However, this does not fetter water being a great component of a SANG, indeed it is a visually attractive pull factor for alternative recreational space. Natural England's SANG Quality Guidance August 2021 states:
- 2.31 “It is desirable that SANG provide a naturalistic space with areas of open (non-wooded) countryside and areas of dense and scattered trees and shrubs. The provision of open water is encouraged and desirable on sites”.
- 2.32 The ability to incorporate the lakes into the SANG, would provide an attractive alternative destination to the wooded area of Burnham Beeches. Whilst not all of the hectareage of the lake can be counted in the hectareage required for recreational capacity, the area is of a sufficient size to accommodate the planned growth in the current Local Plan. This in principle has been accepted through the adopted Hollands Farm Development Brief.
- 2.33 The capacity of a SANG is predicated on several factors and this will be determined as part of the scheme development and associated business case, noting that there may be potential to off-set further impacts on Burnham Beeches SAC.
- 2.34 It should further be noted that whilst Cabinet resolved not to pursue a formal designation to regularise the status for the entire area allocated in Wycombe Local Plan (RUR4) as a Country Park, there remains a commitment to the wider Country

Park as and when circumstances and resources permit. It should also be noted that the 2002 SPG was not produced for SANG as Burnham Beeches mitigation requirements only became an issue from 2017.

### **Scheme Details and Costs**

- 2.35 The Call-in request has also raised concerns that no details or costs have been provided for an 'alternative restoration plan' to deliver a SANG compliant Country Park. The Cabinet resolution was to authorise the development of a scheme, which would be as a minimum SANG complaint and to produce a suitable business plan and operating model.
- 2.36 The scheme details and associated costs are therefore subject to this work, with the business plan to be brought back to Cabinet for approval.

### **Next steps and review**

- 3.1 The desired outcomes of the Call-in request are set out below:
- *Set up a Project Board comprising local Members, Parish Councillors, Officers in consultation with landowners and business interests to develop options and implications for consideration.*
  - *Revisit the WDC legal advice and Resolution; seek additional legal advice on interpretation of the CROW Act 1968 and the powers and options available to BC to deliver considered options.*
  - *Conduct a thorough public consultation on draft options and implications.*
  - *Develop a vision based on outcomes for LMLCP (per South-West Chilterns Community Board discussions in Q1 2022).*
  - *Make formal recommendations to Cabinet Members for Cabinet (and Council) for resolution.*

- 3.2 Taking each of those desired outcomes in turn:

#### **Set up a Project Board**

The Cabinet resolution authorises the preparation of a business plan for the Country Park. As with any major project of this nature, a cross departmental project board will be established to oversee the delivery of such a plan. Local members and other key stakeholders will be engaged by that project board throughout the process.

#### **Revisit the WDC legal advice**

Questions were raised at the Cabinet meeting about the validity of the Council's legal advice and the Director of Legal and Democratic Services is on record in providing a very clear response, setting out his confidence in the advice to the Council. There is therefore no further requirement to revisit the advice.

### **Conduct a public consultation on draft options**

At the appropriate time, when a business plan for the site has been developed, a public consultation will be held. There is however no merit in holding a consultation ahead of that time if some or all of the possible outcomes are likely to be undeliverable.

### **Develop a vision based on outcomes**

The resolution of Cabinet seeks a realistic and deliverable business plan for the site which will facilitate the outcomes envisaged in the adopted Wycombe Local Plan. This remains the most appropriate course of action for the site and most likely to deliver a valued recreational outdoor space for Little Marlow

### **Make formal recommendations to Cabinet members**

The recommendation of this report is that the GIH committee takes no further action and enables the original decision of Cabinet to be implemented without delay

## **Conclusion**

- 4.1 The site has a complex distribution of land ownership, which raises significant complex issues in terms of land assembly. The only way to guarantee a SANG that meets the requirements of Natural England, as mitigation for the current planned growth within the Local Plan, is to deliver a scheme on the Council's own land and utilising the existing right of way network.
- 4.2 Natural England are supportive of the approach being taken by the Council, which will ensure the delivery of a SANG in this area of Buckinghamshire and would also meet the criteria of a designated Country Park.
- 4.3 It is therefore recommended that the Growth Infrastructure and Housing Select Committee take no further action and enable the Cabinet decision in relation to Little Marlow Country Park to be implemented and to proceed with the development of a scheme and business case for SANG and Country Park designation compliance on the Council's land.



4.4 Finally, in the interim period whilst a scheme is being developed, Natural England continue to support developments in the Wycombe Local Plan area paying a financial contribution towards the Burnham Beeches Strategic Access Management and Monitoring strategy (SAMM) in accordance with the Council's adopted Supplementary Planning Document. There is only limited capacity for this approach to continue and therefore important that the Country Park work is progressed.

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## Report to Cabinet

<b>Date:</b>	11 <sup>th</sup> October 2022
<b>Title:</b>	<b>Little Marlow Lakes Country Park</b>
<b>Cabinet Member(s):</b>	Cllr Strachan and Cllr Harriss
<b>Contact officer:</b>	Steve Bambrick
<b>Ward(s) affected:</b>	Flackwell Heath, Little Marlow and Marlow South-East
<b>Recommendations:</b>	<b>For Cabinet to consider and note the contents of this report. It is recommended that Cabinet:</b>

- Consider the report and note the lack of formal designation for Little Marlow Lakes Country Park; and
- Agree in principle and authorise the Service Director of Culture, Sport and Leisure in consultation with the Cabinet Members for Affordable Housing & Resources; and Culture & Leisure to develop a scheme and pursue formal designation of land within the Council's ownership as a Country Park which as a minimum would be a Suitable Alternative Natural Greenspace (SANG) compliant facility; and
- Agree not to pursue formal designation to regularise the status of the whole area allocated in the Wycombe Local Plan (RUR4) as a Country Park as part of the initial phase of delivery but instead to retain a commitment to the wider Country Park as and when circumstances and resources permit; and
- Delegate to the Service Directors of Property and Assets and Culture, Sport and Leisure in consultation with the Cabinet Members for Affordable Housing & Resources; and Culture & Leisure, the authority to agree a suitable business plan and operating model for the Country Park which ensures the facility is delivered as a cost neutral enterprise. The business plan to be brought back to Cabinet for approval; and
- Delegate to the Directors of Property and Assets and Planning and Environment in consultation with the Cabinet Member for Affordable Housing & Resources authority to negotiate and agree a suitable restoration plan in consultation with Natural England for the Spade Oak Lake site which would be SANG compliant; and

- Note the planning and enforcement strategy that may be required in order to protect the Local Planning Authority position and to facilitate an amended restoration plan at Spade Oak Lake.
- Delegate to the Service Director of Property and Assets in consultation with the Cabinet Member for Affordable Housing and Resources and S151 Officer to negotiate and agree funding for the Country Park from S106 monies as set out in this report.
- Delegate to the Director of Property and Assets in consultation with the Cabinet Member for Affordable Housing and Resources authority to enter into negotiations with the Thameside Preservation Trust on terms that would see the Country Park proposed in this report to include both pieces of land set out in the Appendix.

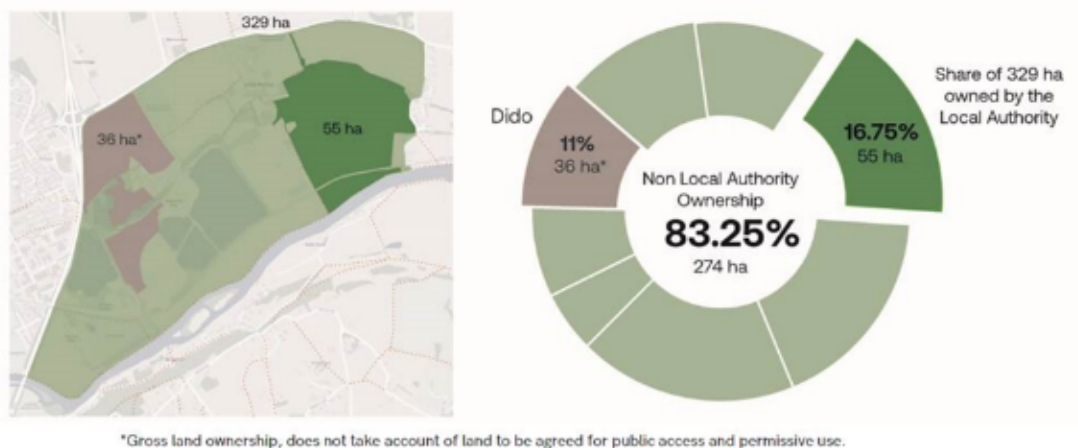
## **1. Executive summary**

- 1.1 This report concerns land between Globe Park/A404 Marlow and Bourne End, bounded to the south by the River Thames and to the north by the A4155. The area is washed over by Green Belt designation, most of it - including the former Gravel Yard at Spade Oak Lake (and the proposed Marlow Film Studios site at Westhorpe) - is former landfill, or former gravel pits. The area is dominated by Thames Water's large sewage works (which uses the Council's Muschallick Road, which also serves the former Gravel Yard, for frequent HGV access).

## **2. Content of report**

- 2.1 Proposals to create a Country Park within the area were first made in the 1960s, but neither the former Wycombe District (WDC) nor Buckinghamshire County Council (BCC) have taken any measures to progress the proposal since their joint publication and approval of the Little Marlow Gravel Pit Supplementary Planning Guidance (SPG) in 2002; until 2019, when the Council acquired Spade Oak Lake at the eastern end of the area. Prior to that, the Council's only land interest in the area was as Trustee of Spade Oak Wharf Trust (now Thameside Preservation Trust), which owns a small section of river frontage to the south of Spade Oak Lake; as leaseholder of land at Westhorpe Farm Lane, on which an athletics track was developed (in about 2018); and freeholder of part of the rugby pitches at the western end of the area.
- 2.2 In October 2017, following a recommendation from WDC Cabinet, WDC Council resolved to provide a Country Park under s.7(1) of the Countryside Act 1968 to be known as 'Little Marlow Lakes Country Park', and delegated to the Head of Community Services in consultation with the Cabinet Member for Community Services, the facilitation of delivery of the park. The Resolution was not however, by itself, sufficient.

- 2.3 The area of land to be designated as a Country Park was and continues to be in multiple ownerships, with the Council owning around 16%. For the designation to be effective, working arrangements with the other owners are required, potentially through a Memorandum of Agreement. This was reflected and acknowledged in the WDC Cabinet report but has not been done and, as such, the designation is not completed.
- 2.4 Public perception, in part is that the designation as a Country Park is already effective, through press statements at the time and statements submitted to the WDC Local Plan examination by organisations such as Little Marlow Country Lakes Country Park Community Partnership, whose membership includes: Little Marlow Parish Council , The Marlow Society, Chiltern Society, and Chiltern Rangers, together with environmental groups and residents associations.
- 2.5 Little initiative has been taken to facilitate and progress development of the Country Park since publication of the SPG in 2002. Recently, Little Marlow Parish Council has established a working group to undertake a project that aims to produce a vision for the park and have recently applied for a grant from the SW Chilterns Community Board to fund this. The Country Park has a web site, a Facebook page and appears in Wikipedia and on Trip Adviser - it is not known who owns/operates these.
- 2.6 The illustration below (prepared in 2021 by Dido) indicates the total extent of the land and the land owned by the Council, and by other parties.



- 2.7 Given that no formal steps have been taken to formally designate the Little Marlow Lakes Country Park. The Council should first consider whether there is any merit in proceeding with the WDC resolution and legacy policy to create a Country Park across the 329ha site.
- 2.8 The steps required to proceed will involve negotiations with existing landowners, most of whom will expect some form of compensation in return for their agreement.

Even then, there can be no guarantee that the landowners will agree at which point the project may be deemed to be undeliverable.

- 2.9 In addition, the Council currently has made no budget provision for either landowner compensation or for the revenue cost of operating a new Country Park in this location. Current Buckinghamshire Council Country Parks cost between £1500 and £2000 per acre per year to manage depending on the site, infrastructure, and visitor numbers. For the whole area (329ha) the costs are estimated to be between £1.22m and £1.62m per annum. However, given that the Council will only be directly responsible for the management and maintenance of the land it owns the Council's liability could be between £135.4k and £180.6k. The other landowners may challenge this as the designation could lead them to incur additional management & maintenance costs resulting from public access on their land.
- 2.10 The Council's current policy requires Country Parks to be self-funded and therefore income generating facilities (significant chargeable car park, catering, indoor facilities, toilets and play facilities as a minimum) would be required to maintain this operational status.
- 2.11 Therefore, provided a cost neutral solution could be delivered, a further option for the Council would be to consider delivering a Country Park on land that is just within the Council's ownership or control.
- 2.12 Following a solicitor's enquiry regarding the status of the Country Park, Counsel's opinion has been sought as to the risks to the Council in Planning terms, because of the lack of a formal designation.
- 2.13 The advice received is that the impact on Planning Policy is likely to be limited. The Local Plan does not purport to make the Site a Country Park. The Site is designated Green Belt and adjacent to the AONB, and any challenge to the policy would now be out of time. It is therefore considered that developers would only be able to argue that the policy should be accorded reduced weight as it was conceived on the understanding that the site was a Country Park. However, Counsel's view is such arguments would be given little weight given the long-standing allocation of the site for outdoor recreation and, moreover, any such developer would also have to address the Green Belt issue. The text of the policy itself allocates the site for outdoor recreation, although importantly it is proposed that the Country Park should act as an alternative leisure destination to the nearby Burnham Beeches Special Area of Conservation (SAC)(see RUR4 attached). This aspect is key to understanding the future potential uses of the site.
- 2.14 In preparing the Wycombe Local Plan, the Council needed to demonstrate that developments allocated in that plan, such as the Hollands Farm and Slate Meadow in Bourne End would not have an adverse impact on the European Protected Habitat at Burnham Beeches. This meant that the plan needed to undertake an Appropriate

Assessment to satisfy Natural England that residents of the new developments had a suitable alternative natural greenspace (known as a SANG) to use rather than to increase the recreational burden on Burnham Beeches.

- 2.15 The Appropriate Assessment that was completed did not rely on this area becoming a designated Country Park, but there was an expectation that the area would be available and used for public recreational purposes as an alternative country park destination, in other words, a SANG;
- 5.5.22 of adopted local plan "by providing an alternative local Country Park destination, improvement to the park provide an opportunity to off-set the impacts of proposed housing growth...."
- 2.16 The definition of what would make an area SANG compliant (in line with Country Park accreditation) is attached as an Appendix to this report.
- 2.17 It should also be noted that the Appropriate Assessment supporting the adopted development brief for the Hollands Farm allocation identified a number of mitigation measures on existing public rights of way that would make access to the Country Park SANG compliant.
- 2.18 If the Council fails to make any land available for recreational purposes, we could no longer rely on this site to mitigate the likely adverse impacts on the SAC. This would lead to restrictions in being able to approve at least one site allocated in the Wycombe Local Plan and possibly more, impacting on the Council's 5-year Housing Land Supply and increasing the risk of speculative development proposals.
- 2.19 The officer assessment of the position is that a suitable area should be provided to support the delivery of a SANG in this area. It is not essential that a formal designated Country Park be provided but a SANG compliant greenspace is essential, in accordance with Natural England's requirements, if the assumptions made when preparing the Local Plan can continue to be supported.
- 2.20 The area of land that should be made SANG compliant will need to be defined in consultation with Natural England in order to provide assurance that the site will be delivered in a reasonable timescale, it would best be provided by the Council resolving to use its own land holdings (55ha) for such a purpose. Much of the land that the Council owns in this area, namely the former Gravel Yard at Spade Oak Lake, is the subject of a restoration planning condition to return the site to a nature reserve. This condition is currently in breach and needs to be complied with by the end of the year (December 2022).
- 2.21 A new planning application is therefore likely to be required to secure amendments to the approved restoration scheme so that a Country Park or SANG compliant solution can be delivered, in accordance with Natural England's requirements. In the meantime, it may be necessary to serve an enforcement notice on the site (to

prevent any immunity from enforcement accruing) and to protect the planning authority's position, noting we have received complaints regarding the breach from residents. However, any such notice can still have a suitably extended compliance period to recognise the work required to deliver a SANG or Country Park.

- 2.22 The total land (329ha) that is proposed to be provided as the Country Park is entirely within the Green Belt. It therefore has very limited development potential. Much of it is also in the flood plain, and has previous gravel workings, with the lakes now used for recreation and inhabited by wildlife. Virtually all the land is in private ownership. The site is currently identified as a Country Park under Policy RUR4 (Little Marlow Lakes Country Park) of the Wycombe District Local Plan (adopted August 2019). There is little benefit, from a landowner's viewpoint, to the formal designation beyond any compensation negotiated through an MOU.
- 2.23 The Council is the owner of some land within the area proposed to be designated and as it stands cannot properly rely on powers in the 1968 Act with regards to Country Parks without formal designation. For example, the power to extend, maintain and manage a Country Park and; (a) to lay out, plant and improve the site, and to erect buildings and carry out works; (b) to provide facilities and services for the enjoyment or convenience of the public, including meals and refreshments, parking places for vehicles, shelters and lavatory accommodation; and (c) to provide facilities and services for open-air recreation (section 7(2)) or the specific powers in relation to sailing, boating, bathing or fishing under section 8 of the 1968 Act).
- 2.24 Planning applications have been made on part of the Council's land holding in this area to facilitate a temporary use involving vehicle storage. If allowed this temporary use would be worth circa £1m over the next 5 years. However, whilst this application has not yet been determined, the current assessment by the Planning Service, is that the use would represent inappropriate development in the Green Belt and there are no special circumstances to justify approval. This report does not pass comment on this current proposal as it will be determined by the appropriate planning committee in due course.

A Country Park can be designated and accredited by Natural England with a minimum of 10ha. Therefore, it is possible for the Council to resolve that instead of progressing the wider Country Park, as envisaged in the Local Plan, it could deliver a more modest Country Park option on land that is owned by the Council. Delivering this option would enable the Council to benefit from the powers conferred by the 1968 Act and would allow for the proper planning of the area, by developing income generating opportunities to make the endeavour cost neutral. Delivering the smaller area as a first phases would not change the Local Plan allocation and would not rule out the future expansion of the site to cover the whole of the RUR4 area, nor would it rule out improvements to adjacent footpaths to improve accessibility in the area, albeit any additional areas of land to be added would need to be the subject of a future Cabinet



decision. In the meantime, the local Community Board has expressed an interest in developing a vision for the wider Country Park area. Whilst this cannot be binding upon any future Council decision, it could be informative to any future direction for this area.

### **3. Other options considered**

- 3.1 If the Council chose not to implement a Country Park of any sort, in order to support the strategy within the Local Plan then a SANG compliant space would still need to be provided. This would almost certainly have to be on Council owned land and whilst would benefit from S106 funding for delivery and ongoing maintenance, would offer limited opportunity for generating future income streams given the lack of benefit if the powers from the 1968 Act
- 3.2 As referred to earlier in this report, there is also a restoration condition on this site, from the previous gravel workings, that is not yet complied with. The Council could therefore seek to amend the restoration plan to achieve an outcome which would more closely resemble a facility that would satisfy the broader planning requirements for the area.

### **4. Legal and financial implications**

- 4.1 The formal provision of this 329ha site as a Country Park requires every owner of land within the designated area to enter a MOU to confirm their agreement. The owners can provide this agreement freely or on terms which can include the payment of monies. At this stage it is not known how many landowners would be affected or what their position on agreement would be.
- 4.2 In the development of the Wycombe Local Plan, Natural England identified that Burnham Beeches – a Site of Special Scientific Interest, a National Nature Reserve and a Special Area of Conservation – is subject to increasing levels of visitor pressure. As a result, Natural England sought provision of Suitable Alternative Natural Greenspace (SANG) to mitigate the impacts on Burnham Beeches. The Council has secured agreement from Natural England that a satisfactory solution to this would be that the Council seeks contributions from the development of allocated sites in Bourne End to increase the accessibility to the Little Marlow Lakes area to mitigate recreational impacts on Burnham Beeches. This is expected to generate more than £1m in Section 106 contributions from those housing sites allocated in the Local Plan. There is also existing Section 106 budgets for signage (c£30K) and ‘Improvement of visitor facilities’ (c£130K).
- 4.3 Providing additional facilities in the Little Marlow Lakes area to these mitigation measures could also be funded through CIL, should the Council give this priority in future funding cycles. As part of the original Appropriate Assessment undertaken by

Wycombe District Council in preparing the Local Plan, an assumption was made that future CIL receipts would be invested in the delivery of the recreational facility in this area. This is however not binding on Buckinghamshire Council.

- 4.4 Therefore, whilst a detailed business case has yet to be prepared, it is entirely feasible that the Council could deliver a SANG compliant Country Park on its land holdings by utilising these available funds and not introducing a significant additional revenue burden.
- 4.5 However, the Council's ownership of Spade Oak Lake carries the burden of outgoings, to maintain public access. There is limited potential for 'enabling development', to generate funding to improve the area due to the policy constraints noting that this site is in the Green Belt. In the past however temporary uses of the Lake's former gravel processing/concrete batching plant area, as a Star Wars film set, was pursued, generating significant revenue.
- 4.6 Two other proposed third-party developments are also ongoing:
- Marlow Film Studios
  - Marlow Sports Hub
- 4.7 Both are contentious in the eyes of Little Marlow residents, but both offer considerable scope for further Section 106 contributions towards the improvement of the area, including the opportunity for the Council to buy-in the freehold of its athletics track and thereby reduce its revenue cost. Nevertheless, as set out above this site is designated Green Belt and adjacent to the AONB and as such there several policy constraints which is a key consideration in relation to further development.
- 4.8 There was also a £0.5m capital budget that came with the acquisition of Spade Oak Lake, which is being used to improve the Perimeter Path and to lay on utilities.
- 4.9 Property & Assets budgets had previously assumed ongoing revenue income of £150k pa would come forward from Spade Oak. This paper sets out a proposal that the facility is delivered as a cost neutral enterprise; income generated from the site would need to be reinvested in running costs, and will not be available to meet Property's Rental Income target. Property & Assets will therefore need to make up the difference with other lettings.
- 4.10 Little Marlow Lakes Country Park Community Partnership has the benefit of a Thames Water Utilities grant of £0.45m (an Environment Agency fine for a spillage). Property colleagues are in discussion about them using BBOWT (Bucks Berks Oxon Wildlife Trust) as the recipient, to undertake habitat improvement works to The Spit, circa 8 ha island in the middle of the Council's Spade Oak Lake, that is informally recognised as a bird sanctuary.
- 4.11 The Countryside and Rights of Way Act 2000 (S 85) imposes a general duty on public

bodies which requires the Council, to have regard to the purpose of conserving and enhancing the natural beauty of an area of outstanding natural beauty when exercising or performing any functions in relation to, or so as to affect, land in an area of outstanding natural beauty. The land lies between the Chilterns AONB and the River Thames and therefore regard should be had to this in consideration of this matter.

## **5. Corporate implications**

5.1 Any corporate implications have been included within the report.

## **6. Local councillors & community boards consultation & views**

6.1 A consultation/information session was held with all three ward members on 31<sup>st</sup> March 2022. This meeting was chaired by the (then) cabinet member, Cllr Williams. The ward members were disappointed to learn that the Country Park had not been properly made and were keen to stress the importance of delivering a Country Park in this location. They were also keen to point out the relationship between the delivery of a Country Park and the Wycombe Local Plan.

6.2 The Service Director of Planning and Environment has also met with Cllr Wilson (The Wooburns, Bourne End & Hedsor) to explain the current situation. His interest relates to the fact that the Hollands Farm site is in his ward. He has also asked questions at Cabinet and Council about the Country Park and continues to press for a resolution.

6.3 A further meeting with all of the affected local members was held on 5<sup>th</sup> September 2022. It was agreed to give the local members prior access to this Cabinet report and to report their views directly to Cabinet.

## **7. Communication, engagement & further consultation**

7.1 No further engagement has taken place although a communications plan will be prepared to accompany any future Cabinet decision.

## **8. Next steps and review**

8.1 Having considered all of the options, whilst acknowledging the ambition, in time, to create a Country Park which reflect the area of land allocated in the Wycombe Local Plan (Policy RUR4), it is not recommended that the Council seeks to pursue the formal designation of the wider (329ha) site as the Little Marlow Country Park at this time. However, it is recognised given the reliance placed on the designation in the adopted Local Plan, it is essential that a facility in this area is eventually provided.

The facility must be SANG compliant and will need to be implemented in close consultation with Natural England.

- 8.2 The greatest opportunity, in terms of delivery but also in terms of potential income generation to support a cost neutral venture would be for the Council to pursue an appropriately sized Country Park on land within its ownership in this location.
- 8.3 Such a facility could be operated and managed by the Council's Country Parks team but given the considerable local community interest in operating a facility in this area, it will be appropriate to consider the future management arrangements as part of a future Cabinet/Leader decision.

## **9. Background papers**

- 9.1 None

## **10. Your questions and views (for key decisions)**

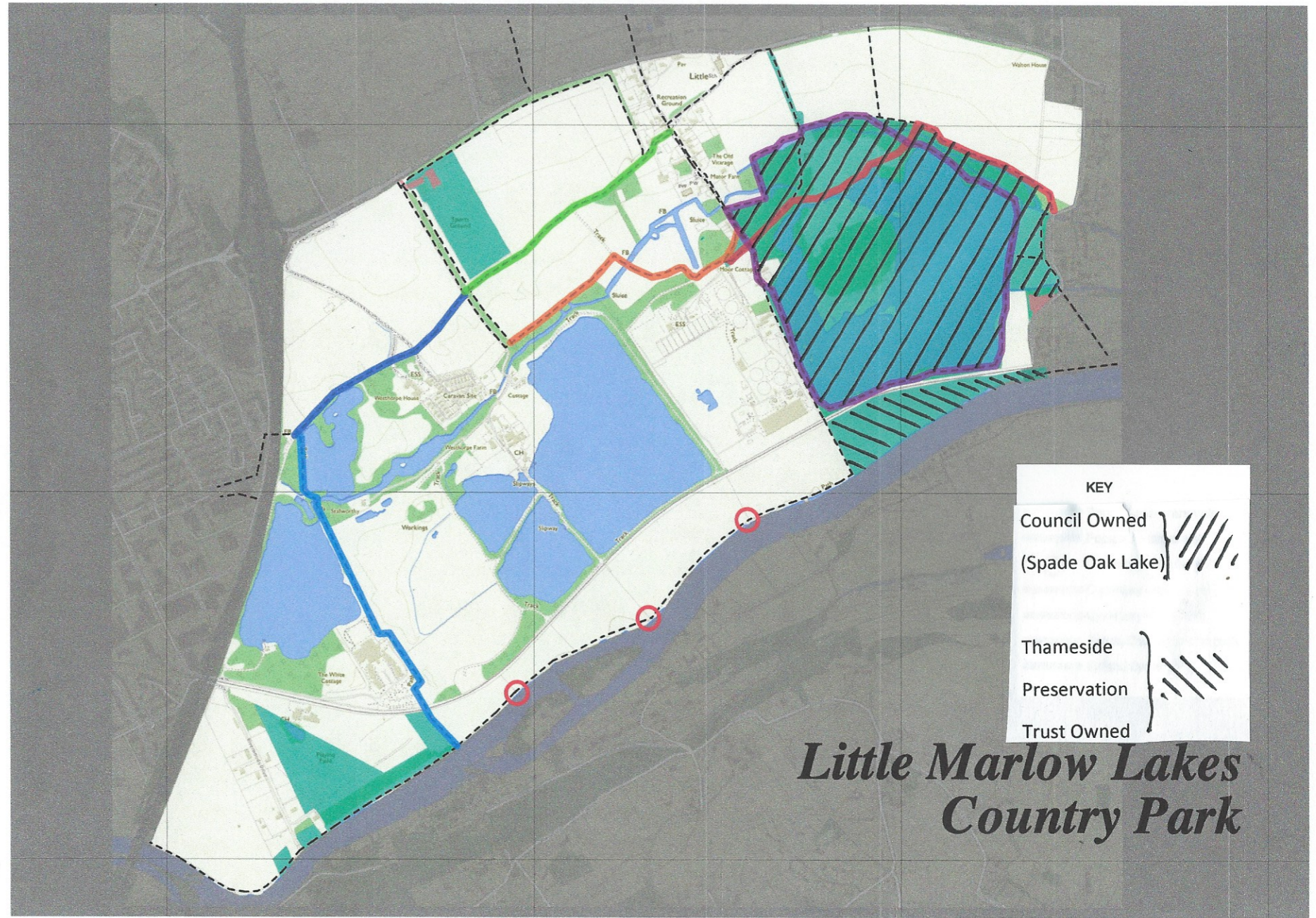
- 10.1 If you have any questions about the matters contained in this report please get in touch with the author of this report. If you have any views that you would like the cabinet member to consider please inform the democratic services team. This can be done by telephone [01296 382343] or email [democracy@buckinghamshire.gov.uk]

SANG – 01 04 2021	Country Park - 02 10 2014
Must/Should haves	Essential Criteria
1. For all sites larger than 4 ha there must be adequate parking for visitors, unless the site is intended for local use, i.e. within easy walking distance of the developments linked to it. The amount of car parking should be determined by the anticipated use of the site and reflect the visitor catchment of both the SANG and the SPA.	<ul style="list-style-type: none"> <li>at least 10 hectares in size</li> </ul>
2. It should be possible to complete a circular walk of 2.3 – 2.5 km around the SANG.	<ul style="list-style-type: none"> <li>defined by a clear boundary – marked on a map, whether it's open or fenced in</li> </ul>
3. Car parks must be easily and safely accessible by car and should be clearly sign posted.	<ul style="list-style-type: none"> <li>accessible – less than 10 miles from a residential area</li> </ul>
4. The accessibility of the site must include access points appropriate for the particular visitor use the SANG is intended to cater for.	<ul style="list-style-type: none"> <li>free to enter</li> </ul>
5. The SANG must have a safe route of access on foot from the nearest car park and/or footpaths.	<ul style="list-style-type: none"> <li>inclusive and accessible – show how you've met equality and disability needs and provided for varied groups</li> </ul>
6. All SANGs with car parks must have a circular walk which starts and finishes at the car park.	<ul style="list-style-type: none"> <li>predominantly natural or semi-natural landscape, for example woodland, grassland, wetland, heathland or parkland, with no more than 5% of the area built upon (excluding car parks)</li> </ul>
7. SANGs must be designed so that they are perceived to be safe by users: they must not have tree and scrub covering parts of the walking routes.	<ul style="list-style-type: none"> <li>signposted and easy to navigate – you should show visitors where they can go, what they can do and direct them along footpaths, bridleways and cycle routes</li> </ul>
8. Paths must be easily used and well-maintained but most should remain unsurfaced to avoid the site becoming urban in feel.	<ul style="list-style-type: none"> <li>visibly staffed, for example litter collection and maintenance</li> </ul>
9. SANGs must be perceived as semi-natural spaces with little intrusion of artificial structures except in the immediate vicinity of car parks. Visually sensitive way-markers and some benches are acceptable.	<ul style="list-style-type: none"> <li>available for public or educational events</li> </ul>

10. All SANGs larger than 12 ha must aim to provide a variety of habitats for users to experience.	<ul style="list-style-type: none"> <li>• near public toilets – either on-site or a 2 minute walk away</li> </ul>
11. Access within the SANG must be largely unrestricted with plenty of space provided where it is possible for dogs to exercise freely and safely off lead.	<ul style="list-style-type: none"> <li>• informed by the local community – the public should have some influence over the management and development of your site</li> </ul>
12. SANGs must be free from unpleasant intrusions (e.g. sewage treatment works smells, etc.).	
13. SANGs should be clearly sign-posted or advertised in some way.	
14. SANGs should have leaflets and/or websites advertising their location to potential users. It would be desirable for leaflets to be distributed to new homes in the area and be made available at entrance points and at car parks.	
<b>Desirable</b>	
15. The ability of owners to take dogs from the car park to the SANG safely off the lead.	<ul style="list-style-type: none"> <li>• a visitor centre</li> </ul>
16. Where possible, choose sites with a gently undulating topography.	<ul style="list-style-type: none"> <li>• play facilities</li> </ul>
17. Access points to have signage outlining the layout of the SANG and the routes available to visitors.	<ul style="list-style-type: none"> <li>• catering</li> </ul>
18. To provide a naturalistic space with areas of open (non-wooded) countryside and areas of dense and scattered trees and shrubs. The provision of open water on part, but not the majority of sites is desirable.	<ul style="list-style-type: none"> <li>• bike and horse trails</li> </ul>
19. Where possible, to have a focal point such as a viewpoint, monument etc. within the SANG.	<ul style="list-style-type: none"> <li>• art and sculpture</li> </ul>
	<ul style="list-style-type: none"> <li>• permanent staff presence during the day</li> </ul>
	<ul style="list-style-type: none"> <li>• detailed information available to visitors, such as leaflets</li> </ul>

	<ul style="list-style-type: none"> <li>• brown and white tourist directional signs and shown on an OS map</li> </ul>
	<ul style="list-style-type: none"> <li>• activities outside, such as water sports and adventure sports</li> </ul>
	<ul style="list-style-type: none"> <li>• achieved, or is working towards, <a href="#">Green Flag Award (GFA)</a> status</li> </ul>
	<ul style="list-style-type: none"> <li>• a green transport policy, such as buses and cycle routes to your site</li> </ul>
	<ul style="list-style-type: none"> <li>• facilities for less able visitors, such as easy trails, seats and information available in accessible formats</li> </ul>
	<ul style="list-style-type: none"> <li>• planned for the management of biodiversity, geodiversity and preservation of historical environment</li> </ul>
	<ul style="list-style-type: none"> <li>• opportunities for practical community involvement, such as volunteering</li> </ul>
	<ul style="list-style-type: none"> <li>• promoted the health benefits of walking</li> </ul>
	<ul style="list-style-type: none"> <li>• an outreach programme promoting your site to less represented sectors of the community</li> </ul>
	<ul style="list-style-type: none"> <li>• a programme of events and guided walks, promoting healthy living and environmental awareness</li> </ul>
	<ul style="list-style-type: none"> <li>• a visitor centre</li> </ul>
<p>The wording in the lists above are precise and have the following meaning:</p> <ul style="list-style-type: none"> <li>• Requirements referred to as “must” or “should have” are essential</li> <li>• SANGs should have at least one of the “desirable” features.</li> </ul>	

Simon Meecham 13 04 2022







## Call-in Request Form

<b>Decision title:</b>	Little Marlow Lakes Country Park
<b>Decision reference no:</b>	Cabinet 11/10/22 – Agenda Item no.11
<b>Decision taker:</b>	Cabinet
<b>Date decision made:</b>	Notice published on 13/10/22

### **Reasons for the call-in:**

*Please provide supporting information on the reasons for your call-in request. Please limit your summary to no more than 1,000 words for this entire section. Grounds for a call-in request should relate to one of the following categories:*

- a. The decision has not been made in accordance with this Constitution, Council policies or Council procedures and processes;
- b. The decision is outside of the Council’s policy framework, or the budget approved by the Council;
- c. The decision is outside of the powers of the Council;
- d. The decision is unlawful

### **1. Lack of consultation leading to predetermined Decision based on assumptions**

- 1.1. The Decision to not “regularise” the whole Little Marlow Lakes Country Park (LMLCP) area provided by the Cabinet Resolution of Wycombe District Council (WDC) in 2017 and explicitly referenced as a Country Park in Policy RUR4 of the Wycombe Local Plan (WLP) has failed to conform with the Buckinghamshire Council Corporate Plan to be *Customer-centred* and other Buckinghamshire Council (BC) policies on localism, such as the Town and Parish Council Charter.
  - 1.1. As such, the decisions are wholly Council-centred and only considering the cost-benefit analysis for BC rather than all stakeholders, particularly residents.
  - 1.2. The predetermination of the area without formal public consultation with key stakeholders is a major failing of this Decision.
  - 1.3. There has been no dialogue with landowners, but Decision presumes there would be a demand for substantial compensation. Yet, such compensation would be wholly unjustified merely to affirm existing public rights of way across private land.
  - 1.4. Officers have had only an informal dialogue with Natural England which has led to a presumption that the reduced Country Park area would be acceptable to Natural England as mitigation for recreational impact at Burnham Beeches Special Area of Conservation.

- 1.5. Discussion has been limited to Officers and Cabinet Members, with very limited briefings for local Members.
- 1.6. Formal consultation must be held to scope and inform options prior to recommendations, as would happen in any significant statutory or planning decision. Stakeholders would include, but are not necessarily limited to:
  - 1.6.1. Residents
  - 1.6.2. Local Members
  - 1.6.3. Town and Parish Councils
  - 1.6.4. Landowners and Developers
  - 1.6.5. Natural England
  - 1.6.6. Business and Recreation Interests
  - 1.6.7. Conservation Groups
- 1.7. In the absence of any informal or formal public consultation, there is sufficient cause for adequate scrutiny by a Select Committee to ensure that the Recommendation and Decision to focus on only a fraction of the LMLCP area has been made soundly on behalf of all stakeholders.

## **2. Insufficient scrutiny of prior, existing, and alternative legal advice for a material matter**

- 2.1. BC has wholly relied on a single point of legal advice taken in response to a solicitor enquiry to resolve that there was a lack of formal designation for LMLCP.
- 2.2. This legal advice has not been shared with Cabinet, which could have been done within a confidential session if required.
- 2.3. However, the legal advice was considered so pivotal to the Cabinet discussion that the Director of Legal Services was requested to speak prior to the Head of Planning. However, the Director of Legal Services was not asked to comment on any legal advice that may have been provided to WDC to inform the Resolution taken in 2017.
- 2.4. This is a significant and complex set of Decisions with substantial implications for many facets of local planning, infrastructure and economic development in the South-west Chilterns area which must be supported by more thorough legal consideration.
- 2.5. The BC Cabinet Report, discussion and Decision focused only the Minutes of the WDC Cabinet Resolution (Minutes) in 2017. It paid no heed to any legal advice provided to or due consideration of legal matters by WDC.
  - 2.5.1. It is widely noted by those WDC Cabinet Members involved at the time in the WDC Resolution, that LMLCP had been provided correctly under the terms of the Countryside and Rights of Way Act 1968 (CROW).
  - 2.5.2. The Minutes correctly reflect that the implementation of the Resolution be delegated to the Head of Community, reporting to the Cabinet Member for Community.
  - 2.5.3. In line with CROW, the Minutes correctly note that an agreement will need to be made with landowners, such matters as costs towards the making of an agreement and the implementation of that agreement.
  - 2.5.4. The WDC Minutes noted private ownership, limited financial exposure, and a working arrangement to be agreed as part of the delivery, not the decision.
  - 2.5.5. All such costs are covered by nearly £1.8m of s106 funding (calculated in perpetuity to 80 years) and substantial other payments for improvements to existing public rights of way over private and public land, as well as improved car parking facilities.
  - 2.5.6. There was never (nor now) any suggestion of unlimited public access or roaming

rights over private land.

- 2.5.7. At the time of the Resolution, WDC did not own any part of the land in LMLCP, so the decision taken at the time would have taken this into account.
- 2.5.8. The Wycombe Local Plan and Policy RUR4 for LMLCP was constructed in parallel to this Resolution and eventually adopted in August 2019 after extensive public consultation, an Examination in Public by a Public Inspector, and the successful defence of a Judicial Review in front of a senior High Court Planning Judge.
- 2.5.9. In September 2019, WDC purchased the land at Spade Oak Quarry. The WDC press release noted that *“in 2017, Wycombe District Council formally designated the area for the provision of a country park under the Countryside Act 1968. The Council’s recently adopted new Local Plan includes strengthened policies (Policy RUR4) to promote the continued development and long-term management of the Country Park.”*
- 2.6. It is inconceivable that BC would base such a significant decision without due regard to all or any legal advice taken by WDC prior to its dissolution.
- 2.7. The Cabinet Report notes that local Members were surprised to learn that the legal advice procured by BC advised that the Country Park had not been formally provided. It would be incorrect to assume that this implies acceptance of this single legal interpretation by local Members. On the contrary, local Members advocated for additional legal advice to be sought and considered prior to any Decision which has been dismissed.
- 2.8. The single point of legal advice and circumstances surrounding its procurement should be fully scrutinised by a Select Committee. A Select Committee should also consider the any legal advice provided to WDC and consider statements from those involved in the WDC Cabinet Resolution and Local Plan development in conjunction with the BC Director of Legal Services.

### **3. Beyond BC power to deliver SANG within Decision constraints**

- 3.1. One of the key deliverables for the LMLCP Cabinet Report is a fully compliant Suitable Alternative Natural Greenspace to ensure the delivery of major housing projects across the area, notably those in Bourne End and Wooburn (Policy BE1: Slate Meadow and Policy BE2: Hollands Farm) given a requirement from Natural England to offset recreational impacts at the Burnham Beeches Special Area of Conservation (BBSAC).
- 3.2. The basis of the Cabinet Decision is to provide this within the Council-owned land, but this is plainly not deliverable.
  - 3.2.1. Appendix 2 in the Cabinet Report provides the criteria for a SANG and a Country Park.
  - 3.2.2. The Cabinet report noted the dominance of the Little Marlow Treatment Works in its introduction.
  - 3.2.3. SANG requirements in Appendix 2 state that it must be “free from unpleasant intrusions”, such as odour from sewage works. Anyone walking the footpaths adjoining or in the vicinity of the sewage works around the Council-owned land will note there is considerable sewage odour.
  - 3.2.4. SANG requirements in Appendix 2 also state that it should provide a 2.3 – 2.5km circular walk – it would be impossible to achieve anything like this without walking around the lakes and passing alongside the sewage works.
  - 3.2.5. The Cabinet Discussion provided a misleading figure for the land area as 80ha. It is

55ha and mostly water, so there is very little scope on the Council-owned land for free roaming beyond the existing footpaths.

3.2.6. No details or costs have been provided for an “alternative restoration plan” to deliver a limited Country Park and a SANG compliant facility.

3.2.7. It cannot be assumed that all or part of the rest of the Policy RUR4 area will be delivered to ensure SANG compliance.

**Desired outcome/alternative course of action sought:**

1. Set up a Project Board comprising local Members, Parish Councillors, Officers in consultation with landowners and business interests to develop options and implications for consideration.
2. Revisit the WDC legal advice and Resolution; seek additional legal advice on interpretation of the CROW Act 1968 and the powers and options available to BC to deliver considered options.
3. Conduct a thorough public consultation on draft options and implications.
4. Develop a vision based on outcomes for LMLCP (per South-West Chilterns Community Board discussions in Q1 2022).
5. Make formal recommendations to Cabinet Members for Cabinet (and Council) for resolution.

**Lead Member:**

*(who will attend the meeting and be the main contact and spokesperson for this call-in request)*

Cllr Stuart Wilson

**Supporting Member:**

*(who will attend the meeting)*

Cllr David Watson

**Names of other Members supporting the call-in request:**

*(a minimum of 21 is required)*

*(written evidence of the support of additional members is required by providing a copy of an email from a Member confirming their support for this call-in. Alternatively, a Member can email confirming their support direct to the Democracy mailbox)*

1. Cllr Mary Baldwin
2. Cllr Karen Bates
3. Cllr Andrea Baughan
4. Cllr Anders Christensen
5. Cllr Alex Collingwood
6. Cllr Peter Cooper
7. Cllr Tim Dixon
8. Cllr Penny Drayton
9. Cllr Mohammad Fayyaz
10. Cllr Ed Gemmell
11. Cllr Paul Griffin
12. Cllr Steve Guy
13. Cllr Darren Hayday
14. Cllr Orsolya Hayday
15. Cllr Tom Hunter-Watts
16. Cllr Imran Hussain
17. Cllr Majid Hussain
18. Cllr Sarah James
19. Cllr David Johncock
20. Cllr Sophie Kayani
21. Cllr Matt Knight
22. Cllr Steven Lambert
23. Cllr Susan Morgan

	24. Cllr Adam Poland-Goodyear 25. Cllr Waheed Raja 26. Cllr Nabeela Rana 27. Cllr Melanie Smith 28. Cllr Robin Stuchbury 29. Cllr Gurinder Wadha 30. Cllr Julia Wassell 31. Cllr Alison Wheelhouse
<b>Date:</b>	<b>October 19<sup>th</sup> 2022</b>

*Please refer to the call-in procedure detailed in Part G Para 2.60 onwards in the [constitution](#).*

*This form will be submitted to the democracy mailbox at [democracy@buckinghamshire.gov.uk](mailto:democracy@buckinghamshire.gov.uk)*

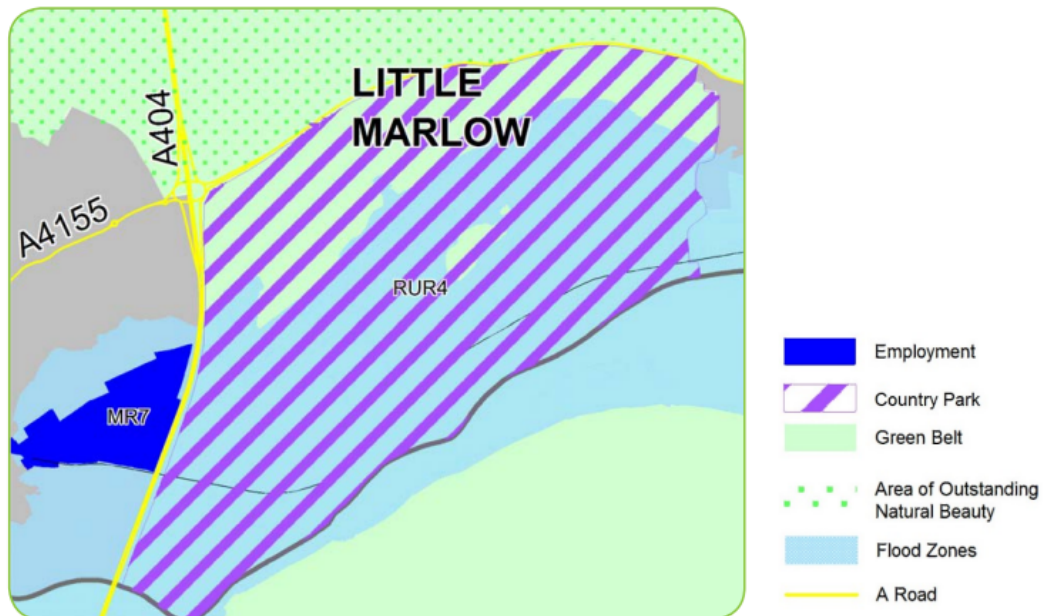
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## 5.5 Rural Areas continued

### POLICY RUR4 – LITTLE MARLOW LAKES COUNTRY PARK

1. The Little Marlow Lakes Country Park, as defined on the Policies Map, is allocated for outdoor recreation.
2. Any development within the Country Park should provide for environmental improvements, including the provision of publicly accessible open space, ecological and biodiversity enhancements, and contribute to the continued development and long term management of the Country Park.
3. Car parking facilities should be provided in the east side of the Country Park.
4. Planning permission will not be granted for development within the Country Park that has an adverse effect upon the amenities or setting the River Thames, watercourses, lakes, wet woodlands, adjoining conservation areas, or listed buildings, or which prejudices the function of the area for the purposes of a Country Park.
5. Any development will be required to provide safe, convenient and direct access to Marlow and Bourne End for pedestrians, cyclists, and disabled users.
6. Any development close to an existing waterbody or other wetland feature should protect and enhance that feature's ecological value, biodiversity, and its natural setting within the Country Park.

Figure 43 Little Marlow Lakes Country Park



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Table 1: List of mitigation measures that are recommended for delivery in the Little Marlow Lakes Country Park (LMLCP), describing their nature, likely impact and priority (as considered by AECOM).

Location Number <sup>1</sup>	Description	Proposed Measure	Initial Ballpark Cost Estimate <sup>2</sup> (capital, maintenance and replacement costs as appropriate <sup>3</sup> )	Likely Impact	Priority (low, medium, high) <sup>4</sup>
1	One of the main entrance points to the LMLCP, currently only with a standard 'Public Footpath' sign.	To increase visibility, it is recommended that a more visible signpost marking the LMLCP is installed here to augment the existing signage. Furthermore, a DDA compliant gate should be installed here.  It is noted that signposts are lacking across the entire LMLCP. Therefore, further signposts could be provided at the other main access points to the country park, such as the A404 along Marlow and the Thames Coast Path. While a total of four signposts are costed here, the number and siting of signage posts should be developed further in a comprehensive signage plan.	<u>Capital Cost</u>  £200 based on four signposts to be delivered across the LMLCP; approx. £50 per signpost  £500 for one DDA compliant metal gate  <u>Replacement Timeline</u>  Signposts and metal gate to be replaced every 10 years  <u>Total In-Perpetuity Cost (over 80 years) including capital and replacement costs</u>  £200 (four signposts) + £500 (one metal gate) + £4,900 (in-perpetuity replacement costs) = £5,600	Attract more visitors to the country park.	Medium (optional deliverable)
2	Outer footpath running parallel to the Spade Oak Perimeter Path and leading around the northern edge of	This section of the footpath is extremely muddy (see Figure 5 below) and comprises an old, slippery wooden footbridge. Both the path surface and the footbridge should be renewed.	<u>Capital Cost</u>  £5,000 for a 200m section of unbound or semi-bound 'Half Tray with Geotextile and Georigid' standard footpath,	Increase footfall in this section of the LMLCP. No visitors were encountered here during the site visit, and this may partly be due to the condition of the path.	High ('must' deliverable)

<sup>1</sup> The locations are shown in Figure 3.

<sup>2</sup> Approximate pricings have been obtained from the Estimating Price Guide for Path Projects (2020). Available at : [https://www.pathsforall.org.uk/mediaLibrary/other/english/estimating-price-guide-for-path-projects\\_paths-for-all\\_rev1-dec-2019-2.pdf](https://www.pathsforall.org.uk/mediaLibrary/other/english/estimating-price-guide-for-path-projects_paths-for-all_rev1-dec-2019-2.pdf) [Accessed on the 31/07/2020]. Refined costs will be required as the projects get developed and should involve experienced cost consultants and quantity surveyors

<sup>3</sup> It is to be noted that the mitigation measures will have to be secured 'in perpetuity' (over at least 80 years) and an indicative maintenance timeline for relevant interventions is therefore provided in brackets.

<sup>4</sup> Please see a further explanation of which interventions should be delivered to avoid adverse effects on the site integrity of the Burnham Beeches SAC in paragraph 4.18.

Location Number <sup>1</sup>	Description	Proposed Measure	Initial Ballpark Cost Estimate <sup>2</sup> (capital, maintenance and replacement costs as appropriate <sup>3</sup> )	Likely Impact	Priority (low, medium, high) <sup>4</sup>
	the Spade Oak Nature Reserve		<p>including materials such as gravel or resin-bound hoggin; approx. £25 per m<sup>2</sup> of path</p> <p>£740 for V drainage ditches along a 200m section of footpath; approx. £3.70 per linear metre for V drainage ditches</p> <p>£2,500 for a 5m long wooden footbridge; approx. £500 per m<sup>2</sup> of bridge (bridge costs are difficult to price due to a wide range in design, materials and complexity)</p> <p><u>Maintenance Cost</u></p> <p>£60 for annual vegetation strimming along 200m of path; approx. £0.30 per m<sup>2</sup></p> <p>£30 for annual litter picking along 200m of path; approx. £0.15 per m<sup>2</sup></p> <p>£2,400 for 10-yearly path repair works along 200m of path; £12 per m<sup>2</sup></p> <p><u>Total In-Perpetuity Cost (over 80 years) including capital and maintenance costs</u></p> <p>£5000 (path works) + £740 (V drainage) + £2,500 (wooden footbridge) + £4,800 (in-perpetuity vegetation strimming) + £2,400 (in-perpetuity litter picking) + £16,800 (in-perpetuity path repair works) = £32,240</p>	<p>Providing a base of geotextile and a geogrid mesh / grid will provide support on softer ground, allow water to percolate and mitigate against water-logging.</p>	

Location Number <sup>1</sup>	Description	Proposed Measure	Initial Ballpark Cost Estimate <sup>2</sup> (capital, maintenance and replacement costs as appropriate <sup>3</sup> )	Likely Impact	Priority (low, medium, high) <sup>4</sup>
3	Existing footpath along scrubland and field margins to the northern outer edge of the Spade Oak Nature Reserve	Buckinghamshire Council's suggestion of constructing a cycleway here that runs along the field outside the northern edge of the lake from Coldmoorholme Lane (where a new level access entrance is required) to Muschallik Road is considered to be a highly suitable mitigation measure. This is already a section of the LMLCP that is very appealing to walkers (see Figure 2).	<p><u>Capital Cost</u></p> <p>£36,740 for a 1,100m section of bound gravel cycle path; approx. £33.40 per m<sup>2</sup> of bound gravel path</p> <p><u>Maintenance Cost</u></p> <p>£330 for annual vegetation strimming along 1,100m of path; approx. £0.30 per m<sup>2</sup></p> <p>£165 for annual litter picking along 1,100m of path; approx. £0.15 per m<sup>2</sup></p> <p>£13,200 for 10-yearly path repair works along 200m of path; £12 per m<sup>2</sup></p> <p><u>Other Cost</u></p> <p>£6,650 surveyor and legal fees<sup>5</sup></p> <p>£5,000 one-off fee to landowner</p> <p><u>Total In-Perpetuity Cost (over 80 years) including capital, maintenance and other costs</u></p> <p>£36,740 (1,100m of bound gravel cycle path) + £26,400 (in-perpetuity vegetation strimming) + £13,200 (in-perpetuity litter picking) + £92,400 (in-perpetuity path repair works) + £11,650</p>	This measure would increase the attractiveness of the LMLCP to cyclists and would align the SPD with Natural England's recommendation to make the park more accessible to sustainable travel modes.	High ('must' deliverable)

<sup>5</sup> Surveyor and legal fees include a 33% flexibility bias.

Location Number <sup>1</sup>	Description	Proposed Measure	Initial Ballpark Cost Estimate <sup>2</sup> (capital, maintenance and replacement costs as appropriate <sup>3</sup> )	Likely Impact	Priority (low, medium, high) <sup>4</sup>
			(other cost) = £180,390		
4	Junction where the Spade Oak Perimeter Path meets The Moor (intersection of footpath with a tarmacked road)	<p>This is currently the only dog waste bin in the entire site (see Figure 6). It is recommended that at least 4 dog waste bins are installed near the main access points. These should be placed up to 100m into the site away from car parks or foot access points, because dogs typically defecate after they have been walked for some distance.</p> <p>In the wider area around the proposed dog waste receptacles there is also the opportunity to let dogs off the lead, roaming freely. Off-lead dogs are unlikely to affect the wildlife on site because the main roosting area on The Spit is not accessible and visually well shielded from the main paths. Dogs should be kept on lead on the roads traversing the LMLCP, including Church Road, The Moor and Muschallik Road.</p>	<p><u>Capital Cost</u></p> <p>£400 based on the provision of four dog waste bins; approx. £100 per bin</p> <p><u>Replacement Timeline</u></p> <p>Dog waste bins to be replaced every 10 years</p> <p><u>Annual Maintenance Cost</u></p> <p>£800 for annual servicing (regular emptying, repairs, etc.) of four dog waste bins; at £200 annual maintenance cost per bin</p> <p><u>Total In-Perpetuity Cost (over 80 years) including capital and annual maintenance costs</u></p> <p>£400 (cost for provision of four dog waste bins) + £2,800 (10-yearly replacement) + £64,000 (in-perpetuity maintenance) = £67,200</p>	<p>Reduce littering with dog waste bags (which was observed particularly in the western section of the LMLCP) and make the site more appealing for other user groups<sup>6</sup>.</p> <p>The ability to let dogs off the lead in large parts of the country park is likely to make the site very attractive to dog walkers, because a sense of freedom for their dogs is very important to dog owners. In most visitor surveys 'the ability to let dogs off the lead' ranks among the top three responses for visiting a site or making alternative destinations more attractive.</p>	High ('must' deliverable)
5	Railway crossing of The Moor adjacent to the Little Marlow Sewage Treatment Works	The footpath gate to the south of the railway tracks is damaged and could be replaced.	<p><u>Capital Cost</u></p> <p>£500 (for a DDA compliant metal gate)</p>	A new gate would make this section of the site more appealing. It is also potentially a safety issue which will need addressing.	Low (optional deliverable)

<sup>6</sup> Footprint Ecology undertook a series of visitor surveys in Suitable Alternative Natural Greenspaces (SANGs) designed to reduce recreational pressure in the Thames Basin Heaths SPA. Visitors were asked about changes that would increase their visit frequency to the SANGs and 'provision of dog waste bins' was one of the key responses given. Fearnley H. & Floyd L. 2014. Results of on-site visitor survey work at Diamond Ridge Woods SANG. 45pp.

Location Number <sup>1</sup>	Description	Proposed Measure	Initial Ballpark Cost Estimate <sup>2</sup> (capital, maintenance and replacement costs as appropriate <sup>3</sup> )	Likely Impact	Priority (low, medium, high) <sup>4</sup>
			<p><u>Replacement Timeline</u></p> <p>Gate to be replaced every 10 years</p> <p><u>Other Cost</u></p> <p>£3,990 surveyor and legal fees (Network Rail - landowner)<sup>7</sup></p> <p><u>Total In-Perpetuity Cost (over 80 years) including capital replacement and other costs</u></p> <p>£500 (one metal gate) + £3,500 (in-perpetuity replacement) + £3,990 (other cost) = £7,990</p>		
6	Southern section of the proposed LMLCP comprising a section of the Thames Path; a long-distance footpath with high footfall	<p>The ground below three of the gates is highly compacted and waterlogged, and people were observed to climb the fence to avoid puddles. Addressing local drainage and ground incline is recommended here.</p> <p>Furthermore, all three metal field gates need replacing to be Disability Discrimination Act (DDA) compliant.</p>	<p><u>Capital Cost</u></p> <p>£321 for 4m<sup>8</sup> of French drains to be installed at three gates; approx. £26.75 per linear metre of drain</p> <p>£2,632.20 for 42.8m<sup>2</sup> of ground repair works<sup>9</sup> (e.g. releveling and adjusting incline) at three gates; approx. £20.50 per m<sup>2</sup> of repairs</p> <p>£1,500 for three metal field gates; approx. £500 per DDA compliant gate</p>	This measure would make navigation easier and discourage visitors from climbing over fences (with associated risks of injury).	Medium (optional deliverable)

<sup>7</sup> Surveyor and legal fees include a 33% flexibility bias.

<sup>8</sup> The area identified for drainage requirement was based on a site visit and subsequent measurement of wet ground on satellite imagery.

<sup>9</sup> The area identified for ground repair works was based on a site visit and subsequent measurement of wet ground on satellite imagery.

Location Number <sup>1</sup>	Description	Proposed Measure	Initial Ballpark Cost Estimate <sup>2</sup> (capital, maintenance and replacement costs as appropriate <sup>3</sup> )	Likely Impact	Priority (low, medium, high) <sup>4</sup>
			<p><u>Replacement Timeline</u></p> <p>Metal field gates to be replaced every 10 years</p> <p><u>Other Cost</u></p> <p>£2,660 surveyor and legal fees (Randall – landowner)<sup>10</sup></p> <p><u>Total In-Perpetuity Cost (over 80 years) including capital and replacement costs</u></p> <p>£321 (12m of French drains) + £2,632.20 (ground repairs) + £1,500 (three metal field gates) + £10,500 (10-yearly replacement of gates) + £2,660 (other cost) = £17,613.20</p>		
7	Footpath leading past the Crowne Plaza Marlow and connecting the Thames Path with the area around Westhorpe House; key area for improvement as the path enables a circular trail around the LMLCP	This section of path is very narrow, overgrown with vegetation, muddy (see Figure 7) and has a littering issue. BC's proposal of constructing a new footpath here is considered a key measure for the park. It is to be noted that this will require a new Permissive Path Agreement with the landowner(s).	<p><u>Capital Cost</u></p> <p>£25,850 for a section of 1,034m of unbound or semi-bound 'Half Tray with Geotextile and Georigid' standard footpath, including materials such as gravel or resin-bound hoggin; approx. £25 per m<sup>2</sup> of footpath</p> <p><u>Maintenance Cost</u></p> <p>£310.20 for annual vegetation strimming along 1,034m of path; approx. £0.30 per</p>	<p>An enhanced footpath in this area would increase the overall accessibility of the LMLCP from the Thames Path; the attractiveness of the park would be greatly increased.</p> <p>Providing a base of geotextile and a georigid mesh / grid will provide support on softer ground, allow water to percolate and mitigate against water-logging.</p>	High ('must' deliverable)

<sup>10</sup> Surveyor and legal fees include a 33% flexibility bias.

Location Number <sup>1</sup>	Description	Proposed Measure	Initial Ballpark Cost Estimate <sup>2</sup> (capital, maintenance and replacement costs as appropriate <sup>3</sup> )	Likely Impact	Priority (low, medium, high) <sup>4</sup>
			<p>m<sup>2</sup></p> <p>£155.10 for annual litter picking along 1,034m of path; approx. £0.15 per m<sup>2</sup></p> <p>£12,408 for 10-yearly path repair works along 1,034m of path; £12 per m<sup>2</sup></p> <p><b>Other Cost</b></p> <p>£3,990 surveyor and legal fees<sup>11</sup></p> <p>£4,000 one-off payment to landowner</p> <p><b>Total In-Perpetuity Cost (over 80 years) including capital, maintenance and other costs</b></p> <p>£25,850 (footpath provision) + £24,816 (in-perpetuity vegetation strimming) + £12,408 (in-perpetuity litter picking) + 86,856 (in-perpetuity path repair works) + £7,990 (other cost) = £157,920</p>		
8	Intersection of various footpaths to the north of Crowne Plaza Marlow; near residential area and the A404	This location offers an opportunity for improving signage, as it is easy to get lost here (for example heading towards the A404 or private land belonging to the angling club); a new waymarker could signpost the LMLCP circular trail.	<p><b>Capital Cost</b></p> <p>£215 for one timber post with finger blades</p> <p><b>Replacement Timeline</b></p> <p>Timber post to be replaced every 10 years</p> <p><b>In-Perpetuity Cost (over 80 years) of</b></p>	Better signposting will make navigation easier, making the park more appealing to visitors and likely increasing footfall.	Medium (optional deliverable)

<sup>11</sup> Surveyor and legal fees include a 33% flexibility bias.

Location Number <sup>1</sup>	Description	Proposed Measure	Initial Ballpark Cost Estimate <sup>2</sup> (capital, maintenance and replacement costs as appropriate <sup>3</sup> )	Likely Impact	Priority (low, medium, high) <sup>4</sup>
			<p><u>capital and replacement costs</u></p> <p>£215 (timber post with finger blades) + 1,505 (in-perpetuity replacement) = £1,720</p>		
9	Current footpath / cycle path to the north of the western lakes and Westhorpe House	<p>BC's proposal to extend / enhance the cycleway here is considered to be an effective intervention, as there currently is only a very short well surfaced (compacted gravel) cycle path section to the north of Westhorpe House. The surfacing could be improved along the entire section of this path.</p> <p>It is to be noted that this will require a new Permissive Path Agreement with the landowner(s).</p>	<p><u>Capital Cost</u></p> <p>£17,702 for a section of 530m bound gravel cycle path; approx. £33.40 per m<sup>2</sup> of bound gravel path</p> <p><u>Maintenance Cost</u></p> <p>£159 for annual vegetation strimming along 530m of path; approx. £0.30 per m<sup>2</sup></p> <p>£79.50 for annual litter picking along 530m of path; approx. £0.15 per m<sup>2</sup></p> <p>£6,360 for 10-yearly path repair works along 530m of path; £12 per m<sup>2</sup></p> <p><u>Other Cost</u></p> <p>£3,990 surveyor and legal fees (landowner to be confirmed)<sup>12</sup></p> <p>£4,000 one-off payment to landowner</p> <p><u>Total In-Perpetuity Cost (over 80 years) including capital, maintenance and other costs</u></p>	This measure would increase the attractiveness of the LMLCP to cyclists and would align the SPD with Natural England's recommendation to make the park more accessible to sustainable travel modes.	High ('must' deliverable)

<sup>12</sup> Surveyor and legal fees include a 33% flexibility bias.



Location Number <sup>1</sup>	Description	Proposed Measure	Initial Ballpark Cost Estimate <sup>2</sup> (capital, maintenance and replacement costs as appropriate <sup>3</sup> )	Likely Impact	Priority (low, medium, high) <sup>4</sup>
			£17,702 (530m of bound gravel cycle path) + 12,720 (in-perpetuity vegetation strimming) + 6,360 (in-perpetuity litter picking) + 44,520 (in-perpetuity path repair works) + £7,990 (other cost) = £89,292		
10	Viewpoint over the Spade Oak Nature Reserve adjacent to The Moor and starting point to the Spade Oak Perimeter Path; key point in the LMLCP overlooking The Spit (a roosting site for waders and wildfowl)	The information board at the viewpoint could be updated with more detailed information on the species present and the ecological importance of decommissioned quarries. A wide range of bird species were observed during the site visit, including red kite, common buzzard, swift, house martin, sand martin, common tern and lapwing, highlighting that the reserve is likely to be appealing to laymen as well as wildlife enthusiasts. Also, a bench and / or picnic tables here would offer visitors the opportunity for a rest, as there is currently no seating anywhere in the LMLCP (see Figure 5).	<p><u>Capital Cost</u></p> <p>£825 for one timber bench</p> <p>£2,700 for one information board</p> <p><u>Replacement Timeline</u></p> <p>Timber bench and information board to be replaced every 10 years</p> <p><u>Total In-Perpetuity Cost (over 80 years) including capital and replacement costs</u></p> <p>£825 (for one timber bench) + £2,700 (for one information board) + £24,675 (in-perpetuity replacement) = £28,200</p>	Installation of these features would enhance the attractiveness of the viewpoint and may increase visitor footfall.	Medium (optional deliverable)
11	South-western section of the Spade Oak Perimeter Path	Several locations (currently used mainly by anglers) provide expansive views over the lake and there is the opportunity to enhance these with benches. Furthermore, there are several common tern (species of amber conservation status in the UK) nest floats and an information board on this conservation project may be attractive (see Figure 6).	<p><u>Capital Cost</u></p> <p>£825 for one timber bench</p> <p>£2,700 for one information board</p> <p><u>Replacement Timeline</u></p> <p>Timber bench and information board to be replaced every 10 years</p>	The installation of seating opportunities and / or an information board would make the south-western section of the Spade Oak Perimeter Path more appealing and likely increase footfall; it makes completing a circular trail more attractive.	High ('must' deliverable)

Location Number <sup>1</sup>	Description	Proposed Measure	Initial Ballpark Cost Estimate <sup>2</sup> (capital, maintenance and replacement costs as appropriate <sup>3</sup> )	Likely Impact	Priority (low, medium, high) <sup>4</sup>
			<p><b>Total In-Perpetuity Costs (over 80 years) including capital and replacement costs</b></p> <p><b>£825 (two timber benches) + £2,700 (two information boards) + 24,675 (in-perpetuity replacement costs) = £28,200</b></p>		
12	Southern section of the Spade Oak Perimeter Path, eventually leading northwards back to the Spade Oak Public House	<p>The path here is very muddy in places and would benefit from resurfacing. Similar to location 11, there are several locations, currently used by anglers, where benches would provide an appealing view over the nature reserve.</p> <p>It is acknowledged that the northward section of this footpath has already been improved, but still requires seating. The section of path still needing improvement (i.e. the 468m), lies to the south of Spade Oak.</p>	<p><u>Capital Cost</u></p> <p>£11,700 based on a 468m section of unbound or semi-bound 'Half Tray with Geotextile and Georigid' footpath, including materials such as gravel or resin-bound hoggin; approx. £25 per m<sup>2</sup> of footpath</p> <p>£1,650 for two timber benches; at £825 per bench</p> <p><u>Maintenance Cost</u></p> <p>£140.40 for annual vegetation strimming along 468m of path; approx. £0.30 per m<sup>2</sup></p> <p>£70.20 for annual litter picking along 468m of path; approx. £0.15 per m<sup>2</sup></p> <p>£5,616 for 10-yearly path repair works along 468m of path; £12 per m<sup>2</sup></p> <p><u>Replacement Timeline</u></p> <p>Timber benches to be replaced every 10 years</p>	<p>Resurfacing the path and providing seating opportunities would make this section of the Spade Oak Perimeter Path more appealing and the circular trail more attractive.</p> <p>Providing a base of geotextile and a georigid mesh / grid will provide support on softer ground, allow water to percolate and mitigate against water-logging.</p>	Medium (optional deliverable)

Location Number <sup>1</sup>	Description	Proposed Measure	Initial Ballpark Cost Estimate <sup>2</sup> (capital, maintenance and replacement costs as appropriate <sup>3</sup> )	Likely Impact	Priority (low, medium, high) <sup>4</sup>
			<p><u>Total In-Perpetuity Cost (over 80 years) including capital and maintenance costs</u></p> <p>£11,700 (468m of footpath) + £1,650 (one timber bench) + £11,232 (in-perpetuity vegetation strimming) + £5,616 (in-perpetuity litter picking) + £11,550 (in-perpetuity replacement) + 39,312 (in-perpetuity path repair works) = £81,060</p>		
13	Through-cut between the Spade Oak Perimeter Path and the entrance at the Spade Oak Public House	The existing 'wildlife area' and 'danger – quarry water' signage look very worn / have fallen off. These could be replaced and a waymarker could signpost the Spade Oak Perimeter Path and the wider LMLCP circular trail.	<p><u>Capital Cost</u></p> <p>£215 for one timber post with finger blades</p> <p>£2,700 for one information board</p> <p><u>Replacement Timeline</u></p> <p>Timber post and information board to be replaced every 10 years</p> <p><u>Total In-Perpetuity Cost (over 80 years) including capital and replacement costs</u></p> <p>£215 (for one timber post with finger blades) + £2,700 (for one information board) + £20,405 (in-perpetuity replacement costs) = £23,320</p>	The provision of new signage and wayfinding at this location would help orientate visitors and increase the likelihood that a circular trail is completed.	High ('must' deliverable)
14	Near the Spit	BC is considering a new car park near The Spit (specifically along the concrete road or within the old gravel yard) to increase the visitor capacity of the LMLCP and enhance	<p><u>Capital Cost</u></p> <p>£12,000 for 60m<sup>2</sup> of car park for approx.</p>	An increase in the parking capacity is a key predictor of visitor numbers to a site <sup>16</sup> and it is likely that this would enhance the capacity of the	High ('must' deliverable)

<sup>16</sup> Weitowitz DC, Panter C, Hoskin R & Liley D. (2019). Parking provision at nature conservation sites and its implications for visitor use. Landscape and Urban Planning 190: 1-10.

Location Number <sup>1</sup>	Description	Proposed Measure	Initial Ballpark Cost Estimate <sup>2</sup> (capital, maintenance and replacement costs as appropriate <sup>3</sup> )	Likely Impact	Priority (low, medium, high) <sup>4</sup>
		<p>access to the northern section of the site. The Spit forms the tranquil core and is the main roosting site for waterfowl and waders in the LMLCP. The car park would lie within approx. 200-300m of the roost site, which may result in disturbance effects during and post-construction (depending on the construction machinery used<sup>13</sup> and the volume of traffic).</p> <p>Other options for additional parking opportunities have also emerged, including expansion of the Athletics Track car park along Westhorpe Farm Lane or a more formalised landscaped version of parking in Carington field.</p> <p>During the site visit it was noted that visitors currently use parking on Muschallik Road – known as Fisherman’s car park – adjacent to the entrance to the Little Marlow Waste Water Treatment Works. Due to the importance of The Spit for wildlife, AECOM advises that as a preferred option the expansion of parking along Muschallik Road is explored instead of a car park on the Spit.</p> <p>It is noted that there is a car park owned by Little Marlow Parish Council past the Spade Oak Public House car park further down on Coldmoorholme Lane. However, most visitors parking here were observed to access the Thames Path rather than the LMLCP. Furthermore, by extending the parking capacity in a different part of the LMLCP (e.g. on Westhorpe Farm Lane or Muschallik Road), this would</p>	<p>20 parking spaces<sup>14</sup>; approx. £200 per m<sup>2</sup> of car park<sup>15</sup>.</p> <p><u>Maintenance Cost</u></p> <p>£18 for annual vegetation strimming around 60m<sup>2</sup> of car park; approx. £0.30 per m<sup>2</sup></p> <p>£9 for annual litter picking around 60m<sup>2</sup> of car park; approx. £0.15 per m<sup>2</sup></p> <p>£1,890 for 10-yearly repair works on 60m<sup>2</sup> of car park; £31.50 per m<sup>2</sup></p> <p><u>Total In-Perpetuity Cost (over 80 years) including capital and maintenance costs</u></p> <p>£12,000 (for a medium-sized car park with 20 parking spaces) + £1,440 (in-perpetuity vegetation strimming) + £720 (in-perpetuity litter picking) + £13,230 (in-perpetuity repair works) = £27,390</p>	LMLCP to absorb more recreational pressure, including from the Hollands Farm development.	

<sup>13</sup> The Waterbird and Disturbance Mitigation Toolkit provides detailed background on the distances at which different noise levels may lead to the disturbance of waterbirds.

<sup>14</sup> Natural England uses a rule of thumb of one parking space per hectare for SANG (for example in the Thames Basin Heaths SPA area). The LMLCP is not proposed as SANG and has an area of approx. 321ha. It is not deemed appropriate to provide a very large car park in the LMLCP, given that the site is already served by two car parks. Therefore, a medium-sized car park providing for 20 spaces is costed here.

<sup>15</sup> A medium car park (for up to about 20 cars). Excavate to 300mm depth and fill to 150mm with clean hardcore. Surface with minimum 150mm of new hardcore (Type 1) with topping of fines to bind surface. Each parking bay requires 5m x 3m, plus turning space (1.5 x car length).

Location Number <sup>1</sup>	Description	Proposed Measure	Initial Ballpark Cost Estimate <sup>2</sup> (capital, maintenance and replacement costs as appropriate <sup>3</sup> )	Likely Impact	Priority (low, medium, high) <sup>4</sup>
		<p>enhance the accessibility of the Country Park in other areas.</p> <p>The different options for additional parking provision should be scoped out further and consulted upon with Natural England at the earliest opportunity, in order to identify the preferred solution for the outline planning application.</p>			
15 (not on map)	Distribution of information leaflets advertising the LMLCP in Hollands Farm	<p>A leaflet<sup>17</sup> advertising the key circular routes through the LMLCP could be produced and distributed in households of the Hollands Farm development. Alternatively, routes could be advertised digitally, which is more environmentally friendly and likely to reduce cost, on the web presence of the developer's management company and/or Buckinghamshire Council.</p> <p>Key information on the routes (e.g. distance, difficulty, access information) could be provided in this brochure. Furthermore, the information leaflet may be used as an educational platform to provide details on the history and wildlife of the Little Marlow Lakes, as well as the Countryside Code.</p>	<p><u>Capital Cost</u></p> <p>£124 for two rounds of leaflet distribution in the Hollands Farm development; approx. £62 for one round of 500 double-sided A6 leaflets<sup>18</sup> (excl. design of content and distribution)</p>	<p>Providing additional advertisement for the LMLCP is likely to increase the recreational footfall within the site. Furthermore, the provision of routes with descriptions is likely to be an additional attraction. Visitors like to be guided on visits, which gives a sense of accomplishment (see success of routes on the ViewRanger application).</p>	Medium (optional deliverable)
16 (not on map)	Strategic delivery officer role in Little Marlow Lakes Country Park	<p>This measure provides for a part-time delivery officer role with the purpose to administer funds, review project progress and liaise with relevant stakeholders (e.g. Natural England or private landowners). In other projects (e.g. BirdAware Solent), officers are full-time employed, but it is considered that a part-time role would suffice to</p>	<p><u>Annual Cost</u></p> <p>£45,000 part-time officer role (at 75% time) based on FTE salary of £50,000, and allowance for support costs (e.g. office supplies, IT support, etc.) and</p>	<p>The delivery officer role will ensure that developer contributions are utilised appropriately and that mitigation interventions are achieved on time.</p> <p>A dedicated officer role is considered vital to ensure the adequate delivery of the proposals</p>	High ('must' deliverable)

<sup>17</sup> A leaflet produced by the Chilterns Conservation Board covers a section of the site and is a useful source for inspiration. Available at: [https://www.chilternsaonb.org/uploads/files/Walks\\_and\\_Rides/Access\\_to\\_the\\_Countryside/LittleMarlowWaterWalk.pdf](https://www.chilternsaonb.org/uploads/files/Walks_and_Rides/Access_to_the_Countryside/LittleMarlowWaterWalk.pdf) [Accessed on the 31/07/2020]

<sup>18</sup> Guide price for leaflet printing obtained from a web search at: <https://www.alocalprinter.co.uk/digital-leaflet> [Accessed on the 31/07/2020]

Location Number <sup>1</sup>	Description	Proposed Measure	Initial Ballpark Cost Estimate <sup>2</sup> (capital, maintenance and replacement costs as appropriate <sup>3</sup> )	Likely Impact	Priority (low, medium, high) <sup>4</sup>
		<p>oversee the LMLCP mitigation package.</p> <p>One of the key tasks of the delivery officer would be to ensure delivery of a suitable menu of mitigation measures in line with the phased delivery of the Hollands Farm development. For example, the number of mitigation measures delivered should take account of the priority of measures and the number of dwellings developed under each outline planning application. Currently, it is envisaged that two main phases of development will occur, constituting 80% and 20% of the total residential quantum respectively.</p> <p>The officer working hours could be adjusted according to the requirements of the role, with most input being required in the initial set-up phase. In line with this, the delivery officer role could be provided permanently in the first 5 years, with another 5 years of the role being spread over the remaining 75 years of the project (reflecting that the role would be limited to maintenance requirements after the initial project set-up phase).</p>	<p>outsourcing the role<sup>19</sup>. The role would be provided over a total of 10 years (see column on the left).</p> <p><b>Total In-Perpetuity Cost (over 80 years) of annual costs</b></p> <p>£450,000 (salary for part-time delivery officer)</p>	<p>such that the LMLCP represents a realistic alternative recreation destination to the Burnham Beeches SAC.</p> <p>In practice, the complexity and demands of a strategic delivery officer role make it unlikely that it is feasible to be taken on by someone alongside other duties.</p>	
All		Total in-perpetuity costs for all proposed mitigation measures	£1,198,259 <sup>20</sup>		

<sup>19</sup> Data provided by Buckinghamshire Council

<sup>20</sup> It is to be noted that this figure provides a very crude ballpark figure for the lifetime costings of the mitigation measures identified for LMLCP. The total in-perpetuity cost may differ significantly, for example based on the lengths of foot- and cycle paths enhanced / replaced, and / or the amount of repair works required.



Figure 1: Outer footpath running in parallel to the Spade Oak Perimeter Path (location 2 in table) showing extremely muddy ground.



Figure 2: Section of the LMLCP for which a cycleway is proposed (location 3 in table). The picture shows the appealing scenery with expansive fields to the right and scrubland to the left of the footpath.



Figure 3: The only dog waste bin in the entire LMLCP (location 4 in table). More of these could be situated near the main access points to keep the park free of litter and make it more appealing to visitors.





Figure 4: Footpath leading past the Crowne Plaza, connecting the Thames Path with the area around Westhorpe House (location 7 in table). This view northward shows parts of the muddy track, an old slippery footbridge and overgrowth.



Figure 5: Viewpoint over the Spade Oak Nature Reserve and the Spit, the key spot for wildlife watching (location 10 in table). A more informative information board and benches could be installed here.



Figure 6: View from the southern section of the Spade Oak Perimeter Path over the tern nest floats (location 11 in table). This area would benefit from enhancements such as seating opportunities and an information board.

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## **Guidelines for Creation of Suitable Alternative Natural Greenspace (SANG) – August 2021**

### **Introduction**

‘Suitable Alternative Natural Greenspace’ (SANG) is the name given to green space that is of a quality and type suitable to be used as avoidance within the Thames Basin Heaths Planning Zone.

Its role is to provide alternative green space to divert visitors from visiting the Thames Basin Heaths Special Protection Area (SPA). SANG are intended to provide avoidance measures for the potential impact of residential development on the SPA by preventing an increase in visitor pressure on the SPA. The effectiveness of SANG as mitigation will depend upon the location and design. These must be such that the SANG is more attractive than the SPA to users of the kind that currently visit the SPA.

This document describes the features which have been found to draw visitors to the SPA, which should be replicated in SANG. It provides guidelines on

- the type of site which should be identified as SANG
- measures which can be taken to enhance sites so that they may be used as SANG

It also covers the outputs of the recent Thames Basin Heaths Project 2021.

These guidelines relate specifically to the means to provide mitigation for significant impact arising from new housing within the Thames Basin Heaths Zone of influence. They do not address nor preclude the other functions of green space. Other functions may be provided within SANG, as long as this does not conflict with the specific function of mitigating visitor impacts on the SPA.

SANG may be created from:

- existing open space of SANG quality with no existing public access or limited public access, which for the purposes of mitigation could be made fully accessible to the public
- existing open space, which is already accessible, but which could be changed in character so that it is more attractive to the specific group of visitors who might otherwise visit the SPA
- land in other uses which could be converted into SANG

The identification of SANG should seek to avoid sites of high nature conservation value which are likely to be damaged by increased visitor numbers. Such damage may arise, for example, from increased disturbance, erosion, input of nutrients from dog faeces, and increased incidence of fires. Where sites of high nature conservation value are considered as SANG, the impact on their nature conservation value should be assessed and considered alongside relevant policy in the development plan. These sites may require an ecological discount of their proposed SANG area.

SANG continue to need to be delivered in advance of any associated housing stock being occupied. They should also be funded for in perpetuity as is the current process.

### **The Character of the SPA and its Visitors**

The Thames Basin Heaths SPA is made up of 13 Sites of Special Scientific Interest, and consists of a mixture of heathland, mire, and woodland habitats. They are essentially ‘heathy’ in character. The topography is varied, and most sites have a large component of trees and some contain streams, ponds and small lakes. Some are freely accessible to the public and most have a degree of public access, though in some areas this is restricted by army, forestry or other operations.

Survey effort in 2005 showed that more than 83% of visitors to the SPA arrive by car, though access points adjacent to housing estates showed a greater proportion arriving on foot (up to 100% in one case). 70% of those who visited by car had come from within 5km of the access point onto the SPA. A very large proportion of the SPA visitors are dog walkers, many of whom visit the particular site on a regular (more or less daily) basis and spend less than an hour there, walking on average about 2.5km. Almost 50% are retired or part-time workers and the majority are women. Further detailed information on visitors can be found in the reports referenced at the end of this document. These figures have been supported in further SPA wide surveys, the most recent being in 2018.

### **Guidelines for the Quality of SANG**

The quality guidelines have been sub-divided into different aspects of site fabric and structure. They have been compiled from a variety of sources but principally from visitor surveys carried out at heathland sites within the Thames Basin Heaths area or within the Dorset heathlands. These are listed as references at the end of this document.

The principle criteria contained in the Guidelines have also been put into a checklist format which are contained in Appendix 1.

### **Accessibility**

**Most visitors come by car and want the site to be fairly close to home.** Unless SANG are provided for the sole use of a local population living within a 400-metre catchment around the site, then **the availability of adequate car parking at sites larger than 4 ha is essential.** The amount and nature of parking provision should reflect the anticipated use of the site by visitors and the catchment size of the SANG. It should provide an attractive alternative to parking by the part of SPA for which it is mitigation. **Car parks should be clearly signposted and easily accessed.**

New parking provision for SANG should be advertised as necessary to ensure that it is known of by potential visitors.

### **Target groups of Visitors**

This should be viewed from two perspectives, the local use of a site where it is accessed on foot from the visitor's place of residence, and a wider catchment use where it is accessed by car. **Most of the visitors to the SPA come by car and therefore should be considered as a pool of users from beyond the immediate vicinity of the site.** All but the smallest SANG should therefore target this type of visitor.

It is apparent from access surveys that a significant proportion of those people who visit the sites on foot, also visit alternative sites on foot and so this smaller but significant group look for local sites. **Where large populations are close to the SPA, the provision of SANG should be attractive to visitors on foot.**

### **Networks of sites**

**The provision of longer routes within larger SANG is important in determining the effectiveness of the authorities' network of SANG as mitigation.** The design of routes within sites will be critical to providing routes of sufficient length and attractiveness for mitigation purposes.

**Though networks of SANG may accommodate long visitor routes and this is desirable, they should not be solely relied upon to provide long routes.**

## Paths, Roads and Tracks

The findings suggest **that SANG should aim to supply a choice of routes of around 2.3 - 2.5km in length** with both shorter and longer routes of at least 5km as part of the choice, where space permits.

Paths have to be of a width acceptable to visitors.

**Paths should be routed so that they are perceived as safe by the users**, with some routes being through relatively open (visible) terrain (with no trees or scrub, or well spaced mature trees, or wide rides with vegetation back from the path), especially those routes which are 1-3 km long.

The routing of tracks along hill tops and ridges where there are views is valued by the majority of visitors.

## Artificial Infrastructure

Little or no artificial infrastructure is found within the SPA at present apart from the provision of some surfaced tracks and car parks. Generally, an urban influence is not what people are looking for when they visit the SPA and some people undoubtedly visit the SPA because it has a naturalness about it that would be marred by such features.

However, **SANG would be expected to have adequate car parking with good information about the site and the routes** available. Some subtle waymarking would also be expected for those visitors not acquainted with the layout of the site.

Other infrastructure would not be expected and should generally be restricted to the vicinity of car parking areas where good information and signs of welcome should be the norm, though discretely placed benches or information boards along some routes would be acceptable.

## Landscape and Vegetation

**SANG do not have to contain heathland or heathy vegetation to provide an effective alternative to the SPA.**

Surveys clearly show that **woodland or a semi-wooded landscape is a key feature** that people appreciate in the sites they visit, particularly those who use the SPA. This is more attractive than open landscapes or parkland with scattered trees.

A **semi-natural looking landscape with plenty of variation** was regarded as most desirable by visitors and some paths through quite enclosed woodland scored highly. There is clearly a balance to be struck between what is regarded as an exciting landscape and a safe one and so some element of choice between the two would be highly desirable. The semi-wooded and undulating nature of most of the SPA sites gives them an air of relative wildness, even when there are significant numbers of visitors on site. SANG should aim to reproduce this quality.

**Hills do not put people off visiting a site**, particularly where these are associated with good views, but steep hills are not appreciated. **An undulating landscape is preferred to a flat one.**

Water features, particularly ponds and lakes, act as a focus for visitors for their visit, but are not essential.

## Restrictions on usage

The bulk of visitors to the SPA came to exercise their dogs and so it is imperative that **SANG allow for pet owners to let dogs run freely over a significant part of the walk. Access on SANG should be largely unrestricted, with both people and their pets being able to freely roam**

**along the majority of routes.** This means that sites where freely roaming dogs will cause a nuisance or where they might be in danger (from traffic or such like) should not be considered for SANG.

### **Assessment of site enhancement as mitigation**

SANG may be provided by the enhancement of existing sites, including those already accessible to the public that have a low level of use and could be enhanced to attract more visitors. The extent of enhancement and the number of extra visitors to be attracted would vary from site to site. Those sites which are enhanced only slightly would be expected to provide less of a mitigation effect than those enhanced greatly, in terms of the number of people they would divert away from the SPA. In order to assess the contribution of enhancement sites in relation to the hectare standards of the Delivery Plan, it is necessary to distinguish between slight and great enhancement.

Methods of enhancement for the purposes of this guidance could include enhanced access through guaranteed long-term availability of the land, creation of a car park or a network of paths.

SANG which have not previously been open to the public count in full to the standard of providing 8ha of SANG per 1000 people in new development. SANG which have an appreciable but clearly low level of public use and can be substantially enhanced to greatly increase the number of visitors also count in full. The identification of these sites should arise from evidence of low current use. This could be in a variety of forms, for example:

- Experience of managing the site, which gives a clear qualitative picture that few visitors are present
- Quantitative surveys of visitor numbers
- Identified constraints on access, such as lack of gateways at convenient points and lack of parking
- Lack of easily usable routes through the site
- Evidence that the available routes through the site are little used (paths may show little wear, be narrow and encroached on by vegetation)

### **Practicality of enhancement works**

The selection of sites for enhancement to be SANG should take into account the variety of stakeholder interests in each site. Consideration should be given to whether any existing use of the site which may continue is compatible with the function of SANG in attracting recreational use that would otherwise take place on the SPA. The enhancement should not result in moving current users off the SANG and onto the SPA. The specific enhancement works proposed should also be considered in relation not only to their effects on the SANG mitigation function but also in relation to their effects on other user groups.



## TBH SPA Mitigation Project – January 2021

The Hart, Rushmoor and Surrey Heath Councils worked together with Natural England to complete a project reviewing the approach to mitigation within the Thames Basin Heaths. The work analysed eleven potential alternative options when it comes to delivering SPA mitigation. The report concluded that the role and design of SANG could be clarified further.

To be made very clear from the outset. There remains a hierarchy of SANG provision. Great weight will be given to those SANGS meeting all the existing quality criteria (shown in Appendix 1) which should be delivered in the first instance. Only if this is **not possible, for clearly established reasons**, should the delivery of the options outlined in the section below be considered. If any proposed SANGS do not meet all of the Appendix 1 quality criteria, then these SANGS will continue to be assessed on a case by case basis and should be **agreed** with both the competent authority and Natural England. The proposal will need to demonstrate equivalent effectiveness of mitigation being provided to ensure a robust, consistent approach continues. Any shortfall in SANG criteria should be offset by other complementary means, such as an elevated provision rate, size or high-quality features.

The evidence shows that the use of SANG networks, linear orientated sites and small sites of no smaller than two hectares have potential to provide effective mitigation where traditional SANG is unavailable. These SANG areas will be linked and/or in proximity to an already established SANG. If effectiveness can be demonstrated of small or linear SANGs working alone, then we will assess this on a case by case basis, taking in to account the site's context amongst the wider greenspace network.

Historically Natural England have apportioned significant weight to the requirement for a 2.3 – 2.5km circular walk, which is less likely to be achievable in a small or linear SANG. These guidelines do not remove weight from the requirement but do accept that in specific circumstances the walk doesn't have to be included within every single SANG unit. It is however desirable to provide the full Appendix 1 criteria across a local SANG network or on another SANG.

Natural England would urge all Local Planning Authorities to take note, that this approach **could** enable sites previously deemed unacceptable to Natural England, to now qualify as valid avoidance measure. Please come and speak to us if you feel that is the case.

## Appendix 1: Site Quality Checklist – for a SANG

This guidance is designed as an Appendix to the full guidance on Suitable Alternative Natural Greenspaces (SANG) to be used as mitigation (or avoidance) land to reduce recreational use of the Thames Basin Heaths SPA.

### Must haves

- For all sites larger than 4ha there must be adequate parking for visitors, unless the site is intended for local use, i.e. within easy walking distance (400m) of the developments linked to it. The amount of car parking space should be determined by the anticipated use of the site and reflect the visitor catchment of both the SANG and the SPA.
- Possible to complete a circular walk of 2.3-2.5km around the SANG.
- Car parks must be easily and safely accessible by car and should be clearly sign posted.
- The accessibility of the site must include access points appropriate for the visitor use the SANG is intended to cater for.
- The SANG must have a safe route of access on foot from the nearest car park and/or footpath/s
- All SANG with car parks must have a circular walk which starts and finishes at the car park.
- SANG must be designed so that they are perceived to be safe by users; they must not have tree and scrub cover along parts of the walking routes.
- Paths must be easily used and well maintained but most should remain unsurfaced to avoid the site becoming to urban in feel.
- SANG must be perceived as semi-natural spaces with little intrusion of artificial structures, except in the immediate vicinity of car parks. Visually sensitive way-markers and some benches are acceptable.
- All SANG larger than 12 ha must aim to provide a variety of habitats for users to experience.
- Access within the SANG must be largely unrestricted with plenty of space provided where it is possible for dogs to exercise freely and safely off lead.
- SANG must be free from unpleasant intrusions (e.g. sewage treatment works smells etc).

### Should haves

- SANG should be clearly sign-posted or advertised in some way.
- SANG should have leaflets and/or websites advertising their location to potential users. It would be desirable for social media to be used as well, with the goal of reducing paper use. Although a leaflet for a new home is desirable. It could advertise the TBH Partnership website at <https://www.tbhpartnership.org.uk/greenspace/>

### Desirable

- It would be desirable for an owner to be able to take dogs from the car park to the SANG safely off the lead.

- Where possible it is desirable to choose sites with a gently undulating topography for SANG
- It is desirable for access points to have signage outlining the layout of the SANG and the routes available to visitors.
- It is desirable that SANG provide a naturalistic space with areas of open (non-wooded) countryside and areas of dense and scattered trees and shrubs. The provision of open water is encouraged and desirable on sites. However large areas of open water cannot count towards capacity.
- Where possible it is desirable to have a focal point such as a viewpoint, monument etc within the SANG.

## Appendix 2: Further clarification on the TBH Project 2021

Reliance on the length of circular walk could be given less weight in specific circumstances on individual SANG sites. A circular route is still required. This will be agreed on a case by case basis by Natural England and the relevant Local Planning (Competent) Authority and only where equivalence can be effectively demonstrated. Sites will also only be accepted where most of the other criteria from Appendix 1 are met, either individually or as part of a group of sites.

**Small SANG** – This will be no smaller than 2 hectares in size. Where possible all other Appendix 1 criteria should be met, and the site will be adjacent to, linked in an accessible manner to, or close to a SANG or network which can deliver the required circular walk. Small SANG should be available to residents on their doorsteps.

**Linear SANG** – This approach allows for the width of a SANG to be reduced, where the walk incorporates an attractive linear feature or links to other open sites. For example, alongside waterways or disused railway lines. Linear SANG should include sites with wider areas, creating irregular shapes and opportunities for dogs to exercise freely off lead. In exceptional cases a there and back walk could qualify. It would require strong evidence and visitor surveys to show that it will provide an avoidance experience like that of a traditional SANG. It would also be preferable for linear SANG to link with wider routes and/or other SANGs to provide opportunities for a variety of walks.

**SANG Network** – Where several SANGs are in proximity or adjacent, they can be used and visited as one single entity. This approach allows for the use of links between SANG units to deliver a circular walk and meet all the Guidelines in combination. The default position is that the SANG links would not count as having capacity or catchments but would need to be secured in perpetuity. If they happen to be a substantial unit of green space themselves then they could be included within the SANG calculation. The size of an individual SANG catchment can be increased depending on the area afforded by an overall SANG network (excluding links), in line with the quanta figures in the TBH Delivery Framework.

**Equivalence** – This will be required on all SANG sites not meeting the guidelines in Appendix 1. There will have to be an over provision of something else to offset the lack of the full circular walk. This would be likely to incorporate an increased provision rate, for example providing 12 hectares of SANG per thousand head of population. A significant high quality SANG in terms of amenities and habitats could also demonstrate this requirement. We are happy to discuss this matter further on a case by case basis, either through our DAS Service for developers or our Local Plan Service for Local Planning Authorities.

### Appendix 3: Suitable Alternative Natural Greenspace: A best practice guide

Natural England would urge that these recommendations are followed unless there is valid justification for a deviation.

A SANG can be greatly improved for visitors and wildlife by implementing some of the suggestions in this guide. They are based on Natural England's Strategic Access Management and Monitoring teams' findings from visiting SANG and undertaking visitor number and questionnaire surveys.

This guide has been produced to provide more advice to Local Planning Authorities and developers up front. These are features found throughout the current SANG suite that we feel have tangible positive impacts on the draw to a SANG. We understand that it may not be possible to adopt them all, especially in a smaller SANG. There are a lot of quick fixes in this list which will generate a substantial uplift in SANG attractiveness. Natural England are likely to raise fewer concerns through the formal planning process on a SANG which provides the majority of the following.

It is essential that Natural England visits and agrees a SANG, before any housing development can be attributed towards it. This is in line with Policy NRM6 of the South East Plan. For SANG development advice please contact Natural England's Discretionary Advice Service:

<https://www.gov.uk/guidance/developers-get-environmental-advice-on-your-planning-proposals>

It is advisable to contact your local planning authority at the first instance of SANG development.

#### Naming of SANG:

1. Use a name which highlights any attractive features within the site. E.g. meadow, copse, lake etc.
2. Avoid the use of the word 'SANG' in the name of the site.
3. Keep the name relevant to the location but dissimilar to nearby SANG's.
4. The name is different to any associated development.

#### Location of SANG:

1. Where possible, provision of connectivity to wider greenspace/other SANG is recommended but should ensure a SANG does not result in new and additional access and visits to sensitive sites.
2. Seek to protect and enhance any existing local wildlife site designations (e.g. SSSI/SINC/SNCI) within or adjacent to the SANG boundary.

#### Biodiversity:

1. Ensure habitat of SANG complements adjacent habitats. e.g by extending similar landscape or something complementary such as grassland for foraging woodland birds.
2. Ensure appropriate connectivity of landscape scale habitat features. e.g. hedgerows, tree belts etc.
3. Include features such as; dead wood, sand banks, wildflower meadows etc.
4. Where open water is included, separate dog ponds and wildlife ponds. (Case study 4)
5. Avoid frequent mowing as a tool to manage grasslands, it is an expensive technique which produces little biodiversity benefit.
6. Grazing is a good management tool. It is not suitable for all SANG, but if it possible on your SANG, a route must be provided which avoids the grazing area for the benefit of those nervous of cattle.
7. Good practice monitoring of SANG use should be built into in perpetuity management of the site, and work consistently with the SAMM Project.

Biodiversity Net Gain (BNG) is an approach to land management and/or development that aims to leave biodiversity in a measurably better state than before. BNG does not change existing protections to protected sites, irreplaceable habitats or protected species.

Through appropriate design and implementation BNG can complement the purpose of SANGS. These are designed to provide more natural and diverse green space for communities to benefit from and, consequently, delivering more effective mitigation to alleviate pressure on SPAs. [SANG is not an automatic delivery mechanism for BNG but the two can exist on the same site. BNG on SANG is only attributable](#) to such habitat creation or enhancement that proves measurable additionality over and above the minimum requirements of the SANG, demonstrated through use of the Biodiversity Metric stipulated by the consenting body.

For BNG to be delivered on SANG, the SANG should achieve nature conservation outcomes that demonstrably exceed existing obligations under the SANG guidance, as quantified through the metric. It is encouraged that, where applicable, additional or enhanced features at SANGs are informed by local nature or wildlife strategies and priorities, such as Local Nature Recovery Strategies (LNRS). It is recommended that the BNG calculations for the SANG are done separately from the rest of the project calculations, in order to ensure a clear audit trail and allow for simple demonstration of the additional biodiversity unit uplift beyond the minimum SANG requirements. Any additional features provided for BNG purposes should not conflict with the principle purpose of the SANG. Consideration should be given for other ecosystem services provided by the SANG and design should ensure BNG does not compete with these but delivers alongside them. For example, a wildflower rich grassland area created for biodiversity benefits would provide additional ecosystem services but could potentially also conflict with recreational services provided by the SANG. Careful consideration should be given to the design of any additional biodiversity features introduced into the SANG to ensure they did not conflict with the SANGs principle purpose.

For the purposes of the BNG calculation, the baseline value of the SANG is the site with the Habitat Regulation key required habitat features incorporated. Enhancements should be additional to count towards BNG, in that the enhancements would not have taken place in the absence of the BNG funding (or commitment of funding) and the biodiversity benefit (as measured through the metric) should not also be claimed to compensate for another project's biodiversity impact. Further information on BNG is set out in the following guidance and standards

1. The CIEEM, CIRIA, IEMA Good practice principles for development should be followed: <https://cieem.net/wp-content/uploads/2019/02/C776a-Biodiversity-net-gain.-Good-practice-principles-for-development.-A-practical-guide-web.pdf>
2. [The British Standard for Biodiversity Net Gain \(BS 8683\) is a process standard that describes the implementation of BNG by a project \(to be released in 2021\).](#)

Equality Act 2010 Compliance:

1. This does not fall under the remit of Natural England and we will not be giving bespoke advice about it during our pre application discussions. However, we urge developers and Local Planning Authorities alike to consider the requirements of it, when designing their SANG solutions.

Paths:

1. We are concerned about sections of the circular route that seasonally are wet, muddy or flooded, and could put visitors off from visiting. In these cases, we recommend boardwalk or paths are built up, for them to remain as compliant SANG. Relating to this, if applying grip to surfaces, avoid wire netting as it can trap dog claws.
2. Path surfacing needs to remain semi natural. The highest specification surface we would accept is resin bound hoggin.

3. Avoid convoluted paths and pinch points in SANG design. By maintaining a minimum width between paths of 100 m in open ground and 50 m in dense woodland.  
If necessary, look to extend the area of the SANG, or look at a local SANG Network.
4. Avoid paths running through areas adjacent to major infrastructure with prolonged loud noise. For example, adjacent dual carriageways or motorways. Natural England look at a maximum decibel limit of 60, before requiring discounting of SANG area.

#### Way-marking and signage:

1. Provide a map at the entrances with an easy to follow circular walk.
2. Gates, fencing and planting following natural land features can help distinguish routes.
3. Highlight points of interest and site history.
4. Car parks well sign posted using highways specification. Where possible through use of the brown sign initiative.
5. Provide contact details for site manager at main entrance.

#### Bins and dog fouling:

1. Dog bins should be in convenient sections of site and near the entrances.

#### Car park standard:

1. Provide a minimum of 1 parking space per ha.

#### Safety and security:

1. Where required for health and safety purposes, the SANG should have suitable access for emergency vehicles.
2. Car parks should be designed to reduce risk of anti-social behaviour, break in or feelings of vulnerability for site users.
3. Perimeter fencing secure to prevent dogs getting out.

#### Amenities:

These are **not a requirement** but have proved an attractive feature in those SANG with the space available.

1. A play area is a feature that attracts those with children to visit the site, as these are not present on the SPA. If a play area is included, it should be made from sustainable natural sources and not be full of bright plastics.
2. A café or food/drink provisions often attracts more visitors to the site. (Case study 4)

#### To conclude

We sometimes lose track of the basic requirement for a SANG, which is to attract people away from the SPA. When designing all SANG, the visitor experience needs to be put first. Costings and even habitat creation should all fall from a strong Visitor Strategy, which should form part of the SANG Management Strategy. Sites and their information should be created in a positive manner to interest visitors and have them coming back time and time again. Though biodiversity and landscape planning are obviously important, we urge you to start by considering the local populous and what they want and how they want to interact with your site, when creating a new SANG.

## Case Studies

1. Edenbrook Country Park – Hart District Council - Well surfaced paths, and provisions for wildlife.

Edenbrook is a 24-hectare country park, delivered by Berkeley in partnership with Natural England and Hart District Council.

The paths are sufficiently wide for a combination of site users (Figure 1). There is also a good network of surfaced paths which are not convoluted and avoids pinch points. This was historically agricultural fields, but through innovative design, they have delivered a site that delivers both for visitors but also for biodiversity. Hart District Council have recognised the SANG network approach here and are bolting on extra area to the SANG and linking to other SANG in the vicinity.



**Figure 1:** The surfaced paths at Edenbrook are located sufficiently far from one another, and from wildlife rich-areas. They are wide enough for the whole combination of site visitors to use.



## 2. Farnham Park – Waverley Borough Council - Provisions for dogs and wildlife.

Several of the ponds in Farnham Park are designated as wildlife ponds. These are rich in wildlife, hosting many amphibian and invertebrate species. Dead hedges were built around three of the ponds, using materials cut from Farnham Park. To provide water and an opportunity to swim, 'Friends Pond' has been kept fully accessible to dogs. It is located nearest the main entrance and is easily accessible to all visitors. The wildlife ponds are further away from the main entrance, where visitor density is expected to be lower.



**Figure 2:** 'Friends Pond' a dog pond on Farnham Park which allows dogs to swim and drink from, whilst other ponds are fenced to protect wildlife.

### 3. Bucklers Forest – Bracknell Forest Council Comprehensive and engaging interpretation.

At the entrance to the site, Buckler’s Forest includes a map that shows 3 options for circular routes (measuring 3.6 km, 2.4 km and 1.3 km). It also includes information on the wildlife that visitors can expect to see on site. As well as this, it highlights the site history. The inclusion of such comprehensive signage encourages users to care more about the site.

Buckler’s Forest has showcased its site history by incorporating green electrical boxes, retained from the transport laboratory, into the site design. These have been transformed into benches, bug hotels, and even mini ‘museum’ exhibitions. The integration of the site’s history is beloved by many site visitors and it creates a distinctly ‘country park’ feel.



**Figure 3:** A mini ‘museum’ exhibition including some archaeological samples found on site. Located within a green electrical box present when the site was a transport laboratory.



**Figure 4:** A bug hotel also within a repurposed green electrical box.

4. Heather Farm – Delivered by Horsell Common Preservation Society in partnership with Woking Borough Council - Provision of amenities.

Heather Farm has proved to be a very popular SANG, particularly for of its amenities, including a café and a large car park. Whilst it is not possible, or advisable, to include a café on every SANG, at Heather Farm, it has attracted a lot of visitors, many of whom would otherwise visit the SPA. After identifying a need for additional parking provisions, Horsell Common Preservation Society added 57 new spaces to the car park. There are currently 109 car parking spaces for visitors. Heather Farm provides 4 spaces per hectare, significantly more than the suggested minimum of 1 space per hectare.



**Figure 5:** A view of some of the habitat creation at Heather Farm

5. Wellesley Woodlands – Rushmoor Borough Council - Waymarking and signposting.

Wellesley Woodlands has incorporated non-intrusive way-markers to clearly signpost users around the 8 trails included in the SANG. These are easy to follow for site users whilst remaining unobtrusive. Where multiple trails intersect, signposting is clear to ensure that trails can be followed with ease. Both the map and associated markers clearly identify those trails that are suitable ground for wheelchairs and those with restricted mobility.



**Figure 6:** A signpost clearly defining two all-ability trails, the Birch Trail and the Holly Trail.



**Figure 7:** A way-marker to signpost users along the Wellesley Willow Trail.

## 6. Biodiversity Net Gain

Examples of Biodiversity Net Gain delivered within a SANG:

- A. If an extra hedgerow was put into a SANG, not for screening purposes, this could count. If it is put in for screening reasons, this is a key SANG feature and therefore cannot count towards BNG unless the hedgerow was of higher distinctives than that needed for screening purposes or maintained in better ecological condition, in which case it could count.
- B. Planting wildflower bulbs on appropriately sited amenity grassland within a SANG and in turn converting it to species rich meadow could be counted towards BNG.
- C. If the SANG has structures such as a toilet block or café, then BNG could be delivered through the introduction of green/vegetated roofs and/or walls on such structures.

Potential Opportunities for Biodiversity Net Gain



By vegetating the roof of this structure at Farnham Park SANG, measurable additionality over and above the minimum requirements of the SANG has been demonstrated and it can therefore count towards the delivery of biodiversity net gain.

#### Appendix 4: SANG Information Form

This form is designed to help you gather information about any potential SANG. For more guidance on the creation of SANG, please also refer to the relevant Borough Council's Thames Basin Heaths SPA Interim Avoidance Plan.

Natural England, Local Planning Authorities, and other organisations will then be able to consider the potential suitability of the proposed SANG based on this initial information.

#### Background information

<b>Name and location of proposed SANG</b>	<b>Name:</b>  <b>Address:</b>  <b>Grid reference:</b>  <b>(Please attach a map of the site with the boundaries clearly marked)</b>
<b>Size of the proposed SANG (hectares), excluding water features</b>	<b>hectares</b>
<b>Any current designations on land - e.g. LNR / SSSI</b>	
<b>Current owners name and address. (If there is more than one owner then please attach a map)</b>	
<b>Who manages the land?</b>	
<b>Legal arrangements for the land – e.g. how long is the lease?</b>	
<b>Is there a management plan for the site? (if so, please attach)</b>	

## Current visitor arrangements

<p><b>Is the site currently accessible to the public?</b></p>	
<p><b>Does the site have open access?</b></p>	
<p><b>Has there been a visitor survey of the site? (If so, please attach)</b></p>	
<p><b>If there has been no visitor survey, please give an indication of the current visitor levels on site</b></p>	
<p><b>Does the site have existing car parking?</b></p>	<p><b>How many car parks?</b></p> <p><b>How many car parking spaces?</b></p> <p><b>(Please mark car parks and numbers of car parking spaces on the site map)</b></p>
<p><b>Are there any existing routes or paths on the site?</b></p>	<p><b>(Please mark these on the map)</b></p>
<p><b>Are there signs to direct people to the site? (Please indicate where and what type of sign)</b></p>	

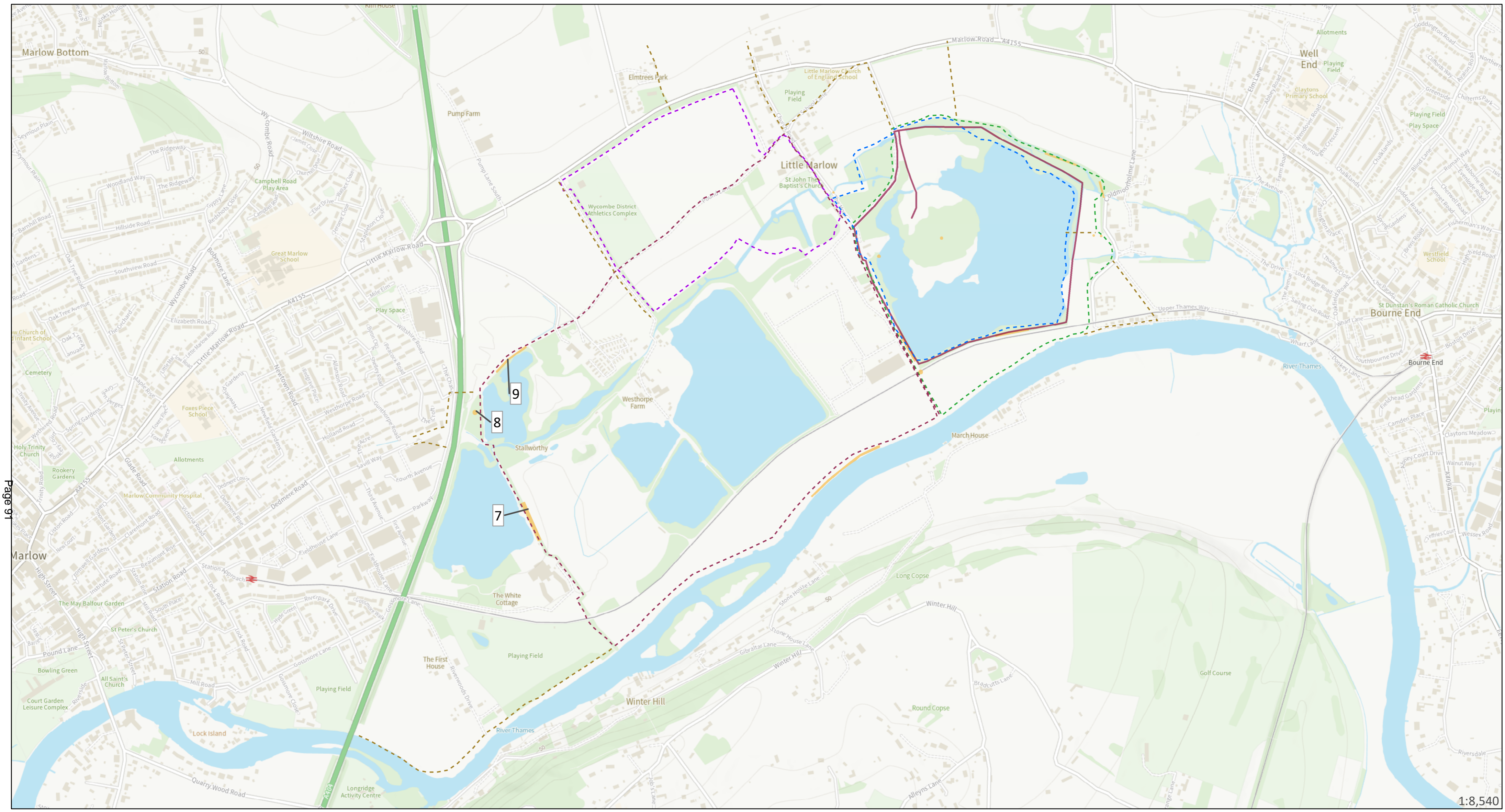
## Site quality checklist

<b>Must/should have – these criteria are essential for all SANG</b>			
	<b>Criteria</b>	<b>Current</b>	<b>Future</b>
1	Parking on all sites larger than 4ha (unless the site is intended for use within 400m only)		
2	Circular walk of 2.3-2.5km		
3	Car parks easily and safely accessible by car and clearly sign posted		
4	Access points appropriate for particular visitor use the SANG is intended to cater for		
5	Safe access route on foot from nearest car park and/or footpath		
6	Circular walk which starts and finishes at the car park		
7	Perceived as safe – no tree and scrub cover along part of walking routes		
8	Paths easily used and well maintained but mostly unsurfaced		



9	Perceived as semi-natural with little intrusion of artificial structures		
10	If larger than 12 ha then a range of habitats should be present		
11	Access unrestricted – plenty of space for dogs to exercise freely and safely off the lead		
12	No unpleasant intrusions (e.g. sewage treatment smells etc)		
13	Clearly sign posted or advertised in some way		
14	Leaflets or website advertising their location to potential users		
15	Can dog owners take dogs from the car park to the SANG safely off the lead		
16	Gently undulating topography		
17	Access points with signage outlining the layout of the SANG and routes available to visitors		
18	Naturalistic space with areas of open countryside and dense and scattered trees and shrubs. Provision of open water is desirable		
19	Focal point such as a viewpoint or monument within the SANG		

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**Holland Farm mitigation**

- Holland Farm Circular Route
- - - Thames Path Loop
- - - Running Track s. 106
- - - Thames and Spade Oak Loop
- - - Spade Oak Loop
- - - Other routes

- 7.** Footpath leading past the Crowne Plaza Marlow and connecting the Thames Path with the area around Westhorpe House; key area for improvement as the path enables a circular trail around the LMLCP. This section of path is very narrow, overgrown with vegetation, muddy (see Figure 7) and has a littering issue. BC's proposal of constructing a new footpath here is considered a key measure for the park. It is to be noted that this will require a new Permissive Path Agreement with the landowner(s).
- 8.** Intersection of various footpaths to the north of Crowne Plaza Marlow; near residential area and the A404. This location offers an opportunity for improving signage, as it is easy to get lost here (for example heading towards the A404 or private land belonging to the angling club); a new waymarker could signpost the LMLCP circular trail.
- 9.** Current footpath / cycle path to the north of the western lakes and Westhorpe House. BC's proposal to extend / enhance the cycleway here is considered to be an effective intervention, as there currently is only a very short well surfaced (compacted gravel) cycle path section to the north of Westhorpe House. The surfacing could be improved along the entire section of this path. It is to be noted that this will require a new Permissive Path Agreement with the landowner(s).

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**Email Response from Monitoring Officer to Call-in Request**

Dear Stuart

Thank you for your email.

Just to confirm, the Call-In request has been received in time and the requisite number of signatures has accompanied the request. Your further email outlines the Grounds for Call-In and, as you will be aware, my role is to consider whether the Call-In request is valid in accordance with Paragraph 2.69 of the Constitution.

In terms of your Grounds, and having regard to the Constitutional criteria, my view is as follows:

1. Lack of consultation

I do not follow your point that the absence of consultation led to Members predetermining the decision. Predetermination, in the context of public decision-making, is concerned with comments made or stated positions prior to the decision being made. I see no evidence of that. I believe what you are saying is that the plans outlined in the Cabinet report and specifically the recommendations about the 'development of a scheme' to designate the Council's land as a Country Park should have been subject to a consultation. Clearly any Scheme will need further approval by Cabinet and I would anticipate that such a Scheme would need consultation; I also note that the Report outlines the engagement of local Members, including yourself, in the proposals considered by Cabinet.

You seem to be saying that the development of a Scheme needed public consultation before Cabinet considered it. I do not see that that was a legal requirement nor were Cabinet under any other obligation to undertake a wider consultation on a request for officers to develop a Scheme over a reduced area.

I therefore do not consider that this point is a valid request for Call-In having regard to the grounds in the Constitution.

2. Insufficient scrutiny and alternative legal advice

I do not consider that this element of your request is valid. The material elements of the earlier decision taken by the legacy Council were outlined to Cabinet. The Council had taken independent advice about the status of the Country Park given this had been queried by a planning applicant. That advice – as outlined by Nick Graham, the Director of Legal & Democratic Services, at Cabinet – was that an essential element of the statutory framework had not been undertaken by the legacy Council and therefore Buckinghamshire Council could not rely on the powers in the relevant legislation to make, maintain and enlarge a Country Park.

I accept that you may take a different view but the Cabinet is entitled to rely on the advice provided through its legal officers. I fail to see that any advice taken by the legacy Council in 2017 would be relevant given to what Cabinet were being asked to determine: the decision was taken some years ago and would not have been addressing any failure to adhere to the statutory requirements, which was the purpose of the current advice.

I do not see that you have established that this element of your request is a valid ground for Call-In.

### 3. BC unable to deliver SANG requirements

I note the points raised in this element of your request. It is unfortunate that these were not raised earlier with officers or, as far as I can see, at Cabinet. The issues are of a technical nature and I have asked Steve Bambrick, Director for Planning, to consider these further and provide a report to Scrutiny on these points.

I am, however, content to consider this third point as a valid ground for Call-In.

In terms of the Constitutional provisions in relation to the process for the Call-In, these are found in section G (2) (Select Committee Procedure Rules) paras 2.60 – 2.89. In summary:

- If the request for Call In is determined as valid then it will then come to the next meeting of the appropriate Select Committee
- Two Cllrs who called in the decision should be present at the Select Committee
- The Committee can then take advice on the validity of the Call In Notice
- The Committee can question officers and Cabinet Members on the issue
- If the Committee accepts the Call In there are number of options, one of which is to refer the matter back to Cabinet for reconsideration or to confirm they are satisfied with the original decision
- If the Select Committee accept the original decision then it becomes immediately effective
- If they refer the matter to Cabinet with a recommendation then there are number of options open to Cabinet, including seeking more info, referring to Council etc.

I consider that the appropriate Select Committee is Growth, Infrastructure and Housing Select Committee. I will liaise further with Kelly Sutherland with a view to arranging the consideration of the Call-In request, together with this response and the report from Steve Bambrick, at the next scheduled GIH Select Committee.

Regards

Sarah



## Cabinet minutes extract – 11<sup>th</sup> October 2022

Minutes of the meeting of the Cabinet held on Tuesday 11 October 2022 in The Oculus, Buckinghamshire Council, Gatehouse Road, Aylesbury HP19 8FF, commencing at 10.00 am and concluding at 1.10 pm.

### Members present

Cllr A Macpherson, G Williams, S Broadbent, J Chilver, A Cranmer, P Strachan and M Winn

### Others in attendance

A Hussain, D King, P Martin, R Stuchbury, D Watson and S Wilson

### Apologies

M Tett, S Bowles and C Harriss

### Agenda Item

#### **11 Little Marlow Lakes Country Park**

Cabinet received a report relating to the land between Globe Park/A404 Marlow and Bourne End, bounded to the south by the River Thames and to the north by the A4155. The area was covered by Green Belt designation, and most of it - including the former Gravel Yard at Spade Oak Lake (and the proposed Marlow Film Studios site at Westhorpe) – was former landfill, or former gravel pits. The area was dominated by Thames Water's large sewage works (which used the Council's Muschallick Road, which also served the former Gravel Yard, for frequent HGV access).

The report included proposals to develop a scheme for a Country Park which as a minimum would be a Suitable Alternative Natural Greenspace (SANG) compliant facility. The proposals to create a Country Park in the area had been first made in the 1960s and the background to this including previous actions/decisions taken, or not taken, by the former Wycombe District Council was detailed in paragraphs 2.1 to 2.24 of the Cabinet report.

Cabinet took into account the detailed representations which had been submitted by residents, the parish council and local members which were published on 10 October 2022. The Director of Legal and Democratic Services outlined the independent Counsel advice received which confirmed that the essential elements of the Countryside and Right of Way Act 1968 had not been met by the former

Council's earlier decision. During discussion the Deputy Leader asked all Cabinet Members to confirm that they had read the detailed representations that were included with the supplementary agenda papers. All Cabinet Members confirmed that they had done this.

The Cabinet Member for Planning and Regeneration and Service Director for Legal and Democratic Services clarified some issues on Little Marlow Lakes. A number of residents believed that this piece of land was already a Country Park but it was not. Minutes from a legacy Wycombe District Council meeting in 2017 resolved that it was the intention of the legacy Council to establish a Country Park and powers were delegated to officers to undertake this process by working with the landowners.

Reference was made to the following piece of legislation :-

**S7 Power to provide country parks.**

1. *Subject to section 6 above, a local authority shall have power, on any site in the countryside appearing to them suitable or adaptable for the purpose set out in section 6(1) above, to provide a country park, that is to say a park or pleasure ground to be used for that purpose.*

**3. The powers conferred by the foregoing provisions of this section and by the next following section may be exercised by the local authority—**

**a) on land belonging to them, or**

**b) on such terms as may be agreed with the owners and any other persons whose authority is required for the purpose, on other land, and an agreement under paragraph (b) above may provide for the making by the local authority of payments in consideration of the making of the agreement and payments by way of contribution towards expenditure incurred by the persons making the agreement in consequence thereof.**

The Service Director for Legal and Democratic Services reported that as the legacy Council had not agreed anything with the landowners, the Country Park had therefore not been established and residents could not rely on the Countryside Act 1968 and the fact that an allocation had been made in the Wycombe Local Plan. The Council would focus on the part of the land that was owned by the Council and then develop a business plan and operating model for the Country Park which ensured the facility was delivered as a cost neutral enterprise. The business plan would be brought back to Cabinet for approval.

During discussion the following points were noted:-

- A number of the concerns raised by residents related to the proposal for the development of a film studio and whether this recommendation would give a 'green light' for future development. The Cabinet Member responded that the planning protection remained the same as it had previously in that it was treated as green belt land and he clarified that there was no enhancement of protection with the previous legacy Council resolution. The Service Director



for Planning and Environment confirmed that the new and old recommendation would not alter the allocation of the site in the Local Plan and that any application would continue to be considered as normal like any other green belt land.

- Reference was made to the recreational area and that a suitable restoration plan would be agreed in consultation with Natural England for the Spade Oak Lake Site which would be SANG compliant (suitable alternative natural greenspace). There would be no impact on Burnham Beeches.
- Much of the land that the Council owned in this area, namely the former Gravel Yard at Spade Oak Lake, was the subject of a restoration planning condition to return the site to a nature reserve. This condition was currently in breach and needed to be complied with by the end of the year (December 2022).
- In terms of developing a business case previous Council Country Parks had been successful at income generation and consideration would need to be given to using funding to support a good business case. However, until negotiations had been carried out with landowners it would be difficult to estimate the cost of any future proposals particularly with the need to be cost neutral. A further report would be submitted to Cabinet.
- The report showed a positive way forward in moving forward in a two step approach first looking at Council owned land and then dealing with other land ownership which would be more complex. Proposals to create a Country Park were first made in the 1960's and the Council were taking measures to progress the proposal.
- Local Members would be kept informed of progress.

**RESOLVED –**

- (1) That the lack of formal designation for Little Marlow Lakes Country Park be NOTED.**
- (2) That the Service Director of Culture, Sport and Leisure be authorised, in consultation with the Cabinet Members for Accessible Housing and Resources, and Culture and Leisure, to develop a scheme and pursue formal designation of land within the Council's ownership as a Country Park which as a minimum would be a Suitable Alternative Natural Greenspace (SANG) compliant facility.**
- (3) That it be agreed not to pursue formal designation to regularise the status of the whole area allocated in the Wycombe Local Plan (RUR4) as a Country Park as part of the initial phase of delivery but instead to retain a commitment to the wider Country Park as and when circumstances and resources permit.**
- (4) That the Service Directors of Property and Assets, and Culture, Sport and Leisure, in consultation with the Cabinet Members for Accessible Housing and Resources, and Culture and Leisure, be delegated authority to agree a suitable business plan and operating model for the Country Park which ensures the facility is delivered as a cost neutral enterprise. The business plan to be brought back to Cabinet for approval.**

- (5) That the Service Directors of Property and Assets, and Planning and Environment, in consultation with the Cabinet Member for Accessible Housing and Resources, be delegated authority to negotiate and agree a suitable restoration plan in consultation with Natural England for the Spade Oak Lake site which would be SANG compliant.**
- (6) That the planning and enforcement strategy that may be required in order to protect the Local Planning Authority position and to facilitate an amended restoration plan at Spade Oak Lake be NOTED.**
- (7) That the Service Director of Property and Assets in consultation with the Cabinet Member for Accessible Housing and Resources and the S151 Officer be delegated authority to negotiate and agree funding for the Country Park from S106 monies as set out in the Cabinet report.**
- (8) That the Service Director of Property and Assets, in consultation with the Cabinet Member for Accessible Housing and Resources, be delegated authority to enter into negotiations with the Thameside Preservation Trust on terms that would see the Country Park proposed in the Cabinet report to include both pieces of land set out in the Appendix.**

## Extract from Buckinghamshire Council Constitution – Call In

### Call-In Procedure

- 2.60. Call In procedure is a statutory right which can be applied to any decision which has been taken but not yet implemented (Section 21(3) LGA 2000). Call In is a procedure whereby councillors may question decisions taken by the Cabinet in exceptional circumstances and therefore may hold the Cabinet to account.
- 2.61. When a decision is a key decision made by the Cabinet or an individual Cabinet Member, or an executive decision made by an officer with delegated authority, or any committee under joint arrangements, the decision shall be published, including where possible by electronic means, and shall be available at the main offices of the Council normally within two working days of being made. The Chairman of the relevant Select Committee will be sent copies of the records of all such decisions within the same timescale, by the person responsible for publishing the decision unless the decision taker has certified that the decision is urgent and to be implemented immediately.
- 2.62. That notice will bear the date on which it is published and will specify that the decision will come into force, and may then be implemented, on the expiry of three working days after the publication of the decision, unless either the decision maker has certified that the matter is urgent and requires implementation urgently or a call-in request has been received by, at the latest, 5.00pm on the third working day after the decision has been made in accordance with Rule 2.67. If a call-in request is received the decision will not be implemented until the call-in process is complete, unless the decision is urgent.
- 2.63. A decision which has been taken and implemented may still be reviewed by the Select Committees, but such a review will not delay the implementation of the decision.
- 2.64. A decision may only be called in once and a decision may not be called in where the substance of the decision has already been subjected to scrutiny by a Select Committee unless there have been substantial changes to the decision or where the Section 151 Officer has certified that a delay in the implementation of a decision will result in significant additional cost to the Council.
- 2.65. The grounds for a Call-In Request are:
- a. The decision has not been made in accordance with this Constitution, Council policies or Council procedures and processes;
  - b. The decision is outside of the Council's policy framework or the budget approved by the Council;
  - c. The decision is outside of the powers of the Council;
  - d. The decision is unlawful.
- 2.66. Once a recommendation for a decision is published, any member of the relevant Select Committee may ask to see the papers to be considered (except insofar as they contain confidential or exempt information) and take preliminary advice from

officers supporting the Select Committee about the implications of the decision.

- 2.67. At least 15% (rounded up) of councillors representing the number of councillor seats on the Council must notify the Monitoring Officer within three working days of the publication of the decision of an intention to request the Select Committee to examine the decision and of any requirement for the attendance by a Cabinet Member or any Officer. Within two working days of the notification of the call in request the same number of councillors must confirm whether they wish to proceed with the Call In Request and if so, provide the required details via the form.
- 2.68. The Monitoring Officer will decide whether the Call In Request is valid in accordance with paragraph 2.69 below within two working days (timescale). Once validated a Call In Request will be treated as a Call In Notice.
- 2.69. The Monitoring Officer will determine the call in request to be invalid if:
- a. It relates to a matter which is to be determined by the Council or a Committee of the Council;
  - b. It relates to a decision of the Cabinet/Cabinet Member taken as a matter of urgency and the Chairman of the appropriate Select Committee or such other person as detailed in the urgency rules had been consulted or a Select Committee had previously agreed the need for urgency;
  - c. It relates to a matter where the associated report has already been considered by a Select Committee;
  - d. if it has not been made in accordance with this procedure;
  - e. is not completed correctly;
  - f. it does not identify the decision;
  - g. it does not detail a valid ground for call in;
  - h. it does not provide clear written reasons why one of the valid grounds for call in applies;
  - i. is not signed by the required number of councillors;
  - j. The call-in form is received after the specified deadline;
  - k. The reason for the call-in is unclear or does not relate directly to the decision specified on the call-in form;
  - l. The reason for the call-in is a question, the answer to which can be found in the report relating to the decision which is being called in.
- 2.70. A call-in may only be withdrawn by notification in writing or electronically submitted to the Monitoring Officer from all the councillors who requested the call-in.
- 2.71. Once the deadline for requesting calling in items and the determination of the validity of call-ins has passed, the Monitoring Officer will inform all councillors of the call-in and will arrange for it to be considered at the next meeting of the appropriate Select Committee. The agenda for that meeting will show the written

reasons given for the call-in, the councillors who signed the call-in, and enclose the relevant documents.

- 2.72. Select Committee shall discuss the Call In Notice at its next regular meeting or at a Special Meeting whichever is sooner provided that the required five clear days notice of the meeting can be given.
- 2.73. At least two of the councillors who called in a decision must be present and at least one of whom will present their reasons for call-in at the meeting of the Select Committee which considers the call-in. If two councillors do not attend, the call-in will fail.

### **Call-In Notice**

- 2.74. At the meeting where the Select Committee is considering the Call In Notice it should first take advice as to whether the request to call in the decision is valid, consider whether there is a case for the decision to be called in and whether any further information is required by hearing from one of the councillors who signed the call in request (and witnesses) and the decision maker who will explain the reasons for the decision. Once the Committee have considered the evidence provided during the meeting they will decide whether to uphold or reject the call-in Notice.
- 2.75. If, following discussion, the Select Committee agrees that the matter should be called in they may proceed either to examine the decision at that meeting or adjourn to investigate the decision at another meeting. Upon calling-in a decision, a Select Committee may recommended to the Cabinet, Cabinet Member or officer as appropriate:-
  - a. Whether the decision should be reconsidered and if so, they can also recommend an alternative decision, actions or options or what matters or issues should be considered;
  - b. That they are satisfied with the original decision;
  - c. Whether any future action should be taken in light of a decision so as to ensure the better implementation of that decision;
  - d. Whether any further action should be taken in light of that decision so as to improve the manner or quality of future decision making;
  - e. Refer to full Council.

### **Consideration of decision after Call-In Notice**

- 2.76. The Select Committee will have at its disposal the information which has been submitted to the Cabinet or Cabinet Member. They can require the relevant Cabinet Member(s) and appropriate officers to attend the meeting to answer questions about the issue. If the Select Committee accepts the original decision by the Cabinet or Cabinet Member it becomes immediately effective. If the Select Committee makes a recommendation to the Cabinet or Cabinet Member to amend a decision, this will be considered by the Cabinet at its next meeting or by the Cabinet Member as soon as reasonably practicable.

- 2.77. If the Cabinet or Cabinet Member disagree with the recommendation of the Select Committee to amend a decision they will inform the Select Committee. In such circumstances, the Select Committee may refer the matter to the next meeting of the Council for decision. In these circumstances the Council will have before them the views of both the Select Committee and the Cabinet or Cabinet Member. If the Cabinet or Cabinet Member decides further work needs to be done, they may defer the item for this to be carried out.
- 2.78. If the Committee agrees that further investigation or information is required, the Cabinet or Cabinet Member may agree to extend the time in which a final view may be expressed.
- 2.79. If, having considered the decision, the Select Committee is still concerned about it, then it may refer it back to the decision making person or body for reconsideration, setting out in writing the nature of its concerns, or refer the matter to full Council. If referred to the decision maker he or she shall then reconsider within a further five working days, amending the decision or not, before adopting a final decision.
- 2.80. If the decision taker requires more time to consider, the Select Committee's recommendations the time may be extended by the Chairman of the Select Committee after agreement by one other member of the Committee.
- 2.81. If the decision taker is, after reconsideration, not able to make changes to the decision in accordance with the Committee's concerns the decision taker shall write to the Committee setting out reason why the decision taker is unable to accede to the Select Committee concerns.
- 2.82. If following an objection to the decision, the Select Committee does not meet in the period set out above, or does meet but does not refer the matter back to the decision making person or body, the decision shall take effect on the date of the Select Committee meeting, or the expiry of that further five working day period, whichever is the earlier.
- 2.83. If the matter was referred to full Council and the Council does not object to a decision which has been made, then no further action is necessary and the decision will be effective. However, if the Council does object, it has no power to make decisions in respect of a Cabinet decision unless it is contrary to the Policy Framework, or contrary to or not wholly consistent with the Budget. Unless that is the case, the Council will refer any decision to which it objects back to the decision making person or body, together with the Council's views on the decision. That decision making body or person shall choose whether to amend the decision or not before reaching a final decision and implementing it. Where the decision was taken by the Cabinet, a meeting will be convened to reconsider within five working days of the Council request. Where the decision was made by an individual, the individual will reconsider within five working days of the Council request.
- 2.84. If the Council does not meet, or if it does but does not refer the decision back to the decision making body or person, the decision will become effective on the date of the Council meeting or expiry of the period in which the Council meeting should have been held, whichever is the earlier.
- 2.85. The councillor who has put the matter on the agenda may address the Committee

on the matter.

### **Call-In – Urgent Decisions**

- 2.86. Decisions of the Cabinet or any Cabinet Member which are urgent (i.e. any delay likely to be caused by the call-in process would prejudice the Council's or the public's interest) will not be subject to call-in.
- 2.87. The records of such decisions will reflect the reasons for urgency and state that therefore they are not subject to call-in.
- 2.88. The Chairman of the appropriate Select Committee must agree the need for urgency unless the Select Committee has already given its approval to a decision being taken urgently so that call-in does not apply. In the absence of the Chairman the Chairman of Council or the Vice-Chairman will be invited to perform this role.
- 2.89. Any reports on which urgent decisions have been made are to be reported to Select Committee for it to understand the need for urgency, but this will not delay implementation of the urgent decision itself.

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## Report to Growth Infrastructure & Housing Select Committee

<b>Date:</b>	<b>15<sup>th</sup> December 2022</b>
<b>Title:</b>	<b>Programme Update Aylesbury Garden Town and Aylesbury town centre activity</b>
<b>Author and/or contact officer:</b>	<b>Lisa Michelson</b>
<b>Area/Place affected:</b>	<b>Aylesbury and surrounding villages</b>
<b>Recommendations:</b>	<p><b>To note the progress and current activities as a part of the Garden Town programme.</b></p> <p><b>To note the programme of activities being delivered to support the town centre.</b></p>
<b>Reason for decision:</b>	<p><b>To ensure that the Committee is kept up to date on the progress of the programme.</b></p> <p><b>To ensure that the Committee is kept up to date on the programme of activities taking place to support the town centre.</b></p>

### **1. Executive summary**

- 1.1 This report provides the committee with an update on the various workstreams currently being undertaken through the Aylesbury Garden Town programme. These workstreams help to support the delivery of the masterplan principles for a successful and vibrant garden town.
- 1.2 The report also highlights the programme of activities being delivered in support of Aylesbury town centre.

## **2. Background**

- 2.1 Aylesbury is recognised as an area of growth with plans for 16,000 homes to be delivered by 2033. It was awarded Garden Town status in 2017 as part of the government's garden communities programme. Garden Towns are expected to ensure future development is delivered in a cohesive manner which encompasses high-quality spaces to benefit the whole town including existing and new residents.
- 2.2 Garden Town status promotes growth to be focused on enhancing the existing area through sensitive development. It recognises Aylesbury's connection to the areas of outstanding natural beauty as well as benefits of developing new neighbourhoods that celebrate green and open space and sustainable development.
- 2.3 The Aylesbury Garden Town Masterplan was approved by Buckinghamshire Council's Cabinet in July 2020. It sets out the aims and ambitions to transform into an innovative, vibrant and healthy town, building on Aylesbury's heritage and strengths.

## **3. Garden Town Funding**

- 3.1 Homes England awards capacity funding annually for garden communities' programmes. We have been successful in bidding for this funding in recent years and received £250,000 in 22/23. The funding is used for delivering workstreams that support the principles for a garden town as discussed in the Aylesbury Garden Town Masterplan. Homes England funding is gradually declining, so we are working to ensure our programme of activity is integrated with programmes being delivered across council services.

## **4. Masterplan Action Plan - Refresh**

- 4.1 The current Action Plan was developed as part of the Masterplan and included actions to support delivery of the principles across partners. Given the changes of the past two years a review of the action plan was identified and considered timely to ensure that the projects are still current and up to date.
- 4.2 An exercise has begun to refresh the Aylesbury Masterplan action plan with stakeholders.

## **5. Planning Policy**

- 5.1 The Vale of Aylesbury Local Plan (VALP) was adopted in September 2021 and covers the period to 2033. The VALP contains a section on Aylesbury Garden Town which identifies the delivery of 16,000 new homes within Aylesbury and the requirements for the individual site allocations including the key requirement to create green and blue infrastructure to support a growing garden town.

- 5.2 In order to provide further guidance for delivery of the Aylesbury Garden Town, the Plan sets out the potential for three supplementary planning documents. These documents will aid developers in submitting policy compliant planning applications and deliver the Garden Town vision.

#### **Supplementary Planning Documents (SPDs):**

##### **Aylesbury Vale Design**

- 5.3 Homes England have been keen for us to promote high quality design as a part of the Garden Town Programme which this SPD seeks to ensure.
- 5.4 The focus of design SPD is to ensure that new development across Aylesbury Vale is of highest quality and that it responds appropriately to its context to create sustainable, successful and well used places.
- 5.5 One of the key aims of this Design SPD is to help deliver a low carbon and climate resilient future for the area through well-designed sustainable buildings and high-quality local environments suitable for low-carbon living while respecting the heritage, character and ecology of the plan area. This supplementary planning document includes strategic Garden Town design guidance. It takes forward, replaces and expands existing guidance for the north and central planning areas.

##### **Aylesbury Garden Town - AGT 1 (Stoke Mandeville)**

- 5.6 This site has been identified as key site within Aylesbury delivering circa 1000 homes. In addition the site will also contain a provision to provide a new primary school, local centre and will accommodate provision for a Gypsy and travellers' site.
- 5.7 This is a site-specific masterplan supplementary planning document. The purpose of this document is to ensure that comprehensive development is delivered in accordance with the policy site requirements together with the Garden Town Principles.

##### **Affordable Housing Supplementary Document**

- 5.8 This document provides planning guidance on how affordable housing policy should be applied to proposals for residential development within Aylesbury Vale local plan area. The guidance expands upon policies that are current contained with the adopted Vale of Aylesbury Local Plan (VALP).
- 5.9 This supplementary planning document covers the north and central planning areas and provides guidance on how to deliver the affordable housing policies.

##### **Aylesbury Garden Town Infrastructure Delivery Plan**

- 5.10 The intention in the VALP was to include a framework and infrastructure supplementary planning document to ensure that the future infrastructure needs for Aylesbury were documented and embedded in policy.

- 5.11 Given the current economic climate and increasing costs officers reviewed the use of a supplementary planning document however it became evident that the requirement to publish costs and methods of funding would make the document quickly out of date.
- 5.12 Given the nature of infrastructure, the variables of delivery bodies and ever altering finance streams, the council concluded that this should not be a formal Supplementary Planning Document but instead be published as an Infrastructure Delivery Plan. An Infrastructure Delivery Plan can be updated as often as required without the need for formal consultation.

## **6. Aylesbury Town Centre programme of activity**

### **Aylesbury Town Centre Service Delivery Review Project**

- 6.1 Following the launch of the new unitary Council, a new Economic Development Team in the Economic Growth and Regeneration Service was developed. This team are the lead for Town Centre local economic development, business support, and a lead for ensuring the right coordination of council services in Aylesbury. In addition to the lead role that the Council plays as the key point of contact for town centre businesses and residents, other significant stakeholder groups support the town centre including the Aylesbury Community Board, the Town Council, and the Aylesbury Garden Town Board.
- 6.2 The council is undertaking a review of the current town centre service delivery in Aylesbury including the current offer, who is delivering it, what businesses and residents would like to see delivered, and what additionality could achieve in terms of improving the success and vibrancy of our County Town.
- 6.3 The Review is a two-phase project:
- Phase 1 – review of current delivery, identification of further needs and a recommendation on the models to achieve any identified additionality to meet the future needs of Aylesbury.
  - Phase 2 – implementation of agreed model, dependent upon the outcome of phase 1.
- 6.4 Work on Phase 1 of the project is nearing completion with a discussion on the outcomes and options scheduled for early next year.

### **Visit Aylesbury website**

- 6.5 The Economic Development Team continues to play a lead role in developing and maintaining the Visit Aylesbury website, a consumer facing site seeking to promote what Aylesbury has to offer to residents, workers and visitors.

- 6.6 Recent improvements to the website include the events module which has been upgraded to allow third-party organisations to submit their own events for listing on the site. Additional contributors can help demonstrate the breadth of activity taking place in Aylesbury as well as providing an additional marketing tool for contributing organisations.
- 6.7 A series of “focus on” stories and promotions are planned for the coming months providing a showcase for businesses across the town centre. There will be a focus on both place and sectors, e.g. The Exchange as a place and eating out as a sector. These stories and promotions will provide an opportunity to directly engage with businesses as we develop each “focus on” story, collecting up to date imagery and information on businesses.
- 6.8 The social media channels associated with Visit Aylesbury are not owned and managed solely by Buckinghamshire Council. A partnership approach was agreed over 8 years ago to enable multiple stakeholders to post content on these ‘Visit Aylesbury’ social media channels. This approach, while positive for generating a higher volume of content, has the potential for messaging to ‘drift’ into unrelated content and dilute ‘visitor’ content. Conversations are underway to realign this web presence for Aylesbury to make it most effective.

#### **Markets and entertainment**

- 6.9 The Christmas Craft and Gift Fair took place on Sunday 4 December in Market Square; twenty-five plus artisans and traders were in attendance. Alongside traders were family fun activities including go karting, face painting and balloon modelling, and musical entertainment.
- 6.10 In addition to the specialty market being held in December, the Economic Development Team continues to manage the weekly general markets in Aylesbury which take place each Wednesday, Friday and Saturday.
- 6.11 Saturday musical entertainment and family fun activities were delivered during August and the October half term.

#### **Outreach to Town Centre Businesses**

- 6.12 The Council is the key point of contact for services and support for town centre businesses and residents. A ‘Season’s Greetings’ card (see appendix) has been delivered to businesses in Aylesbury town centre. The card highlights the council’s Business Support Directory, Visit Aylesbury website, Kingsbury and Market Square public realm improvements, introducing the Economic Development Team and early notification of the planned February Business Forum.
- 6.13 The Economic Growth & Regeneration Team will be holding a Business Forum meeting for town centre businesses in Aylesbury in February 2023. The forum will focus on current and planned Council investment activities and service delivery, as well as

provide a key opportunity for the Council to hear directly from the local business community.

## **7. Town Centre Regeneration**

7.1 The Council has been working with consultants over the past year to identify regeneration opportunities in Aylesbury town centre. This phase of the work is now completed.

7.2 The outputs of this workstream have helped to identify our key priorities for regeneration in the town centre. As a part of the next phase of work officers are working to produce an Aylesbury regeneration plan, this will be key to the developing investment proposals that will allow us to bid for future funding, as well as attracting third party investment in the town centre.

## **8. Bus Station Interim Works – Great Western Street Tunnel**

8.1 We received capital infrastructure funding from Homes England this financial year for improvement works to Great Western Street Tunnel which have been successfully completed.

8.2 A programme of improvement measures was identified, these included:

- Deep cleaning
- Re-painting of ceilings and columns

8.3 Enhancing the bus station environment is part of the Council's work to improve the town centre. It also makes using the bus station a more appealing proposition encouraging more people to use sustainable transport.

## **9. Aylesbury – Levelling Up Fund – Regeneration and town centre investment**

### **Travel Interchange**

9.1 The levelling up agenda is a key funding stream for Government, aimed at delivering regeneration, culture and transport requirements and opportunities in local areas.

9.2 Local authorities were invited to submit bids to a second round of the fund earlier this year. The council submitted a regeneration bid for the relocation of the Aylesbury bus station.

9.3 The travel interchange bid focuses on the opportunity to catalyse regeneration in the town centre through relocation of the existing bus station to create a new transport hub for the town. This is a new bid which flows from the current Aylesbury regeneration work as discussed above.

## **LUF Transport Bid - Aylesbury Orbital**

- 9.4 The Buckinghamshire LUF Transport funding bid will assist in the delivery of the South East Aylesbury link road (SEALR) scheme phase 1 and 2, and one of 12 sections of the Gardenway at Elmhurst. The Gardenway project is discussed later in this update report.
- 9.5 SEALR is in two parts - Phase I and Phase II. Phase I has received planning consent and the council has implemented a CPO to acquire all relevant land. Early site clearance and utility work has started, including place electricity lines underground and preparing to bore underneath the Aylesbury-Marylebone line. Phase II is required to join Phase I to the new Stoke Mandeville Relief Road.

## **10. Communities workstream**

- 10.1 Upon award of garden town status in January 2017, there was a desire to build wider community awareness and support for the new Aylesbury Garden Town, to achieve this a programme of community initiatives was instigated:

### **Community Food Growing Network**

- 10.2 There is now a network of Six Community Food Growing Projects in Aylesbury. Several of the gardens are in some of the most deprived areas of Aylesbury and one of the Opportunity Bucks target wards. The projects have successfully brought local communities of all ages together. They have also offered support to the elderly, as well as to people with learning difficulties, mental health issues and mobility challenges, to help them connect and engage with others and learn new skills. This has been particularly beneficial following the impact of the Covid pandemic.
- 10.3 The Community Food Growing project has evolved due to the success of the scheme with two of the growing projects becoming self-sustaining. The Public Health team are now supporting some of the schemes through their Grow it, Cook it, Eat it programme.

### **Play Streets**

- 10.4 The Play Streets scheme enables residents to apply to temporarily close their road so children can play safely together on their doorstep and adults can chat and interact, bringing communities together.
- 10.5 This project was piloted by the Aylesbury Regeneration team successfully and is now being championed by the Public Health team and available to communities across the county.

### **Community Tool Kits**

- 10.6 Building on the success of both the community food growing project and the play street pilot we are working to create online tool kits to enable residents to initiate

these programmes in their communities whether they are new or existing. We anticipate that these tool kits will be available in 2023.

### **Aylesbury Station Platform Flowerbeds – Placemaking**

- 10.7 Work at the station has focused on making the experience of arriving in Aylesbury by train more vibrant and welcoming for residents and visitors. Past improvements supported by the Garden Town Programme have included restructuring and replanting the main island flower beds outside the station to create an impactful display, this includes planters and murals situated inside and on the main plaza of the station.
- 10.8 The final phase is to refurbish the platform flowerbeds through a multi-partnership community project. This has incorporated a work experience programme with students from Pebble Brook School, who have learning difficulties, as well as a team from Community Payback, who have all worked to clear the beds at no cost.
- 10.9 We are now working in partnership with Chiltern Railways to deliver the re-design of the beds. Chiltern Railways together with the newly formed Friends of Aylesbury Railway station will continue maintenance once the platform beds have been installed.

## **11. Gardenway vision**

- 11.1 An initial study was commissioned to define the parameters of the Gardenway orbital park and cycleway spanning 20km around Aylesbury. It has brought this key transformative project in the Masterplan to life and is a comprehensive foundation to build on. One of the objectives is to link new and existing communities closer together making the town a healthier, greener and more accessible. This is in alignment with the national Garden Town principles and the Aylesbury Garden Town Masterplan.
- 11.2 The intention is to guide the vision for an inclusive and fully accessible future Gardenway in order that officers as well as developers, landowners and designers have a reference point and guidance in developing their sections of Gardenway where appropriate.
- 11.3 There are nine potential phases of the Gardenway, many of which can potentially be delivered by third party development. Discussions with developers are currently underway on the following phases:

### **Hampden Fields**

- 11.4 Aylesbury Regeneration team has been in discussions with the developers Taylor Wimpey regarding the inclusion of the Gardenway in the planning performance agreement. In addition to this, negotiations around design codes ensuring that many of the principles of the vision are incorporated in the future designs proposed on this section of the Gardenway.



## **AGT2**

- 11.5 The initial Planning Performance Agreement has been successfully completed for this site with the developers Gleasons. An updated outline planning application submitted in June 2022. The Gardenway has been incorporated into the revised planning application with proposed delivery through planning.
- 11.6 A key challenge is the section outside the red line boundary which is on council land. Investigations are underway regarding the delivery of this phase.
- 11.7 Discussions with HS2 and other major stakeholders are also currently underway to ensure that the application is supported.

**Appendix - Aylesbury Town Centre Season's Greetings  
Card**

# AYLESBURY Christmas CRAFT & GIFT FAIR

Sunday 4 December 2022

Location: Market Square

Time: 10:30 to 3pm

For more information visit [aylesbury.co.uk](http://aylesbury.co.uk)

# Season's Greetings

To Aylesbury town  
centre businesses

As we reach the end of the  
year, it's a time to reflect on  
what's been happening in  
the town centre and to look  
forward to what's in store.



Buckinghamshire  
Council

## MEET OUR ECONOMIC DEVELOPMENT TEAM



Buckinghamshire Council's Economic Development Team are here to help - whether you are stuck with knowing how to navigate our regulatory services or need a signpost on to other organisations who offer more specialist advice. Jane Mason in the team is currently supporting a number of Aylesbury town centre workstreams and has a wealth of economic development experience (from being a business advisor to leading more strategic project delivery).

Jane can be reached at: 01296 387819  
or email [Jane.Mason@buckinghamshire.gov.uk](mailto:Jane.Mason@buckinghamshire.gov.uk)

## VISIT AYLESBURY

Work is underway to refresh and update the Visit Aylesbury website. One of the useful features on here is the Business Directory and we will be reaching out to town centre business in the New Year to review and update their entries – or add in a new listing if they haven't taken advantage of this tool. The website is an important platform to promote the town – and you're a key part of this.

Buckinghamshire Council will soon be starting engagement work on a Visitor Economy Strategy for Buckinghamshire. Keep your eyes out on our social media and the Visit Aylesbury website for information about how you can take part. We recognise the distinctiveness of our towns across the county and the difference that tourism can make to boost their vibrancy and vitality – with Aylesbury as our county town being a key asset.

## REGENERATION & AYLESBURY GARDEN TOWN

Great Western Street has been decorated to brighten up the tunnel which has enhanced the bus station environment. There are further enhancements planned for the bus station coming forward in 2023.

In 2023 we will also be bringing forward our proposals for a major regeneration project in our two historic squares, Kingsbury and Market Square. This will create a new town centre destination that is lively, attractive and open to all. Business and market trader engagement will be a key part of this work so that you know in advance what is happening where and when and mitigations can be factored in as required.

## BUSINESS SUPPORT DIRECTORY

Have you seen our Business Support Directory? This useful resource was created in the spring as part of the Buckinghamshire Council-led 'Welcome Back Fund' work. The guide picks up on the most frequently asked questions we receive from businesses and curates them in one place. Take a look. [buckinghamshire.gov.uk/business/advice-businesses](https://buckinghamshire.gov.uk/business/advice-businesses)

Scan the QR code for more  
information on how we can help you



## BUSINESS FORUM – REGISTER YOUR INTEREST NOW

With so much exciting activity in Aylesbury town centre underway and in the pipeline for the upcoming year, the Council's Economic Growth & Regeneration Team will be holding a Business Forum meeting in February 2023. This will enable us to give you more information on the topics in this update and answer any questions you have.

To register your interest in attending and receiving email updates from us please email: [econdev@buckinghamshire.gov.uk](mailto:econdev@buckinghamshire.gov.uk) and you can also follow us on Twitter [@econdevbucks](https://twitter.com/econdevbucks) for updates too.



# Report to Growth Infrastructure and Housing Select Committee

**Date:** 15th December 2022

**Title:** Member Engagement in Planning – Recommendation Update

**Author:** Steve Bambrick (Service Director)

## 1. Background

- 1.1. The Growth, Infrastructure and Housing Select Committee agreed to set up a rapid review into Member Engagement in Planning at its meeting on 14th October 2021. The Chairman asked Cllr Chris Poll if he would chair the review group and four other councillors volunteered to participate.
- 1.2. During November and December 2021, the review group collected evidence through meetings and by conducting a survey of elected members and planning staff. The review group then met in January to discuss and agree its key findings and recommendations.
- 1.3. Cabinet had considered and endorsed the recommendations of The Growth, Infrastructure and Housing Select Committees rapid review into Member Engagement in Planning at the Cabinet meeting on 1 March 2022. During discussions, it was agreed that the Member Development Working group should take a lead in actioning some of the recommendations, particularly on guidance notes for members and officers, meet the planner 'informal' events and on political awareness training.
- 1.4. The Member Development Working Group considered their proposed level of involvement in implementing some of the recommendations at their meeting in May 22. It was agreed that a scoping document for addressing the recommendations within the responsibility of the MDWG be presented to the July meeting. The subsequently approved scoping document is attached as Appendix 1.

## 2. Update on Member Engagement Recommendations

- 2.1 The requirement to establish the MDWG involvement and the subsequent need to seek approval from MDWG on the scope of activities, has delayed initial commencement of the GIH Select Committee recommendations presented in March 2022. The full scoping of activities required by MDWG was not concluded until July 2022.

2.2 The table below sets out an update on progress against recommendations, including where necessary revised timescales and remedial actions.

### **3. Next Steps**

3.1 The Growth, Infrastructure and Housing Select Committee will receive a further updated after 12 months to monitor the implementation of the recommendations.

### **4. Background Information**

[Cabinet Minutes](#) of the meeting held on 1 March 2022.

[Minutes of the meeting of Growth, Infrastructure and Housing Select Committee](#)  
14th October 2021.

### **5. Appendices**

**Appendix One – MWDG approved scoping (July 2022)**

**Appendix Two – Planning Surgeries Review (January – November 2022)**

## Member Engagement in Planning – Recommendations from the GIH Select Committee review group Chairman – Cllr Chris Poll

Recommendation	Cabinet's Response – Y/N & comments	Lead Member/Officer & Timelines	MDWG involvement	<i>Update November 2022</i>
<p><b>1. A Member Planning Handbook should be produced to provide members with practical information that will assist them in dealing with local planning casework.</b></p>	<p>This recommendation is agreed. This project will need scoping to understand the nature of content required and format to best support members with casework. It is recommended that this is developed with member input.</p>	<p>Steve Bambrick/Gareth Williams</p> <p><b>Scoping:</b> to be completed within 3 months</p> <p><b>Completion:</b> to be completed within 6 months</p>	<p>That the MDWG be consulted on the scope for the handbook with a draft shared with the MDWG as part of the sign off process.</p>	<p><i>Scope agreed by MDWG in July. The Member Planning Handbook will include the following chapters:</i></p> <ul style="list-style-type: none"> <li>• <i>Planning Applications – types of application</i></li> <li>• <i>Consultee and Public Access – viewing and commenting on planning applications, weekly lists and tracking cases</i></li> <li>• <i>Determining Planning Applications – delegated decisions, call in, committees</i></li> <li>• <i>Permitted Development rights</i></li> <li>• <i>Planning Appeals</i></li> <li>• <i>Planning Enforcement (inc. Gypsies and Travellers)</i></li> <li>• <i>Planning Policy – national, local, neighbourhood plans and 5 year housing land supply</i></li> <li>• <i>Section 106 and CIL – identifying mitigation, securing mitigation, CIL, how CIL is spent</i></li> <li>• <i>Acronyms</i></li> </ul>



	<p>The completion date will be dependent on the scope of the project and the associated time that it will take to deliver by the Planning Service.</p>			<ul style="list-style-type: none"> <li>• <i>Planning Induction for new members – including training and attending a planning committee</i></li> </ul> <p><i>Draft handbook to be completed <b>at the end of February 2023</b>, for MDWG to review and sign off.</i></p> <p><i>This will be made available through the Source expanding on existing content: <a href="https://internal.buckinghamshire.gov.uk/members-area/guidance-training-2021/member-involvement-planning-applications/">https://internal.buckinghamshire.gov.uk/members-area/guidance-training-2021/member-involvement-planning-applications/</a></i></p> <p><i>The member handbook will thereafter be reviewed and where necessary updated as part of the annual member refresher training programme.</i></p> <p><b>Revised Timescale:</b></p> <p><i>End of March 2023 (allowing for Cabinet Member sign off and MDWG approvals)</i></p>
<p>2. <b>All members should be able to access and receive training on how to use a GIS map to enable them to look up planning application details and other useful</b></p>	<p>This recommendation is agreed. Whilst the Planning Service are the data owners, the GIS Mapping Systems are the responsibility of IT Services. IT and Digital</p>	<p>Tony Ellis/ Gareth Williams</p> <p><b>Scoping:</b> to be completed in 4 months</p> <p><b>Completion:</b> to be completed within 12 months</p>	<p>N/A</p>	<p><i>This will be subject to a separate business case that is being developed with IT services. This will require the Council to move onto one front facing GIS system, which will require funding. Initial estimates are in the region of 13k, based on the new Esri platform. In addition this will require us being on a single IT network, the delivery of which has been delayed due to world shortage of the necessary IT equipment.</i></p> <p><i>As part of the business case, we would need to agree the planning constraints data to be published, which will need to be grouped in batches according to priority due to the volume of layers held in each of the legacy areas (circa 1000). It should also be noted that the existing data quality is very variable and the time that is involved to combine legacy data sets to ensure the new layer was in a similar format and</i></p>



<p><b>information such as flood plains, conservation areas etc to help them respond to planning queries from residents.</b></p>	<p>services are currently reviewing options to make the requested content available.</p>			<p><i>the data could be relied upon as being accurate, will increase the delivery timescales for the project initially indicated.</i></p> <p><i>The project will therefore initially focus on more static constraint layers (Tree Preservation Orders, Conservation Areas, Chilterns AONB, Assets of Community Value, etc) , and leaving the more dynamic planning application data until after the One Uniform project is completed.</i></p> <p><b>Revised Timescales</b></p> <p>To be confirmed following development and approval of Business Case and securing of funding and resource.</p>
<p><b>3. A short guidance note should be provided for officers and members explaining the benefits of working in partnership, to enable public participation in planning and promote</b></p>	<p>This recommendation is agreed. A short guide will be produced by the Planning Service, in consultation with the Cabinet member and deputies. This will also refer to the Constitution and established</p>	<p>Steve Bambrick/Gareth Williams</p> <p><b>Timescales:</b> 3 months</p>	<p><b>That the MDWG should have sight of the draft guidance note as part of the sign off process.</b></p>	<p><i>Draft to be presented to MDWG in the New Year prior to circulation to officers and members. This will include a brief description of Member and Officer roles in Planning, including policy development, planning applications and enforcement; the benefits of collaborative working; communication channels and turn around times. The focus will however be on the use of surgeries for casework rather than on emails.</i></p> <p><i>The Planning Protocol (appendix to the Council's Constitution) will be appended in full (<a href="https://buckinghamshire.moderngov.co.uk/documents/s35416/CouncilConstitution.pdf">https://buckinghamshire.moderngov.co.uk/documents/s35416/CouncilConstitution.pdf</a>)</i></p> <p><b>Revised Timescale:</b> End of February 2023 (allowing Cabinet Member sign off and MDWG approval).</p>

<p>a wider understanding of the process. This should set out reasonable expectations in terms of how queries will be managed, including timescales.</p>	<p>Planning Protocol.</p>			
<p><b>4. A series of 'informal' Meet the Planners events should be held to enable members and officers to meet and chat in a relaxed atmosphere, to help to cultivate</b></p>	<p>This recommendation is agreed. The Planning Service will work with Democratic Services to arrange a series of events over the next 12 months. This will be delivered by</p>	<p>Steve Bambrick/Peter Strachan</p> <p><b>Timescales:</b> 12 months</p>	<p>That the MDWG should be sighted on proposed dates for these events as part of the wider Member Briefing programme.</p>	<p>MDWG agreed the following scope in July:</p> <ul style="list-style-type: none"> <li>• Quarterly in person events tied in with updates/trainings on key areas (e.g., Permitted Development, Planning Appeals, AONB, Enforcement, Green Belt, Call-ins etc)</li> <li>• 30-minute presentation, 10-minute Q&amp;A, followed by teas and coffees/networking</li> <li>• This will be part of a revised training offer to all members, moving away from generic 'planning training' and instead providing more focussed sessions on areas of planning that are important to local ward members.</li> </ul> <p>The first formal event will be held in February 2023 and will cover the planning application call-in process.</p>

<p><b>trust and collaboration.</b></p>	<p>committee area.</p>			<p><i>Concerns have been raised following poor member attendance at recent events held by the Planning Service, including training provided at request on the Council's 5-year housing land supply (with only 30 members in attendance over two scheduled events).</i></p> <p><i>It is therefore proposed that the attendance be monitored and feedback from attendees regularly reviewed to ensure the sessions are beneficial, noting the officer time commitment in preparing and attending.</i></p>
<p><b>5. Political Awareness training should be offered to planning staff to support them in working effectively with Members. This could be facilitated by the Democratic Services team, who would work with the</b></p>	<p>This recommendation is agreed. The Planning Service will work with Democratic Services to deliver training to support staff.</p>	<p>Steve Bambrick/Gareth Williams</p> <p><b>Scope Content:</b> 2 months <b>Deliver training:</b> 3-6 months</p>	<p><b>That the MDWG be consulted on the scope of the training as part of the sign off process.</b></p>	<p><i>During September and October, six sessions were scheduled, hosted by the Cabinet Member or Deputy Cabinet Members for Planning and Regeneration, alongside a Planning Committee Chairman and the Democratic Services team. Over 100 members of staff attended the sessions.</i></p> <p><i>The sessions included opportunities for informal discussions where staff were able to share their experiences of working with members and seek advice about different situations. Feedback from the sessions has been shared with the Management team and will also be shared with the Member Development Working Group, who oversee training and development for members.</i></p> <p><i>Political awareness training will be provided corporately moving forward by Dem Services as part of the induction process.</i></p>

<p><b>Head of Planning and Development to agree content and delivery timescales.</b></p>				
<p><b>6. There should be a review of the new Member Surgeries in June 2022 to consider the level of participation and feedback from both members and officers regarding their effectiveness.</b></p>	<p>This recommendation is agreed. A review will be undertaken in June, including surveys and feedback from both members and officers. A subsequent update will be provided for the Select Committee.</p>	<p>Steve Bambrick/Gareth Williams</p> <p><b>Review:</b> June 2022</p>	<p>N/A</p>	<p><i>A review of the member surgeries was undertaken in November 2022 by the Planning Business Support Team. This included;</i></p> <ul style="list-style-type: none"> <li><i>• Survey of planning staff and members regarding the effectiveness of planning surgeries (to be included in the Leader's email to local members).</i></li> <li><i>• Review number of surgeries and attendance by members and officers.</i></li> </ul> <p><i>Since the 10<sup>th</sup> January 2022 until the date of the review we have held 52 surgeries, engaging with 37 separate ward members.</i></p> <p><i>Overall, Members have found the Surgeries useful and appreciate Team leaders/officers spending time to go through issues and find surgeries an opportunity to improve on their planning knowledge. Some Members however feel a simple phone call or email is more time efficient rather than waiting for a surgery.</i></p> <p><i>The majority of Majority of officers believe the Surgery process is a useful mechanism to communicate with Members. Officers find Members are still sending emails and calling in to the offices and the officer then tries to point them</i></p>

				<p><i>towards the Surgery process. This is to be addressed in the guidance note, which will cover communication and how to access the Planning Service.</i></p> <p><i>In addition the Planning Service have established Strategic Sites Working Groups. The purpose of these groups is to improve engagement on strategic allocations with local ward members. These sessions run from pre-application, outline and reserved matters stages of the development and have input from the developer. I would note that this is not a decision making forum. The meetings are held quarterly, albeit this may be reduced or increased depending on the stage of the development in discussions with the lead planning officer. Initial feedback from Members who have attended these sessions have been extremely positive.</i></p>
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## Member Engagement in Planning – Scoping Document

Recommendation	
<p><b>1. A Member Planning Handbook should be produced to provide members with practical information that will assist them in dealing with local planning casework.</b></p>	<p>The Member Planning Handbook will include the following chapters:</p> <ul style="list-style-type: none"> <li>• Planning Applications – types of application</li> <li>• Consultee and Public Access – viewing and commenting on planning applications, weekly lists and tracking cases</li> <li>• Determining Planning Applications – delegated decisions, call in, committees</li> <li>• Permitted Development rights</li> <li>• Planning Appeals</li> <li>• Planning Enforcement (inc. Gypsies and Travellers)</li> <li>• Planning Policy – national, local, neighbourhood plans and 5 year housing land supply</li> <li>• Section 106 and CIL – identifying mitigation, securing mitigation, CIL, how CIL is spent</li> <li>• Acronyms</li> <li>• Planning Induction for new members – including training and attending a planning committee</li> </ul> <p>Draft will be agreed with Cabinet Member. Draft will be circulated to Member Development Committee for approval.</p> <p>The Member Planning Handbook will be updated and resent as part of Member refresher training programme annually.</p> <p>This will be made available through the Source expanding on existing content: <a href="https://internal.buckinghamshire.gov.uk/members-area/guidance-training-2021/member-involvement-planning-applications/">https://internal.buckinghamshire.gov.uk/members-area/guidance-training-2021/member-involvement-planning-applications/</a></p>

	<p><b>Officers:</b> Christine Urry (Head of Planning and Development) and Beverley Radway-Bright (Planning Business Support Team Leader)</p>
<p>2. <b>All members should be able to access and receive training on how to use a GIS map to enable them to look up planning application details and other useful information such as flood plains, conservation areas etc to help them respond to planning queries from residents.</b></p>	<p>This will be subject to a separate business case to be developed with IT services. This will require the Council to move onto one front facing GIS system.</p> <p><b>Officers:</b> Alastair Nicholson (Planning Business and Improvement Manager) and Keith Shearman (ICT Information Systems Manager)</p>
<p>3. <b>A short guidance note should be provided for officers and members explaining the benefits of working in partnership, to enable public participation in planning and promote a wider understanding of the process. This should set out reasonable expectations in terms of how queries will be managed, including timescales.</b></p>	<p>The guidance note will contain the following sections:</p> <ul style="list-style-type: none"> <li>• <b>Member and Officer Roles in Planning</b> – a brief description of the role that members and officers play in the planning process, including policy development, planning applications and enforcement.</li> <li>• <b>Collaborative Working</b> – the benefits of member officer partnership</li> <li>• <b>Communication Channels</b> – including surgeries, strategic sites working group, email, and phone. Turnaround times will be set out for emails and returning phone calls to members. The focus will however be on the use of surgeries for casework rather than on emails.</li> </ul>



	<ul style="list-style-type: none"> <li>• <b>The Planning Protocol (appendix to the Council’s Constitution) will be appended in full</b> (<a href="https://buckinghamshire.moderngov.co.uk/documents/s35416/CouncilConstitution.pdf">https://buckinghamshire.moderngov.co.uk/documents/s35416/CouncilConstitution.pdf</a>)</li> <li>• Draft will be agreed with Cabinet Member.</li> <li>• Draft will be circulated to Member Development Committee for approval</li> <li>• Once finalised the Guidance Note will be issued to all P&amp;E staff and included in the Leader’s email to local members.</li> </ul> <p><b>Officers:</b> Christine Urry (Head of Planning and Development) and Beverley Radway-Bright (Planning Business Support Team Leader)</p>
<p><b>4. A series of ‘informal’ Meet the Planners events should be held to enable members and officers to meet and chat in a relaxed atmosphere, to help to cultivate trust and collaboration.</b></p>	<ul style="list-style-type: none"> <li>• Quarterly in person events tied in with updates/trainings on key areas (e.g., Permitted Development, Planning Appeals, AONB, Enforcement, Green Belt, Call-ins etc)</li> <li>• 30-minute presentation, 10-minute Q&amp;A, followed by teas and coffees/networking</li> <li>• This will be part of a revised training offer to all members, moving away from generic ‘planning training’ and instead providing more focussed sessions on areas of planning that are important to local ward members.</li> <li>• This will be reviewed, taking into account feedback from attendees.</li> </ul> <p><b>Officers:</b> Christine Urry (Head of Planning and Development) and Catherine MacKenzie (Democratic Services)</p>
<p><b>5. Political Awareness training should be offered to planning staff to support them in working effectively with Members. This could be facilitated by the Democratic Services team, who would work with the Head of Planning and Development to agree content and delivery timescales.</b></p>	<p><b>Proposal:</b></p> <ul style="list-style-type: none"> <li>• Hold six sessions in person with 25 delegates on each</li> <li>• Peter Strachan as Cabinet Member introduces the session</li> <li>• First section - 10 mins with a member (potentially a non-Buckinghamshire member through the LGA) with experience of Planning. Ask them to talk about what brought them into politics, what an average week is like as a Councillor and their experience with Planning casework. Also what officers can do to help them and what they might be able to do to help officers.</li> <li>• 10 mins for follow up questions</li> <li>• Then the member leaves so officers only in the room</li> <li>• Second section - led by Dem Services – Short slide deck around political make-up of the Council, decision making and governance structures, member/officer protocol and</li> </ul>

	<p>opportunity for officers to share their previous experiences with members. Will cover how best to engage with members, managing expectations, building trusting relationships and emphasising collaborative approach.</p> <ul style="list-style-type: none"> <li>• Also input from Planning Managers who can give examples of when they have worked well with members.</li> </ul> <p><b>Timing and Logistics</b></p> <ul style="list-style-type: none"> <li>• Would like to deliver the sessions during September but need to avoid planning committee dates and the publications dates for those agendas (discounts 11 days in the month)</li> <li>• Would like to hold in a central location – suggested Princes Risborough Community Centre or Green Park, so need enough lead in time to get venue booked and issue invitations</li> <li>• Might be useful to book sessions via eventbrite or similar</li> </ul> <p><b>Officers:</b> Christine Urry (Head of Planning and Development) and Kelly Sutherland (Scrutiny Manager)</p>
<p><b>6. There should be a review of the new Member Surgeries in June 2022 to consider the level of participation and feedback from both members and officers regarding their effectiveness.</b></p>	<ul style="list-style-type: none"> <li>• Survey of planning staff and members regarding the effectiveness of planning surgeries (to be included in the Leader’s email to local members).</li> <li>• Review number of surgeries and attendance by members and officers.</li> <li>• Recommendation on how to proceed to be agreed by Cabinet member</li> </ul> <p><b>Officers:</b> Beverley Radway-Bright (Planning Business Support Team Leader)</p>

### Member Surgery Statistics

<b>Number of available surgeries</b>	345 (69 per area) since 10 <sup>th</sup> January 2022
<b>Number of Surgeries attended/held</b>	52
<b>How many Members have attended</b>	33
<b>How many Members have Engaged</b>	37
<b>Member Surgery Themes (Primary and Secondary included)</b>	<b>Status updates – 37</b> <b>Constituent Query – 4</b> <b>Enforcement action/case – 12</b> <b>Planning Policy – 4</b> <b>Local Plans – 1</b>
<b>Surgeries for each Area</b>	<b>North - 12</b> <b>Central - 7</b> <b>South - 8</b> <b>East - 12</b> <b>West - 13</b>
<b>Feedback from Members</b>	<p>Overall, Members have found the Surgeries useful and appreciate Team leaders/officers spending time to go through issues and find surgeries an opportunity to improve on their planning knowledge. Some Members feel a simple phone call or email is more time efficient rather than waiting for a surgery. Occasionally, the allocated 20-minute slot is not long enough to discuss all issues. Some Members find the process long winded having to fill in a form and send this off, when they can pick up a phone or email in.</p>
<b>Feedback received from Staff</b>	<p>Majority of officers believe the Surgery process is a useful mechanism to communicate with Members.</p> <p>One officer does not find a recurring placeholder in their calendar helpful. Officers find Members are still sending emails and calling in and the officer then tries to point them towards the Surgery process.</p>

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**Growth, Infrastructure and Housing Select Committee** (Chairman: David Carroll, Scrutiny officer: Tom Fowler)

Date	Topic	Description & Purpose	Lead Officer	Contributors
16 February 2023	Local Plan, LTP and Infrastructure Plan – How do these crucial plans link together? **	An opportunity for members to understand and discuss the synergies between the emerging Local Plan, Local Transport Plan and Infrastructure Plan.	Steve Bambrick, Darran Eggleton, Richard Lumley,	Peter Strachan, Steve Broadbent, Martin Tett?
	Planning Enforcement Plan review and update	The Select Committee will review the effectiveness of the Planning Enforcement Plan in light of an up to date performance report.	Darran Eggleton	Gary Hall, Darran
6 April 2023	Member Engagement in Planning – 12-month progress update	The Select Committee will review the progress of work on implementation of the 6 recommendations made in the Member Engagement in Planning review which was presented to Cabinet on 1 <sup>st</sup> March 2022.	Steve Bambrick/Chrissy Urry	Peter Strachan

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